

## 69th Administrative Board Meeting

Ordinary session (hybrid mode)

Thursday, 23 October 2025, 16:15 - 19:30

Friday, 24 October 2025, 09:00 - 13:30

ACER premises, Trg republike 3, 1000 Ljubljana

### MINUTES

Members and Alternates of the Administrative Board, present at the meeting:		Function
Ms Edit HERCZOG		Chair
Mr Bogdan CHIRIȚOIU		Vice-Chair
Dr Jurijs SPIRIDONOV (present online on both days)		Member
Mr Václav BARTUŠKA		Member
Mr Tomasz DĄBROWSKI		Member
Ms Karoline NARODOSLAWSKY (present online on both days)		Member
Mr Paul RÜBIG		Member
Mr Atanas GEORGIEV (present online on both days)		Alternate
ACER	Volker ZULEGER, Martin GODFRIED, Silvia MANESSI, Paul MARTINET, Rodica MANDROC, Valer ILIĆ, Susannah NASH-WIDELL, Olga BORISSOVA, Julia HENTZ, Savvas SAVVIDES, Tina VONČINA	
European Commission	DG ENER: Frédéric VERSINI – Member with proxy of member Ms JUUL-JØRGENSEN  Juan-Ignacio DE DIOS MORALES	
Board of Regulators	Emmanuelle WARGON, Chair Claire HELlich PRAQUIN, CRE	

Member Ms Ditte JUUL-JØRGENSEN granted proxy to Mr Frédéric VERSINI.

Mr Volker ZULEGER (ACER Director ad interim) and Ms Emmanuelle WARGON (Chair of the Board of Regulators) were present at the meeting, acting as observers. They were not present at the Administrative Board closed session. The Secretariat was provided by the Agency.

## SUMMARY OF CONCLUSIONS OF THE 69<sup>TH</sup> MEETING OF THE ADMINISTRATIVE BOARD

At the 69<sup>th</sup> meeting, the Administrative Board:

1)	welcomed the newly appointed observers – ACER Director ad interim Mr Volker Zuleger and the Chair of the Board of Regulators Ms Emmanuelle Wargon – as well as the new member appointed by the European Commission Mr Frédéric Versini and wished them every success in their new roles;
2)	expressed appreciation to Ms Anne Montagnon, the member appointed by the European Commission who left the Board on 1 October 2025, for her outstanding contribution to the work of the Board over many years;
3)	expressed its support for the orientation and priorities presented by the ACER Director ad interim, and concurred that consolidation should constitute the main priority for the interim period;
4)	welcomed the commitment of the Director ad interim to regularly inform the Administrative Board on the implementation of the administrative and regulatory roadmap;
5)	invited the Director ad interim to present, at the Board's meeting, potential amendments to the Administrative Board decision on middle management, with the aim of supporting operational continuity of the Agency;
6)	agreed to discuss the powers of the Director ad interim at its next meeting in December;
7)	welcomed the progress made on the Building file and its approval by the Budgetary Authorities. In line with Administrative Board Decision 14/2025, the Board authorised the ACER Director ad interim to sign the new long-term lease agreement, as proposed and detailed in the Building file, by the end of November 2025 at the latest, through Administrative Board Decision 16/2025;
8)	took note of the recent discussions and decisions of the Board of Regulators;
9)	took note of the progress made in operationalising ACER's investigatory powers;
10)	discussed the selection process of the new ACER Director, which would be one of the key tasks of the Administrative Board and Board of Regulators in 2026;
11)	was invited by the European Commission to appoint an observer from among its members to follow the preselection phase of the Director selection process conducted by the Commission;
12)	adopted the calendar of ordinary meetings for 2026 and committed to convene extraordinary meeting(s) as necessary to appoint the new Director within the agreed timeline;
13)	appointed Mr Versini as the representative of the European Commission in the 2025 Administrative Board Review panel for the management and prevention of conflicts of interest;
14)	approved the process and deadlines related to the elections of the new Administrative Board Chair and Vice-Chair for the next two years (January 2026 - January 2028). The elections would take place at the next/70th Administrative Board session on 11 December 2025;
15)	agreed to postpone the adoption of the new Human Resources Strategy until the findings and recommendations of the ongoing IAS audit on human resources and ethics can be incorporated. It also reiterated the importance of continued efforts to strengthen internal communication and awareness on ethics-related matters;

