

DECISION AB n° 14/2013
OF THE ADMINISTRATIVE BOARD
OF THE AGENCY FOR THE COOPERATION OF ENERGY REGULATORS

of 18 July 2013

**Amending Decision AB n° 03/2010 of 6 May 2010 on the Rules of Procedure of
the Administrative Board**

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 (hereinafter referred to as the 'Agency')¹, and, in particular, Articles 12(5), (7) and 13(13) thereof,

Having regard to Decision AB n° 01/2010 of 22 March 2010 adopting the Rules for the participation of alternates in the meetings of the Administrative Board of the Agency for the Cooperation of Energy Regulators,

Having regard to Decision AB n° 03/2010 of 6 May 2010 on the Rules of Procedure (RoP) of the Administrative Board, and, in particular, Article 17 thereof,

Whereas:

- (1) Article 1 of Decision AB n° 01/2010 defines a system for the representation, at meetings of the Administrative Board, of members by alternates, whereby if the alternate designated to a member is not available, the next available alternate following the alphabetical order within the group appointed by the same institution will be assigned to represent the member.
- (2) Article 3(6) of Decision AB n° 03/2010 envisages that every member of the Administrative Board shall notify the Administrative Board secretariat whether he/she will be attending a meeting in person or if they will be represented by his or her alternate member or exceptionally, if the alternate cannot be present, by a proxy.
- (3) Article 3(10) of Decision AB n° 03/2010 allows alternate members to attend meetings of the Administrative Board, without voting right, even when the member, whom he or she is assigned to, is present.
- (4) It is appropriate that rules regarding the representation of members by alternates in meetings of the Administrative Board are clarified.
- (5) It is appropriate that expenses incurred by alternate members in relation to their participation in meetings according to Article 1 of Decision AB n° 01/2010 or Article 3(10) of Decision AB n° 03/2010 are paid by the Agency.
- (6) It is appropriate to streamline the reimbursement of expenses incurred by members and alternates of the Administrative Board representing the Board at

¹ OJ L211, 14.8.2009, p.1.

meetings and events in connection with the tasks of the Board, while maintaining sound financial management,

HAS DECIDED, BY WRITTEN PROCEDURE, pursuant to article 9(2) of the RoP:

Article 1

Decision AB n° 03/2010 is amended as follows:

1. Article 3(6) is replaced by the following:

3(6) *Every member and alternate of the Administrative Board shall notify the Administrative Board secretariat, no later than fifteen calendar days prior to the date of a meeting, whether he/she will attend it. The notification should be effected through the dedicated web tool or, exceptionally, by email.*

If no notification is received by the deadline indicated above, the member or alternate is deemed not to attend the meeting. Within three working days after the deadline referred to above, the Administrative Board secretariat informs all members and alternates about the members who will attend the meeting and of the alternates who, according to the provisions of Article 1 of Decision AB n° 01/2010, will represent members not attending the meeting, indicating the member each alternate will represent.

If no alternate is available to represent a member according to the provisions of Article 1 of Decision AB n° 01/2010, the Administrative Board secretariat will inform the concerned member accordingly, so that the member can provide a proxy.

In the case of extraordinary sessions of the Administrative Board convened to discuss urgent business, according to Article 9(1) of these Rules of Procedure, the deadline indicated above is extended to one week prior to the date of the meeting and the Administrative Board secretariat informs members and alternates on attendance and representation within two working days after such deadline.

The above procedure does not affect in any way the right of members and alternates to attend the meetings of the Administrative Board and, in the case of members, to exercise their rights.

2. Article 16(2) is replaced by the following:

16(2) *Expenses incurred by alternate members attending Board meetings pursuant to Article 3(6) and (10) of these Rules of Procedure shall be paid by the Agency in accordance with paragraph 1. Subject to the prior authorisation of the Director, paragraph 1 also applies to members and alternates who are required to represent the Administrative Board at meetings or events in connection with its tasks.*

Article 2

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

Done at Ljubljana, on 18 July 2013.

For the Administrative Board:

A handwritten signature in green ink, appearing to be 'P. WOZNIAK', written in a cursive style.

Piotr WOZNIAK

Chairman of the Administrative Board