DECISION AB n° 34/2011

GRANTING PERMISSION TO THE DIRECTOR TO ENGAGE IN ACADEMIC COOPERATION WITH THE FLORENCE SCHOOL OF REGULATION AT THE EUROPEAN UNIVERSITY INSTITUTE

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


HAVING REGARD to the Staff Regulations of Officials of the European Communities, laid down by Council Regulation (EEC, EURATOM, ECSC) No 259/68, (hereafter referred to as the "Staff Regulation") and, in particular, Article 12b thereof, and to the Conditions of Employment of Other Servants of the Communities;

WHEREAS:

- Article 12b of the Staff Regulations requires “an official wishing to engage in an outside activity, whether paid or unpaid, or to carry out any assignment outside the Communities shall first obtain the permission of the Appointing Authority” and envisages that “permission shall be refused only if the activity or assignment in question is such as to interfere with the performance of the official’s duties or is incompatible with the interest of the institution”;

- The Florence School of Regulation (hereafter referred to as the "School") is a partnership between the European University Institute (EUI) - Robert Schuman Centre for Advanced Studies (RSCAS), the Council of the European Energy Regulators (CEER) and the Independent Regulators Group (IRG), and it works closely with the European Commission. It is a European forum dedicated to economic regulation;

- The objectives of the School are to organise policy events dealing with key regulatory issues, to provide state-of-the-art training for practitioners, to produce analytical and empirical research in the field of regulation and to promote networking, through documents and ideas exchanges;
- Mr Alberto Pototschnig has been cooperating with the School since its foundation in 2004, therefore well before his appointment as Director of the Agency;

- At the School, Mr Pototschnig has been acting as Adviser to the Director on the School's activities in the energy policy area, as well as participating, as instructor, to the Training Courses organised by the School;

- Through its activities, the School contributes to enhancing and spreading best practices in regulation, including for the energy sector;

- The involvement of Mr Pototschnig in the activities of the School, in his current role of adviser to the Director of the School, ensures that the School focuses on the most relevant issues in the regulation of the European energy sector;

- It is therefore of utmost important for ACER that Mr Pototschnig maintains his current role as Adviser to the Director of the School and is involved in other related activities, including, as an instructor, in training courses organised by the School;

HAS DECIDED:

1) To grant permission to Mr Alberto Pototschnig to continue in his role of adviser to the Director of the School and with his activities of instructor at the School;

2) That the permission is granted for the duration of his appointment as Director of the Agency, but can be revoked by the Administrative Board at any time;

3) That the activities for which permission is granted shall be carried out mainly outside working hours, and within working hours with a limit of one hundred (100) hours per years, and that, to the extent that they are carried out during working hours, they are considered to be carried out in the interest of the service;

4) That permission is granted subject to the condition that no costs shall be incurred by the Agency;

5) That, given the governance and mission of the School, the activities for which permission is granted do not raise any conflict of interest;

6) That Mr Pototschnig shall receive no remuneration in connection with the activities for which permission is granted to the extent that they are carried out during working hours. To the extent that these activities are carried out outside working hours, Mr Alberto Pototschnig shall hand over any remuneration received in excess of EUR ten thousand (10,000). Such limit shall apply to net remuneration and shall exclude any royalties or similar utilities received for publications, as well as any reimbursement of expenses, including per diems;
7) Mr Alberto Pototschnig will report annually to the Administrative Board on his activities at the School;

8) To give mandate to the Chairman for the implementation of this Decision and for any procedural step related to the permission granted with this Decision.

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

Done at Ljubljana, on 2 December 2011

For the Administrative Board: [Signature]

Piotr Woźniak

Chairman of the ACER Administrative Board