



EUROPEAN  
COURT  
OF AUDITORS

# **ANNUAL ACCOUNTS OF THE EUROPEAN COURT OF AUDITORS FOR THE FINANCIAL YEAR 2021**

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EUROPEAN  
COURT  
OF AUDITORS

**Cyril MESSEIN**  
Accounting officer

Luxembourg, 5 May 2022

## CERTIFICATION OF THE ACCOUNTS

### Certification for the annual accounts 2021 of the European Court of Auditors

I acknowledge my responsibility for the preparation and presentation of the annual accounts of the European Court of Auditors in accordance with Article 246 of the Financial Regulation ('FR')<sup>1</sup> and I hereby certify that the annual accounts of the European Court of Auditors for the year 2021 have been prepared in accordance with Title XIII of the FR and the accounting rules adopted by the Commission's Accounting Officer, as are to be applied by all the institutions and union bodies.

I have obtained from the Authorising Officer, who certified its reliability, all the information necessary for the production of the accounts that show the European Court of Auditors' assets and liabilities and the budgetary implementation. Based on this information and on such checks, as I deemed necessary to sign off the accounts, I have a reasonable assurance that the accounts present fairly, in all material aspects, the financial position, the results of the operations and the cash flow of the European Court of Auditors.

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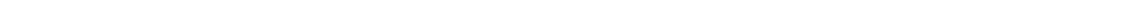
Cyril MESSEIN

Accounting Officer of the European Court of Auditors

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<sup>1</sup> REGULATION (EU, Euratom) 2018/1046 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012.

## **Independent auditor's report**



## INDEPENDENT AUDITOR'S REPORT

*To the Management of the European Court of Auditors*

### Report on the Audit of the Financial Statements

#### Opinion

We have audited the financial statements of the European Court of Auditors (hereafter the “Court”), which comprise of the balance sheet as at December 31, 2021, and the statement of financial performance, statement of changes in net assets and statement of cash flows for the year then ended, as well as the notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the financial statements give a true and fair view of the financial position of the Court as at December 31, 2021, and of the results of its operations, its cash flows and the changes in net assets for the year then ended, in accordance with Regulations (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulations (EU, Euratom) No 966/2012, (OJ L 193, 30.07.2018, p. 1).

#### Basis for Opinion

We conducted our audit in accordance with the International Standards on Auditing (ISAs).

Our responsibilities under ISAs are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Court in accordance with the International Code of Ethics for Professional Accountants, including International Independence Standards, issued by the International Ethics Standards Board for Accountants (IESBA Code) together with the ethical requirements that are relevant to our audit of the financial statements. We have fulfilled our other ethical responsibilities under those ethical requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

#### Other Information

The Management is responsible for the Other Information, which comprises the information included in the *Budget Information Financial Year 2021*.

Our opinion on the financial statements does not cover the Other Information and we do not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information identified above and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit, or otherwise appears to be materially misstated. If, based on the work we have performed, we conclude that there is a material misstatement of this Other Information, we are required to report that fact. We have nothing to report in this regard.

### **Responsibilities of the Management and those charged with governance for financial statements**

The Management is responsible for the preparation of the financial statements that give a true and fair view in accordance with Regulations (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulations (EU, Euratom) No 966/2012, (OJ L 193, 30.07.2018, p. 1), and for such internal control as Management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

The Management is responsible for assessing the Court's ability to continue as a going concern and, in the preparation of the financial statements, for the appropriateness of using the going concern basis of accounting, as well as for adequate information on the subject. The Court's financial statements have been prepared using the going concern basis of accounting. The use of this basis of accounting is appropriate unless the management of a company either intends to liquidate the company or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Court's financial reporting process.

### **Auditor's responsibilities for the Audit of the Financial Statements**

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with ISAs will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with ISAs, we exercise professional judgment and maintain professional scepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Court's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by Management.
- Conclude on the appropriateness of Management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Court's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our

conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Court to cease to continue as a going concern.

- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Rome, 05.05.2022



Firmato digitalmente  
da ROSIGNOLI  
MASSIMILIANO  
C: IT

ACG Auditing & Consulting Group S.r.l.  
Statutory Auditor Partner  
Massimiliano Rosignoli

# Financial statements and explanatory notes<sup>1</sup>

## Balance Sheet

	Note	31 December 2021	31 December 2020
(euro)			
<b>Non - Current Assets</b>			
Intangible assets	3.1.	1 648 129	2 180 876
Property, plant and equipment	3.2.	60 702 649	61 684 358
		<b>62 350 778</b>	<b>63 865 234</b>
<b>Current Assets</b>			
Receivables	3.3.	1 458 091	1 517 898
Cash and cash equivalents	3.4.	5 045 136	8 274 895
		<b>6 503 227</b>	<b>9 792 793</b>
<b>Total Assets</b>		<b>68 854 005</b>	<b>73 658 027</b>
<b>Current Liabilities</b>			
Provisions	3.5.	-	-
Payables	3.6.	6 208 411	7 715 532
		<b>6 208 411</b>	<b>7 715 532</b>
<b>Total Liabilities</b>		<b>6 208 411</b>	<b>7 715 532</b>
<b>Net Assets</b>		<b>62 645 594</b>	<b>65 942 495</b>
Accumulated surplus / deficit		65 942 495	70 642 797
Economic result for the year		(3 296 901)	(4 700 302)
<b>Net Assets</b>		<b>62 645 594</b>	<b>65 942 495</b>

<sup>1</sup> The accompanying notes form an integral part of these financial statements.



## Statement of Financial Performance

		(euro)	
	Note	2021	2020
Funds transferred from the Commission to other institutions	4.1.	124 400 000	121 400 000
Revenue from administrative operations	4.2.	23 785 447	22 784 764
Other operating revenue	4.3.	17 940	12 912
<b>Total operating revenue</b>	4.4.	<b>148 203 387</b>	<b>144 197 676</b>
Staff expenses	4.5.	(127 971 221)	(125 735 863)
Assets related expenses	4.6.	(6 311 856)	(6 048 435)
Other administrative expenses	4.7.	(17 202 977)	(17 102 484)
Operational expenses	4.8.	(7 350)	(4 028)
<b>Total operating expenses</b>		<b>(151 493 404)</b>	<b>(148 890 810)</b>
<b>Surplus/(deficit) from operating activities</b>		<b>(3 290 017)</b>	<b>(4 693 134)</b>
Financial expenses	4.9.	(6 884)	(7 168)
<b>Surplus/(deficit) from non operating activities</b>		<b>(6 884)</b>	<b>(7 168)</b>
<b>Economic result of the year</b>		<b>(3 296 901)</b>	<b>(4 700 302)</b>

## Cash Flow Statement

	(euro)	
	2021	2020
<b>Economic result of the year</b>	<b>(3 296 901)</b>	<b>(4 700 302)</b>
<b>Operating activities – Adjustments</b>		
Amortisation	724 429	469 191
Depreciation	5 581 322	5 541 016
Decrease in Provisions	-	(75 000)
Increase in Receivables	59 807	(13 989)
Increase in Payables	(1 507 121)	1 818 616
<b>Net cash flow from operating activities</b>	<b>1 561 536</b>	<b>3 039 532</b>
<b>Cash flows from investing activities</b>		
Purchase of property, plant and equipment and intangible assets (-)	(4 797 400)	(2 460 022)
Proceeds from property, plant and equipment and intangible assets (+)	6 105	38 228
<b>Net cash flow from investing activities</b>	<b>(4 791 295)</b>	<b>(2 421 794)</b>
<b>Net increase/(decrease) in cash and cash equivalents</b>	<b>(3 229 759)</b>	<b>617 738</b>
<i>Cash and cash equivalents at the beginning of the year</i>	8 274 895	7 657 157
<i>Cash and cash equivalents at the end of the year</i>	5 045 136	8 274 895

## Statement of changes in Net Assets

	(euro)		
Net assets	Accumulated Surplus / (Deficit)	Economic result of the year	Total
<b>Balance as at 31.12.2020</b>	<b>70 642 797</b>	<b>(4 700 302)</b>	<b>65 942 495</b>
Allocation of the prior year economic result	<b>(4 700 302)</b>	4 700 302	-
Economic result of the year	-	(3 296 901)	(3 296 901)
<b>Balance as at 31.12.2021</b>	<b>65 942 495</b>	<b>(3 296 901)</b>	<b>62 645 594</b>

## Accounting policies and notes to the financial statements

### 1. General

The European Court of Auditors (hereafter the ECA) was established by the Treaty of Brussels of 22 July 1975 and started operating in October 1977, with its headquarters in Luxembourg.

