

DECISION OF THE ADMINISTRATIVE BOARD PROVIDING A POSITIVE OPINION AND APPROVING THE EMSA FINAL ANNUAL ACCOUNTS FOR 2021

THE ADMINISTRATIVE BOARD OF THE EUROPEAN MARITIME SAFETY AGENCY,

Having regard to the European Parliament and Council Regulation 1406/2002, of 27 June 2002, as amended, establishing a European Maritime Safety Agency (hereafter EMSA or the Agency);

Having regard to the Financial Regulation of the Agency adopted by the Administrative Board on 25 July 2019 and in particular Article 102 thereof;

- (1) Whereas the Agency's provisional accounts were submitted to the Commission on 25 February 2022;
- (2) Whereas the preliminary observations of the European Court of Auditors with a view to a report on the annual accounts of the European Maritime Safety Agency for the financial year 2021 received on 25 May 2022 state that:
 - a) "EMSA's accounts for the year ended 31 December 2021 present fairly, in all material respects, EMSA's financial position at 31 December 2021, the results of its operations, its cash flows, and the changes in net assets for the year then ended, in accordance with its Financial Regulation and with accounting rules adopted by the Commission's accounting officer. These are based on internationally accepted accounting standards for the public sector."
 - b) "The revenue underlying the accounts for the year ended 31 December 2021 are legal and regular in all material respects."
- (3) Whereas, in the Court's opinion "except for the issues explained in the "Basis for a qualified opinion on the legality and regularity of payments" paragraph, the payments underlying the accounts for the year ended 31 December 2021 are legal and regular in all material respects."
- (4) Whereas based upon its legal analysis the Agency has decided to enter in an adversarial procedure with the Court of Auditors to contest the observations made by the Court regarding the qualified opinion on certain payments;

HAS DECIDED AS FOLLOWS:

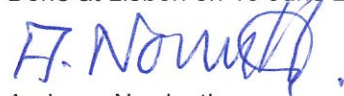
Article 1

The Administrative Board hereby provides a positive opinion and approves the EMSA final accounts for 2021 taking into consideration the preliminary observations of the European Court of Auditors.

Article 2

The accounts 2021 are only formally approved by the Board once the formal approval of the Court of Auditors becomes available in early autumn.

Done at Lisbon on 15 June 2022,

A handwritten signature in blue ink, appearing to read 'A. Nordseth', is written over a horizontal line.

Andreas Nordseth

Chairman of the Administrative Board

