2015 discharge: Agency for the Cooperation of Energy Regulators (ACER)

2016/2189(DEC) - 27/04/2017 - Text adopted by Parliament, single reading

The European Parliament decided to grant the Director of the Agency for the Cooperation of Energy Regulators (ACER) discharge in respect of the implementation of Authority's budget for the financial year 2015.

The vote on the decision on discharge covers the closure of the accounts (in accordance with Annex IV, Article 5 (1) (a) to Parliament's Rules of Procedure).

Noting that the Court of Auditors has stated that it has obtained reasonable assurances that the Agency's annual accounts for the financial year 2015 are reliable and that the underlying transactions are legal and regular, Parliament adopted by 508 votes to 117 with 10 abstentions, a resolution containing a series of recommendations, which form an integral part of the decision on discharge and which add to the general recommendations set out in the resolution on performance, financial management and control of EU agencies.

These recommendations may be summarised as follows:

- **Agency's financial statements**: Parliament noted that the final budget of the Agency for the financial year 2015 was EUR 11 266 000, representing an increase of 3.55 % compared to 2014. It recalled that the Agency's entire budget derives from the Union budget.
- **Budget and financial management**: Parliament noted that budget monitoring efforts during the financial year 2015 resulted in a budget implementation rate of 95.09 %, reaching the Agency's planned target and representing an increase of 0.09 % compared with 2014.
- **Commitments and carry-overs**: Parliament stressed that carry-overs may often be partly or fully justified by the multiannual nature of the agencies' operational programmes and do not necessarily indicate weaknesses in budget planning and implementation nor are they always at odds with the budgetary principle of annuality. It noted the fact that the Agency found it difficult to reconcile the principle of annuality with the multi-annual nature of the REMIT implementation project.

Parliament also made a series of observations regarding procurement, recruitment procedures and internal audits.

On performance, Parliament noted that in late 2015 the Agency launched a survey enabling stakeholders to assess its regulatory activities, working methods and efficiency. It stated that in October 2015 the Agency released a study for a methodology proposal to **evaluate the impact of the gas network codes and guidelines in terms of implementation and market effects**. It asked the Agency to keep the discharge authority informed on the matter.

Lastly, as regards the **prevention and management of conflicts of interests**, Parliament stated that the Agency's administrative board published the declarations of conflicts of interests on its website. However, it pointed out that some CVs and declarations of the members of the board of regulators remain missing. It called on the Agency to provide further information about this issue to the discharge authority.