16) congratulated the Agency on the positive developments in 2025 budget and procurement execution;
17) In the short term, the Board recommended that the Agency begins preparations for the 2027 budget without delay, with particular emphasis on securing additional resources to strengthen cybersecurity capacity. In the longer term, the Board encouraged proactive engagement in the discussions on the next Multiannual Financial Framework (MFF), with the aim of advocating for a stronger budgetary position and ensuring sufficient and sustainable financing for the Agency's operations;
18) supported the Chair's initiative to strengthen cooperation with the European Court of Auditors (ECA) and to invite the ECA Member responsible for agencies to present the results of the 2024 Annual Report on EU Agencies at a future Board meeting;
19) took note of the "ACER Mission, Vision and Values" project, welcomed its engaging approach, and considered it a valuable starting point for further discussion with the Boards, including in the context on the Single Programming Document. The Board tasked the Director ad interim with preparing a detailed, legally reviewed document and a corresponding roadmap for discussion at the December meeting of the Administrative Board;
20) took note of the Commission's Opinion on the draft Programming Document 2026 – 2028 and endorsed the integration of the updates addressing the Commission's comments;
21) adopted by unanimity the Commission Decision C(2025) 2495 of 13 May 2025 on the general provisions for implementing Articles 11, 12 and 13 of Annex VII to the Staff Regulations of Officials and on authorised travel via AB decision 15/2025 of 24 October 2025;
22) took note of the operational updates and progress regarding the Information Security policy and ongoing cybersecurity initiatives and developments as requested also by the Regulation (EU) 2023/2841 on cybersecurity measures for EU institutions, bodies, offices, and agencies (EUIBA Regulation);
23) took note of the ongoing process to adapt the updated IAS Mission charter, which is to be co-signed by the Chair of the Administrative Board and the Director ad interim upon its finalisation.

## 1. OPENING

The Chair of the Administrative Board welcomed the new observers – ACER Director ad interim Mr Volker Zuleger and the Chair of the Board of Regulators Ms Emmanuelle Wargon – as well as the member appointed by the European Commission Mr Frédéric Versini. On behalf of the Board, the Chair wished them every success in their new roles. The Chair paid a special tribute to the former Commission representative, Ms Anne Montagnon, who left the Board on 1 October 2025, and expressed appreciation for her outstanding contribution to the work of the Board over many years.

Upon the Chair's invitation, the members and alternates of the Administrative Board were asked to declare any actual or potential interests that could be considered prejudicial to their independence in relation to the items on the agenda. No member or alternate declared or reported any such interest.

### 1.1 Approval of the agenda and minutes

The agenda of the 69th meeting was approved.

The minutes of the 68<sup>th</sup> meeting were approved.

## 2. DISCUSSION AND DECISION-MAKING

### 2.1 Discussion of the Administrative Board with the Director ad interim: Orientation & priorities

Upon the invitation of the Chair, the Director ad interim, Mr Zuleger, presented his orientation and priorities for the interim period. He identified consolidation as the main objective, guided by the principles of operational continuity, accountability, and transparency, with the purpose of ensuring solid foundation for the incoming Director upon his/her appointment. The Director ad interim outlined his priorities across key areas, presented through a roadmap structured by quarters, and highlighted the main risks together with their corresponding mitigation measures. He emphasised his commitment to close cooperation with the Administrative Board and other stakeholders and proposed to report regularly on the implementation of the roadmap (both for administrative and regulatory issues). Mr Zuleger also introduced the idea of preparing a “Transition Book” to be handed over to the incoming Director at the end of the interim period.

In line with the Administrative Board decision 14/2025, the Director ad interim informed the Board of the need to strengthen delegation powers within the Agency for certain activities during the interim period, in order to avoid bottlenecks and ensure the timely processing of administrative and financial decisions. He noted that this would require an amendment to the current Administrative Board decision on middle management. The Commission representative observed that, in a growing agency, such decentralisation of certain functions is normal, while emphasising that it must remain consistent with the model decision agreed between the European Commission and the decentralised agencies. The Director also asked the Board to provide guidance on the next steps regarding the building project.

The Board thanked the Director ad interim for his comprehensive presentation and agreed that consolidation should remain the key focus during the interim period. Given the volatile geopolitical context and the prominence of energy-related issues, the Chair and several members noted that the powers currently conferred upon the Director - limited to ensuring business continuity and day-to-day management - may be too restrictive. While reiterating its full support to the Director in delivering on his mandate, the Board suggested that it may be appropriate to reconsider granting broader powers, including on strategic matters. It was agreed to discuss this aspect at the December meeting. In the meantime, the Board will grant the Director ad interim individual authorisation for the adoption of a long-term strategic decision.

