



2016/2188(DEC)

7.3.2017

AMENDMENTS

1 - 16

Draft report

Inés Ayala Sender

(PE593.873v01-00)

2015 discharge: European Securities and Markets Authority (ESMA)
(2016/2188(DEC))

Amendment 1
Inés Ayala Sender

Proposal for a decision 1 1
Paragraph 1

Proposal for a decision

1. Grants the Executive Director of the European Securities and Markets Authority discharge in respect of the implementation of the Authority's budget for the financial year 2015 / ***Postpones its decision on granting the Executive Director of the European Securities and Markets Authority discharge in respect of the implementation of the Authority's budget for the financial year 2015;***

Amendment

1. Grants the Executive Director of the European Securities and Markets Authority discharge in respect of the implementation of the Authority's budget for the financial year 2015;

Or. es

Amendment 2
Ryszard Czarnecki, Raffaele Fitto, Notis Marias

Proposal for a decision 1
Paragraph 1

Proposal for a decision

1. ***Grants the Executive Director of the European Securities and Markets Authority discharge in respect of the implementation of the Authority's budget for the financial year 2015*** / Postpones its decision on granting the Executive Director of the European Securities and Markets Authority discharge in respect of the implementation of the Authority's budget for the financial year 2015;

Amendment

1. Postpones its decision on granting the Executive Director of the European Securities and Markets Authority discharge in respect of the implementation of the Authority's budget for the financial year 2015;

Or. en

Amendment 3
Inés Ayala Sender

Proposal for a decision 2 2

Paragraph 1

Proposal for a decision

1. Approves the closure of the accounts of the European Securities and Markets Authority for the financial year 2015 / ***Postpones the closure of the accounts of the European Securities and Markets Authority for the financial year 2015;***

Amendment

1. Approves the closure of the accounts of the European Securities and Markets Authority for the financial year 2015;

Or. es

Amendment 4

Ryszard Czarnecki, Raffaele Fitto, Notis Marias

Proposal for a decision 2

Paragraph 1

Proposal for a decision

1. ***Approves the closure of the accounts of the European Securities and Markets Authority for the financial year 2015*** / Postpones the closure of the accounts of the European Securities and Markets Authority for the financial year 2015;

Amendment

1. Postpones the closure of the accounts of the European Securities and Markets Authority for the financial year 2015;

Or. en

Amendment 5

Benedek Jávor

on behalf of the Verts/ALE Group

Motion for a resolution

Recital C a (new)

Motion for a resolution

Amendment

C a. whereas in the context of the discharge procedure, Parliament stresses the special importance of further strengthening the democratic legitimacy of the institutions of the Union by improving transparency and

accountability, implementing the concept of performance based budgeting and good governance of human resources;

Or. en

Amendment 6
Petri Sarvamaa

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Notes from the Court's report that regarding the three comments made in the Court's 2011 and 2012 reports, the status of corrective action is still marked as "Ongoing";

Amendment

1. Notes *with concern* from the Court's report that regarding the three comments made in the Court's 2011 and 2012 reports, the status of corrective action is still marked as "Ongoing";

Or. en

Amendment 7
Benedek Jávor
on behalf of the Verts/ALE Group

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Notes from the Court's report that regarding the three comments made in the Court's 2011 and 2012 reports, the status of corrective action is still marked as "Ongoing";

Amendment

1. Notes from the Court's report that regarding the three comments made in the Court's 2011 and 2012 reports, the status of corrective action is still marked as "Ongoing"; *urges the agency for this corrective actions to be implemented as quickly as possible and the results communicated to the discharge authority;*

Or. en

Amendment 8
Petri Sarvamaa

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Observes from the Court's report that the level of committed appropriations carried forward to 2016 was at 26 % for Title II (administrative expenditure) and at 33 % for Title III (operational expenditure); notes that these carry forwards are mainly related to the multiannual nature of the Authority's large IT projects, as well as mission expenses that could only be reimbursed in 2016; **points out** that the carryovers **are** often partly or fully justified by the multiannual nature of the centre' operational programmes, and do not necessarily indicate weaknesses in budget planning and implementation nor are they always at odds with the budgetary principle of annularity, in particular if they are planned in advance by the Centre and communicated to the Court;

Amendment

4. Observes from the Court's report that the level of committed appropriations carried forward to 2016 was at 26 % for Title II (administrative expenditure) and at 33 % for Title III (operational expenditure); notes that these carry forwards are mainly related to the multiannual nature of the Authority's large IT projects, as well as mission expenses that could only be reimbursed in 2016; **notes** that the carryovers **may** often **be** partly or fully justified by the multiannual nature of the centre' operational programmes, and do not necessarily indicate weaknesses in budget planning and implementation nor are they always at odds with the budgetary principle of annularity, in particular if they are planned in advance by the Centre and communicated to the Court;

Or. en

Amendment 9
Barbara Kappel

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Observes from the Court's report that the level of committed appropriations carried forward to 2016 was at 26 % for Title II (administrative expenditure) and at 33 % for Title III (operational expenditure); notes that these carry forwards are mainly related to the multiannual nature of the Authority's large IT projects, as well as mission expenses that could only be reimbursed in 2016; points out that the carryovers are often partly or fully justified by the multiannual nature of the centre' operational

