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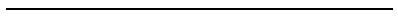
"I/A" ITEM NOTE

From: Budget Committee
To: Permanent Representatives Committee/Council

Subject: Discharge to be given to the bodies set up under the TFEU and the Euratom Treaty in respect of the implementation of the budget for the financial year 2014
– *Draft Council recommendations*

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Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Director General
of the Euratom Supply Agency
in respect of the implementation of the budget
of the Euratom Supply Agency
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Decision 2008/114/EC, Euratom of 12 February 2008 establishing Statutes for the Euratom Supply Agency¹, and in particular Article 8(9) of the Annex thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure account for the financial year 2014 and the balance sheet as at 31 December 2014 of the Euratom Supply Agency, hereinafter referred to as the "Agency", as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2014, accompanied by the Agency's replies to the Court's observations³,

¹ OJ L 41, 15.2.2008, p. 15.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 299.

Whereas the Council welcomes the fact that the observations in the Court of Auditors' report in relation to the financial year 2014 do not call for any comments,

Whereas, following the above examination, the implementation of the budget of the Agency is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Director General of the Agency in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Director
of the European Centre for the Development of Vocational Training
in respect of the implementation of the budget
of the European Centre for the Development of Vocational Training
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EEC) No 337/75 of 10 February 1975 establishing a European Centre for the Development of Vocational Training¹, and in particular Article 12a(10) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Centre for the Development of Vocational Training, hereinafter referred to as the "Centre", as well as the Court of Auditors' report on the annual accounts of the Centre for the financial year 2014, accompanied by the Centre's replies to the Court's observations³,

¹ OJ L 39, 13.2.1975, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 39.

Whereas the Council welcomes the fact that the observations in the Court of Auditors' report in relation to the financial year 2014 do not call for any comments,

Whereas, following the above examination, the implementation of the budget of the Centre is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Director of the Centre in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council
The President

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Director
of the European Foundation for the Improvement of Living and Working Conditions
in respect of the implementation of the budget
of the European Foundation for the Improvement of Living and Working Conditions
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EEC) No 1365/75 of 26 May 1975 on the creation of a European Foundation for the Improvement of Living and Working Conditions¹, and in particular Article 16(11) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Foundation for the improvement of living and working conditions, hereinafter referred to as the "Foundation", as well as the Court of Auditors' report on the annual accounts of the Foundation for the financial year 2014, accompanied by the Foundation's replies to the Court's observations³,

¹ OJ L 139, 30.5.1975, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 307.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for certain comments by the Council, which are annexed to this recommendation; whereas the Council stresses the importance it attaches to these comments being followed up,

Whereas, following the above examination, the implementation of the budget of the Foundation is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Director of the Foundation in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENTS ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE FOUNDATION**

The Council welcomes the Court's opinion that, in all material respects, the Foundation's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Foundation's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, some observations need to be made.

While acknowledging the multiannual nature of many of the Foundation's projects, the Council notes, that a high level of commitment appropriations was carried over to 2015. The Council invites the Foundation to continue improving its financial programming and monitoring of the budget implementation, in order to reduce the level of commitments carried over to the following financial year to the strict minimum, in line with the budgetary principle of annuality.

Moreover, the Council notes the Court's observation that the Foundation has not complied with certain of the Staff Regulations' provisions on remuneration and welcomes the Foundation's corrective action in cooperation with the Office for the Administration and Payment of Individual Entitlements.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Executive Director
of the European Environment Agency
in respect of the implementation of the budget
of the European Environment Agency
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the functioning of the European Union,

Having regard to Regulation (EC) No 401/2009 of the European Parliament and of the Council of 23 April 2009 on the European Environment Agency and the European Environment Information and Observation Network (codified version)¹, and in particular Article 13(10) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Environment Agency, hereinafter referred to as the "Agency", as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2014, accompanied by the Agency's replies to the Court's observations³,

¹ OJ L 126, 21.5.2009, p. 13.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 143.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for certain comments by the Council, which are annexed to this recommendation; whereas the Council stresses the importance it attaches to these comments being followed up,

Whereas, following the above examination, the implementation of the budget of the Agency is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Executive Director of the Agency in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENTS ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE AGENCY**

The Council welcomes the Court's opinion that, in all material respects, the Agency's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Agency's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects.

Nevertheless, some observations need to be made.

The Council, having taken note of the Agency's reply to the Court's observations, invites the Agency to ensure that it implements best practices in its procurement procedures, in particular, as regards clear tender specifications.

The Council, while welcoming the corrective measures that the Agency has taken or is planning to implement, calls upon the Agency to remain vigilant in the application of its internal controls of grants, in particular, to base them solidly on supporting documentation to be submitted by the beneficiaries for substantiating the eligibility and accuracy of the claimed costs, and to strengthen the role of the verifying officer, as well as to ensure that the internal audit capability performs only *ex post* controls.