The Board also invited the Director to present potential amendments to the Administrative Board decision on middle management, with the aim of supporting operational continuity. The Board suggested to adopt the recently adopted ethical codex by the Administrative Board. Finally, the Board welcomed the proposal to prepare a Transition Book to facilitate the handover to the incoming Director.

#### Decisions/ Conclusions

1. ***The Administrative Board expressed its support for the orientation and priorities presented by the ACER Director ad interim, and concurred that consolidation should constitute the main priority for the interim period.***
2. ***The Administrative Board welcomed the commitment of the Director ad interim to regularly inform the Board on the implementation of the administrative and regulatory roadmap.***
3. ***The Administrative Board invited the Director ad interim to present, at its next meeting, potential amendments to the Administrative Board decision on middle management, with the aim of supporting operational continuity of the Agency.***
4. ***The Administrative Board agreed to discuss the powers of the Director ad interim at its next meeting in December.***

## **2.2 Discussion with the new Chair of the Board of Regulators and Board of Regulators progress report**

Upon the invitation of the Chair, Ms Emmanuelle Wargon, recently appointed Chair of the Board of Regulators, reported on the main topics discussed by the National Regulatory Authorities at their September and October meetings. She reaffirmed, together with Vice-Chair Mr George Niculescu, the commitment of the Board of Regulators to close cooperation with the Administrative Board and conveyed the NRAs' full support for the Director ad interim and the Agency.

### **Decisions/ Conclusions**

***The Administrative Board took note of the recent discussions and decisions of the Board of Regulators.***

## **2.3 Update on the ACER Investigatory powers and state of play on operational readiness of the REMIT Investigations Department**

At the Chair's invitation, Mr Martin Godfried, Head of Department of REMIT Investigations, presented the implementation of ACER's new competences under the REMIT II Regulation, which entered into force in May 2024, and the establishment of the REMIT Investigations Department, including its governance, training, IT tools, and operational procedures.

The Board took note of the progress achieved and emphasized the importance of ensuring complementarity of work with the NRAs.

### **Decisions/ Conclusions**

***The Administrative Board took note of the progress made in operationalising ACER's investigatory powers.***

## **2.4 Selection process of the ACER Director and associated timeline; adoption of the 2026 meeting calendar**

At the Chair's invitation, Mr Frédéric Versini, European Commission representative, provided an overview of the selection process for the appointment of the ACER Director, as stipulated by ACER Regulation (EU) 942/2019, in particular Articles 19, 22, and 23. He explained the roles and responsibilities of the European Commission, the Board of Regulators, and the Administrative Board, underlining that the Administrative Board is the appointing authority responsible for selecting one of the preselected candidates, with the favourable opinion of the Board of Regulators. Prior to the official appointment, the selected candidate will be required to make a statement before the European Parliament ITRE Committee.

Mr Versini further announced that the Commission will apply its Guidelines on the Selection and Appointment of Directors in Agencies, which align the selection process with the Commission's Senior Management policy. In this context, the Commission intends to invite the Administrative Board to appoint one of its members as an observer during the preselection phase conducted by the European Commission — from the publication of the vacancy notice until the establishment of a shortlist of at

least three candidates to be submitted to the Administrative Board. The Administrative Board thanked the Commission for this opportunity and confirmed intention to appoint its observer at its next meeting in December.

Regarding the timeline, Mr Versini explained that the selection process is expected to officially launch with the publication of the vacancy notice in the first half of November. Once the preselection is complete, the Administrative Board and the Board of Regulators will continue the process, including organising interviews and voting on the candidates on the same day.

The Chairs of both Boards emphasised that the selection of the new Director is a key task for 2026 and will be treated with priority and utmost importance. The Chair of the Administrative Board highlighted the complexity of the procedure, urged the European Commission to launch the process in a timely manner, and encouraged both Boards to be mindful of the tight timeline.

In parallel, the Administrative Board confirmed the dates for its ordinary meetings in 2026: 19–20 January, 27–28 May, 22–23 October, and 10–11 December. It was noted that the selection of the Director will require an extraordinary meeting, to be convened at the earliest convenience.