#### Our Mission

Through our independent, professional and impactful audit work, assess the economy, effectiveness, efficiency, legality and regularity of EU action to improve accountability, transparency and financial management, thereby enhance citizens' trust and respond effectively to current and future challenges facing the EU.

The financial year of the ECA runs from 1 January to 31 December.

### 2. Legal basis and accounting rules

#### 2.1. Basis of presentation

The financial statements of the ECA are drawn up in accordance with Regulation (EU, Euratom) No 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulation (EU) N°1296/2013, (EU) N°1301/2013, (EU) N°1303/2013, (EU) N°1304/2013, (EU) N°1309/2013, (EU) N°1316/2013, (EU) N°223/2014, (EU) N°283/2014, and Decision N°541/2014/EU and repealing Regulation (EU, Euratom) N°966/2012, (OJ L 193 of 30.07.02108, p1).

#### 2.2. Accounting principles

In accordance with article 80 of the Financial Regulation, the EU prepares its financial statements on the basis of accrual-based accounting rules that are based on International Public Sector Accounting Standards (IPSAS). These EU Accounting Rules are adopted by the Accounting Officer of the Commission after a consultation of the other institutions.

The overall considerations (or accounting principles) to be followed when preparing the financial statements are laid down in EU Accounting Rule 1 'Financial Statements' and are the same as those described in IPSAS 1: fair presentation, accrual basis, going concern, consistency of presentation, materiality, aggregation, offsetting and comparative information. The qualitative characteristics of financial reporting are

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relevance, faithful representation (reliability), understandability, timeliness, comparability and verifiability.

### **2.3. Currency and basis for conversion**

The financial statements are presented in euro, the euro being the EU's functional and reporting currency.

Foreign currency transactions are translated into euro using the exchange rate prevailing at the date of the transaction.

Foreign exchange gains and losses resulting from the settlement of foreign currency transactions and from the translation at year-end exchange rates of monetary assets and liabilities denominated in foreign currencies are recognised in the statement of financial performance. Different conversion methods apply to property, plant and equipment and intangible assets, which retain their value in euros at the date when they were purchased.

Year-end balances of monetary assets and liabilities denominated in foreign currencies are converted into euro on the basis of the European Central Bank (ECB) exchange rates applying on 31 December.

### **2.4. Intangible assets**

Acquired computer software licences are stated at historical cost less accumulated amortisation and impairment losses. The assets are amortised on a straight-line basis over four years. Internally developed intangible assets are capitalised when the relevant criteria of the EU accounting rules are met. The costs that can be capitalised include all directly attributable costs necessary to create, produce, and prepare the asset to be capable of operating in the manner intended by the ECA management. Costs associated with research activities, not capitalised development costs and maintenance costs are recognised as expenses as incurred.

### **2.5. Property, plant and equipment**

All property, plant and equipment are stated at historical cost less accumulated depreciation and impairment losses. Historical cost includes expenditure that is directly attributable to the acquisition or construction of the asset.

Subsequent costs are included in the asset's carrying amount or recognised as a separate asset, as appropriate, only when it is probable that future economic benefits or service potential associated with the item will flow to the ECA and its cost can be measured reliably. Repairs and maintenance costs are charged to the statement of financial performance during the financial period in which they are incurred. As the ECA does not

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borrow money to fund the acquisition of property, plant and equipment, there are no borrowing costs related to such purchases.

Assets that are subject to depreciation are reviewed for impairment whenever events or changes in circumstances indicate that the carrying amount may not be recoverable. An impairment loss is recognised for the amount by which the asset's carrying amount exceeds its recoverable amount.

