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DRAFT REPORT

on discharge in respect of the implementation of the general budget of the
European Union for the financial year 2016, Section IX – European Data
Protection Supervisor
(2017/2144(DEC))

Committee on Budgetary Control

Rapporteur: Marco Valli

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1. PROPOSAL FOR A EUROPEAN PARLIAMENT DECISION

on discharge in respect of the implementation of the general budget of the European Union for the financial year 2016, Section IX – European Data Protection Supervisor (2017/2144(DEC))

The European Parliament,

- having regard to the general budget of the European Union for the financial year 2016¹,
 - having regard to the consolidated annual accounts of the European Union for the financial year 2016 (COM(2017)0365 – C8-255/2017)²,
 - having regard to the Court of Auditors' annual report on the implementation of the budget concerning the financial year 2016, together with the institutions' replies³,
 - having regard to the statement of assurance⁴ as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors for the financial year 2016, pursuant to Article 287 of the Treaty on the Functioning of the European Union,
 - having regard to Article 314(10) and Articles 317, 318 and 319 of the Treaty on the Functioning of the European Union,
 - having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002⁵, and in particular Articles 55, 99, 164, 165 and 166 thereof,
 - having regard to Rule 94 of and Annex IV to its Rules of Procedure,
 - having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Civil Liberties, Justice and Home Affairs (A8-0000/2018),
1. Grants the European Data Protection Supervisor discharge in respect of the implementation of the budget for the financial year 2016; / Postpones its decision on granting the European Data Protection Supervisor discharge in respect of the implementation of the budget for the financial year 2016;
 2. Sets out its observations in the resolution below;
 3. Instructs its President to forward this decision and the resolution forming an integral part of it to the European Data Protection Supervisor, the European Council, the Council, the Commission, the Court of Justice of the European Union, the Court of Auditors, the European Ombudsman and the European External Action Service, and to

¹ OJ L 48, 24.2.2016.

² OJ C 323, 28.9.2017, p. 1.

³ OJ C 322, 28.9.2017, p. 1.

⁴ OJ C 322, 28.9.2017, p. 10.

⁵ OJ L 298, 26.10.2012, p. 1.

arrange for their publication in the *Official Journal of the European Union* (L series).

2. MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

with observations forming an integral part of the decision on discharge in respect of the implementation of the general budget of the European Union for the financial year 2016, Section IX – European Data Protection Supervisor (2017/2144(DEC))

The European Parliament,

- having regard to its decision on discharge in respect of the implementation of the general budget of the European Union for the financial year 2016, Section IX – European Data Protection Supervisor,
 - having regard to Rule 94 of and Annex IV to its Rules of Procedure,
 - having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Civil Liberties, Justice and Home Affairs (A8-0000/2018),
1. Notes the conclusion of the Court of Auditors that the payments as a whole for the year ended on 31 December 2016 for administrative and other expenditure of the European Data Protection Supervisor (the “Supervisor”) were free from material error and that the examined supervisory and control systems for administrative and other expenditure were effective;
 2. Notes that in its 2016 annual report, the Court of Auditors observed that no serious weaknesses had been identified with respect to the audited topics related to human resources and procurement for the Supervisor;
 3. Notes that in 2016, the Supervisor had a total allocated budget of EUR 9 288 043 (EUR 8 760 417 in 2015) and that the implementation rate was 91,93% (94,66% in 2015); notes the decrease of the implementation rate and the Supervisor’s forecast for maintaining this trend in the upcoming years; encourages the Supervisor to define its budget estimations prudently;
 4. Notes that the creation of the European Data Protection Board continues to be undertaken by the Supervisor; considers that budget estimations should ensure an efficient budgetary performance in the upcoming years;
 5. Calls on the Supervisor to provide a detailed list of missions undertaken by its members in 2016, indicating the price, the place and the cost of each mission; calls for the missions undertaken in 2017 to be included in its next annual activity report;
 6. Is aware of the adoption of implementing measures to ensure effective internal control of the processes in order to guarantee an economic, efficient and effective achievement of the Supervisor’s objectives; calls on the Supervisor to include information on the measures in its annual activity report;
 7. Calls on the Supervisor to inform the Committee on Budgetary Control of the amounts paid in 2016 under Service Level Agreements which have fees depending on consumption;

8. Welcomes the adoption in 2016 of an equal opportunities strategy and the consideration of measures to improve wellbeing at work;
9. Welcomes the inclusion of exhaustive information on all the human resources at the Supervisor's disposal in its annual activity report;
10. Calls for an overview in the Supervisor's annual activity report of the sections on procurement and missions' management, to include a comparative table of the last four years;
11. Notes the adoption in 2016 of an Ethics Framework that governs the conduct of members and all staff of the Supervisor in their internal and external relations; notes also that this framework encompasses the already existing codes of conduct, whistleblowing and anti-harassment decisions, disciplinary procedures and administrative investigations; asks for the information on the different topics of the framework to continue to be presented separately in the annual activity report.