**Decisions/  
Conclusions**

**1. The Administrative Board discussed the selection process of the new ACER Director, which would be one of the key tasks of the Administrative Board and Board of Regulators in 2026.**

**2. The Administrative Board was invited by the European Commission to appoint an observer from among its members to follow the preselection phase of the Director appointment process conducted by the Commission.**

**3. The Administrative Board adopted its calendar of ordinary meetings for 2026 and committed to convene extraordinary meeting(s) as necessary to appoint the new Director within the agreed timeline.**

## **2.5 Session with Members and alternates only**

Following the departure of Ms Montagnon from the Board, the Administrative Board was asked to appoint a new member to the Review Panel responsible for the management and prevention of conflicts of interest. In accordance with Administrative Board Decision 16/2022 on the Guidelines for the Prevention and Management of Conflicts of Interest for the Administrative Board and the Board of Appeal, the Review Panel consists of the Chair, Vice-Chair, and a representative of the European Commission. The European Commission member Mr Frédéric Versini was appointed as a member of the Review Panel, replacing Ms Montagnon. The Review Panel will prepare the Annex to its 2025 minutes reflecting the recent developments. Members and alternates were reminded of their obligation to report, throughout the year, any new circumstances that may give rise to a potential conflict of interest.

The Board discussed the timeline and procedure for the elections of the Administrative Board Chair and Vice-Chair, noting that the current Chair's mandate expires on 21 January 2026 and the Vice-Chair's mandate on 28 January 2026. The Secretariat outlined the procedure, timeline, and the expected tasks and responsibilities of both positions. In accordance with Article 18(3) of Regulation (EU) 2019/942, the Chair and Vice-Chair shall be appointed only from among the Board's Members. A candidate is elected by a two-thirds majority of favourable votes of the Administrative Board members. Members interested in these positions were invited to submit their candidacies by e-mail to the Secretariat by 21 November 2025. The Secretariat will publish the list of candidates on 1 December 2025, and the elections will take place during the closed session of the 70th Administrative Board meeting on 11 December 2025.

**Decisions/  
Conclusions**

- 1. The Administrative Board appointed Mr Versini as the representative of the European Commission in the 2025 Administrative Board Review panel for the management and prevention of conflicts of interest.**
- 2. The Administrative Board approved the process and deadlines related to the elections of the new Administrative Board Chair and Vice-Chair for the next two years (January 2026- January 2028). The elections would take place at the next/70th Administrative Board session on 11 December 2025.**

## **2.6 Organisational developments (Human resources management, budget & procurement implementation, Multiannual financial framework, recent legal developments, audits)**

Upon the Chair's invitation, Ms Silvia Manessi, Team Leader of Human Resources Management, provided an update on the 2025 Agency recruitment plan in line with allocated positions. She highlighted that recruitment remains a top priority and will continue so in 2026–2027, thus the Agency participated in several recruitment events (e.g., the InnoEnergy Virtual Career Fair and the EU Careers Fair) to promote employment opportunities to targeted audiences. Ms Manessi also reported on the ongoing IAS audit on Human Resources and Ethics, noting that the audit fieldwork has already contributed to improving several processes already at this stage. The draft audit report is expected in spring 2026, and for this reason, the update of the Human Resources strategy planned for next year is proposed to be postponed to incorporate the audit's findings and recommendations. On ethics, the Agency restructured the intranet communication package, providing a more organized set of information on several initiatives within the integrity framework (e.g, obligatory training on conflicts of interest, on OLAF procedures, on reporting of fraud, information on recently adopted Administrative Code of Good Conduct).

The Board was presented with the current implementation of the 2025 budget and procurement. The Director ad interim highlighted the recent revision of the Commission Decision on REMIT Fees, completed in September 2025, enabling the Agency to collect an additional €7.6 million in fees. This revenue is expected in two instalments (October and January), as market participants had not anticipated this change in their budgets. The Agency informed the Board that the late recognition of this revenue may require invoking Article 12 of the ACER Financial Regulation, allowing the carryover of commitment and non-differentiated appropriations to the following financial year, provided most preparatory stages are completed by 31 December. Such appropriations can be committed up to 31 March of the following year. If necessary, a proposal will be submitted at the next Board meeting. Additionally, the Agency anticipates further 2025 budgetary impacts from upcoming salary adjustments,

including indexation and changes to the Slovenian correction mechanism, which will need to be covered within the budget.

Current 2025 budget implementation remains comparable to 2024 levels; however, the execution of appropriations carried over from the previous year is lower than in 2024 due to the delayed budget amendment last year, which led to late commitments. The Agency will soon complete the quarterly budget review, which will indicate whether a budget amendment (transfers between budget lines above 10%) is necessary. If required, the amendment will be submitted to the Board via written procedure in November.