The Council, furthermore, encourages the Agency to verify that the contractor ensuring its IT backup services implements the guaranteed privileges and immunities of the European Union, in particular the privacy guarantees under Article 7 of the Charter of Fundamental Rights of the European Union.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Director
of the European Training Foundation
in respect of the implementation of the budget
of the European Training Foundation
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1339/2008 of the European Parliament and of the Council of 16 December 2008 establishing a European Training Foundation (recast)¹, and in particular Article 17(10) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Training Foundation, hereinafter referred to as the "Foundation", as well as the Court of Auditors' report on the annual accounts of the Foundation for the financial year 2014, accompanied by the Foundation's replies to the Court's observations³,

¹ OJ L 354, 31.12.2008, p. 82.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 266.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for certain comments by the Council, which are annexed to this recommendation; whereas the Council stresses the importance it attaches to these comments being followed up,

Whereas, following the above examination, the implementation of the budget of the Foundation is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Director of the Foundation in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENTS ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE FOUNDATION**

The Council welcomes the Court's opinion that, in all material respects, the Foundation's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Foundation's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, some observations need to be made.

The Council calls on the Foundation to improve its financial programming and monitoring of the budget implementation in order to reduce the level of commitments carried over to the next financial year and the amounts cancelled at the end of the following year to the strict minimum, in line with the budgetary principle of annuality.

The Council notes the Court's observation that the Foundation had not complied with certain of the Staff Regulations' provisions on remuneration and welcomes the Foundation's corrective action.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Executive Director
of the European Medicines Agency
in respect of the implementation of the budget
of the European Medicines Agency
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 726/2004 of the European Parliament and of the Council of 31 March 2004 laying down Community procedures for the authorisation and supervision of medicinal products for human and veterinary use and establishing a European Medicines Agency¹, and in particular Article 68(10) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Medicines Agency, hereinafter referred to as the "Agency", as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2014, accompanied by the Agency's replies to the Court's observations³,

¹ OJ L 136, 30.4.2004, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 197.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for certain comments by the Council, which are annexed to this recommendation; whereas the Council stresses the importance it attaches to these comments being followed up,

Whereas, following the above examination, the implementation of the budget of the Agency is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Executive Director of the Agency in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council
The President

**COMMENTS ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE AGENCY**

The Council welcomes the Court's opinion that, in all material respects, the Agency's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Agency's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, some observations need to be made.

The Council notes the Court's observation that the Agency did not ensure that the due dates for the collection of fees and the related payments to the National Competent Authorities were respected; it encourages the Agency to pursue its efforts to comply with the Agency's own fee regulation.

The Council, while welcoming the Agency's corrective measures, regrets the deficiencies found by the Court in the Agency's management control and urges the Agency to thoroughly evaluate the effectiveness of the measures taken.

The Council encourages the Agency to further improve its procurement procedures in order to ensure **their** effectiveness.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Director
of the European Monitoring Centre for Drugs and Drug Addiction
in respect of the implementation of the budget
of the European Monitoring Centre for Drugs and Drug Addiction
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1920/2006 of the European Parliament and the Council of 12 December 2006 on the European Monitoring Centre for Drugs and Drug Addiction (recast)¹, and in particular Article 15(9) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Monitoring Centre for Drugs and Drug Addiction, hereinafter referred to as the "Centre", as well as the Court of Auditors' report on the annual accounts of the Centre for the financial year 2014, accompanied by the Centre's replies to the Court's observations³,

¹ OJ L 376, 27.12.2006, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 206.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for a comment by the Council, which is annexed to this recommendation; whereas the Council stresses the importance it attaches to this comment being followed up,

Whereas, following the above examination, the implementation of the budget of the Centre is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Director of the Centre in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENT ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE CENTRE**

The Council welcomes the Court's opinion that, in all material respects, the Centre's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Centre's Financial Regulation and the accounting rules adopted by the Commission's accounting officer, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, one observation needs to be made.

The Council notes that a high level of commitment appropriations for administrative expenditure was carried over to 2015. The Council calls on the Centre to continue improving its financial programming and monitoring of the budget implementation in order to reduce the level of carry-overs to the following financial year to the strict minimum, in line with the budgetary principle of annuality.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Director
of the European Agency for Safety and Health at Work
in respect of the implementation of the budget
of the European Agency for Safety and Health at Work
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 2062/94 of 18 July 1994 establishing a European Agency for Safety and Health at Work¹, and in particular Article 14(10) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Agency for Safety and Health at Work, hereinafter referred to as the "Agency", as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2014, accompanied by the Agency's replies to the Court's observations³,

¹ OJ L 216, 20.8.1994, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 284.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for certain comments by the Council, which are annexed to this recommendation; whereas the Council stresses the importance it attaches to these comments being followed up,

Whereas, following the above examination, the implementation of the budget of the Agency is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Director of the Agency in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENTS ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE AGENCY**

The Council welcomes the Court's opinion that, in all material respects, the Agency's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Agency's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, some observations need to be made.

The Council encourages the Agency to continue improving its financial programming and monitoring of the budget implementation in order to reduce the level of commitments carried over to the next financial year to the strict minimum, in line with the budgetary principle of annuality.