Land and works of art are not depreciated as they are deemed to have an indefinite useful life. Assets under construction are not depreciated, as these assets are not yet available for use. Depreciation on other assets is calculated using the straight-line method to allocate their cost to their residual values over their estimated useful lives, as follows:

Buildings	4 %
Plant, machinery and tools	12,5 % to 25 %
Furniture and vehicle fleet	10 % to 25 %
Computer hardware	25 %
Other fixtures and fittings	12,5 % to 25 %

## 2.6. Provisions

Provisions are recognised when the ECA has a present legal or constructive obligation towards third parties as a result of past events, it is more likely than not that an outflow of resources will be required to settle the obligation, and the amount can be reliably estimated. Provisions are not recognised for future operating losses. The amount of the provision is the best estimate of the expenditures expected to be required to settle the present obligation at the reporting date.

## 2.7. Recognition of expenses

According to the EU accounting rules, transactions and events are recognised in the financial statements in the period to which they relate. At the end of the accounting period, accrued expenses are recognised based on an estimated amount of the transfer obligation of the period. The calculation of accrued expenses is done in accordance with detailed operational and practical guidelines issued by the Accounting Officer, which aim at ensuring that the financial statements reflect a true and fair view.

## 2.8. Contingent Liabilities

A contingent liability is a possible obligation that arises from past events and of which the existence will be confirmed only by the occurrence or non-occurrence of one or more uncertain future events not wholly within the control of the EU; or a present

obligation that arises from past events but is not recognised because: it is not probable that an outflow of resources embodying economic benefits or service potential will be required to settle the obligation or in the rare circumstances where the amount of the obligation cannot be measured with sufficient reliability.

### 3. Notes to the Balance Sheet

#### Non-Current Assets

##### 3.1. Intangible assets

The movements in intangible assets during the year 2021 were:

	(euro)
Gross carrying amounts at 31.12.2020	10 498 378
Additions	191 682
Disposals	-
Transfer between asset categories	-
Other changes	-
<b>Gross carrying amounts 31.12.2021</b>	<b>10 690 060</b>
Accumulated amortisation at 31.12.2020	(8 317 502)
Amortisation charge for the year	(724 429)
Amortisation written back	-
Disposals	-
Transfer between asset categories	-
<b>Accumulated amortisation at 31.12.2021</b>	<b>(9 041 931)</b>
<b>Net carrying amounts 31.12.2021</b>	<b>1 648 129</b>
Net carrying amounts 31.12.2020	2 180 876

The above amounts relate primarily to computer software. In 2021, additions include 159 583 euro of internally generated assets under construction. An amount of 46 775 euro associated with research activities was not capitalised and was recognised as expenses.

### 3.2. Property, Plant and Equipment

The movements in Property, plant and equipment during the year 2021 were:

	(euro)						
	Land and Buildings	Plant and equipments	Furniture and vehicle	Computer hardware	Other fixtures and fittings	Land and Buildings under construction	Total
Gross carrying amounts at 31.12.2020	127 409 546	1 278 256	5 789 140	5 419 262	2 277 615	625 008	142 798 827
Additions	28 256	323 330	140 099	413 736	31 590	3 668 707	4 605 718
Disposals	-	(1 205)	(50 775)	(93 947)	(4 807)	-	(150 734)
Transfer between asset categories	713 113	98 019	287 445	-	44 568	(1 143 145)	-
Other changes	-	-	-	-	-	-	-
<b>Gross carrying amounts 31.12.2021</b>	<b>128 150 915</b>	<b>1 698 400</b>	<b>6 165 909</b>	<b>5 739 051</b>	<b>2 348 966</b>	<b>3 150 570</b>	<b>147 253 811</b>
Accumulated amortisation at 31.12.2020	(69 429 414)	(985 919)	(4 503 086)	(4 058 819)	(2 137 231)	-	(81 114 469)
Depreciation charge for the year	(4 607 889)	(108 738)	(290 722)	(523 847)	(50 126)	-	(5 581 322)
Depreciation written back	-	1 205	46 264	92 749	4 411	-	144 629
Disposals	-	-	-	-	-	-	-
Transfer between asset categories	-	-	-	-	-	-	-
<b>Accumulated amortisation at 31.12.2021</b>	<b>(74 037 303)</b>	<b>(1 093 452)</b>	<b>(4 747 544)</b>	<b>(4 489 917)</b>	<b>(2 182 946)</b>	<b>-</b>	<b>(86 551 162)</b>
<b>Net carrying amounts 31.12.2021</b>	<b>54 113 612</b>	<b>604 948</b>	<b>1 418 365</b>	<b>1 249 134</b>	<b>166 020</b>	<b>3 150 570</b>	<b>60 702 649</b>
Net carrying amounts 31.12.2020	57 980 132	292 337	1 286 054	1 360 443	140 384	625 008	61 684 358

