It-Tlieta, 12 ta' April 2005

12. Notes that Article 6 of the abovementioned decision provides that, where the members use their official cars for journeys other than those referred to in Article 5 [i.e. journeys undertaken in the performance of official duties covered by a travel order, or based on a standard rate of 15 000 km/year], they are responsible for any related expenditure (tolls, fuel costs and any additional rental charge resulting from mileage in excess of the overall figure of 45 000 km per year stipulated in the framework contract); is of the opinion that the private use of an official car represents an undisclosed benefit-in-kind, which Parliament considers to be inappropriate;

Annual activity report of the authorising officer and annual report of the internal auditor

13. Notes the reply of the ECJ Registrar, according to which he is unable to forward the report under Article 86(4) or the internal auditor's report as no internal audit report was finalised [1]; will therefore pay special attention to these two documents in the 2004 discharge procedure;

14. Notes that the 2003 annual activity report of the authorising officer was only submitted in July 2004 and does not contain a statement of assurance; is of the opinion that the annual activity report should be ready in time for the Court of Auditors' audit containing a signed statement of assurance as a visible sign of financial responsibility;

Other remarks

15. Congratulates the ECJ on the comprehensive preparatory work undertaken in 2003 to prepare for enlargement, as shown in the report of the working group; will follow up the measures taken in its 2004 discharge report;

16. Asks the ECJ to evaluate the implications of the new Financial Regulation for its administrative and judicial work in time for its review in 2005/2006, which should be forwarded to the European Parliament for its consideration;

17. Notes that the ECJ agreed, during the discussion on 19 January 2005, to answer a number of additional questions in writing in time for the answers to be considered during the 2003 discharge procedure.

[1] Answer to question No 3.

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2003 discharge: Section V of the general budget

1.

European Parliament decision on the discharge for implementing the general budget of the European Union for the financial year 2003, Section V — Court of Auditors (C6-0018/2005 — 2004/2044(DEC))

The European Parliament,

— having regard to the general budget of the European Union for the financial year 2003 [1],

— having regard to the revenue and expenditure account and balance sheet for the 2003 financial year (C6-0018/2005),

— having regard to the annual report of the European Court of Auditors concerning the financial year 2003, together with the institutions' replies [2],

— having regard to the statement of assurance as to the reliability of the accounts and the legality and regularity of the underlying transactions, provided by the Court of Auditors pursuant to Article 248 of the EC Treaty [3],

[1] OJ L 54, 28.2.2003.
[2] OJ C 293, 30.11.2004, p. 1.
[3] OJ C 294, 30.11.2004, p. 99.

— having regard to Articles 272(10), 275 and 276 of the EC Treaty,

— having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities [1], in particular Articles 50, 86(4),145, 146 and 147 thereof,

— having regard to the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities [2],

— having regard to Rule 71 of and Annex V to its Rules of Procedure,

— having regard to the report of the Committee on Budgetary Control (A6-0066/2005),

1. Grants the Court of Auditors discharge in respect of the implementation of the budget for the 2003 financial year;

2. Records its comments in the accompanying resolution;

3. Instructs its President to forward this decision and the accompanying resolution to the Council, the Commission, the Court of Justice, the Court of Auditors, the European Economic and Social Committee, the Committee of the Regions and the Ombudsman and to have them published in the Official Journal of the European Union (L series).

[1] OJ L 248, 16.9.2002, p. 1.
[2] OJ L 356, 31.12.1977, p. 1.

2.

European Parliament resolution containing the comments which form part of the decision on the discharge for implementing the general budget of the European Union for the financial year 2003, Section V — Court of Auditors (C6-0018/2005 — 2004/2044(DEC))

The European Parliament,

— having regard to the general budget of the European Union for the financial year 2003 [1],

— having regard to the revenue and expenditure account and balance sheet for the 2003 financial year (C6-0018/2005),

— having regard to the annual report of the European Court of Auditors concerning the financial year 2003, together with the institutions' replies [2],

— having regard to the statement of assurance as to the reliability of the accounts and the legality and regularity of the underlying transactions, provided by the Court of Auditors pursuant to Article 248 of the EC Treaty [3],

— having regard to Articles 272(10), 275 and 276 of the EC Treaty,

— having regard to Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities [4], in particular Articles 50, 86(4),145, 146 and 147 thereof,

— having regard to the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities [5],

— having regard to Rule 71 of and Annex V to its Rules of Procedure,

— having regard to the report of the Committee on Budgetary Control (A6-0066/2005),

[1] OJ L 54, 28.2.2003.
[2] OJ C 293, 30.11.2004, p. 1.
[3] OJ C 294, 30.11.2004, p. 99.
[4] OJ L 248, 16.9.2002, p. 1.
[5] OJ L 356, 31.12.1977, p. 1.