The Council notes the Court's observation that the Agency had not complied with certain of the Staff Regulations' provisions on remuneration and welcomes the Agency's corrective action.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Director
of the European Union Agency for Fundamental Rights
in respect of the implementation of the budget
of the European Union Fundamental Rights
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 168/2007 of 15 February 2007 establishing a European Union Agency for Fundamental Rights¹, and in particular Article 21(10) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Union Fundamental Rights Agency, hereinafter referred to as the "Agency", as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2014, accompanied by the Agency's replies to the Court's observations³,

¹ OJ L 53, 22.2.2007, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 334.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for certain comments by the Council, which are annexed to this recommendation; whereas the Council stresses the importance it attaches to these comments being followed up,

Whereas, following the above examination, the implementation of the budget of the Agency is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Director of the Agency in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENTS ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE AGENCY**

The Council welcomes the Court's opinion that, in all material respects, the Agency's annual accounts fairly present its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Agency's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, some observations need to be made.

The Council, while acknowledging the multiannual nature of many of the Agency's projects, in particular as regards IT projects, notes that a high level of commitment appropriations was carried over to 2015. The Council encourages the Agency to continue improving its financial programming and monitoring of the budget implementation, in order to reduce the level of commitments carried over to the following financial year to the strict minimum, in line with the budgetary principle of annuality.

Moreover, the Council takes note of the Court's observation that the Agency did not comply with certain of the Staff Regulations' provisions on remuneration and welcomes the corrective measures taken by the Agency to address these shortcomings.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Director
of the Translation Centre for the Bodies of the European Union
in respect of the implementation of the budget
of the Translation Centre for the Bodies of the European Union
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 2965/94 of 28 November 1994 setting up a Translation Centre for bodies of the European Union¹, and in particular Article 14(10) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the Translation Centre for the Bodies of the European Union, hereinafter referred to as the "Centre", as well as the Court of Auditors' report on the annual accounts of the Centre for the financial year 2014, accompanied by the Centre's replies to the Court's comments³,

¹ OJ L 314, 7.12.1994, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 33.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for a comment by the Council, which is annexed to this recommendation; whereas the Council stresses the importance it attaches to this comment being followed up,

Whereas, following the above examination, the implementation of the budget of the Centre is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Director of the Centre in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENT ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE CENTRE**

The Council welcomes the Court's opinion that, in all material respects, the Centre's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Centre's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, one observation needs to be made.

The Council notes the Court's observation, as was the case in previous years, that a budgetary surplus was recorded at the end of 2014, and invites the Centre to use the available scope to reduce prices and welcomes the steps already taken by the Centre to address the surplus.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Executive Director
of the European Maritime Safety Agency
in respect of the implementation of the budget
of the European Maritime Safety Agency
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency¹, and in particular Article 19(10) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Maritime Safety Agency, hereinafter referred to as the "Agency", as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2014, accompanied by the Agency's replies to the Court's observations³,

¹ OJ L 208, 5.8.2002, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 216.

Whereas the Council welcomes the fact that the observations in the Court of Auditors' report in relation to the financial year 2014 do not call for any comments,

Whereas, following the above examination, the implementation of the budget of the Agency is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Executive Director of the Agency in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Executive Director
of the European Aviation Safety Agency
in respect of the implementation of the budget
of the European Aviation Safety Agency
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC¹, and in particular Article 60(10) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Aviation Safety Agency, hereinafter referred to as the "Agency", as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2014, accompanied by the Agency's replies to the Court's observations³,

¹ OJ L 79, 19.3.2008, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 81.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for certain comments by the Council, which are annexed to this recommendation; whereas the Council stresses the importance it attaches to these comments being followed up,

Whereas, following the above examination, the implementation of the budget of the Agency is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Executive Director of the Agency in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENTS ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE AGENCY**

The Council welcomes the Court's opinion that, in all material respects, the Agency's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Agency's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, some observations need to be made.

The Council, while welcoming the steps taken by the Agency to implement the Court's previous recommendations, notes, however, that the level of commitment appropriations carried over remained high. The Council reiterates its request to the Agency to continue improving its financial programming and monitoring of the budget implementation with a view to reducing the level of carry-overs to the next financial year to the strict minimum, in line with the budgetary principle of annuality.

Furthermore, once again, the Council regrets the deficiencies found by the Court in the Agency's procurement procedures and urges the Agency to take appropriate action in order to improve its procurement planning.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Executive Director
of the European Food Safety Authority
in respect of the implementation of the budget
of the European Food Safety Authority
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety¹, and in particular Article 44(10) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Food Safety Authority, hereinafter referred to as the "Authority", as well as the Court of Auditors' report on the annual accounts of the Authority for the financial year 2014, accompanied by the Authority's replies to the Court's observations³,

¹ OJ L 31, 1.2.2002, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 160.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for a comment by the Council, which is annexed to this recommendation; whereas the Council stresses the importance it attaches to this comment being followed up,

Whereas, following the above examination, the implementation of the budget of the Authority is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Executive Director of the Authority in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENT ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE AUTHORITY**

The Council welcomes the Court's opinion that, in all material respects, the Authority's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Authority's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, one observation needs to be made.

