

DECISION No 10/2018

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

of 6 September 2018

**on the participation of the Alternates in the meetings of the Administrative Board of the
Agency for the Cooperation of Energy Regulators and the attribution of voting rights**

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 Regulators¹,
and, in particular, Article 12(5) thereof,

Having regard to Decision No 03/2010 of the Administrative Board of the Agency for the
Cooperation of Energy Regulators of 6 May 2010 on the Rules of Procedure, and, in
particular, Article 1(1) thereof,

Whereas:

- 1) Alternates of the Administrative Board can participate to its meetings irrespective of the attribution of voting rights.
- 2) It is appropriate to amend the rules for the participation of Alternates in the meetings of the Administrative Board, as established by Decision No 1/2010 of the Administrative Board of the Agency for the Cooperation of Energy Regulators of 22 March 2010, to reflect more accurately the conditions for the attribution of voting rights.
- 3) In particular, at the time of attributing voting rights to Alternates, it is necessary to take into consideration the appointment decisions of Members and Alternates by the respective appointing institutions,

HAS ADOPTED THIS DECISION:

Article 1

- (1) In case of impossibility for a Member to assist to a meeting of the Administrative Board, she/he will be represented by her/his Alternate, as designated by his/her appointing institution.

¹ OJ L 1/112, 14.8.2009, p.1.

- (2) In case the appointing institution has not designated an Alternate specific to the Member, the latter will be represented at the meeting:
 - (a) by the Alternate occupying the same position in the alphabetical order of the Alternates appointed by the same institution as the Member in the alphabetical order of Members appointed by the institution; or
 - (b) in case the Alternate identified according to point (a) cannot join the meeting either, by the next available Alternate, following the alphabetical order, within the group of Alternates appointed by the same institution. In this case, the last Alternate in alphabetical order is followed by the first Alternate in alphabetical order.
- (3) If no Alternate of the group appointed by the same appointing institution is available, the Member can give a proxy to another Member or Alternate of the Administrative Board.

Article 2

- (1) Decision No 01/2010 of the Administrative Board of the Agency for the Cooperation of Energy Regulators of 22 March 2010 is hereby repealed.
- (2) Article 6 of Decision No 03/2010 of the Administrative Board of the Agency for the Cooperation of Energy Regulators of 6 May 2010 on the Rules of Procedure is amended as follows:
 - (a) the words 'Article 1 of Decision AB n° 01/2010' is replaced by 'Decision No 10/2018'.

Article 3

This Decision shall take effect on the day of its adoption.

Done at Ljubljana, 6 September 2018.

For the Administrative Board

The Chair

Dr. R. JORDAN