



Procedure file

Basic information		
DEC - Discharge procedure	2009/2076(DEC)	Procedure completed
2008 discharge: EU general budget, European Data Protection Supervisor		
Subject 8.70.03.07 Previous discharges		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	CONT Budgetary Control		01/10/2009
	Committee for opinion	ECR CZARNECKI Ryszard	
	JURI Legal Affairs	Rapporteur for opinion	Appointed
		The committee decided not to give an opinion.	
	LIBE Civil Liberties, Justice and Home Affairs	The committee decided not to give an opinion.	
European Commission	Commission DG	Commissioner	
	Budget	ŠEMETA Algirdas	

Key events			
22/07/2009	Non-legislative basic document published	SEC(2009)1089	Summary
07/10/2009	Committee referral announced in Parliament		
23/03/2010	Vote in committee		Summary
26/03/2010	Committee report tabled for plenary	A7-0098/2010	
21/04/2010	Debate in Parliament		
05/05/2010	Results of vote in Parliament		
05/05/2010	Decision by Parliament	T7-0097/2010	Summary
05/05/2010	End of procedure in Parliament		
25/09/2010	Final act published in Official Journal		

Technical information	
Procedure reference	2009/2076(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	CONT/7/00706

Documentation gateway					
Non-legislative basic document		SEC(2009)1089	23/07/2009	EC	Summary
Document attached to the procedure		N7-0036/2009 OJ C 269 10.11.2009, p. 0001	10/11/2009	CofA	Summary
Committee draft report		PE430.319	02/02/2010	EP	
Committee report tabled for plenary, single reading		A7-0098/2010	26/03/2010	EP	
Text adopted by Parliament, single reading		T7-0097/2010	05/05/2010	EP	Summary
Final act					
Decision 2010/505 OJ L 252 25.09.2010, p. 0104 Summary					

2008 discharge: EU general budget, European Data Protection Supervisor

PURPOSE: to present the final annual accounts of the European Communities for the financial year 2008 - Other institutions: section IX - European Data Protection Supervisor.

CONTENT: this document sets out the amount of expenditure and the financial statement of the European Data Protection Supervisor (EDPS) for 2008. It presents an analysis of the institution's financial management as well as its main axes of expenditure.

The figures mentioned hereafter are taken from the following document [?Report on budgetary and financial management for 2008?](#).

Commitment appropriations:

- commitment appropriations authorised: EUR 5 307 753
- commitments made in 2008: EUR 4 571 930 million (86.14% of available commitments).

Payment appropriations:

- payment appropriations authorised: EUR 6 322 458
- payments made in 2008: EUR 4 306 781 (68.12% of payments).

Main axes of expenditure for 2008: the budget of this institution increased by roughly 7.1% compared to 2007. This was due to two main factors: (1) the adjustment to living costs and the indexation of salaries; (2) taking into consideration the considerable increase in activities (the budget increased from EUR 5 million in 2007 to EUR 5.3 million in 2008 and personnel increased from 29 to 33 people).

The budgetary year was also marked by:

- the consolidation of administrative cooperation: this refers to cooperation with the relevant services of the Parliament, the Commission and the Council in areas where duplication of jobs can be avoided. The Agreement concluded in June 2004 with these institutions was extended for a new period of 3 years starting from 16 January 2007. As a reminder, this Agreement enables the EDPS to rely on the expertise of the other institutions in areas of budgetary and technical assistance, among others, and creates large economies of scale. Interinstitutional cooperation was continued with different Commission DGs, the Publications Office of the European Union, the European Parliament (notably for building security, website, inventory of assets, mail, telephone, supplies, etc) and the Council's translation service;
- continued recruitment: as a new institution, the EDPS is still in its development phase. The EDPS therefore chose to limit the increase in the number of tasks and staff so that there would be a controlled progression of tasks to be dealt with and of newly integrated personnel. That is why the EDPS created 4 additional posts in 2008. Given the increased workload, it was necessary to create the position for a coordinator (7 coordinators were nominated). In addition, 4 trainees were welcomed as well as 3 seconded national experts from Spain, Hungary and Greece.