The Council notes the Court's observation that the Authority had not complied with certain of the Staff Regulations' provisions on remuneration and welcomes the Authority's corrective action.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Administrative Director
of the European Union's Judicial Cooperation Unit
in respect of the implementation of the budget
of the European Union's Judicial Cooperation Unit
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Decision 2002/187/JHA of 28 February 2002 setting up Eurojust with a view to reinforcing the fight against serious crime¹, and in particular Article 36(10) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet at 31 December 2014 of the European Union's Judicial Cooperation Unit, hereinafter referred to as "Eurojust", as well as the Court of Auditors' report on the annual accounts of Eurojust for the financial year 2014, accompanied by Eurojust's replies to the Court's observations³,

¹ OJ L 63, 6.3.2002, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 315.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for a comment by the Council, which is annexed to this recommendation; whereas the Council stresses the importance it attaches to this comment being followed up,

Whereas, following the above examination, the implementation of the budget of Eurojust is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Administrative Director of Eurojust in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENT ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO EUROJUST**

The Council welcomes the Court's opinion that, in all material respects, Eurojust's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of Eurojust's Financial Regulation, and that the underlying transactions 2014 are legal and regular in all material respects. Nevertheless, one observation needs to be made.

The Council calls on Eurojust to continue improving its financial programming, in particular, as regards salary adjustments, in order to reduce the number of budgetary transfers and the level of commitments carried over to the next financial year to the strict minimum, in line with the budgetary principle of annuality.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Executive Director
of the European Union Agency for Network and Information Security
in respect of the implementation of the budget
of the European Union Agency for Network and Information Security
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 526/2013 of the European Parliament and of the Council of 21 May 2013 concerning the European Union Agency for Network and Information Security (ENISA) and repealing Regulation (EC) No 460/2004¹, and in particular Article 21(11) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Network and Information Security Agency, hereinafter referred to as the "Agency", as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2014, accompanied by the Agency's replies to the Court's observations³,

¹ OJ L 165, 18.6.2013, p. 41.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 223.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for a comment by the Council, which is annexed to this recommendation; whereas the Council stresses the importance it attaches to this comment being followed up,

Whereas, following the above examination, the implementation of the budget of the Agency is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Executive Director of the Agency in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENT ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE AGENCY**

The Council welcomes the Court's opinion that, in all material respects, the Agency's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Agency's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, one observation needs to be made.

The Council calls on the Agency to continue improving its financial programming and monitoring of the budget implementation, in order to reduce the level of commitments carried over to the following year to the strict minimum, in line with the budgetary principle of annuality.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Director
of the European Centre for Disease Prevention and Control
in respect of the implementation of the budget
of the European Centre for Disease Prevention and Control
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 851/2004 of the European Parliament and of the Council of 21 April 2004 establishing a European Centre for Disease Prevention and Control¹, and in particular Article 23(10) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Centre for Disease Prevention and Control, hereinafter referred to as the "Centre", as well as the Court of Auditors' report on the annual accounts of the Centre for the financial year 2014, accompanied by the Centre's replies to the Court's observations³,

¹ OJ L 142, 30.4.2004, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 122.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for a comment by the Council, which is annexed to this recommendation; whereas the Council stresses the importance it attaches to this comment being followed up,

Whereas, following the above examination, the implementation of the budget of the Centre is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Director of the Centre in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENT ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE CENTRE**

The Council welcomes the Court's opinion that, in all material respects, the Centre's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Centre's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, one observation needs to be made.

The Council, while acknowledging the multiannual nature of many of the Centre's projects, notes that a high level of commitment appropriations was carried over to 2015. The Council encourages the Centre to continue improving its financial programming and monitoring of the budget implementation in order to reduce the level of commitments carried over to the following financial year to the strict minimum, in line with the budgetary principle of annuality.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Executive Director
of the European Railway Agency
in respect of the implementation of the budget
of the European Railway Agency
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 881/2004 of the European Parliament and of the Council of 29 April 2004 establishing a European Railway Agency¹, and in particular Article 39(10) thereof,

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 1605/2012², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Railway Agency, hereinafter referred to as the "Agency", as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2014, accompanied by the Agency's replies to the Court's observations³,

¹ OJ L 164, 30.4.2004, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 238.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for certain comments by the Council, which are annexed to this recommendation; whereas the Council stresses the importance it attaches to these comments being followed up,

Whereas, following the above examination, the implementation of the budget of the Agency is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Executive Director of the Agency in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENTS ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE AGENCY**

The Council welcomes the Court's opinion that, in all material respects, the Agency's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Agency's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, some observations need to be made.

The Council calls on the Agency to pay due attention to proper financial programming and budget implementation in order to reduce the level of committed appropriations carried over to the following financial year, in line with the budgetary principle of annuality.

Moreover, the Council, while welcoming the steps the Agency intends to take to address them, notes some shortfalls in respecting the competition principle in the procurement procedures and invites the Agency to remain vigilant in ensuring competition on price in its procurements.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Executive Director
of the European Agency for the Management of Operational Cooperation
at the External Borders of the Member States
in respect of the implementation of the budget
of the European Agency for the Management of Operational Cooperation
at the External Borders of the Member States
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EC) No 2007/2004 of 26 October 2004 establishing a European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union¹, and in particular Article 30(9) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet at 31 December 2014 of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States, hereinafter referred to as the "Agency", as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2014, accompanied by the Agency's replies to the Court's observations³,

¹ OJ L 349, 25.11.2004, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 342.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for certain comments by the Council, which are annexed to this recommendation; whereas the Council stresses the importance it attaches to these comments being followed up,

Whereas, following the above examination, the implementation of the budget of the Agency is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Executive Director of the Agency in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENTS ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE AGENCY**

The Council welcomes the Court's opinion that, in all material respects, the Agency's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Agency's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, some observations need to be made.