Amendment

4. Observes from the Court's report that the level of committed appropriations carried forward to 2016 was at 26 % for Title II (administrative expenditure) and at 33 % for Title III (operational expenditure); notes that these carry forwards are mainly related to the multiannual nature of the Authority's large IT projects, as well as mission expenses that could only be reimbursed in 2016; points out that the carryovers are often partly or fully justified by the multiannual nature of the centre' operational

programmes, and do not necessarily indicate weaknesses in budget planning and implementation nor are they always at odds with the budgetary principle of annularity, in particular if they are planned in advance by the Centre and communicated to the Court;

programmes, and do not necessarily indicate weaknesses in budget planning and implementation nor are they always at odds with the budgetary principle of annularity, in particular if they are planned in advance by the Centre and communicated to the Court; ***asks the Agency to keep volume to be carried over to the next year as low as possible;***

Or. en

Amendment 10 **Petri Sarvamaa**

Motion for a resolution **Paragraph 8**

Motion for a resolution

8. Takes note that the Authority aims to reach the best possible gender and geographical balance during its recruitment process; notes that the Authority's global gender balance was at 44 % ***female and 56 % male***; ***observes*** that the Authority's staff includes 22 different Union nationalities, and 1 national from the European Economic Area (Norway);

Amendment

8. Takes note that the Authority aims to reach the best possible gender and geographical balance during its recruitment process; notes that the Authority's global gender balance was at 44 % / ***56 %***, ***and*** that the Authority's staff includes 22 different Union nationalities, and 1 national from the European Economic Area (Norway);

Or. en

Amendment 11 **Petri Sarvamaa**

Motion for a resolution **Paragraph 12**

Motion for a resolution

12. Notes that Management Board members of the Authority are required to sign a declaration of the absence of conflict of interest in contrast to a declaration of interests, ***but that*** declarations and ***the*** CVs of its Board members are not published on the Agency's website;

Amendment

12. Notes that Management Board members of the Authority are required to sign a declaration of the absence of conflict of interest in contrast to a declaration of interests; ***regrets, however, that the*** declarations and CVs of its Board members are not published on the Agency's website;

Amendment 12

Benedek Jávor

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 12

Motion for a resolution

12. Notes that Management Board members of the Authority are required to sign a declaration of the absence of conflict of interest in contrast to a declaration of interests, but that declarations and the CVs of its Board members are not published on the Agency's website;

Amendment

12. Notes that Management Board members of the Authority are required to sign a declaration of the absence of conflict of interest in contrast to a declaration of interests, but that declarations and the CVs of its Board members are not published on the Agency's website; ***calls on the agency to publish such documents and allows the public the necessary overview on its senior management;***

Or. en

Amendment 13

Tomáš Zdechovský

Motion for a resolution

Paragraph 12

Motion for a resolution

12. Notes that Management Board members of the Authority are required to sign a declaration of the absence of conflict of interest in contrast to a declaration of interests, but that declarations and the CVs of its Board members are not published on the Agency's website;

Amendment

12. Notes that Management Board members of the Authority are required to sign a declaration of the absence of conflict of interest in contrast to a declaration of interests, but that declarations and the CVs of its Board members are not published on the Agency's website; ***encourages the Authority to remedy the situation;***

Or. en

Amendment 14

Barbara Kappel

Motion for a resolution
Paragraph 12

Motion for a resolution

12. Notes that Management Board members of the Authority are required to sign a declaration of the absence of conflict of interest in contrast to a declaration of interests, but that declarations and the CVs of its Board members are not published on the Agency's website;

Amendment

12. Notes that Management Board members of the Authority are required to sign a declaration of the absence of conflict of interest in contrast to a declaration of interests, but that declarations and the CVs of its Board members are not published on the Agency's website; ***notes that this practice does not further transparency and that their declarations and CVs should therefore be published without delay;***

Or. de

Amendment 15
Barbara Kappel

Motion for a resolution
Paragraph 15

Motion for a resolution

15. Notes with satisfaction that the Authority has taken specific initiatives in order to increase transparency relating to its contacts with stakeholders and that are governed by its Ethics Rules; notes also that engagements with stakeholders are centrally coordinated and recorded as part of its external communications policy and procedures; observes that the Authority publishes the agendas of the Chairman and the Executive Director on its website, indicating their participation in conferences, meetings with stakeholders, media representatives as well as any other institutions and relevant activities, and furthermore since July 2016, the Authority also publishes on its website meetings between external stakeholders and ESMA staff;

Amendment

15. Notes with satisfaction that the Authority has taken specific initiatives in order to increase transparency relating to its contacts with stakeholders and that are governed by its Ethics Rules; notes also that engagements with stakeholders are centrally coordinated and recorded as part of its external communications policy and procedures; observes that the Authority publishes the agendas of the Chairman and the Executive Director on its website, indicating their participation in conferences, meetings with stakeholders, media representatives as well as any other institutions and relevant activities, and furthermore since July 2016, the Authority also publishes on its website meetings between external stakeholders and ESMA staff; ***asks the Authority to inform the discharge authority on ethics rules alleged and confirmed infringements, how it has***

dealt with these infringements, and how it will avoid them in the future;

Or. en

Amendment 16

Benedek Jávor

on behalf of the Verts/ALE Group

Motion for a resolution

Paragraph 15 a (new)

Motion for a resolution

Amendment

15 a. Considers that the minutes of meetings of the Board of Supervisors and of the Stakeholder Groups, which are publicly available, should be published immediately after the meeting to provide better insight into the discussions held, members' positions and voting behaviour; believes that outreach to EU citizens could also be enhanced by web streaming events; is concerned about de facto unequal accessibility of documents and information from internal meetings to different stakeholders, including the European Parliament; is of the opinion that ESMA should establish a secure channel for whistle-blowers in the framework of its action plan for the years to come.

Or. en