

# EUROPEAN PARLIAMENT

2004



2009

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*Committee on Budgets*

PROVISIONAL  
**2004/2100(BUD)**

27 August 2004

## DRAFT REPORT

on the Draft Amending Budget No 10 of the European Union for the financial  
year 2004  
(00000/2004 - C6-0000/2005 - 2004/2100(BUD))

Section VIII (B) – European Data-protection Supervisor

Committee on Budgets

Rapporteur: Neena Gill

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## PROCEDURAL PAGE

For the budgetary procedure for the financial year 2004, the Committee on Budgets appointed Neena Gill rapporteur at its meeting of 2 December 2002.

On 26 July 2004, the Commission presented the Preliminary Draft Amending Budget No 10/2004 of the European Union for the financial year 2004 and forwarded it to Parliament (SEC(2004) 1018).

On .....the Council established the Draft Amending Budget No 10/2004 of the European Union for the financial year 2004 and forwarded it to Parliament by letter of ...../2004.

At the sitting of ..... the President announced that he had referred the draft general budget to the Committee on Budgets as the committee responsible and to all the committees concerned for their opinions (C6-0000/2004 – 2004/2100(BUD)).

The Committee on Budget considered the Draft Amending Budget No 10/2004 and the draft report at its meetings of ??? 2004 and ??? 2004.

At the last meeting the committee adopted the motion for a resolution unanimously, on the condition that Council adopts the Preliminary Draft Amending Budget No 2/2004 without modification, with the exception of keeping all posts permanent.

The following were present for the vote: ... (chairman/acting chair(wo)man), ... (vice-chair(wo)man), ... (vice-chair(wo)man), Neena Gill (rapporteur), ..., ... (for ...), ... (for ... pursuant to Rule 153(2)), ... and ... .

(The opinion(s) of the Committee on ... (and the Committee on ...) is/are attached.) (The Committee on ... decided on ... not to deliver an opinion.)

The report was tabled on ... .

## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

**on the Draft Amending Budget No 10 of the European Union for the financial year 2004, Section VIII (B) – European Data-protection Supervisor (C6-0000/2004 – 2004/2100(BUD))**

*The European Parliament,*

- having regard to Article 272 of the EC Treaty and Article 177 of the Euratom Treaty,
- having regard to the Financial Regulation of 25 June 2002 applicable to the general budget of the European Communities and in particular Articles 37 and 38 thereof<sup>1</sup>,
- having regard to the Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data<sup>2</sup>,
- having regard to the Decision No 1247/2002/EC of the European Parliament and of the Council and of the Commission on the regulations and general conditions governing the performance of the European Data-protection Supervisor's duties<sup>3</sup>,
- having regard to Decision of the European Parliament and of the Council of 22 December 2003 appointing the independent supervisory body provided for in Article 286 of the EC Treaty (European Data-protection Supervisor)<sup>4</sup>,
- having regard to the general budget of the European Union for the financial year 2004, as finally adopted on 18 December 2003<sup>5</sup> and as adjusted in line with the enlargement of the European Union<sup>6</sup>,
- having regard to the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure<sup>7</sup>,
- having regard to the Amending Budget No 2/2004 of the European Union for the financial year 2004<sup>8</sup>,
- having regard to the Draft Amending Budget No 2/2004 of the European Union for the financial year 2004, which the Council established on .....(00000/2004 – C6–0000/2004),
- having regard to Rule 69 of and Annex IV to its Rules of Procedure,

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<sup>1</sup> OJ L 248, 16.9.2002.

<sup>2</sup> OJ L 8, 12.1.2001, p. 1.

<sup>3</sup> OJ L 183, 12.7.2002, p. 1.

<sup>4</sup> OJ L 12, 17.1.2004, p. 47.

<sup>5</sup> OJ L 53, 23.2.2004.

<sup>6</sup> OJ C 105, 30.4.2004.

<sup>7</sup> OJ C 172, 18.6.1999, p. 1. Agreement as amended by Decision 2003/429/EC (OJ L 147, 14.6.2003, p. 25).

<sup>8</sup> OJ L 128, 29.4.2004, p. 45.

- having regard to the report of the Committee on Budgets (A6-0000/2004),
- A. whereas the Amending Budget No 2/2004 did not provide all the necessary budgetary appropriations for the European Data-protection Supervisor for the full year 2004,
  1. Considers that all posts authorised to Section VIII (B) should remain permanent in order to enable the recruitment during 2004;
  2. Approves the Draft Amending Budget No 10/2004 unamended;
  3. Instructs its President to forward this resolution to the Council, the Commission and the European Data-protection Supervisor.

## **EXPLANATORY STATEMENT**

On 17 January 2004, the appointment of the European Data-protection Supervisor and his deputy came into force. On 9 March 2004, the Parliament adopted the Amending Budget No 2/2004 for the inclusion of this new institution in the 2004 budget with an amount of EUR 1 272 000 million and 15 posts. The appropriations were considered sufficient for the EDPS to start its operations by ensuring the gradual introduction of the activities and taking into account the time needed for recruiting staff. The office of the European Data-protection Supervisor is located in the EP premises in Brussels.

The proposal for a draft amending budget 10/2004 is designed to modify the appropriations of the EDPS by topping-up the amount granted in the amending budget 2/2004 earlier this year. The commitments are proposed to be increased by EUR 670 279, mainly for the remuneration of Members and staff, as well as office installations, information technology and telecommunications. The revenue is increased by EUR 172 443. The total budget of the EDPS after the amending budget would be of EUR 1 942 279. The proposal also includes the conversion of three permanent posts (1 A\*11, 1 A\*10 and 1 B\*6) into temporary ones, but the EDPS has later requested to keep the posts permanent to enable recruitment during the year 2004.