Additions under the category Buildings under constructions relate to the renovation works of the K2 project (see note 3.4.). Following the final reception of the 5<sup>th</sup> floor in July 2021, the related assets were transferred to the relevant asset categories and depreciated accordingly. The project is expected to be completed in 2022.

### Current Assets

### 3.3. Receivables

	(euro)	
	31 December 2021	31 December 2020
Current receivables mainly related to recovered VAT	-	113
Sundry receivables mainly related to payroll and mission advances	99 688	176 151
Deferred charges	733 173	562 313
Deferred charges with EU consolidated entities	625 230	779 321
<b>Total</b>	<b>1 458 091</b>	<b>1 517 898</b>

Deferred charges mainly relate to prepaid annual licence and maintenance costs of IT software.

Deferred charges with EU consolidated entities mainly relate to 2022 expenditure for social infrastructure (the Interinstitutional Children's Centre and the Foyer européen).



### 3.4. Cash and cash equivalents

	(euro)	
	31 December 2021	31 December 2020
Petty cash	445	445
Bank current account	1 897 352	1 923 087
Fiduciary account	3 147 339	6 351 363
<b>Total</b>	<b>5 045 136</b>	<b>8 274 895</b>

A fiduciary account was opened on 27 January 2010 by the ECA with the Banque et Caisse d'Épargne de l'État, Luxembourg. This fiduciary account allowed the ECA to manage the budget granted by the budgetary authority in relation to the K3 building project (see Note 5.3). On 14 March 2014, the ECA requested the European Parliament and Council to allow the use of the estimated remaining budget of the K3 project (7 million euro) for the necessary and compulsory technical upgrade of the ECA's K2 building. This proposal was approved by the European Parliament and Council on 1<sup>st</sup> April 2014. On 23 March 2015, the ECA announced to the European Parliament and Council that the final remaining budget of the K3 project amounted to 9,4 million euro and, as the estimated cost for the K2 upgrade was 7 million euro, on 12 May 2015 2,4 million euro were returned to the EU budget.

### Current Liabilities

#### 3.5. Provisions

This section relates to ongoing actions brought against ECA and the estimation of their possible financial impact. No provision was recognised at 31 December 2021.

#### 3.6. Payables

	(euro)	
	31 December 2021	31 December 2020
Current payables	(29 715)	(6 515)
Sundry payables related to payroll and staff	(16 933)	(17 166)
Accrued charges	5 558 812	6 352 216
Accrued charges with EU consolidated entities	21 686	574 276
Accounts payable to EU consolidated entities	674 561	812 721
<b>Total</b>	<b>6 208 411</b>	<b>7 715 532</b>

Accrued charges relate to goods and services provided to the ECA in 2021 but not registered as invoices at year-end. It also include a provision of 2 474 728 euro for untaken leave of staff members.

#### 4. Notes to the Statement of Financial Performance

**4.1. “Funds transferred from the Commission to other institutions”:** the amount corresponds to the monthly calls for funds made by the ECA to the Commission to replenish its bank account.

**4.2. “Revenue from administrative operations”:** for the most part, this heading is made up of deductions from the salaries of members and staff in respect of tax and social contributions. It includes a revenue of 4 964 euro with EU consolidated entities.

