










Procedure file

Basic information		
DEC - Discharge procedure	2018/2175(DEC)	Procedure completed
2017 discharge: EU general budget, European Data Protection Supervisor		
Subject 8.70.03.02 2017 discharge		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	CONT Budgetary Control	 KOHN Arndt	27/07/2018
		Shadow rapporteur	
		 SALAFRANCA SÁNCHEZ-NEYRA José Ignacio	
		 FITTO Raffaele	
		 KLINZ Wolf	
		 JÁVOR Benedek	
		 VALLI Marco	
		 JALKH Jean-François	
		Committee for opinion	Rapporteur for opinion
AFET Foreign Affairs		The committee decided not to give an opinion.	
DEVE Development		The committee decided not to give an opinion.	
INTA International Trade		The committee decided not to give an opinion.	
BUDG Budgets		The committee decided not to give an opinion.	
ECON Economic and Monetary Affairs		The committee decided not to give an opinion.	
EMPL Employment and Social Affairs		The committee decided not to give an opinion.	
ENVI Environment, Public Health and Food Safety		The committee decided not to give an opinion.	
ITRE Industry, Research and Energy		The committee decided not to give an opinion.	
IMCO Internal Market and Consumer Protection		The committee decided not to	

		give an opinion.
	TRAN Transport and Tourism	The committee decided not to give an opinion.
	REGI Regional Development	The committee decided not to give an opinion.
	AGRI Agriculture and Rural Development	The committee decided not to give an opinion.
	PECH Fisheries	The committee decided not to give an opinion.
	CULT Culture and Education	The committee decided not to give an opinion.
	JURI Legal Affairs	The committee decided not to give an opinion.
	LIBE Civil Liberties, Justice and Home Affairs	18/10/2018
		 FRANZ Romeo
	AFCO Constitutional Affairs	The committee decided not to give an opinion.
	FEMM Women's Rights and Gender Equality	The committee decided not to give an opinion.
	PETI Petitions	The committee decided not to give an opinion.
European Commission	Commission DG Budget	Commissioner OETTINGER Günther

Key events			
28/06/2018	Non-legislative basic document published	COM(2018)0521	Summary
11/09/2018	Committee referral announced in Parliament		
20/02/2019	Vote in committee		
28/02/2019	Committee report tabled for plenary	A8-0116/2019	Summary
26/03/2019	Results of vote in Parliament		
26/03/2019	Debate in Parliament		
26/03/2019	Decision by Parliament	T8-0253/2019	Summary
26/03/2019	End of procedure in Parliament		
27/09/2019	Final act published in Official Journal		

Technical information	
Procedure reference	2018/2175(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed

Documentation gateway					
Non-legislative basic document		COM(2018)0521	28/06/2018	EC	Summary
Court of Auditors: opinion, report		N8-0013/2019 OJ C 357 04.10.2018, p. 0001	12/07/2018	CofA	Summary
Committee draft report		PE626.824	13/12/2018	EP	
Committee opinion	LIBE	PE630.605	17/01/2019	EP	
Supplementary non-legislative basic document		05824/2019	11/02/2019	CSL	Summary
Amendments tabled in committee		PE634.537	12/02/2019	EP	
Committee report tabled for plenary, single reading		A8-0116/2019	28/02/2019	EP	Summary
Text adopted by Parliament, single reading		T8-0253/2019	26/03/2019	EP	Summary
Final act					
Budget 2019/1432 OJ L 249 27.09.2019, p. 0131					

2017 discharge: EU general budget, European Data Protection Supervisor

PURPOSE: presentation by the Commission of the consolidated annual accounts of the European Union for the financial year 2017, as part of the 2017 discharge procedure.

Analysis of the accounts of the EU Institutions: European Data Protection Supervisor.

CONTENT: the organisational governance of the EU consists of institutions, agencies and other EU bodies whose expenditure is included in the general budget of the Union.

This Commission document concerns the EU's consolidated accounts for the year 2017 and details how spending by the EU institutions and bodies was carried out. The consolidated annual accounts of the EU provide financial information on the activities of the institutions, agencies and other bodies of the EU from an accrual accounting and budgetary perspective.

It is the responsibility of the Commission's Accounting Officer to prepare the EU's consolidated annual accounts and ensure that they present fairly, in all material aspects, the financial position, the result of the operations and the cash flows of the EU institutions and bodies with a view to granting discharge.

Discharge procedure: the final step of a budget lifecycle is the discharge. It is the decision by which the European Parliament releases the Commission from its responsibility for management of a given budget by marking the end of that budget's existence. It is granted by the European Parliament on the recommendation of the Council.

The decision is based in particular on the European Court of Auditors reports, in particular its annual report, in which the Court provides a Statement of Assurance (DAS) on the legality and regularity of transactions (payments and commitments).

The procedure results in the granting, postponement or refusal of discharge.

The final discharge report including specific recommendations to the Commission for action is adopted in plenary by the European Parliament and are subject to an annual follow up report in which the Commission outlines the concrete actions it has taken to implement the recommendations made.

