

DECISION AB n° 21/2011

**ADOPTING RULES ON REIMBURSEMENT OF  
TRAVEL EXPENSES TO BOARD OF REGULATORS MEMBERS**

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  
(hereafter 'Agency'),

HAVING REGARD to Decision No A10-BoR-01-03 of the Board of Regulators of the  
Agency of 04 May 2010 adopting the Rules of Procedure of the Board of Regulators of the  
Agency,

Whereas:

- (1) Decision No 04/2010 of the Administrative Board of the Agency of 06 May 2010  
establishes the rules on the reimbursement of people from outside the Agency invited  
to attend meetings in an expert capacity,
- (2) It is necessary, for Agencies, to also adopt the rules for the reimbursements of  
expenses of representatives attending the meetings of the Boards.
- (3) Pursuant to Article 3 (b) of 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, the Board of Regulators is a Board of the Agency,



HAS DECIDED:

**Article 1**


The travel expenses incurred by members of the Board of Regulators, alternate members or persons attending the meetings of the Board of Regulators on their behalf shall be reimbursed by the Agency according to the rules listed in Annex I.

**Article 2**

This decision shall take effect on the day following that of its adoption.

Done at Ljubljana, on 22 September 2011

For the Administrative Board:

A handwritten signature in purple ink, consisting of a large, stylized initial 'P' followed by several loops and a horizontal line extending to the right.

Piotr Woźniak

Chairman of the ACER Administrative Board

**GUIDE FOR THE REIMBURSEMENT OF  
TRAVEL EXPENSES TO BOARD OF REGULATORS MEETINGS**

**1. GENERAL REIMBURSEMENT RULES**

- 1) Travel expenses are reimbursed between the usual place of employment (place of origin) of the representative of the National Regulatory Authority (NRA) to the venue of the ACER Board of Regulators (BOR) meeting.

In the case of a representative combining this travel with other travel arrangements, the maximum expense reimbursed shall be the economy return fare between the point of origin and the place of the meeting.

- 2) Only one representative per NRA may be entitled to reimbursement. The Chair will be reimbursed in addition to the representative attending from the same NRA. The NRA Representative can be a member of the Board, an Alternate member, or a person attending on their behalf.
- 3) The Representative entitled to reimbursement should arrange their travel in a way that is compliant with sound financial management, i.e. in the most economical way possible in terms of time and money.
- 4) The time of arrival at the meeting place and the time of departure from the meeting place should coincide as closely as possible with the respective starting and finishing times of the meeting or other ACER event closely related to BOR activities.
- 5) For the purpose of ensuring meeting attendance, the meeting secretary shall keep an attendance list which must be signed by the Representative. If a Representative does not attend the meeting, no reimbursements shall be made.
- 6) The Representative must declare any reimbursement of travel expenses received for the same meeting from other sources.
- 7) The Representative must inform the Agency in advance, via the meeting secretary, of any non-compliance with the rules and request authorisation for any derogation from them. The Agency will consider requests for derogations from the rules on a case by case basis and may authorise them when duly justified.
- 8) Travel expenses are reimbursed to the NRA on the bank account specified by the NRA in the financial identification form submitted to ACER.
- 9) This guide does not apply to the representative of the European Commission and to representatives of the NRAs of third countries that may be invited to participate to BoR's meetings.

## **2. TRAVEL ARRANGEMENTS**

### **2.1. Travel by air**

- 1) Air travel is only authorised if the distance is more than 400 km or if the journey involves a sea crossing.
- 2) The Representative is entitled to the reimbursement of an economy class flight ticket. Reimbursement of flights booked in Business class or at a higher rate is restricted to the economy return fare, unless:
  - a) the journey by air involves a flight of 4 hours or more without stopovers, or
  - b) exceptional circumstances can be invoked. In such case, the Representative must request in writing an authorisation for any derogation from these rules to the authorising officer for payments of the Agency. For instance, if seats had to be booked in Business class or at a higher rate for reasons beyond the control of the Representative, the Representative must produce supporting evidence together with the reimbursement form. Late booking by the Representative or his/her organisation falls under his/her responsibility unless the Agency requests the presence of the Representative at very short notice (i.e., within a week before the meeting).
- 3) The flight ticket ordered shall be non-flexible unless the Representative reasonably requires flexibility.

The authorising officer for payments of the Agency may scrutinise particularly closely any request for reimbursement involving abnormally expensive flights. He/she shall have the right to carry out any checks that might be needed and to request any proof from the Representative required for this purpose.