The Council, while welcoming the improvement in both *ex-ante* and *ex-post* verifications of expenditure under grant agreements, recommends the Agency to improve the documentation requested to cooperating countries, including the issuing of audit certificates.

As in previous years, the Council, while acknowledging the multiannual nature of operations, calls upon the Agency to improve its financial programming and monitoring of the budget implementation in order to reduce the number of budgetary transfers and the level of commitments carried over to the next financial year to the strict minimum, in line with the budgetary principle of annuality.

The Council encourages the Agency to examine during the upcoming review of its founding regulation, whether more efficient and cost-effective funding mechanisms could be used to address the increasing number of grant agreements and the magnitude of related expenditure to be verified by the Agency.

Finally, the Council invites the Agency to refine the calculation of contributions from Schengen associated countries (Switzerland, Liechtenstein, Iceland and Norway) and to update the contributions of non-Schengen countries.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Director
of the European Police College
in respect of the implementation of the budget
of the European Police College
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Decision 2005/681/JHA of 20 September 2005 establishing the European Police College¹, and in particular Article 16(9) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Police College, hereinafter referred to as the "College", as well as the Court of Auditors' report on the annual accounts of the College for the financial year 2014, accompanied by the College's replies to the Court's observations³,

¹ OJ L 256, 1.10.2005, p. 63.
² OJ L 298, 26.10.2012, p. 1.
³ OJ C 409, 9.12.2015, p. 46.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for a comment by the Council, which is annexed to this recommendation; whereas the Council stresses the importance it attaches to this comment being followed up,

Whereas, following the above examination, the implementation of the budget of the College is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Director of the College in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENT ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE COLLEGE**

The Council welcomes the Court's opinion that, in all material respects, the College's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the College's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, one observation needs to be made.

The Council calls on the College to improve its financial programming and monitoring of the budget implementation in order to improve budget execution, to avoid the cancellation of appropriations and to reduce the amounts carried over to the next financial year to the strict minimum, in line with the budgetary principle of annuality.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Executive Director
of the European GNSS Agency
in respect of the implementation of the budget
of the European GNSS Agency
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 912/2010 of the European Parliament and of the Council of 22 September 2010 setting up the European GNSS Agency, repealing Council Regulation (EC) No 1321/2004 on the establishment of structures for the management of the European satellite radio navigation programmes and amending Regulation (EC) No 683/2008 of the European Parliament and of the Council¹, and in particular Article 14(10) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European GNSS Agency, hereinafter referred to as the "Agency", as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2014, accompanied by the Agency's replies to the Court's observations³,

¹ OJ L 276, 20.10.2010, p. 11.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 353.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for certain comments by the Council, which are annexed to this recommendation; whereas the Council stresses the importance it attaches to these comments being followed up,

Whereas, following the above examination, the implementation of the budget of the Agency is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Executive Director of the Agency in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENTS ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE AGENCY**

The Council welcomes the Court's opinion that, in all material respects, the Agency's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Agency's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects.

Nevertheless, some observations need to be made.

The Council reiterates its call on the Agency to improve its financial programming and monitoring of the budget implementation, especially regarding administrative expenditure for IT contracts, in order to reduce the level of commitments carried over to the next financial year to the strict minimum, in line with the budgetary principle of annuality.

Furthermore, the Council invites the Agency to closely monitor the appropriateness of overheads and other indirect costs accruing during the life-time of its service contracts, in line with the budgetary principle of sound financial management.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Executive Director
of the European Fisheries Control Agency
in respect of the implementation of the budget
of the European Fisheries Control Agency
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the functioning of the European Union,

Having regard to Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy¹, and in particular Article 36(11) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Fisheries Control Agency, hereinafter referred to as the "Agency", as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2014, accompanied by the Agency's replies to the Court's observations³,

¹ OJ L 128, 21.5.2005, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 151.

Whereas the Council welcomes the fact that the observations in the Court of Auditors' report in relation to the financial year 2014 do not call for any comments by the Council,

Whereas, following the above examination, the implementation of the budget of the Agency is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Executive Director of the Agency in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Executive Director
of the European Chemicals Agency
in respect of the implementation of the budget
of the European Chemicals Agency
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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/EC¹, and in particular Article 97(10) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Chemicals Agency, hereinafter referred to as the "Agency", as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2014, accompanied by the Agency's replies to the Court's observations³,

¹ OJ L 396, 30.12.2006, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 131.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for a comment by the Council, which is annexed to this recommendation; whereas the Council stresses the importance it attaches to this comment being followed up,

Whereas, following the above examination, the implementation of the budget of the Agency is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Executive Director of the Agency in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENT ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE AGENCY**

The Council welcomes the Court's opinion that, in all material respects, the Agency's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Agency's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects.