**4.3. “Other operating revenue”** arises among others from exchange rate gains.

**4.4. Revenues** were generated from exchange and non-exchange transactions as follows:

	(euro)	
	<b>2021</b>	<b>2020</b>
Revenue from exchange transactions	17 940	12 912
Revenue from non-exchange transactions	148 185 447	144 184 764
<b>Total revenue</b>	<b>148 203 387</b>	<b>144 197 676</b>

**4.5. “Staff expenses”** include the salaries of Members, statutory staff, contractual agents and temporary staff.

**4.6. The “Assets related expenses”** consist of the depreciation/amortisation of the tangible and intangible assets.

**4.7. The most significant items of the “other administrative expenses”** were:

- IT and telecommunications;
- Cleaning, security and other building related expenses.

Other administrative expenses with EU consolidated entities amount to 2 391 478 euro and mainly relate to IT, HR and payroll, crèche and translation services.

**4.8. “Operational expenses”** arise among others from exchange rate losses.

**4.9. “Financial expenses”** are bank charges levied on the ECA's current and fiduciary accounts.

## 5. Other significant disclosures

### 5.1. Contingent assets

The following bank guarantees have been given by suppliers following contractual obligations:

	(euro)	
	31 December 2021	31 December 2020
Insurance company	1 361	1 361
Telecommunication	20 000	20 000
<b>Total</b>	<b>21 361</b>	<b>21 361</b>

### 5.2. Commitments for future funding

	(euro)	
	31 December 2021	31 December 2020
Operational lease for Buildings	555 638	500 000
Operational lease for IT material, cars and other equipments	1 645 662	1 794 346
<b>Subtotal</b>	<b>2 201 300</b>	<b>2 294 346</b>
Commitments against appropriations not yet consumed – RAL ("Restant à liquider") -, after deduction of accruals for 2021	5 998 468	7 554 039
<b>Total</b>	<b>8 199 768</b>	<b>9 848 385</b>

The RAL is an element of budgetary accounting representing the value of outstanding commitments. This is the difference between commitments entered into and payments, which is due to the time lag between entering into a commitment and proceeding to the related payment.

### 5.3. Land and buildings

The ECA moved into its main building (K1) in 1988 and purchased it and the land it stands on outright in 1990. In 1999, we signed a framework agreement with the Grand Duchy of Luxembourg, giving us the right to use a second parcel of land for 49 years (renewable once) to build an extension (K2) at the symbolic cost of one euro. For the second extension (K3), however, because of different arrangements for carrying out the project a new framework, agreement was needed; we signed this with the Grand Duchy of Luxembourg on 22 February 2008. We purchased the land on which K3 stands for the same symbolic cost of one euro.

Should the ECA ever consider ceding one of the buildings to a third party other than an EU body or institution, it must transfer the land back to the Grand Duchy (again for one euro), and the latter will also have the option to purchase the building at a price to be

determined by an independent expert. If the Grand Duchy decides not to exercise this option, it would grant the right to use the land to the building's purchasers.

#### **5.4. Contingent liabilities**

There are no contingent liabilities.

#### **5.5. Consequences of the Covid-19 crisis**

In the continuity of 2020, the COVID outbreak did not have a direct impact on the accounts and did not require adjustment of the reported figures, and only had an impact on budget execution. The under-utilisation of initial appropriations on some budget lines, in particular Missions, Publications, Interpreting costs, Meetings and Representation led to budgetary transfers mainly to finance IT equipment and services, and infrastructure projects.

#### **5.6. The nomination of the previous accounting officer as Director of the Translation, Linguistic services and Publication Directorate.**

The previous Accounting Officer was appointed Director of the Translation, Linguistic services and Publication Directorate from the 1<sup>st</sup> of December 2020. In order to avoid any conflict of interest, the delegation as authorising officer has been given directly to the Deputy Director by the Secretary General. The previous Accounting Officer continued to assure the interim during the first semester 2021, until the appointment of the successor, which took place on 1<sup>st</sup> of July 2021.