He/she shall also have the right, where it appears to be justified, to restrict reimbursement to the rates normally applied to the usual journey from the Representative's point of departure to the meeting place.

### **2.2 Travel by sea**

If transport by ferry is more economical than transport by air in terms of time and money, a 1st class return ticket for a ferry will be reimbursed.

### **2.3 Travel by rail**

The cost of a 1st class return rail ticket will be reimbursed.

### **2.4 Travel by car**

1) Where the Representative chooses to use his/her own vehicle, the reimbursement will be limited to the equivalent of the cost of a 1st class rail-ticket which the representative could have used instead.

If the route is not served by rail, the cost of travel shall be reimbursed at the rate of EUR 0.22 per km.

2) Costs incurred for using private car to drive to and from station/airport, including parking fees will not be reimbursed.

Other expenses (motorway tolls, parking, ferry crossing etc.) will not be reimbursed.

3) Persons using their own vehicle will remain fully liable for any accidents in which they may be involved during the trip.

## **2.5 Local transport**

Local transport at the place of the meeting, including taxi fares, will not be reimbursed.

## **3. ADMINISTRATIVE RULES AND PROCEDURE**

### **3.1. Documentation required**

#### **3.1.1. Application form for reimbursement**

For each meeting, an application for reimbursement shall be filled in, dated and signed by the person requesting the reimbursement.

#### **3.1.2. Financial identification form**

Travel expenses are reimbursed to the NRA on the Bank account specified by the NRA in the financial identification form submitted to ACER. A financial identification form fully completed and duly signed must be submitted prior to the first request of reimbursement. The forms to be used can be found in all EU languages on the following web-site:

[http://ec.europa.eu/budget/execution/ftiers\\_en.htm](http://ec.europa.eu/budget/execution/ftiers_en.htm)

#### **3.1.3. Legal Entity File**

In order to register a new legal entity, the completed and duly signed Legal Entity File form for the NRA must be submitted. The forms to be used can be found in all EU languages on the following web-site:

[http://ec.europa.eu/budget/execution/legal\\_entities\\_en.htm](http://ec.europa.eu/budget/execution/legal_entities_en.htm)

Members of the Board of Regulators, alternate members or persons attending the meetings of the Board of Regulators on their behalf are not required to fill in a legal entity file form as long as reimbursement of travel expenses is made to the Bank Account of the NRA.

#### **3.1.4. Supporting documents for reimbursement**

Prior to the first reimbursement, NRAs have to submit the financial identification form and the Legal Entity File as indicated under paragraphs 3.1.2. and 3.1.3.

For each meeting, an application for reimbursement shall be filled in, dated and signed by the person requesting the reimbursement and submitted in original together with supporting documents. Travel expenses shall be reimbursed on the presentation of:

- the original round trip tickets or invoices;
- the printout of the electronic reservation in case of online bookings.

The documents supplied must clearly indicate the name of the person travelling (for flights arrangements), the class of travel used, the time of travel and the actual price paid.

The original boarding cards are not required if the other supporting documents provided contain all the information necessary to process the reimbursement request.

Supporting documents proving that the journey took place by car, such as motorway tolls or petrol invoices, do not have to be submitted together with the request of reimbursement whenever it is considered reasonable to use the car on the distance travelled.

### **3.2. Time limit for claiming reimbursement**

The Representative should provide the meeting secretary staff with all the necessary documents for reimbursement before leaving the meeting, whenever possible. If for some reason this is not possible, the Representative shall send the duly signed reimbursement form and the required supporting documents at the latest within 30 calendar days of the meeting to the responsible meeting secretary indicated in the invitation. If, by this deadline, not all the necessary documents have been received, the Agency will proceed with payment based on the documents available, if any.

The Agency will inform the participant concerned about any cancellation or restriction of payment due to lack of information provided within the deadline.

### **3.3. Method of reimbursement**

Reimbursement of expenses will be done by bank transfer only to the Bank account specified by the NRA in the financial identification form submitted to ACER. When the order for payment is made, the Agency shall indicate the name and date of the meeting and the participant's name in the reference field.

### **3.5. Events outside the influence of the Representative**

In the case of flight, train or ferry cancellations that are outside the influence of the Representative, the Agency may compensate additional travelling costs incurred subject to justification and where not covered by the carrier and/or travel insurance.

### **3.6. Refund of unduly paid sums**

The recipient will be required to refund any sums paid in error or if received from other sources.