

**DECISION AB n° 02/2014**

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

**of 13 February 2014**

**Amending Decision AB N° 01/2011 on the support granted to ACER staff members in  
respect to kindergarten and school fees**

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 the Agency for the Cooperation of Energy Regulators<sup>1</sup> (hereinafter referred to as “Agency”), and, in particular, Article 13(4) thereof,

HAVING REGARD to the Staff Regulations of Officials of the European Communities (hereinafter referred to as “Staff Regulations”) and the Conditions of Employment of Other Servants of the European Communities (hereinafter referred to as “CEOS”), as laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68 of 29 February 1968<sup>2</sup>, and, in particular, Article 1e of the Staff Regulations and Article 10 of CEOS,

HAVING REGARD to AB Decision No 3/2010 of 6 May 2010 adopting the Rules of Procedure of the Administrative Board of the Agency for the Cooperation of Energy Regulators, and, in particular, Article 9 thereof,

WHEREAS:

- (1) The Agency needs to attract, employ and retain staff of the highest standards of ability, efficiency and integrity, recruited on the broadest possible geographical basis from among nationals of EU Member States.
- (2) Staff members of EU institutions, including agencies, enjoy free access to European Schools under the condition that they have a contract of at least one year.
- (3) No European School has yet been established in Ljubljana, despite the undertaking expressed in Article 13 of the Seat Agreement between the Agency for the Cooperation of Energy Regulators and the Government of the Republic of Slovenia, signed in Ljubljana on 26 November 2010<sup>3</sup>. Agency staff members thus have no alternative but to

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

<sup>2</sup> OJ L 56, 4.3.1969, p.1.

<sup>3</sup> Official Journal of the Republic of Slovenia, number 22 (109) of 30 December 2010.

register their children in the existing international schools established in Ljubljana offering education in English or French.

- (4) In the absence of a European School in Ljubljana, and given the high school fees charged by the international schools in Ljubljana, there is a need to address the unequal working conditions to which the staff of the Agency is subject compared to staff working for other European institutions where European Schools are available.
- (5) In order to better reconcile working life with family life, it is appropriate that the Agency provides, as a social measure until a European School is established in Ljubljana, financial support to staff members whose children are attending schools and kindergartens in the Ljubljana area.
- (6) While the Administrative Board Decision No 01/2011 acknowledged this financial support to the staff members for the international schooling of their children, it is appropriate to make the payments directly to the school, subject to the prior conclusion of a tuition services agreement with the school concerned,

## **HAS ADOPTED THIS DECISION:**

### **Article 1**

Article 3 of Decision AB No 01/2011 of 11 February 2011 on the support granted to ACER staff members in respect to kindergarten and school fees is amended as follows:

- a) in paragraph 1, the word 'refunds' is replaced by 'contributes to';
- b) the following paragraph is added:  
'4. The financial contribution as provided in this article is subject to the Agency having concluded a tuition services agreement with the school concerned.'

### **Article 2**

This Decision shall enter into force with effect from school year 2013-2014. It shall be communicated to the staff and published on the intranet of the Agency.

Done at Ljubljana on 13 February 2014.

For the Administrative Board

SIGNED

Piotr Woźniak  
Chairman of the Administrative Board