

DECISION No 13/2026
OF THE ADMINISTRATIVE BOARD OF THE AGENCY FOR THE
COOPERATION OF ENERGY REGULATORS
of 14 October 2026

**amending Decision AB No 15/2015 of the Administrative Board of the Agency for the
Cooperation of Energy Regulators of 17 September 2015 laying down the policy and
procedure for deputising**

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

Having regard to Regulation (EC) 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)(d) thereof,

Whereas:

- (1) There is a need to update the applicable rules on business continuity in terms of deputising for the Director function in order to guarantee that stability and continuity are ensured for all kind of decisions and duties relating to the Agency activities and its day-to-day functioning, including the exercise of the appointing authority powers and the powers conferred on the authority authorised to conclude contracts of employment, both in case of the Director being prevented from fulfilling his/her functions and where the post is vacant.
- (2) A provision aimed at limiting the powers of the deputising staff member to the business continuity should be included. The strategic decisions are related to the policy choices that the Director may take. In HR matters those would be, for example, the selection and appointment of managers. The aim is that the decisions taken by the person deputising for the Director do not compromise the choices that the Director would make. The wording used would be flexible and subject to interpretation by the Administrative Board depending on what it considers to be strategic,

HAS DECIDED AS FOLLOWS:

Article 1

Article 1 of Decision AB No 15/2015 of the Administrative Board of the Agency for the Cooperation of Energy Regulators of 17 September 2015 laying down the policy and procedure for deputising is hereby amended as follows:

The following paragraphs are added:

¹ OJ L 158, 14.6.2019.

“3. *Where the Director post is vacant, and until the post is filled in accordance with Regulation 2019/942, the Director’s functions shall be exercised by an Acting Director, who shall be the staff member who holds the highest grade and step among the Heads of Department, with a contract duration sufficient to cover the length of the assignment, or, in the event of equal grade, by the Head of Department with the greatest seniority within the grade or, in the event of equal seniority, by the eldest or by a staff member designated by the Administrative Board.*

The Acting Director shall exercise the powers conferred on the Director’s post within the limits required to ensure business continuity in the operational and the day-to-day management of the Agency, refraining from taking strategic decisions with a longer-term impact and shall be accountable to the Administrative Board.

In the event of a vacant Director post, exercised by an Acting Director, the procedures in Article 2 do not apply.”

Article 2

- (1) This Decision shall enter into force on the day of its adoption.
- (2) This Decision shall be brought to the attention of the Agency staff. A consolidated version of Decision AB No 15/2015 as amended shall be published on the website of the Agency.

Done at Ljubljana, on 14 October 2026.

For the Administrative Board

The Chair

B. CHIRIȚOIU