



EUROPEAN PARLIAMENT

2014 - 2019

Committee on the Environment, Public Health and Food Safety

2014/2116(DEC)

14.11.2014

DRAFT OPINION

of the Committee on the Environment, Public Health and Food Safety

for the Committee on Budgetary Control

on discharge in respect of the implementation of the budget of the European
Chemicals Agency for the financial year 2013
(2014/2116(DEC))

Rapporteur: Giovanni La Via

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SUGGESTIONS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Budgetary Control, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Recalls that the European Chemicals Agency ("the Agency") is a consolidated entity in accordance with Article 185 of Council Regulation (EC, Euratom) No 1605/2002¹;
2. Notes that, as from 2012, the Agency was given the task to manage and carry out technical, scientific, and administrative aspects of Regulation (EU) No 528/2012 of the European Parliament and of the Council (BPR Regulation)² as well as similar tasks related to the export and import of dangerous chemicals under Regulation (EU) No 649/2012 of the European Parliament and of the Council (PIC Regulation)³;
3. Notes that, in respect of the BPR Regulation, the Agency's biocidal products expenditures are financed partially through fees paid by industry and partially through an EU subsidy, as referred to in Article 185 of Regulation (EC, Euratom) No 1605/2002; notes that in 2013, the majority of Agency's expenditure budget was financed by an EU subsidy, because it commenced the invoicing of registrants under the BPR Regulation from 1 September 2013;
4. Notes, in addition, that the Agency was supported by an amount of EUR 920 900 by the Commission as a compensation for non-materialised income and that an exceptional, one-time voluntary contribution of EUR 177 057 was received from Norway on 30 December 2013 (to be used towards the development of biocidal services at the Agency);
5. Notes that, in accordance with Regulation (EC) No 1907/2006 of the European Parliament and of the Council ("REACH Regulation")⁴, the Agency is financed through fees paid by the industry for registrations of chemical substances and by a possible EU balancing subsidy, as referred to in Article 185 of Regulation (EC, Euratom) No 1605/2002; notes, moreover, that in 2013, for the third consecutive year, the Agency was fully financed through fee income for its REACH and classification, labelling and packaging operations;
6. Notes that, in accordance with the PIC Regulation, the Agency's expenditure, in 2013, was financed by a subsidy from the general budget of the European Union;

¹ Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002, p. 1).

² Regulation (EU) No 528/2012 of the European Parliament and of the Council of 22 May 2012 concerning the making available on the market and use of biocidal products (OJ L 167, 27.6.2012, p. 1).

³ Regulation (EU) No 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals (OJ L 201, 27.7.2012, p. 60).

⁴ Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC (OJ L 396, 30.12.2006, p. 1).

7. Draws attention to the fact that budgetary revenue from fees and charges in terms of cash received amounted to EUR 86 113 139; stresses that for the implementation of the biocidal and PIC activities, an amount of EUR 7 632 000 was provided by the general budget of the European Union; points out that the latter amount represents 0,005 % of the overall EU budget;
8. Asks again the Agency to make clear in its internal and external communication that it receives funds from the EU budget (EU subsidy) instead of Commission or Community subsidy;
9. Points out that the staff-related expenses have increased by 11 % between 2012 and 2013; also points out that 468 of 503 available posts had been occupied and 95 contract agents and seconded national experts were employed by the end of 2013;
10. Welcomes the Agency's commitment to follow-up on previous year's comments and to continue to be attentive to avoid any non-justified carry-over operations;
11. Welcomes that the Agency carried out an audit to increase efficiency in its procurement contract management processes that resulted in actions to be implemented in 2014;
12. Welcomes that the Court of Auditors considers the transactions underlying the annual accounts of the Agency for the financial year 2013 as legal and regular in all material respects;
13. Recommends on the facts available, that discharge be granted to the Executive Director of the European Chemicals Agency in respect of the implementation of the Agency's budget for the financial year 2013.