

DECISION No 13/2019

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

of 29 August 2019

granting permission to Mr Alberto Pototschnig to engage in outside activities

THE ADMINISTRATIVE BOARD OF THE EUROPEAN UNION AGENCY FOR
THE COOPERATION OF ENERGY REGULATORS,

Having regard to Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators¹, and, in particular, Article 19(1)(h) thereof,

Having regard to the Staff Regulations of Officials of the European Union, and, in particular, Article 12b and 55 thereof, and to the Conditions of Employment of Other Servants of the European Union, and, in particular, Article 11 thereof,

Having regard to Decision No 16/2018 of the Administrative Board of the Agency for the Cooperation of Energy Regulators of 13 December 2018 on the adoption by analogy of the Commission Decision on outside activities and assignments and on occupational activities after leaving the Service,

Whereas:

- (1) On 6 September 2018, the Administrative Board of the Agency for the Cooperation of Energy Regulators (hereinafter referred to as ‘the Administrative Board’, authorised with Decision No 13/2018, Mr Alberto Pototschnig, Director *ad interim* of the Agency for the Cooperation of Energy Regulators (hereinafter referred to as ‘the Agency’), to engage in outside activities for the period 16 September 2018-15 September 2019.
- (2) The contract of employment of Mr Pototschnig will end on 31 December 2019 and Mr Pototschnig submitted an application for authorisation to engage in paid outside activities by acting as Part-time Professor at the Florence School of Regulation until the end of his contract of employment, with no change in the tasks to be performed within this framework.
- (3) Permission shall be refused only if the outside activity or assignment in question would interfere with the performance of the staff member’s duties or is incompatible with the interests of the institution.
- (4) The engagement of Mr Pototschnig in outside activities by acting as Part-time Professor at the Florence School of Regulation ensures that the Agency can benefit

¹ OJ L 158, 14.6.2019, p. 22–53.

from the activities of the School. In particular, the Agency can benefit from the focusing of the School on the most relevant issues in the regulation of the European energy sector. Similarly, the involvement of Mr Pototschnig in educational, academic and research activities at the School ensures that the Agency can gather experience from the academic fora.

- (5) It is clearly in the interest of the Agency that Mr Pototschnig maintains his involvement with the School, going forward as Part-time Professor, thus participating in educational, academic and research activities, including lecturing in training courses organised by the School.
- (6) The activities to be authorised do not interfere with the duties assigned to Mr Pototschnig and the level of his responsibilities at the Agency.
- (7) Given the governance and the non-commercial mission of the School, the activities falling under the permission does not raise any conflict of interest.
- (8) The permission for paid outside activities is therefore compatible with the interest of the Agency and staff members shall in principle receive permission to exercise an outside activity or assignment if it is required in the interest of the service that they maintain their professional skills and/or upgrade their qualifications.
- (9) In light of the above, the conditions to extend the permission to engage in outside activities to Mr Pototschnig until the end of his contract of employment with the Agency are fulfilled;

HAS ADOPTED THIS DECISION:

Article 1

1. Mr Alberto Pototschnig is granted permission to engage in outside activities to act as Part-time Professor at the Florence School of Regulation.
2. The activities for which permission is granted shall be carried out outside of the working hours agreed with the line manager of the staff member concerned or are covered by a duly approved leave or recuperation

Article 2

1. The permission is granted subject to the condition that no costs shall be incurred by the Agency.
2. Mr Alberto Pototschnig shall not receive remuneration in connection with the activities for which permission is granted in excess of EUR two thousand nine hundred thirty one (EUR 2,931). Such limit shall apply to net remuneration and shall exclude any royalties or similar utilities received for publications, as well as any reimbursement of reasonable expenses.

Article 3

The Chairman is mandated to implement this Decision and undertake any procedural step related to the permission granted with this Decision.

Article 4

This Decision shall take effect on 16 September 2019 and is valid until 31 December 2019.

Done at Ljubljana, on 29 August 2019

For the Administrative Board

The Chair

Dr. R. JORDAN