Nevertheless, one observation needs to be made.

The Council, while acknowledging the multiannual nature of certain IT-related operations, reiterates its call on the Agency to continue improving its financial management in order to limit carry-overs of committed appropriations to the following financial year to the strict minimum, in line with the budgetary principle of annuality. It invites the Agency to exercise budgetary prudence when forecasting expected revenues from fees.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Director
of the European Institute for Gender Equality
in respect of the implementation of the budget
of the European Institute for Gender Equality
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1922/2006 of the European Parliament and of the Council of 20 December 2006 on establishing a European Institute for Gender Equality¹, and in particular Article 15(10) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Institute for Gender Equality, hereinafter referred to as the "Institute", as well as the Court of Auditors' report on the annual accounts of the Institute for the financial year 2014, accompanied by the Institute's replies to the Court's observations³,

¹ OJ L 403, 30.12.2006, p. 9.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 168.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for a comment by the Council, which is annexed to this recommendation; whereas the Council stresses the importance it attaches to this comment being followed up,

Whereas, following the above examination, the implementation of the budget of the Institute is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Director of the Institute in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENT ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE INSTITUTE**

The Council welcomes the Court's opinion that, in all material respects, the Institute's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Institute's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, one observation needs to be made.

The Council notes that a high level of commitment appropriations was carried over to 2015. The Council encourages the Institute to continue improving its financial programming and monitoring of the budget implementation, in order to reduce the level of commitments carried over to the following financial year to the strict minimum, in line with the budgetary principle of annuality.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Director
of the European Police Office
in respect of the implementation of the budget
of the European Police Office
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Decision 2009/371/JHA of 6 April 2009 establishing the European Police Office (Europol)¹, and in particular Article 43(10) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Police Office, hereinafter referred to as "Europol", as well as the Court of Auditors' report on the annual accounts of Europol for the financial year 2014, accompanied by Europol's replies to the Court's observations³,

¹ OJ L 121, 15.5.2009, p. 37.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 324.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for a comment by the Council, which is annexed to this recommendation; whereas the Council stresses the importance it attaches to this comment being followed up,

Whereas, following the above examination, the implementation of the budget of Europol is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Director of Europol in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENT ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO EUROPOL**

The Council welcomes the Court's opinion that, in all material respects, Europol's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of Europol's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, one observation needs to be made.

The Council, whilst welcoming the improvements made, calls on Europol to improve its financial programming and monitoring of the budget implementation in order to improve budget execution, to avoid the cancellation of appropriations and to reduce the amounts carried over to the next financial year to the strict minimum, in line with the budgetary principle of annuality.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Director
of the Agency for the Cooperation of Energy Regulators
in respect of the implementation of the budget
of the Agency for the Cooperation of Energy Regulators
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing an Agency for the Cooperation of Energy Regulators¹, and in particular Article 24(10) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the Agency for the Cooperation of Energy Regulators, hereinafter referred to as the "Agency", as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2014, accompanied by the Agency's replies to the Court's observations³,

¹ OJ L 211, 14.8.2009, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 18.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for a comment by the Council, which is annexed to this recommendation; whereas the Council stresses the importance it attaches to this comment being followed up,

Whereas, following the above examination, the implementation of the budget of the Agency is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Director of the Agency in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENT ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE AGENCY**

The Council welcomes the Court's opinion that, in all material respects, the Agency's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Agency's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects.

Nevertheless, one observation needs to be made.

The Council reiterates its call on the Agency to continue improving its financial programming and monitoring of the budget implementation, in order to reduce the level of commitments carried over to the next financial year to the strict minimum, in line with the budgetary principle of annuality. It recognises the multiannual nature of its operations, however, in particular the very high level of carry-overs in Title III in relation to the implementation of the REMIT regulation¹, and the pre-financing payments made in that regard at the end of 2014, contradict that principle.

¹ Regulation No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency (OJ L 326, 8.12.2011, p. 1).

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Management Committee
of the Office of the Body of European Regulators for Electronic Communications
in respect of the implementation of the budget
of the Office of the Body of European Regulators for Electronic Communications
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1211/2009 of the European Parliament and of the Council of 25 November 2009 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Office¹, and in particular Article 13(11) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the Office of the Body of European Regulators for Electronic Communications, hereinafter referred to as the "Office", as well as the Court of Auditors' report on the annual accounts of the Office for the financial year 2014, accompanied by the Office's replies to the Court's observations³,

¹ OJ L 337, 18.12.2009, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 27.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for certain comments by the Council, which are annexed to this recommendation; whereas the Council stresses the importance it attaches to these comments being followed up,

Whereas, following the above examination, the implementation of the budget of the Office is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Management Committee of the Office in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENTS ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE OFFICE**

The Council welcomes the Court's opinion that, in all material respects, the Office's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Office's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects.

Nevertheless, some observations need to be made.

The Council, while welcoming certain improvements made in relation to budget implementation, reiterates its call on the Office to continue improving its financial programming and monitoring of the budget implementation, in order to reduce the number of budgetary transfers and the level of commitments carried over to the next financial year to the strict minimum, in line with the budgetary principle of annuality.