#### **5.7. Related Parties**

The related parties of the ECA are the EU consolidated entities and the key management personnel. Transactions between the ECA, the EU consolidated entities and the key management personnel take place as part of the normal operations and as this is the case, no specific disclosure requirements are necessary for these transactions in accordance with the EU accounting rules, except for the following:

In the financial year 2021, the Court has taken over the budgetary execution of the inter-institutional Social Activities Committee ("CAS") from the Commission. To this end, a separate bank account dedicated to the CAS operations has been opened in order to collect contributions from the participating EU Institutions and bodies, and to execute payments to the beneficiaries on behalf of the CAS. Such funds do not constitute assets of the Court and are not part of the Court's budget. The bank account balance for the CAS amounted to 110 208,46 euro as at 31 December 2021.

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**5.8. Events after the Balance Sheet Date**

At the date of signature of these accounts, no material issues had come to the attention of or were reported to the Accounting Officer that would require separate disclosure under this section. The accounts and related notes were prepared using the most recently available information and this is reflected in the information presented.

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# Budget information financial year 2021

## Computation of the budget result

The budget result of the year is computed based on the figures of the budgetary implementation. A detailed analysis of the budget, its context, justification and impact is presented in a report on the budgetary and financial management of the ECA.

	(euro)
Payments on appropriations of the year 2021	(140 322 691)
Payments made from carry over of payment appropriations	(7 854 027)
Payments on appropriation related to earmarked revenue	(46 996)
Recovery orders of the year, cashed during the year 2021	23 764 690
Budgetary recovery orders issued before 2020 and cashed in the year 2021	6 074
Adjustment on recovery orders from previous years	-
Payment appropriations carried over to 2022	(8 385 179)
Appropriation carried over from previous years	8 565 175
Adjustment for carry-over from previous year of appropriations available at 31.12 arising from assigned revenue	33 552
<b>Budget result</b>	<b>(124 239 402)</b>

## Reconciliation of economic result with budget result

	(euro)
<b>Economic result of the year</b>	<b>(3 296 901)</b>
<b>Adjustment for items included in the economic result but not in the budget result</b>	<b>(112 195 048)</b>
Difference between accruals end of previous year and end of current year	(1 348 913)
Amount from liaison account with the Commission booked in the Economic Outturn Account	(124 400 000)
Unpaid invoices at year end but booked in charges (class 6)	(593 537)
Depreciation of intangible and tangible assets	6 311 856
Provisions	-
Value reductions	-
Recovery orders issued in 2021 in class 7 not yet cashed	(33 360)
Payments made from carry over of payment appropriations	7 854 027
Other	14 369
Exchange rate differences	510
<b>Adjustment for items included in the budget result but not in the economic result</b>	<b>(8 747 453)</b>
Asset acquisitions (paid during the year)	(1 113 048)
Budgetary recovery orders issued before 2021 and cashed in the year	6 074
Payment appropriations carried over to 2022	(8 385 179)
Cancellation of unused carried over payment appropriations from previous year	711 148
Adjustment for carry-over from previous year of appropriations available at 31.12 arising from assigned revenue	33 552
Payments for pensions ( they are budgetary payments but booked against provisions)	-
Other	-
<b>Budget result</b>	<b>(124 239 402)</b>

# Independent Assurance report

To the Management of the European Court of Auditors



## INDEPENDENT ASSURANCE REPORT

### *To the Management of the European Court of Auditors*

We have examined that the financial resources assigned by the European Commission to the European Court of Auditors (hereafter the “Court”) have been used for their intended purposes and that the control procedures put in place by the authorising officers provide the necessary guarantees to ensure the compliance of financial operations with the applicable rules and regulations for the financial resources made available and used for the period from January 1, 2021 to December 31, 2021.

We have complied with the independence and other ethical requirements of the Code of Ethics for Professional Accountants issued by the International Ethics Standards Board for Accountants, which is founded on fundamental principles of integrity, objectivity, professional competence and due care, confidentiality and professional behaviour.

The maintenance of books and records and the establishing and maintaining of appropriate controls are the responsibility of the Management of the Court. Our responsibility is to express our opinion based on our examination.

In our capacity as the Court’s Independent External Auditor, we conducted our examination in accordance with the International Standard on Assurance Engagements “Assurance Engagements other than Audits or Reviews of Historical Financial Information” (ISAE 3000). This standard requires that we plan and perform our examination such that misuse of the resources materially affecting the books of the Court are detected with reasonable assurance. Our work consisted of examining evidence supporting the fact that:

- The resources assigned to the Court have been used for their intended purposes;
- The control procedures put in place provide the necessary guarantees to ensure the compliance of financial operations with the applicable rules and regulations.

