



# Procedure file

Basic information		
DEC - Discharge procedure	<a href="#">2013/2238(DEC)</a>	Procedure completed
2012 discharge: European Insurance and Occupational Pensions Authority (EIOPA)		
Subject 8.70.03.07 Previous discharges		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>CONT</b> Budgetary Control		10/10/2013
		PPE <a href="#">SARVAMAA Petri</a> Shadow rapporteur S&D <a href="#">KADENBACH Karin</a> ALDE <a href="#">GERBRANDY Gerben-Jan</a> Verts/ALE <a href="#">STAES Bart</a> ECR <a href="#">ANDREASEN Marta</a> EFD <a href="#">VANHECKE Frank</a> NI <a href="#">EHRENHAUSER Martin</a>	
European Parliament	Committee for opinion	Rapporteur for opinion	Appointed
	<b>ECON</b> Economic and Monetary Affairs		08/10/2013
		S&D <a href="#">SÁNCHEZ PRESEDO Antolín</a>	
	<b>EMPL</b> Employment and Social Affairs	The committee decided not to give an opinion.	
European Commission	Commission DG <a href="#">Budget</a>	Commissioner ŠEMETA Algirdas	

Key events			
26/07/2013	Non-legislative basic document published	COM(2013)0570	
22/10/2013	Committee referral announced in Parliament		
17/03/2014	Vote in committee		
21/03/2014	Committee report tabled for plenary	<a href="#">A7-0232/2014</a>	Summary
02/04/2014	Debate in Parliament		

03/04/2014	Results of vote in Parliament		
03/04/2014	Decision by Parliament	<a href="#">T7-0314/2014</a>	Summary
03/04/2014	End of procedure in Parliament		
05/09/2014	Final act published in Official Journal		

### Technical information

Procedure reference	2013/2238(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	CONT/7/14216

### Documentation gateway

Non-legislative basic document		COM(2013)0570	26/07/2013	EC	
Court of Auditors: opinion, report		N7-0025/2014 <a href="#">OJ C 365 13.12.2013, p. 0134</a>	10/09/2013	CofA	Summary
Committee draft report		<a href="#">PE521.668</a>	23/01/2014	EP	
Document attached to the procedure		<a href="#">05849/2014</a>	05/02/2014	CSL	Summary
Committee opinion	<b>ECON</b>	<a href="#">PE524.721</a>	21/02/2014	EP	
Amendments tabled in committee		<a href="#">PE521.770</a>	26/02/2014	EP	
Committee report tabled for plenary, single reading		<a href="#">A7-0232/2014</a>	21/03/2014	EP	Summary
Text adopted by Parliament, single reading		<a href="#">T7-0314/2014</a>	03/04/2014	EP	Summary

### Final act

Budget 2014/587  
[OJ L 266 05.09.2014, p. 0227](#) Summary

## 2012 discharge: European Insurance and Occupational Pensions Authority (EIOPA)

**PURPOSE:** presentation by the Commission of the consolidated annual accounts of the European Union for the financial year 2012, as part of the 2012 discharge procedure.

**Analysis of the accounts of the European Insurance and Occupational Pensions Authority (EIOPA).**

**CONTENT:** this Commission document sets out the consolidated annual accounts of the European Union for the financial year 2012 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 European Insurance and Occupational Pensions Authority (EIOPA).

In 2012, the tasks and budget of this agency were as follows:

- description of EIOPA's tasks: EIOPA, which is located in Frankfurt, was set up by [Regulation \(EU\) No 1094/2010 of the European Parliament and of the Council](#) with a view to protecting the public interest by contributing to the short, medium and long-term stability and efficiency of the financial system for the economy of the European Union, its citizens and its companies;
- EIOPA's budget for the 2012 financial year: EIOPA's budget for 2012, as presented in the Commission document on the consolidated annual accounts of the European Union, gives the following figures:

§ Commitment appropriations :

- committed : EUR 16 million;
- paid : EUR 14 million;
- carried-over : 0.

§ Payment appropriations :

- committed : EUR 16 million;
- paid : EUR 11 million;
- carried-over : EUR 4 million.

Please refer also to the [final accounts of the Insurance and Occupational Pensions Authority](#)

## 2012 discharge: European Insurance and Occupational Pensions Authority (EIOPA)

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**PURPOSE:** presentation of the EU Court of Auditors report on the annual accounts of the European Insurance and Occupational Pensions Authority (EIOPA) for the year 2012, together with the EIOPAs 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 European Insurance and Occupational Pensions Authority (EIOPA).

In the Courts opinion, EIOPAs Annual Accounts fairly present, in all material respects, its financial position as of 31 December 2012 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of its Financial Regulation and the accounting rules adopted by the Commissions accounting officer.

The Court also considers that the transactions underlying the annual accounts of the Authority for the financial year ended 31 December 2012 are, in all material respects, legal and regular.

The report confirms that the Authoritys 2012 budget amounted to EUR 15 655 000

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

The Courts observations:

- procurement procedures: one contract related to the design of a financial database was subdivided into four lots of EUR 60 000 each, which were all directly awarded to two companies. Given the total value of the services to be procured for the same project (EUR 240 000 euro), an open or restricted procedure should have been applied and the related commitments and payments are thus irregular.