The other main points concerning the implementation of the EDPS budget can be summarised as follows:

Title I (Expenditure relating to persons working with the Institution): this budgetary Title was not characterised by any notable observation (the expenditure for most of the items was in accordance with the budgetary forecasts): for the Title as a whole, the rate of implementation for appropriations recorded in the budget is 80.54% (EUR 3 028 355). The weak implementation of Article 111 relating to payments to other agents? ? seconded national experts, trainees, contractual agents and agency staff.

Title II (Buildings, equipment and miscellaneous operating expenditure): the utilisation rate for this Title amounts to 100%. Therefore, no specific remarks have been made as regards the budget (total amount of Title II: EUR 1 543 575).

2008 discharge: EU general budget, European Data Protection Supervisor

The Committee on Budgetary Control adopted the report by Ryszard CZARNECKI (ECR, PL) recommending the European Parliament to grant the European Data Protection Supervisor discharge in respect of the implementation of its budget for the financial year 2008.

The committee notes that in 2008 the European Data Protection Supervisor (EDPS) had commitment appropriations available amounting to a total of EUR 5.3 million (2007: EUR 5 million), with a utilisation rate of 86.14%, below the average of the other institutions (95.67%).

Members note the continuous increase in permanent posts allocated to the EDPS. However, they also highlight that the expenditure under article "Other staff" demonstrates the implementation rate below the average (51.98%).

Noting that the Court of Auditors indicated in its annual report that the audit did not give rise to any significant observations as regards the EDPS, Members recall the evaluation performed by the EDPS Internal Audit Service (that is, Commission's internal auditor on the basis of the Administrative Cooperation Agreement) had demonstrated the functionality and efficiency of the internal control system and its ability to provide reasonable assurance for the achievement of the institution's objectives.

Members welcome the annual publication of declarations of financial interests of the elected Members of the institution (EDPS and Assistant Supervisor). They request that the EDPS include in its next activity report (financial year 2009) a chapter providing a detailed account of the follow-up during the year to Parliament's earlier discharge decisions.

2008 discharge: EU general budget, European Data Protection Supervisor

The European Parliament adopted a decision on discharge to be granted to the European Data Protection Supervisor in respect of the implementation of its budget for the financial year 2008.

Furthermore, Parliament adopted a resolution with observations which are an integral part of the decision to grant discharge.

Parliament notes that in 2008 the European Data Protection Supervisor (EDPS) had commitment appropriations available amounting to a total of EUR 5.3 million (2007: EUR 5 million), with a utilisation rate of 86.14%, below the average of the other institutions (95.67%).

Parliament notes the continuous increase in permanent posts allocated to the EDPS. However, it also points out that the expenditure under article "Other staff" demonstrates the implementation rate below the average (51.98%).

Noting that the Court of Auditors indicated in its annual report that the audit did not give rise to any significant observations as regards the EDPS, Parliament recalls the evaluation performed by the EDPS Internal Audit Service (that is, the Commission's internal auditor on the basis of the Administrative Cooperation Agreement) had demonstrated the functionality and efficiency of the internal control system and its ability to provide reasonable assurance for the achievement of the institution's objectives.

Parliament welcomes the annual publication of declarations of financial interests of the elected Members of the institution (EDPS and Assistant Supervisor). It requests that the EDPS includes in its next activity report (financial year 2009) a chapter providing a detailed account of the follow-up during the year to Parliament's earlier discharge decisions.

2008 discharge: EU general budget, European Data Protection Supervisor

PURPOSE: to grant discharge to the European Data Protection Supervisor for the 2008 financial year.

LEGISLATIVE ACT: Decision 2010/505/EU of the European Parliament on the discharge for implementation of the European Union general budget for the financial year 2008, Section IX - European Data Protection Supervisor.

CONTENT: with the present decision, the European Parliament grants the European Data Protection Supervisor discharge in respect of the implementation of the budget for the financial year 2008.

This decision is in line with the European Parliament's resolution adopted on 5 May 2010 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 5 May 2010).