

European Union Agency for Network and Information Security

DECISION No MB/2017/3 WP of the Management Board of the European Union Agency for Network and Information Security (ENISA) on analyses and assessment of the Annual Activity Report 2016

THE MANAGEMENT BOARD OF ENISA,

Having regard to

The Decision No MB/2014/1 WP of the Management Board of the European Union Agency for Network and Information Security (ENISA) on the financial regulation applicable to the European Union Agency for Network and Information Security in conformity with the Commission Delegated Regulation (EU) No 1271/2013 of 30 September 2013 on the framework financial regulation for the bodies referred to in Article 8 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council, and in particular Article 47;

Whereas

- Management Board should carry out analyses and assessment of the Agency's Annual Report and forward it to the Budgetary Authority and the Court of Auditors by 1 July;
- The Executive Board of the ENISA endorsed the draft analyses and assessment of the Agency's Annual Report of 2016.

HAS DECIDED

Article 1

The analyses and the assessment of the Annual Activity Report 2016 is adopted as set out in annex of this decision.

Article 2

The present decision shall enter into force on the day of its adoption. It will be published on the Agency website.



Done by written procedure on 30 June 2017.

On behalf of the Management Board,

[signed]

**Jean - Baptiste Demaison
Chair of the Management Board of ENISA**

Annex

THE ANALYSES AND ASSESSMENT

BY THE MANAGEMENT BOARD OF ENISA

OF THE CONSOLIDATED ANNUAL ACTIVITY REPORT FOR THE YEAR 2016

OF THE AUTHORISING OFFICER OF ENISA

According to Article 47 of the Financial Regulation applicable to ENISA,

1. *The authorising officer shall report to the Management Board on the performance of his duties in the form of an annual activity report [...]. The consolidated annual activity report shall indicate the results of the operations by reference to the objectives set, the risks associated with the operations, the use made of the resources provided and the efficiency and effectiveness of the internal control systems, including an overall assessment of the costs and benefits of controls. The consolidated annual report shall be submitted to the Management Board for assessment.*
2. *No later than 1 July each year the consolidated annual activity report together with its assessment shall be sent by the Management Board to the Court of Auditors, to the Commission, to the European Parliament and to the Council.*

The Management Board received a copy of the 2016 Annual Activity Report produced by the Executive Director of ENISA in his quality of Authorising Officer for the implementation of the annual budget on 19 June 2017.

After the Executive Board scrutiny, the assessment by the Management Board of the consolidated annual activity report (hereinafter AAR) is as follows:

- The AAR presents key results in the implementation of the ENISA Work programme 2016 and leads to conclusion that the Agency completed all deliverables agreed with the Management Board both within time and within budget. 64 activities have been reported as completed in 2016. Among those activities, the support to implement key EU policy areas should be highlighted, notably the NIS directive¹, the General Data Protection regulation (GDPR)², eIDAS regulation³ and the Payment Services directive 2 (PSD2)⁴.

¹ Directive (EU) 2016/1148 of the European Parliament and of the Council of 6 July 2016 concerning measures for a high common level of security of network and information systems across the Union, OJ L 194, 19.7.2016, pp. 1-30, available at: ELI: <http://data.europa.eu/eli/dir/2016/1148/oj>

² Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (Text with EEA relevance), OJ L 119, 4.5.2016, pp. 1-88, available at: <http://data.europa.eu/eli/reg/2016/679/oj>

³ Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC, OJ L 257, 28.8.2014, pp. 73-114, available at: <http://data.europa.eu/eli/reg/2014/910/oj>

⁴ Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC (Text with EEA relevance), OJ L 337, 23.12.2015, pp. 35-127, available at: <http://data.europa.eu/eli/dir/2015/2366/oj>

- A relevant set of published reports, papers, workshops, meetings and events are listed as part of the result achieved by the Agency. Impact indicators show that the Agency's results exceeded the targets established in the Work Programme 2016.
- Overall, the AAR is in line with the ENISA Work Programme 2016 in this regard and ENISA's work is well aligned with the overall European Union agenda for digital single market. A coherent link is provided between activities planned in the Work Programme 2016 and the actual achievements reached in the reporting period.
- The AAR also describes ENISA's management of resources and the budget execution of the EU subsidy. The expenditure appropriations were committed at a rate 100%. This section also reports on results of job screening benchmarking exercise. The support function is 20,24% of the total statutory staff count, which is below the maximum value (25%) accepted for the decentralized small size agencies.
- The AAR also provides a follow up of the 2014 Discharge, and control results. The Agency has followed up on recommendations of Internal Audit Service as well as of the Court of Auditors. In 2016 no new recommendations were issued. This section also notes the main categories of deviation that led to exceptions reported in the Register of Exceptions and mentions that there is one exception registered with high materiality (above 60.000,00 euros). This case is related *to a posteriori commitment*. A human error on a handover provided by a previous staff member created a delay in concluding the budgetary commitment.
- The AAR leads to conclusions that the adequate management of risks, high level of transparency, data protection, business continuity, as well as efforts were undertaken to improve overall efficiency in all activities.
- The annexes complete the AAR with a declaration of assurance of the Executive Director as well as additional information on human and financial resources, draft annual accounts and financial reports, as well as performance information included in evaluations.
- Overall, the Management Board takes note of the achievements of ENISA in 2016. In the view of the Management Board, the overall performance and quality of the outputs was high. The Management Board notes with satisfaction that ENISA could increase the output in spite of high staff turnover and under condition of limited budgetary resources. The Management Board expresses its appreciation to the Executive Director and his staff for their commitment and achievements throughout the year.
- In light of the above assessment, the Management Board requests the Management Board Secretariat to forward the AAR, together with this assessment, to the European Commission, the European Parliament, the Council, the Permanent Representations of the Member States and the Court of Auditors.