



## **Board of Appeal**

PRESS RELEASE NO 1/16

Ljubljana, 09/09/ 2016

### **The term of the current Board of Appeal ends on 22 September 2016**

On the occasion of the end of its five year term, the outgoing Board issues the following statement.

In line with its basic mandate, the Board has set up and maintained during the period a sound procedural system (last amended on 18 May) in full respect of the basic rights to a fair procedure by the parties concerned, both appellant and Agency (right to be heard, access to file, rights to confidentiality, transparency of procedure) and taken its first decisions last December. The referral of one of those decisions by the respective appellant to the Court of Justice will give further clarity on the competences of the Board.

The Board has also negotiated an Administrative Agreement with the Agency, in order to ensure its full independence when reviewing appeals against decisions of the Agency.

While the number of decisions of ACER has developed slower than originally expected and therefore the number of appeals has remained very limited during the period, the Board of Appeal has fulfilled its basic task to build a credible system of rapid recourse as regards the Agency's decisions of concern to individual parties. The Chairman of the Board thanks all members of the Board for their commitment in their respective functions during the whole or part of the period. The Board also thanks the Agency's Director, the staff of the Agency's legal and IT departments, the Registrar and the external legal counsel made available that have helped the Board in fulfilling its tasks and leave a well prepared framework for the next Board.

Questions should be directed to [BoA@acer.europa.eu](mailto:BoA@acer.europa.eu)