

Procedure file

Basic information			
DEC - Discharge procedure	2012/2202(DEC)	Procedure completed	
2011 discharge: European Fisheries Control Agency (EFSA)			
Subject 8.70.03.07 Previous discharges			

Key players			
European Parliament	Committee responsible CONT Budgetary Control	Rapporteur ALDE GERBRANDY Gerben-Jan Shadow rapporteur PPE SARVAMAA Petri S&D AYALA SENDER Inés Verts/ALE STAES Bart ECR BRADBURN Philip EFD ANDREASEN Marta NI EHRENHAUSER Martin	Appointed 29/02/2012
	Committee for opinion PECH Fisheries	Rapporteur for opinion EFD SALAVRAKOS Nikolaos	Appointed 09/10/2012
European Commission	Commission DG Budget	Commissioner ŠEMETA Algirdas	

Key events			
25/07/2012	Non-legislative basic document published	COM(2012)0436	Summary
13/09/2012	Committee referral announced in Parliament		
19/03/2013	Vote in committee		
22/03/2013	Committee report tabled for plenary	A7-0109/2013	Summary
16/04/2013	Debate in Parliament		
17/04/2013	Results of vote in Parliament		
17/04/2013	Decision by Parliament	T7-0145/2013	Summary

17/04/2013	End of procedure in Parliament
16/11/2013	Final act published in Official Journal

Technical information

Procedure reference	2012/2202(DEC)
Procedure type	DEC - Discharge procedure
Stage reached in procedure	Procedure completed
Committee dossier	CONT/7/10546

Documentation gateway

Non-legislative basic document		COM(2012)0436	25/07/2012	EC	Summary
Court of Auditors: opinion, report		N7-0017/2013 OJ C 388 15.12.2012, p. 0086	05/09/2012	CofA	Summary
Committee draft report		PE497.826	21/01/2013	EP	
Document attached to the procedure		05753/2013	01/02/2013	CSL	Summary
Committee opinion	PECH	PE502.009	21/02/2013	EP	
Amendments tabled in committee		PE497.874	27/02/2013	EP	
Committee report tabled for plenary, single reading		A7-0109/2013	22/03/2013	EP	Summary
Text adopted by Parliament, single reading		T7-0145/2013	17/04/2013	EP	Summary

Final act

Decision 2013/574
OJ L 308 16.11.2013, p. 0221 Summary

2011 discharge: European Fisheries Control Agency (EFSA)

PURPOSE: presentation by the Commission of the consolidated annual accounts of the European Union for the financial year 2011, as part of the 2011 discharge procedure.

Analysis of the accounts of the Community Fisheries Control Agency (CFCA).

CONTENT: this Commission document sets out the consolidated annual accounts of the European Union for the financial year 2011 as prepared on the basis of the information presented by the institutions, organisations and bodies of the EU, in accordance with Article 129 (2) of the Financial Regulation applicable to the EU's General Budget, including the Community Fisheries Control Agency (CFCA).

In 2011, the tasks and budget of this agency were as follows:

- description of CFCA's tasks: the agency, which is located in Vigo, was created by [Council Regulation \(EC\) No 768/2005 of 26 April 2005](#) and its main task is to organise the operational coordination of fisheries control and inspection activities by the Member States in order to ensure effective and uniform application of the rules of the common fisheries policy;
- CFCA's budget for the 2011 financial year: the Agency's budget for 2011, as presented in the Commission document on the consolidated annual accounts of the European Union, gives the following figures:
 - forecasted income budget: EUR 12 million;
 - entitlements established: EUR 12 million;
 - amounts received: EUR 12 million;
 - outstanding: EUR 0 million.

The complete version of the Agency's final accounts may be found at the following address:

http://cfca.europa.eu/pages/home/docs_basicdocs.htm

2011 discharge: European Fisheries Control Agency (EFSA)

PURPOSE: presentation of the EU Court of Auditors report on the annual accounts of the European Fisheries Control Agency (EFCA) for the financial year 2011, together with the Agency's reply.

CONTENT: in accordance with the tasks conferred on the Court of Auditors by the Treaty on the Functioning of the European Union, the Court presents to the European Parliament and to the Council, in the context of the discharge procedure, a Statement of Assurance as to the reliability of the annual accounts of each institution, body or agency of the EU, and the legality and regularity of the transactions underlying them, on the basis of an independent external audit.

This audit concerned, amongst others, the annual accounts of the EFCA.

In the Courts opinion, the Agency's Annual Accounts fairly present, in all material respects, its financial position as of 31 December 2011 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of its Financial Regulation.

The Court also considers that the transactions underlying the annual accounts of the Agency for the financial year ended 31 December 2011 are, in all material respects, legal and regular.

The report confirms that the Agency's 2011 budget amounted to EUR 12.85 million, and that the number of staff it employed at the end of the year was 58.