The Authoritys reply:

- there is sound business rationale backing both the decision to run a procurement, and to do it in 4 separate lots, in order to deepen knowledge on how to design the system, reducing the risk of acquiring the wrong services and products and ensuring sufficient competition in the core stage of the process, namely the main procurement.

Lastly, the Court of Auditors report contains a summary of the Authoritys activities in 2012. This is focused on the following:

- regulatory and supervisory tasks;
- consumer protection and financial innovation ;
- common supervisory culture and related events ;
- bi-annual Financial Stability Reports and preparation of Europe-wide stress test for the insurance sector ;
- finalisation of a comprehensive, decision-making framework setting in detail the processes that the Authority will follow in discharging its crisis and management responsibilities ;
- actions relating to external relations.

## 2012 discharge: European Insurance and Occupational Pensions Authority (EIOPA)

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The Committee on Budgetary Control adopted the report by Petri SARVAMAA (EPP, FI) in which it recommended the European Parliament to grant discharge to the Executive Director of the European Insurance and Occupational Pensions Authority in respect of the implementation of the Authority's budget for the financial year 2012.

Noting that the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts of the Authority for the financial year 2012 are reliable, and that the underlying transactions are legal and regular, Members approved the closure of the Authoritys accounts. They made, however, a number of recommendations that needed 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: Members noted that budget monitoring efforts during the financial year 2012 resulted in an overall budget implementation rate of 90.63%. They noted with concern that the payment appropriations execution rate was 67.21%.
- Carryovers: Members regretted that the carry-over of committed appropriations to 2013 was very high for title III (operational expenditure) at 79% of total appropriations even if they acknowledged that this is mainly the result of the complexity and of the lengthy

duration of one IT procurement procedure. They also regretted that one contract related to the design of a financial database was subdivided into four lots of EUR 60 000 each, which were all directly awarded to two companies. According to the Members, an open or restricted procedure should have been applied and that the related commitments and payments are thus irregular.

Members also made a series of observations on transfers, procurement and recruitment procedures as well as comments on internal controls.

Lastly, they acknowledged that the Authority adopted its Ethics Rules in 2011 and established specific provisions for its Stakeholders Groups and Board of Appeal to handle potential conflicts of interests. They called on the Authority to inform the discharge authority whether it intends to review its Ethic Rules on the basis of the Commission's Guidelines.

## 2012 discharge: European Insurance and Occupational Pensions Authority (EIOPA)

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**PURPOSE:** to grant discharge to the European Insurance and Occupational Pensions Authority for the financial year 2012.

**NON-LEGISLATIVE ACT:** Decision 2014/587/EU of the European Parliament on discharge in respect of the implementation of the budget of the European Insurance and Occupational Pensions Authority for the financial year 2012.

**CONTENT:** with the present decision, the European Parliament grants discharge to the Executive Director of the European Insurance and Occupational Pensions Authority in respect of its budget for the financial year 2012.

This decision is in line with the European Parliament's resolution adopted on 3 April 2014 and comprises a series of observations that form an integral part of the discharge decision (please refer to the summary of the opinion of 3 April 2014).

Amongst the main observations made, Parliament regretted the difficulties brought to light by the Court of Auditors as regards public procurement and called on the Authority to improve the situation.

## 2012 discharge: European Insurance and Occupational Pensions Authority (EIOPA)

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The European Parliament adopted a decision concerning the discharge to be granted to the Executive Director of the European Insurance and Occupational Pensions Authority in respect of the implementation of the Authority's budget for the financial year 2012. The vote on the discharge decision approved the closure of the accounts (in accordance with Annex VI, Article 5(1) of the Rules of Procedure of the European Parliament.

Noting that the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts of the Authority for the financial year 2012 are reliable, and that the underlying transactions are legal and regular, Parliament adopted by 496 votes to 75, with 14 abstentions, a resolution containing a series of recommendations that form an integral part of the discharge decision and as well as the general recommendations that appear in the [draft resolution on performance, financial management and control of EU agencies](#).

These recommendations are summarised as follows:

- **Financing, budget and financial management:** Parliament noted that budget monitoring efforts during the financial year 2012 resulted in an overall budget implementation rate of 90.63%. However, it noted with concern that the payment appropriations execution rate was 67.21%.
- **Carryovers:** Parliament regretted that the carry-over of committed appropriations to 2013 was very high for title III (operational expenditure) at 79% of total appropriations even if it acknowledged that this is mainly the result of the complexity and of the lengthy duration of one IT procurement procedure. It also regretted that one contract related to the design of a financial database was subdivided into four lots of EUR 60 000 each, which were all directly awarded to two companies. According to Parliament, an open or restricted procedure should have been applied and that the related commitments and payments are thus irregular.
- **Performance:** Parliament requested that the Authority communicate the results and impact its work has on European citizens in an accessible way, mainly through its website.

Parliament also made a series of observations on transfers, procurement and recruitment procedures as well as comments on internal controls.

Lastly, it acknowledged that the Authority adopted its Ethics Rules in 2011 and established specific provisions for its Stakeholders Groups and Board of Appeal to handle potential conflicts of interests. It called on the Authority to inform the discharge authority whether it intends to review its Ethic Rules on the basis of the Commission's Guidelines.