The Council welcomes the Office's adjustment of its 2015 budget to take into account the absence of agreements with EFTA countries and invites the Office to remain prudent when forecasting the related contributions from national regulatory authorities of EFTA member states.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Executive Director
of the European Banking Authority
in respect of the implementation of the budget
of the European Banking Authority
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC¹, and in particular Article 64(9) thereof,

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 1605/2012², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Banking Authority, hereinafter referred to as the "Authority", as well as the Court of Auditors' report on the annual accounts of the Authority for the financial year 2014, accompanied by the Authority's replies to the Court's observations³,

¹ OJ L 331, 15.12.2010, p. 12.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 111.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for a comment by the Council, which is annexed to this recommendation; whereas the Council stresses the importance it attaches to this comment being followed up,

Whereas, following the above examination, the implementation of the budget of the Authority is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Executive Director of the Authority in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENT ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE AUTHORITY**

The Council welcomes the Court's opinion that, in all material respects, the Authority's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Authority's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, one observation needs to be made.

The Council calls on the Authority to continue improving its financial programming and monitoring of the budget implementation, in order to reduce the level of carry-overs of committed appropriations to the following financial year to the strict minimum, in line with the budgetary principle of annuality, although it notes that the carry-overs from 2014 to 2015 mainly related to the Authority's move to its new premises in mid-December 2014.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Executive Director
of the European Securities and Markets Authority
in respect of the implementation of the budget
of the European Securities and Markets Authority
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC¹, and in particular Article 64(9) thereof,

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 1605/2012², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Securities and Markets Authority, hereinafter referred to as the "Authority", as well as the Court of Auditors' report on the annual accounts of the Authority for the financial year 2014, accompanied by the Authority's replies to the Court's observations³,

¹ OJ L 331, 15.12.2010, p. 84.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 255.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for certain comments by the Council, which are annexed to this recommendation; whereas the Council stresses the importance it attaches to these comments being followed up,

Whereas, following the above examination, the implementation of the budget of the Authority is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Executive Director of the Authority in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENTS ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE AUTHORITY**

The Council welcomes the Court's opinion that, in all material respects, the Authority's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Authority's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, some observations need to be made.

The Council, while welcoming the improvements made and the multiannual nature of IT projects, calls on the Authority to pay due attention to proper financial programming and monitoring of budget implementation in order to improve budget execution, to avoid the cancellations of appropriations and to reduce the level of committed appropriations carried over to the following financial year, in line with the budgetary principle of annuality.

The Council also calls on the Authority to improve the reliability of its account as regards its revenue part and to set the fees charged to the supervisory entities on the basis of actual instead of estimated costs and welcomes the development of an activity-based costing model to address this matter.

Moreover, the Court identified shortcomings in the compliance with the Financial Regulation as far as procurement procedures are concerned and the Council notes with satisfaction that the Authority took the necessary steps to remedy this situation.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Executive Director
of the European Insurance and Occupational Pensions Authority
in respect of the implementation of the budget
of the European Insurance and Occupational Pensions Authority
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1094/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Insurance and Occupational Pensions Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/79/EC¹, and in particular Article 64(9) thereof,

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 1605/2012², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Insurance and Occupational Pensions Authority, hereinafter referred to as the "Authority", as well as the Court of Auditors' report on the annual accounts of the Authority for the financial year 2014, accompanied by the Authority's replies to the Court's observations³,

¹ OJ L 331, 15.12.2010, p. 48.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 175.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for a comment by the Council, which is annexed to this recommendation; whereas the Council stresses the importance it attaches to this comment being followed up,

Whereas, following the above examination, the implementation of the budget of the Authority is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Executive Director of the Authority in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENT ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE AUTHORITY**

The Council welcomes the Court's opinion that, in all material respects, the Authority's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Authority's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, one observation needs to be made.

The Council, while recognising the need to implement the Authority's multiannual IT strategy and its efforts to mitigate the shortfalls of its 2015 budget, reiterates its concern that the level of commitments carried over to the following financial year was high and calls on the Authority to pay due attention to proper financial programming and budget implementation in order to reduce the level of carry-overs of committed appropriations to the next financial year, in line with the budgetary principle of annuality.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Executive Director
of the European Asylum Support Office
in respect of the implementation of the budget
of the European Asylum Support Office
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office¹, and in particular Article 36(9) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Asylum Support Office, hereinafter referred to as the "Office", as well as the Court of Auditors' report on the annual accounts of the Office for the financial year 2014, accompanied by the Office's replies to the Court's observations³,

¹ OJ L 132, 29.5.2010, p. 11.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 102.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for certain comments by the Council, which are annexed to this recommendation; whereas the Council stresses the importance it attaches to these comments being followed up,

Whereas, following the above examination, the implementation of the budget of the Office is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Executive Director of the Office in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENTS ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE OFFICE**

The Council welcomes the Court's opinion that, in all material respects, the Office's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Office's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, some observations need to be made.

The Council reiterates its request to the Office to improve its financial programming and monitoring of the budget implementation in order to improve budget execution, to avoid the cancellation of appropriations and to reduce the amounts carried over to the next financial year to the strict minimum, in line with the budgetary principle of annuality.

