


Procedure file

Basic information		
BUD - Budgetary procedure	2011/2131(BUD)	Procedure completed
Amending budget 5/2011: establishment plans of the European Data Protection Supervisor and the European External Action Service		
Subject		
8.40.08 Agencies and bodies of the EU		
8.40.09 European officials, EU servants, staff regulations		
8.70.60 Previous annual budgets		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	BUDG Budgets		27/06/2011
		Vers/ALE TRÜPEL Helga	
Council of the European Union	Council configuration	Meeting	Date
	General Affairs	3109	12/09/2011
European Commission	Commission DG	Commissioner	
	Budget	LEWANDOWSKI Janusz	

Key events			
22/06/2011	Commission draft budget published	COM(2011)0374	Summary
12/09/2011	Council position on draft budget published	13991/2011	Summary
12/09/2011	Draft budget approved by Council		
15/09/2011	Committee referral announced in Parliament		
12/10/2011	Vote in committee		Summary
13/10/2011	Budgetary report tabled for plenary	A7-0346/2011	
25/10/2011	Results of vote in Parliament		
25/10/2011	Decision by Parliament	T7-0445/2011	Summary
25/10/2011	End of procedure in Parliament		
22/12/2011	Final act published in Official Journal		

Technical information	

Procedure reference	2011/2131(BUD)
Procedure type	BUD - Budgetary procedure
Procedure subtype	Budget
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	BUDG/7/06329

Documentation gateway

Commission draft budget	COM(2011)0374	22/06/2011	EC	Summary
Council position on draft budget	13991/2011	12/09/2011	CSL	Summary
Amendments tabled in committee	PE472.376	27/09/2011	EP	
Committee draft report	PE469.849	12/10/2011	EP	
Budgetary report tabled for plenary, 1st reading	A7-0346/2011	13/10/2011	EP	
Budgetary text adopted by Parliament	T7-0445/2011	25/10/2011	EP	Summary

Final act

[Budget 2011/840](#)
[OJ L 342 22.12.2011, p. 0001](#) Summary

Amending budget 5/2011: establishment plans of the European Data Protection Supervisor and the European External Action Service

PURPOSE: presentation of the Draft Amending Budget No 5 to the 2011 budget.

CONTENT: Draft Amending Budget (DAB) No 5 for the year 2011 covers the following:

- a modification to the establishment plan of the European Data Protection Supervisor (EDPS), without additional budgetary request;
- a modification to the establishment plan of the European External Action Service (EEAS), without additional budgetary request.

Amending budget 5/2011: establishment plans of the European Data Protection Supervisor and the European External Action Service

On 22 June 2011, the Commission submitted to the Council draft amending budget (DAB) No 5 to the general budget for 2011, covering the modifications to the establishment plans of the European Data Protection Supervisor and the European External Action Service, both without any additional budgetary requests.

On 12 September 2011, the Council adopted its position on draft amending budget No 5 of the European Union for the financial year 2011 as set out in the [technical annex to the explanatory memorandum of the Council draft budget](#).

Amending budget 5/2011: establishment plans of the European Data Protection Supervisor and the European External Action Service

The Committee on Budgets adopted the report drafted by Helga TRÜPEL (Greens/EFA, DE) in which it recommends that the European Parliament to amend the Council's position on Draft amending budget No 5/2011.

The committee recalls that this Draft Amending Budget (DAB) No 5 for the year 2011 covers the modification to the establishment plan of the European Data Protection Supervisor (EDPS) as well as the establishment plan of the European External Action Service (EEAS).

EDPS: Members recall that, according to the Commissions proposal, the EDPS Budget shall be amended by deleting an AD 14 post and creating an AD 15 post in the establishment plan of section IX.

Article 37(1) of the EU Financial Regulation provides that the Commission may present Draft amending budgets if there are "unavoidable, exceptional or unforeseen circumstances". For the Members, the mobilisation of an amending budget procedure with involvement of the two branches of the budgetary authority is in proportion to the need to adapt the EDPS's establishment plan to the new situation.

It seems that the newly created AD 15 post would be equivalent to a Director in the European Commission. The EDPS as a number of 41 staff. Is it good administrative practise and sound financial management to have a person with an AD 15 grade to head an institution with a relatively small number of staff. Members recommend rejecting the Council's position as regards the EDPS establishment plan as the appointment did not represent "an exceptional circumstance" for the EDPS, as requested for in the Financial Regulation. Therefore, Members call for the Council's position to be amended by restoring the 2011 establishment plan of the EDPS.

EEAS: Members recall that the establishment of the EEAS in 2010 was guided by the principle of budget neutrality and sound and efficient management while fully taking into account the impact of the economic crisis in public finances and the need for budgetary stringency. Members state, however, that it has been clear from the start that a gradual build-up of the service will be called for and that

resources should be made available according to the progress of the Institution's set-up and current absorption capacity. Therefore, Members recommend approving the Council's position as regards the EEAS establishment plan but call at the same time on the EEAS to show restraint for possible future plans of creating additional high-ranking posts.

Amending budget 5/2011: establishment plans of the European Data Protection Supervisor and the European External Action Service

The European Parliament adopted by 557 votes to 22, with 12 abstentions, a resolution on the Council position on Draft amending budget No 5/2011 of the European Union for the financial year 2011, Section IX ? European Data Protection Supervisor and Section X - European External Action Service.

Taking note of the Council's position on Draft amending budget No 5/2011, Parliament decided to amend the Council's decision to amend the establishment plan of the European Data Protection Supervisor (EDPS).

To recall, according to the Commissions proposal, the EDPS Budget shall be amended by deleting an AD 14 post and creating an AD 15 post in the establishment plan of section IX.

Parliament considered that this appointment did not represent ?an exceptional circumstance? for the EDPS, as requested for in the Financial Regulation. Therefore the Council's position is amended by restoring the 2011 establishment plan of the EDPS.

Amending budget 5/2011: establishment plans of the European Data Protection Supervisor and the European External Action Service

PURPOSE: definitive adoption of amending budget No 5 of the European Union for the financial year 2011.

LEGISLATIVE ACT: Decision 2011/840/EU, Euratom.

CONTENT: the European Parliament has definitively adopted the amending budget No 5/2011 of the European Union, in accordance with its resolution of 25 October 2011 (please refer to the summary of the resolution).

This Amending Budget covers the modification to the establishment plan of the European Data Protection Supervisor (EDPS) as well as the establishment plan of the European External Action Service (EEAS), without additional budgetary request.