The criteria used for our examination are the following rules and regulations:

- Regulation (EU Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013; (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012, (OJL 193.30.07.2018, P. 1);
- Decision N° 21-2021 of European Court of Auditors laying down the Rules for implementing the Rules of Procedure of the Court of Auditors;
- Decision No 2-2019 of the European Court of Auditors laying down the internal rules for the implementation of the Budget. These provisions form part of the procedures established by the Treaties, or agreements made by virtue thereof, which concern the operational process linked to the implementation of the Budget.

In particular, the following provisions set out in the Decision no. 2 – 2019 have been used as criteria:

- Article 10.1 – Expenditure operations – “Every item of expenditure shall be committed, validated, authorised and paid in accordance with Articles 111 and 116 of the Financial Regulation. In particular, the authorising officer responsible shall personally check the supporting documents or shall, on his or her own responsibility, ascertain that this has been done, before taking the decision validating any budgetary operation”.
- Article 10.4 – Expenditure operations – “Administrative expenditure shall be charged to the budget for the financial year in which it is effected”.
- Article 11.1 – Signatures – “Each of the parties involved in the drafting, control and registration of operations to establish and recover revenue or to commit sums and make payments shall sign and date their involvement in the computerized system (SAP)”.



- Article 17.1 – Validation and “passing for payment” – “Validation of any expenditure shall be based on supporting documents within the meaning of Article 24 of this Decision, attesting the creditor’s entitlement, on the basis of a statement of services actually rendered, supplies actually delivered or work actually carried out, or on the basis of other documents justifying payment, including recurring payments of subscriptions or training courses”.
- Article 19.1 – Staff expenditure – “For payments corresponding to staff expenditure, the endorsement “passed for payment” shall certify the existence of the supporting documents enumerated in Article 19.1”.
- Article 19.2 – Mission expenses – “The statement of mission expenses referred to in point 19.1 (4)(b) shall indicate the place of mission, the dates and times of departure and arrival at the place of mission, travel expenses, subsistence expenses., and other expenses duly authorised on production of supporting documents”.
- Article 27.4 – Carry over – “The authorising officers shall be responsible for ensuring that, at the end of the year, the only amounts carried over are those in respect of which there is a legal obligation to do so”.
- Article 31.2 – Building projects – “For any building project likely to have significant financial implications for the Court’s budget, the Court shall inform, in accordance with Article 266 of the Financial Regulation, the European Parliament and the Council as early as possible, and in any case before any prospecting of the local market takes place, in the case of building contracts, or before invitations to tender are issued, in the case of building works, about the building surface area required and the provisional planning. Before the Court gives its approval to any contractual commitment concerning such a project, the service responsible shall submit an explanatory document justifying the compatibility of the project with the financial framework”.
- Article 32.1 – Internal control procedures – “The responsible authorising officers shall follow the internal control framework drawn up by the Court. This framework sets up all the procedures and standards related to the internal control including rules related to the initiation of operations and ex-ante and ex-post controls of operation”.
- Article 38.1 – Property inventories – “An inventory of tangible assets shall be kept in the computerised system (SAP) accessible to all the authorising officers”.

We believe our examination provides a reasonable basis for our opinion.

Based on the work described in this report, in our opinion, the Court has complied, in all material respects, with the criteria described above:

- The resources assigned to the Court have been used for their intended purposes;
- The control procedures in place provide the necessary guarantees to ensure the compliance of financial operations with the applicable rules and regulations.

Our report is solely for the purpose set forth in the first paragraph and for your information and is not to be used for any other purpose or to be distributed to any other parties, except for the European Parliament, the European Commission and the European Council.

Rome, 05.05.2022

 Firmato digitalmente da **ROSIGNOLI MASSIMILIANO** C: IT

ACG Auditing & Consulting Group S.r.l.  
Statutory Auditor Partner  
Massimiliano Rosignoli