As in previous years, the Council calls on the Office to respect the deadlines of payments as set out in the Financial Regulation.

Finally, the Council invites the Office to improve its internal procedures in relation to the reimbursement of travel and daily subsistence costs and to pursue its efforts to implement its policies on human resources to reduce the turn-over of staff.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Executive Director
of the European Agency for the operational management of large-scale IT systems in the area
of freedom, security and justice
in respect of the implementation of the budget
of the European Agency for the operational management of large-scale IT systems in the area
of freedom, security and justice
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 1077/2011 of the European Parliament and of the Council of 25 October 2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice¹, and in particular Article 33(11) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice, hereinafter referred to as the "Agency", as well as the Court of Auditors' report on the annual accounts of the Agency for the financial year 2014, accompanied by the Agency's replies to the Court's observations³,

¹ OJ L 286, 1.11.2011, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 275.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for certain comments by the Council, which are annexed to this recommendation; whereas the Council stresses the importance it attaches to these comments being followed up,

Whereas, following the above examination, the implementation of the budget of the Agency is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Executive Director of the Agency in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENTS ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE AGENCY**

The Council welcomes the Court's opinion that, in all material respects, the Agency's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Agency's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, some observations need to be made.

The Council, once again, regrets the shortcomings identified by the Court with regard to the Agency's valuation of the different IT systems transferred from the Commission, in particular, as regards software development costs ensued and urges the Agency to take the appropriate corrective measures.

The Council calls on the Agency to improve its financial programming and monitoring of the budget implementation, in order to reduce the level of commitments carried over to the next financial year and the amounts cancelled at the end of the following year to the strict minimum, in line with the budgetary principle of annuality. It invites the Agency to put in place reliable procedures for these purposes and welcomes the steps already taken in this regard.

Draft COUNCIL RECOMMENDATION
of
on the discharge to be given to the Director
of the European Institute of Innovation and Technology
in respect of the implementation of the budget
of the European Institute of Innovation and Technology
for the financial year 2014

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EC) No 294/2008 of the European Parliament and of the Council of 11 March 2008 establishing the European Institute of Innovation and Technology¹, and in particular Article 21(4) thereof,

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 1605/2002², and in particular Article 208(2) thereof,

Having examined the revenue and expenditure accounts for the financial year 2014 and the balance sheet as at 31 December 2014 of the European Institute of Innovation and Technology, hereinafter referred to as the "Institute", as well as the Court of Auditors' report on the annual accounts of the Institute for the financial year 2014, accompanied by the Institute's replies to the Court's observations³,

¹ OJ L 97, 9.4.2008, p. 1.

² OJ L 298, 26.10.2012, p. 1.

³ OJ C 409, 9.12.2015, p. 187.

Whereas the observations in the Court of Auditors' report in relation to the financial year 2014 call for certain comments by the Council, which are annexed to this recommendation; whereas the Council stresses the importance it attaches to these comments being followed up,

Whereas, following the above examination, the implementation of the budget of the Institute is such as to allow a discharge to be given in respect of that implementation,

HEREBY RECOMMENDS to the European Parliament to give a discharge to the Director of the Institute in respect of the implementation of the budget for the financial year 2014.

Done at Brussels,

For the Council

The President

**COMMENTS ACCOMPANYING THE DRAFT COUNCIL RECOMMENDATION
ON THE DISCHARGE TO BE GIVEN TO THE INSTITUTE**

The Council welcomes the Court's opinion that, in all material respects, the Institute's annual accounts present fairly its financial position as at 31 December 2014 and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of the Institute's Financial Regulation, and that the underlying transactions for 2014 are legal and regular in all material respects. Nevertheless, some observations need to be made.

The Council takes note of the Court's observation that the grant agreements signed with the three first Knowledge and Innovation Communities (KIC) stipulate that the Institute's financial contribution may not exceed 25 % of the KIC's global expenditure over the period from 1 January 2010 to 13 December 2014. The Council, while acknowledging that this ceiling was observed and welcoming the measures taken by the Institute to verify compliance with this obligation, underlines the risk to the legality and regularity of the underlying transactions linked to this provision.

The Council also highlights the fact that, according to the Strategic Innovation Agenda of the Institute, adopted by the European Parliament and the Council in December 2013, KICs are encouraged to develop strategies for financial sustainability, but that this has not yet been put into practice. It invites the Institute to provide the KICs with further guidance on how to gradually reduce their dependency from funding through grants provided by the Institute.

While acknowledging the progress made by the Institute in strengthening its financial verification procedures, the Council regrets the Court's observation concerning weaknesses in the operational verification of deliverables and lack of a link between planned deliverables and eligible costs. It calls on the Institute to take appropriate measures in order to improve the verification of the performance of KIC activities.

Moreover, the Council asks the Institute to improve its financial programming and monitoring of the budget implementation in order to reduce the level of commitments remaining unused at the end of the financial year.

The Council notes with concern the Institute's high fluctuation of staff and the important vacancy rates, notably at management level. It calls on the Institute to fill vacant posts without delay in order to ensure operational continuity.
