

**DECISION AB n°20/2013  
OF THE ADMINISTRATIVE BOARD OF THE AGENCY FOR THE  
COOPERATION OF ENERGY REGULATORS**

**of 31 October 2013**

**ON THE ADOPTION OF THE APPROPRIATIONS TRANSFERS AND  
ADJUSTING THE 2013 BUDGET OF THE AGENCY FOR THE COOPERATION  
OF ENERGY REGULATORS**

THE ADMINISTRATIVE BOARD OF THE AGENCY FOR THE COOPERATION  
OF ENERGY REGULATORS,

HAVING REGARD to Regulation (EC) No 713/2009 of the European Parliament and  
of the Council of 13 July 2009 establishing an Agency for the Cooperation of Energy  
Regulators<sup>1</sup> (hereinafter referred to as “the Agency”), and, in particular, Article 23(5)  
thereof,

HAVING REGARD to Decision AB No 22/2011 of 22 September 2011 on the adoption  
of the Financial Regulation of the Agency for the Cooperation of Energy Regulators  
(hereinafter referred as the “Financial Regulation”), and, in particular, Articles 23, 24,  
26, 27 and 28 thereof,

HAVING REGARD to Decision AB No 03/2010 of 6 May 2010 on the Rules of  
Procedure of the Administrative Board (hereinafter referred as “RoP”), and, in  
particular, Article 9(2) thereof,

WHEREAS:

- (1) In Decision AB no. 26/2012 of 19 December 2012 the Administrative Board  
adopted the budget of the Agency for the 2013 budgetary year.
- (2) An adjustment to the contribution to the Agency from the EU Budget has been  
adopted by the budgetary authority during the trilogue meeting on 16 October  
2013 (ARES reference: (2013)3273892 - 17/10/2013). This amendment  
increases the contribution to the Agency by €2.989 million, which will be  
allocated to Title III.
- (3) Any adjustment to the budget shall be adopted by the Administrative Board by  
the same procedure as for the budget.
- (4) The budget adjustment shall be published in the Official Journal of the  
European Union within three months of its approval.

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<sup>1</sup> OJ L211, 14.8.2009, p.1.

- (5) The budgetary authority shall be informed within one month of the budget adjustment approval.
- (6) Pursuant to Article 23(2) of the Financial Regulation, the Director submitted on 24 October 2013 to the Administrative Board a proposal for approval to make transfers of appropriations for the current financial year beyond the limit of 10% from one title to another,

HAS DECIDED AS FOLLOWS:

*Article 1*

The budget adjustment for the Agency as provided in Annex I is hereby adopted.

*Article 2*

The appropriation transfers contained in the proposal of the Director of 24 October 2013 on budget transfers – October 2013 (Annex II) are hereby approved.

*Article 3*

The Budgetary Authority shall be informed about the adjusted budget of the Agency and the transfers as approved above within four weeks from the date of the current decision.

*Article 4*

The adjusted budget shall be published in the Official Journal of the European Union within three months from the date of the current decision.

*Article 5*

This Decision shall enter into force on the day following that of its adoption.

Done at Ljubljana, on 31 October 2013

For the Administrative Board:

A handwritten signature in blue ink, consisting of a large, sweeping loop at the top, followed by several vertical strokes and a horizontal line at the bottom.

Piotr Woźniak

*Chairman of the Administrative Board of the Agency for the Cooperation of Energy Regulators*

Annex I

Title Chapter		Current 2013 budget	Budget adjustment	Total 2013 budget
	<b>EXPENDITURE RELATING TO STAFF AND RESOURCES</b>			
1				
11	STAFF IN ACTIVE EMPLOYMENT	5,296,699	-	5,296,699
12	MISSIONS AND DUTY TRAVEL	125,000	-	125,000
13	SOCIOMEDICAL INFRASTRUCTURE	23,500	-	23,500
14	SOCIAL SERVICES	20,000	-	20,000
	<b>TOTAL TITLE I</b>	<b>5,465,199</b>	<b>-</b>	<b>5,465,199</b>
	<b>AGENCY'S BUILDING AND ASSOCIATED COSTS</b>			
2				
20	AGENCY'S PREMISES COSTS	945,000	-	945,000
21	DATA PROCESSING	943,400	-	943,400
22	MOVABLE PROPERTY AND ASSOCIATED COSTS	198,500	-	198,500
23	CURRENT ADMINISTRATIVE EXPENDITURE COMPUTER INFRASTRUCTURE	669,109	-	669,109
24	TELECOMMUNICATION AND POSTAGE	287,600	-	287,600
	<b>TOTAL TITLE II</b>	<b>3,043,609</b>	<b>-</b>	<b>3,043,609</b>
	<b>OPERATIONAL EXPENDITURE</b>			
3				
30	REPRESENTATION EXPENSES	20,000	-	20,000
31	OPERATIONAL MISSIONS	225,000	-	225,000
32	STAKEHOLDER INVOLVEMENT, PUBLIC RELATIONS AND WEBSITE	157,875	-	157,875
33	TRANSLATIONS	24,537	-	24,537
34	PROFESSIONAL INDEMNITY	5,000	-	5,000
35	REMIT OPERATIONS	-	2,989,000	2,989,000
	<b>TOTAL TITLE III</b>	<b>432,412</b>	<b>2,989,000</b>	<b>3,421,412</b>
	<b>TOTAL BUDGET 2013</b>	<b>8,941,220</b>	<b>2,989,000</b>	<b>11,930,220</b>