On the procurement, Mr Zuleger noted that while the procurement activities are progressing, many improvements are needed, particularly in reducing the number of small procurement procedures and increasing the use of appropriate European Commission framework contracts. The Director ad interim highlighted that the procurement team is experiencing a growing workload and plans to address this bottleneck, which impacts the entire Agency. At the Board's request, Mr. Zuleger provided an overview and a country-wise breakdown of the Agency's contracts.

Regarding the 2026 budget, Mr Zuleger recalled that, based on the Administrative Board's endorsement, the Agency had requested additional funds to strengthen its cybersecurity capacity. However, the budgetary authorities remain reluctant to approve the proposed increase, despite the support expressed by the ITRE Committee. The draft Commission budget allocates €24.3 million to ACER, which is below the amount initially requested. This may necessitate a revision of the draft Single Programming Document 2026–2028.

Regarding the Multiannual Financial Framework (MFF) (2028–2034), the Agency has been classified among those with stable real-term funding. Current budget estimates indicate a risk of a persistent structural deficit of around €1 million or more annually throughout the MFF period, which could force the Agency to reduce some activities. Furthermore, due to a limitation in the ACER regulation that collected fees cannot exceed 50% of ACER's total budget, it is likely that also activities funded by fees would be affected as the Agency would be limited in how much budget it can collect from fees. The Director ad interim will appoint a senior member to oversee the MFF file and prepare relevant arguments, including necessary comparisons with other agencies.

Mr Paul Martinet, deputy of the Coordination Operations and Legal department, provided an update on recent legal developments. Several ongoing cases at various stages in front of the EU and national court require attention. Regarding cooperation with the Board of Appeals, the European Commission is expected to launch a call for new members and alternates by Q1 2026. It was recalled that the members of the Board of Appeal are formally appointed by the Administrative Board, on a proposal from the Commission, following a public call for expression of interest, and after consulting the Board of Regulators.

Ms Rodica Mandroc, Financial Services Team Leader, reported on financial accounting and the ongoing preparations for closing the 2025 financial year. She noted that the process will be particularly demanding due to the challenging transition to the new financial tool, SUMA. The Agency has responded to the ECA's clearing letter, which identified five preliminary findings related to the legality of the accounts. The ECA's final report is expected to be issued shortly.

Mr Valter Ilić, Internal Control Officer, reported on the progress made in addressing recommendations from the three ongoing audits in the period 2021–2024. Two recommendations have been closed, while five remain open. The deadline for their implementation has been extended to the second quarter of 2026.

The Administrative Board thanked the Agency for information provided on these matters and:

- The Board commended the Agency on the successful completion of a significant number of recruitments. It strongly underlined the importance of the IAS audit on human resources and ethics. It agreed to postpone the adoption of the new HR strategy and welcomed the efforts to improve ethics communication, as requested already several times by the Board. Regarding human resources, the Board also inquired about teleworking statistics. Ms Manessi confirmed that all staff are required to be in the office at least 50% of the time and must be registered in Slovenia.
- The Board congratulated the Agency on the positive developments in budget and procurement execution. If needed, the Board expressed its agreement to a potential written procedure in November to amend the 2025 budget (e.g., for requests to transfer more than 10% between budget lines) and to allow the exceptional carryover of 2025 budget commitments to March 2026. The Board also advised the Agency to begin preparations for the 2027 budget immediately, with a focus on securing additional funds for cybersecurity.
- Regarding the Multiannual Financial Framework, the Board emphasized the need to follow the file proactively and to develop strong arguments for placing the Agency in a category that ensures additional funding. The budget rapporteur emphasized that future budgets should allocate sufficient funds to cover the rental of new ACER premises. Regarding the 50%:50% split between the EU subsidy and fees, the Chair acknowledged that this rule could constrain the Agency and suggested that this provision is to be reconsidered during the upcoming revision of the ACER Regulation.
- On audits, the Chair informed the Board that, as part of strengthening relations with the European Court of Auditors (ECA), she intends to invite Mr Petri Sarvamaa, the ECA Member responsible for agencies, to attend an upcoming Administrative Board meeting and present the results of the 2024 Annual Report on EU Agencies.

