

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

of [date]

**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')<sup>1</sup>, and, in particular, Articles 12(5) 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 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 update the text of the Annexes to Decision AB n° 03/2010, on Declaration of Interests and Declaration of Commitment,

HAS DECIDED

**Article 1**

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

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

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

3(6) *Every member of the Administrative Board shall notify the Administrative Board secretariat whether he/she will be attending a meeting in person or if he/she will be represented by an alternate member, according to the provisions of Article 1 of Decision AB n° 01/2010, or exceptionally, if no alternate of the group appointed by the same institution is available, by a proxy.*

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 3(10) of these Rules of Procedure shall be paid by the Agency in accordance with paragraph 1.*

3. Annex 1 and Annex 2 are replaced by Annex 1 and Annex 2 to this Decision.

## **Article 2**

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

Done at **Warsaw** on **xx June** 2013

For the Administrative Board:

Piotr WOZNIAK

*Chairman of the Administrative Board*

**DECLARATION OF INTERESTS**

**Name:**

\_\_\_\_\_

**I hereby declare that I do not have any interests which could be prejudicial to my independence.**

**I hereby declare that I have the following interests that could be prejudicial to my independence:**

**I understand that this Declaration will be published on the Agency's website.**

**Done at \_\_\_\_\_ on \_\_\_\_\_**

**Signature:**

**ACER**

AGENCY FOR THE COOPERATION OF ENERGY REGULATORS

**ANNEX 2**

**DECLARATION OF COMMITMENT**

**I ....., hereby declare that I shall make all reasonable efforts to fulfill my duties as member/alternate/observer of the Administrative Board of the Agency for the Cooperation of Energy Regulators.**

**I understand that this Declaration will be published on the Agency's website.**

**Done at \_\_\_\_\_ on \_\_\_\_\_**

**Signature:**