## **PROPOSAL OF THE DIRECTOR TO THE ADMINISTRATIVE BOARD**

of 24 October 2013

### **FOR APPROVAL OF THE APPROPRIATIONS TRANSFERS**

HAVING REGARD to Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing the Agency for the Cooperation of Energy Regulators<sup>1</sup> (hereinafter referred to as ‘the Agency’), and, in particular, Article 17(5) thereof,

HAVING REGARD to Decision AB No 22/2011 of 22 September 2011 on the adoption of the Financial Regulation of the Agency for the Cooperation of Energy Regulators (hereinafter referred to as ‘the Financial Regulation’), and, in particular, Articles 23 and 24 thereof,

WHEREAS:

- (1) With Decision AB No. 26/2012 of 19 December 2012 the Administrative Board adopted the budget of the Agency for the 2013 budgetary year.
- (2) Pursuant to Article 23(1) of the Financial Regulation, the Director may make transfers of the appropriations for the financial year without limit from one chapter to the other and from one article to another within each title, and from one title to another up to a maximum of 10% of the appropriation for the financial year shown on the line from which the transfer is made.
- (3) Beyond the limits referred above, pursuant to Article 23(2) of the Financial Regulation, the Director may propose to the Administrative Board for approval transfers of appropriations from one title to another.
- (4) For the purposes of Article 23(2) of the Financial Regulation, a current budget transfer of the appropriations from Title 1 to Title 2 and from Title 1 to Title 3 is appropriate to ensure an efficient use of resources.
- (5) In particular, the Court of Justice ruling for the 2012 salary adjustment based on the Commission appeal is pending and unlikely to occur before the end of the year. This circumstance, combined with i) the decision from the reviewed Staff Regulations to freeze the 2013 and 2014 salaries, the current vacant posts in the Agency, ii) changing circumstances within the contract agents group and iii) a reduction in the number of administrative staff missions, resulted in savings within Title 1 amounting to € 357,800.00. These savings can be made available to cover the urgent need for funding for the implementation of REMIT (Title 2 - €342,800)

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<sup>1</sup> OJ L211, 14.8.2009, p.1.

and the shortage of funds for operational missions (Title 3 - €15,000).

On the basis of the above,

THE DIRECTOR

Proposes to the Administrative Board to approve the budget transfers between Title 1 and Title 2 and between Title 1 and Title 3 as outlined in Annex I.

Done at Ljubljana on 24 October 2013.

  
Alberto Pototschnig  
Director

**Annex I**

Title Chapter	Initial credit	Transfer IN	Transfer OUT	Credit after transfer
		between Titles above the 10% limit	between Titles above the 10% limit	
<b>EXPENDITURE RELATING TO STAFF AND RESOURCES</b>				
<b>1</b>				
11	5,296,699	-	(337,800)	4,958,899
12	125,000	-	(20,000)	105,000
13	23,500	-	-	23,500
14	20,000	-	-	20,000
<b>TOTAL TITLE I</b>	<b>5,465,199</b>	<b>-</b>	<b>(357,800)</b>	<b>5,107,399</b>
<b>AGENCY'S BUILDING AND ASSOCIATED COSTS</b>				
<b>2</b>				
20	945,000	-	-	945,000
21	943,400	342,800	-	1,286,200
22	198,500	-	-	198,500
23	669,109	-	-	669,109
24	287,600	-	-	287,600
<b>TOTAL TITLE II</b>	<b>3,043,609</b>	<b>342,800</b>	<b>-</b>	<b>3,386,409</b>
<b>OPERATIONAL EXPENDITURE</b>				
<b>3</b>				
30	20,000	-	-	20,000
31	225,000	15,000	-	240,000
32	157,875	-	-	157,875
33	24,537	-	-	24,537
34	5,000	-	-	5,000
35	-	-	-	-
<b>TOTAL TITLE III</b>	<b>432,412</b>	<b>15,000</b>	<b>-</b>	<b>447,412</b>
<b>TOTAL BUDGET 2013</b>	<b>8,941,220</b>	<b>357,800</b>	<b>(357,800)</b>	<b>8,941,220</b>