

## 2012 discharge: Agency for the Cooperation of Energy Regulators (ACER)

2013/2240(DEC) - 03/04/2014 - Text adopted by Parliament, single reading

The European Parliament adopted a decision concerning the discharge to be granted to the Director of the European Agency for the Cooperation of Energy Regulators discharge in respect of the implementation of the Agency's budget for the financial year 2012. The vote on the discharge decision approved the closure of the accounts (in accordance with Annex VI, Article 5(1) of the Rules of Procedure of the European Parliament.

Noting that the Court of Auditors stated that it has obtained reasonable assurances that the annual accounts of the Agency for the financial year 2012 are reliable, and that the underlying transactions are legal and regular, Parliament adopted by 524 votes to 67, with 9 abstentions, a resolution containing a series of recommendations that form an integral part of the discharge decision and as well as the general recommendations that appear in the [draft resolution on performance, financial management and control of EU agencies](#).

These recommendations are summarised as follows:

- **Legality and regularity:** Parliament noted with concern that in order to cover higher school fees, the Agency grants staff whose children attend primary or secondary school a top-up allowance which amounted to some EUR 23 000 in 2012, in addition to the education allowances provided for in the Staff Regulations. For the Parliament, these allowances are not covered by the Staff Regulations and are, therefore, considered irregular even though they acknowledge that this situation is due to the lack of European Schools in the city where the Agency is based.
- **Budget and financial management:** Parliament noted that budget monitoring efforts during the financial year 2012 resulted in a budget implementation rate of 93.75% and that the payment appropriations execution rate was 66.8%. It regretted that the Agency carried over committed appropriations amounting to EUR 1.7 million, representing 81% of total committed appropriations relating mainly to the implementation of the REMIT regulation. It noted with concern that the Agency held EUR 4.2 million in cash at the end of the year, including the 2011 budget surplus of EUR 1.6 million resulting from an excessive call for funds in 2011. Parliament called on the Agency to report on its progress within the framework of the 2012 discharge follow-up.
- **Performance:** Parliament requested that the Agency communicate the results and impact its work has on European citizens in an accessible way, mainly through its website.

It also made a series of observations on transfers, procurement and recruitment procedures as well as comments on internal controls.

Lastly, Parliament acknowledged that the Agency is reviewing its policy on the prevention and management of conflicts of interests on the basis of the Commission's Guidelines on the Prevention and Management of Conflict of Interest in EU Decentralised Agencies. It called on the Agency to inform the discharge authority of the assessment results once available.