All EU institutions and other agencies, bodies and joint undertakings are subject to their own discharge procedures.

(2) Implementation of the EDPSs appropriations for the financial year 2017: the EDPS was allocated a budget of EUR 11 324 735. This represents an increase of 20.9% compared to the 2016 budget. The 2017 budget was heavily influenced by two major legislative changes, the new General Data Protection Regulation ([GDPR](#)) and the Europol Regulation, both of which require increased human and financial resources.

As regards the budget implementation of the EDPS, the [Annual Report 2017](#) stated that the 2017 was characterised by the following:

- preparing for the new legislative framework: General Data Protection Regulation which shall apply from 25 May 2018;
- dealing with its new supervisory role with Europol in carrying out various supervision tasks, including complaint handling, consultations, requests for information, inquiries and inspections. The aim being to ensure that Europol strikes the right balance between security and privacy when processing data for the purpose of law enforcement;
- the launch of the Digital Clearinghouse. A project which aims to bring together agencies from the areas of competition and consumer

and data protection who are willing to share information and discuss how to enforce rules that support the interests of the individual in the digital space.

2017 discharge: EU general budget, European Data Protection Supervisor

Based on the observations contained in the report by the Court of Auditors, the Council called on the European Parliament to grant discharge to all of the EU institutions in respect of the implementation of their respective budgets for the financial year 2017.

However, it considered that budget implementation required a series of comments from the Council which should be fully taken into account by the Commission.

The Council welcomed the fact that the administrative and related expenditure of the EU institutions remained, as in previous years, free from material error with an estimated level of error of 0.5 %, which while being well below the materiality threshold is higher by 0.3 % compared to the Court's findings for 2016 (0.2 %). It noted with satisfaction that no serious weaknesses were identified by the Court in the supervisory and control systems and in the examined annual activity reports.

The Council took note that, as in previous years, there was a small number of errors relating to staff costs and some weaknesses in the Office for Administration and Payment of individual entitlements' (PMO) management of family allowances. It called on the Commission to improve its procedures to avoid errors related to staff expenditure.

The Court did not identify any specific problems concerning the European Data Protection Supervisor.

2017 discharge: EU general budget, European Data Protection Supervisor

The Committee on Budgetary Control adopted the report by Arndt KOHN (S&D, DE) calling on the European Parliament to grant discharge to the European Data Protection Supervisor discharge in respect of the implementation of the budget for the financial year 2017.

Members welcomed the conclusion of the Court of Auditors, according to which the payments as a whole for the year ended on 31 December 2017 for administrative and other expenditure of the European Data Protection Supervisor were free from material error and that the examined supervisory and control systems for administrative and other expenditure were effective.

Budgetary and financial management

Members regretted, however, that according to the EDPS annual activity report only a single payment was examined in 2017 by the Court. They stated that even if the EDPS is not a decentralised Union agency and its budget represents a very small percentage of the Union budget, the legality and regularity of EDPS transactions should nevertheless be properly examined by the Court, as from 2018, as transparency is vital for the appropriate functioning of this Union body.

The Court should therefore issue separate annual activity reports on the annual accounts of this important Union body.

In 2017, the EDPS had a total allocated budget of EUR 11 324 735, which represented a 21.93 % increase compared to the 2016 budget, and that the budget implementation in terms of commitment appropriations for 2017 amounted to EUR 10 075 534.

The implementation rate continued decreasing from 94.66 % in 2015 and 91.93 % in 2016 to 89 % of the available appropriations in 2017. The budget implementation in terms of payment appropriations amounted to EUR 9 368 686.15, corresponding to 77 % of the available appropriations. The EDPS should step up its efforts and to define the budget estimates prudently.

The EDPSs budget was strongly influenced by two major legislative changes (General Data Protection Regulation and the Directive for Data Protection in the Police and Justice Sectors). Most of the additional resources were allocated to the EDPS for the establishment of the secretariat of the newly created European Data Protection Board (EDPB).

Staff

Members welcomed the high proportion of women in management positions and the measures to ensure gender balance in the institution. Only 32 % of total staff were men. Measures to promote gender balance and equal opportunities should benefit all genders according to Members.

The 80 members of staff came from 16 different Member States in total. The EDPS is called on to strive for a proportionate representation of all Member States among the population of the staff.

Brexit

Lastly, Members noted that the United Kingdoms decision to withdraw from the European Union would not have any direct impact on the financial, human or structural organisation of the EDPS. They welcomed the decision of the EDPS to maintain all of its four British members of staff.

2017 discharge: EU general budget, European Data Protection Supervisor

The European Parliament decided by 508 votes to 126, with 2 abstentions, to grant discharge to the European Data Protection Supervisor discharge in respect of the implementation of the budget for the financial year 2017.

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The 80 members of staff came from 16 different Member States in total. The EDPS is called on to strive for a proportionate representation of all Member States among the population of the staff. Parliament noted that the issue of revolving doors has been dealt with in the Code of Conduct of the Members of the EDPS. It welcomed the fact that CVs and declarations of interests of the members of the EDPS are available on the institutions website.

Brexit

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