The report also makes a series of observations on the budgetary and financial management of the Agency, accompanied by the latter's response. The main observations may be summarised as follows:

Courts comments:

- public procurement: the Court identified a need to improve procurement procedures. The Agency did not adequately document the estimation of contract values in the procurement files;
- appointment: in the course of the appointment procedure of the executive Director, a member of the Administrative Board contravened the regulations governing appointments to key posts by announcing the candidate the Commission intended to vote for;
- recruitment: the Court identified a need to further improve staff selection procedures. Vacancy notices did not provide information on complaint and appeal procedures. Meetings of the Selection Board were insufficiently documented and in one recruitment case the Appointing Authority did not follow the order of the Selection Boards list without providing a reason.

Agencies replies:

on procurement, the Agency has established a set of internal procedures to ensure a firm basis for contract value estimation and documents this process;

the acting of Members of the Administrative Board is not under the control of the agency, thus the Executive Director is not responsible for the proceedings;

the Agency will add this information to its vacancy notices, and will adapt the standard template of the minutes to the suggestions of the Court.

Lastly the Court of Auditors report contains a summary of the Agency's activities in 2011. These may be described as follows:

- operational coordination: implementation of Joint Deployment Plan (JPD) for the cod fishery in the North Sea, Skagerrak, Kattegat and the Eastern Channel and Western Waters (West of Scotland and the Irish Sea), as well as in the Baltic Sea, and a JPD for bluefin tuna fishery in the Mediterranean Sea and Eastern Atlantic;
- support activities to fight illegal unreported and unregulated fisheries (IUU);
- formation of Member State inspectors participating in JDPs and fight against IUU fishing;
- enhancing various other capacities.

2011 discharge: European Fisheries Control Agency (EFSA)

The Committee on Budgetary Control adopted the report by Gerben-Jan GERBRANDY (ADLE, NL) on discharge to be granted to the Executive Director of the European Fisheries Control Agency (EFSA) in respect of the implementation of the Agency's budget for the financial year 2011.

Noting that the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts of the Agency for the financial year 2011 are reliable and that the underlying transactions are legal and regular, Members approve the closure of EFSA's accounts. However, they make a number of recommendations that need to be taken into account when the discharge is granted, in addition to the general recommendations that appear in the [draft resolution on performance, financial management and control of EU agencies](#):

- Financing, budget and financial management: the Agency's overall budget for 2011 was EUR 12.85 million, which represents an increase of 16.7%.
- Implementation rate of appropriations and carryovers: the Agency committed 98.3% of the subsidy granted and paid 85.6% of available payment appropriations. A significant number of appropriations were carried over or cancelled.

Lastly, Members made a series of observations as regards the Agency's procurement and recruitment procedures, internal audit, performances, accounting systems and governance.

2011 discharge: European Fisheries Control Agency (EFSA)

The European Parliament adopted a decision on discharge to be granted to the Executive Director of the European Fisheries Control Agency (EFSA) in respect of the implementation of the Agency's budget for the financial year 2011. The vote on the decision to grant discharge covers

the closure of the accounts (in accordance with Annex VI, Article 5(1) of the European Parliaments Rules of Procedure).

Noting that the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts of the Agency for the financial year 2011 are reliable and that the underlying transactions are legal and regular, Parliament adopted a resolution containing a number of recommendations that need to be taken into account when the discharge is granted, in addition to the general recommendations that appear in the [draft resolution on performance, financial management and control of EU agencies](#):

- Financing, budget and financial management: Parliament recalls that the Agency's overall budget for 2011 was EUR 12.8 million, which represents an increase of 16.7%.
- Implementation rate of appropriations and carryovers: It states that the Agency committed 98.3% of the subsidy granted and paid 85.6% of available payment appropriations. A significant number of appropriations were carried over or cancelled.
- Governance: Parliament acknowledges from the Court of Auditors that in the course of the appointment procedure of the Executive Director, a member of the Administrative Board contravened the regulations governing appointments to key posts by announcing the candidate the Commission intended to vote for. It stresses, however, that the Executive Director is not responsible for the proceedings.

Lastly, Parliament made a series of observations as regards the Agencys procurement and recruitment procedures, internal audit, performances and accounting systems.

2011 discharge: European Fisheries Control Agency (EFSA)

PURPOSE: to grant discharge to the Community Fisheries Control Agency (CFCA) for the financial year 2011.

NON-LEGISLATIVE ACT: Decision 2013/574/EU of the European Parliament on discharge in respect of the implementation of the budget of the CFCA for the financial year 2011.

CONTENT: with the present decision, and in accordance with Article 319 of the Treaty on the Functioning of the European Union (TFEU), the European Parliament grants discharge to the Executive Director of the CFCA for the implementation of its budget for the financial year 2011.

This decision is in line with the European Parliament's resolution adopted on 17 April 2013 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 17 April 2013).

A parallel decision, 2013/575/EU, adopted on the same day, approves the closure of this Agency's accounts for the 2011 financial year.