

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

2013/2240(DEC) - 20/03/2014 - Committee report tabled for plenary, single reading

The Committee on Budgetary Control adopted the report by Petri SARVAMAA (EPP, FI) in which it recommended the European Parliament to grant discharge 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.

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, Members approved the closure of the Agency's accounts. They made, however, a number of recommendations that needed to be taken into account when the discharge is granted, in addition to the general recommendations that appear in the [draft resolution on performance, financial management and control of EU agencies](#).

- **Legality and regularity:** Members 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 Members, 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:** Members 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%. They 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. They 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. Members called on the Agency to report on its progress within the framework of the 2012 discharge follow-up.

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

Lastly, they 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. They called on the Agency to inform the discharge authority of the assessment results once available.