








Procedure file

Basic information		
DEC - Discharge procedure	2023/2140(DEC)	Procedure completed, awaiting publication in Official Journal
2022 discharge: European Union Agency for the Cooperation of Energy Regulators (ACER)		
Subject 8.70.03.12 2022 discharge		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	CONT Budgetary Control	 SARVAMAA Petri Shadow rapporteur  RÓNAI Sándor  CSEH Katalin  EICKHOUT Bas  KUHS Joachim  CZARNECKI Ryszard  OMARJEE Younous	14/06/2023
European Commission	Committee for opinion	Rapporteur for opinion	Appointed
	ITRE Industry, Research and Energy	The committee decided not to give an opinion.	
Commission DG Budget		Commissioner HAHN Johannes	

Key events			
28/06/2023	Non-legislative basic document published	COM(2023)0391	
12/09/2023	Committee referral announced in Parliament		
04/03/2024	Vote in committee		
14/03/2024	Committee report tabled for plenary	A9-0120/2024	

10/04/2024	Debate in Parliament		
11/04/2024	Decision by Parliament	T9-0265/2024	Summary

Technical information

Procedure reference	2023/2140(DEC)
Procedure type	DEC - Discharge procedure
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed, awaiting publication in Official Journal
Committee dossier	CONT/9/12914

Documentation gateway

Non-legislative basic document		COM(2023)0391	28/06/2023	EC	
Court of Auditors: opinion, report		N9-0096/2023 OJ C 000 27.10.2023, p. 0000	26/10/2023	CofA	
Committee draft report		PE753.506	16/01/2024	EP	
Amendments tabled in committee		PE757.210	09/02/2024	EP	
Supplementary non-legislative basic document		06180/2024	12/03/2024	CSL	
Committee report tabled for plenary, single reading		A9-0120/2024	14/03/2024	EP	
Text adopted by Parliament, single reading		T9-0265/2024	11/04/2024	EP	Summary

2022 discharge: European Union Agency for the Cooperation of Energy Regulators (ACER)

The European Parliament decided to grant discharge to the Director of the Agency for the Cooperation of Energy Regulators (ACER) for the financial year 2022 and to approve the closure of the accounts for that year.

Noting that the Court of Auditors has stated that it has obtained reasonable assurance that the Agency's annual accounts for the financial year 2022 are reliable and that the underlying transactions are legal and regular, Parliament adopted, by 525 votes to 52 with 23 abstentions, a resolution containing a series of recommendations which form an integral part of the discharge decision and which complement the general recommendations contained in the [resolution](#) on the performance, financial management and control of EU agencies.

Agencys financial statements

The Agency's final budget for the year 2022 was EUR 24 827 843, representing an increase of 5.25 % compared to 2021.

Budgetary and financial management

Budget monitoring efforts during the financial year 2022 resulted in a budget implementation of current year commitment appropriations rate of 99.26 %, representing an increase of 5.20 % compared to 2021. Payment appropriations execution rate was 70.12 % (short of the Agency planned target of 75 %), representing an increase of 4.16 %, compared to 2021.

The Agency had high rate of carry-overs of the commitment appropriations for several consecutive years, EUR 7.2 million in 2022 (29.4 %), a slight increase as compared to 2021 (29.9 %). The recurrent high rates of carry-overs could indicate a structural issue, weak budgetary planning, or possibly a contravention of the budgetary principle of annuality.

Other observations

Parliament also made a series of observations on performance, procurement, digitalisation, staff policy, transparency and internal control.

In particular, it noted that:

- 82 % of the work programme was achieved or achieved with a small issue and 18 % was not achieved or the related tasks deprioritised or postponed due to the limitation in available human resources;
- the key performance indicator targets were met, with the exception of the payments appropriation rate that reached 70.1 % (target 75 %) in 2022 as compared to 65.9 % in 2021;
- the digitalisation of procedures should be accelerated to avoid a digital gap between the agencies. Moreover, action should be stepped up against cyberattacks or infiltration attempts particularly originating from Russia or China;

- on 31 December 2022, the establishment plan was 97.40 % implemented, with 74 temporary agents appointed out of 76 temporary agents authorised under the Union budget (compared to 71 authorised posts in 2021);
- a total number of 246 procurement procedures of different types were concluded in 2022, compared to 200 in 2021;
- the Agency's website lacks transparency therefore the Agency should urgently improve the transparency and accountability of its work by facilitating public access to the documents and data contained on its website, ensuring full and timely publication of its decisions and data in accordance with legal requirements;
- improvements should be made to the Agency's governance by enhancing independence from national regulatory authorities and national interests, enforcement powers, and convergence tools;
- weaknesses were noted in the implementation of the Agency's internal rules on the management and publication of the declarations of interests for the board of regulators and the administrative boards members;
- the Agency should develop greater visibility in the media, internet, and social media in order to make its work known to the citizens;
- a number of internal policies have been revised during 2022 with the aim of strengthening the internal control system.