2019 discharge: European Union Agency for the Cooperation of Energy Regulators (ACER)

2020/2177(DEC) - 28/04/2021 - Text adopted by Parliament, single reading

The European Parliament decided by 582 votes to 106 against, with 10 abstentions, to **grant discharge** to the Director of the Agency for the Cooperation of Energy Regulators (ACER) for the financial year 2019 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 2019 are reliable and that the underlying transactions are legal and regular, Parliament adopted, by 602 votes to 56 with 33 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.

Agency's financial statements

The Agency's final budget for the year 2019 was EUR 16 147 153, an increase of 19.06% compared to 2018.

Budgetary and financial management

Parliament welcomed the budget monitoring efforts during the financial year 2019 which resulted in a budget implementation rate of 99.50%, exceeding the Agency's objective of 95% and representing an increase of 0.25% compared to 2018. The execution rate for payment appropriations was 81.35%, which represents an increase of 1.62% compared to 2018.

Other observations

Members also made a series of observations on performance, procurement, staff policy, conflicts of interest and internal controls.

In particular, they noted that:

- the Agency managed to adopt important decisions, opinions and recommendations on the European electricity and gas markets following the adoption of Regulation (EU) No 1227/2011 on energy wholesale market integrity and transparency; lack of resources led to some priorities not being executed;

- accounting services were transferred to the Commission and the Agency shared resources with other EU agencies in the areas of human resources management, information and communication technology management, budget and finance, procurement and facilities management;

- at the end of 2019, 100% of the establishment plan was implemented, with 67 temporary agents hired. The lack of gender balance in the Agency's senior management (5 men and 1 woman) and in the Management Board is a concern;

- the Agency is at risk of having to work with limited resources, which will result in a large number of tasks being de-prioritised;

- 67 procurement procedures have been completed out of the 47 planned for 2019. Irregular payments made under contracts concluded as a result of these irregular procurement procedures represent 6.3% of all payments made by the Agency in 2019;

- the CVs and declarations of interest of the members of the Management Board and senior management are available on the Agency's website. However, the Court found that the recruitment procedures were not properly applied to the selection process;

- the strategic audit plan for the Agency for the period 2017-2019 has been fully implemented and the Internal Audit Service has defined the audit topics for the next planning period.

Members regretted that the Agency had not set CO2 reduction targets, but welcomed the Agency's efforts to create an environmentally friendly working environment and to reduce its carbon footprint and energy consumption and implement a paperless workflow.