**Decisions/  
Conclusions**

1. **The Administrative Board agreed to postpone the adoption of the new Human Resources Strategy until the findings and recommendations of the ongoing IAS audit on human resources and ethics can be incorporated. It also reiterated the importance of continued efforts to strengthen internal communication and awareness on ethics-related matters.**
2. **The Administrative Board congratulated the Agency on the positive developments in 2025 budget and procurement execution.**
3. **In the short term, the Board recommended that the Agency begin preparations for the 2027 budget without delay, with particular emphasis on securing additional resources to strengthen cybersecurity capacity. In the longer term, the Board encouraged proactive engagement in the discussions on the next Multiannual Financial Framework (MFF), with the aim of advocating for a stronger budgetary position and ensuring sufficient and sustainable financing for the Agency's operations.**
4. **The Administrative Board supported the Chair's initiative to strengthen cooperation with the European Court of Auditors (ECA) and to invite the ECA Member responsible for agencies to present the results of the 2024 Annual Report on EU Agencies at a future Board meeting.**

## 2.7 “ACER Mission, Vision, Values” project

At the Chair's invitation, Mr. Volker Zuleger, Director ad interim, and Ms. Susannah Nash Widell, Organisational Impact Officer, presented the bottom-up project “*ACER Mission, Vision and Values*”, which had been developed over the past two years. The initiative originated during the All-Staff Away

Day in November 2023 as an effort to update elements that had become outdated and to reflect the profound changes the Agency experienced recently (e.g. energy crisis and the COVID-19 pandemic). The project was led by staff through several working groups and concluded with an event held in October. The Director ad interim acknowledged that the timing of the wrap-up event coincided with the departure of the former Director but emphasized that the initiative had the full support of senior management and could be now presented to both Boards.

The Chair commended the initiative for its inclusive and engaging approach but considered it completed only internally. She stressed the importance of preparing an official document summarizing the project, explaining used wordings, set associated KPIs, and detailing next steps, which should foresee the involvement of both Boards and other stakeholders to ensure an outward-looking perspective.

The Chair of the Board of Regulators also highlighted the need to better reflect the Agency's mandate and strongly underlined the involvement of NRAs, requesting that the project be presented at an upcoming meeting of the Board of Regulators. She considered the exercise an important one, as it is defining who ACER is.

Several members noted that such a project should have been reported to the Administrative Board, given that the Agency's mission, vision and values are defined in the draft Single Programming Document, for which the Board of Regulators provides a favourable opinion and it is adopted by the Administrative Board. The Chair underlined that given the fact that the current iteration of draft Single Programming Document 2026-2028 includes old Vision, mission and values, any change on this section would require a new round of adoption procedure set out for the initial programming document, which requires sufficient planning. The Chair invited the Agency to reflect on the process on how to best integrate changes in the Agency's key documents.

The Director ad interim asked whether this is a strategic, long-term project that should wait for the appointment of a new Director. The Administrative Board concluded that the project should continue; however, the Board could not endorse it in its present form. It tasked the Director ad interim with preparing a detailed, legally reviewed roadmap for discussion in December, after which it will be presented to the Board of Regulators.

#### **Decisions/ Conclusions**

***The Administrative Board took note of the "ACER Mission, Vision and Values" project, welcomed its engaging approach, and considered it a valuable starting point for further discussion with the Boards, including in the context on the Single Programming Document. The Board tasked the Director ad interim with preparing a detailed, legally reviewed document and a corresponding roadmap for discussion at the December meeting of the Administrative Board.***

## **2.8 New guide to Missions and authorised travels**

Upon invitation of the Chair, Mr Volker Zuleger, the Director ad interim and Head of the Coordination Operations and Legal Department, and Mr Valter Ilić, Internal Control Officer, informed the Administrative Board that the Agency received notification on the Commission Decision C(2025) 2495 of 13 May 2025 on the general provisions for implementing Articles 11, 12 and 13 of Annex VII to the Staff Regulations of Officials and on authorised travel. These rules supersede Commission Decision C(2017)5323 and set out the updated Guide to missions and authorised travel. Mr Ilić informed the Board that the Agency had analysed the new provisions in comparison with the current Administrative Board Decision No 6/2018, assessed their applicability, and concluded that they

should apply by analogy, without the need for a derogation. The Staff Committee was consulted in June and agreed with this assessment.

In particular, the new rules introduce principles for greener business travel, in line with the European Commission's commitment to become climate neutral by 2030 and add provisions for optimizing missions; they also update existing rules and procedures, including the conditions for coverage of mission expenses by third parties and the rules concerning gifts and unforeseen hospitality.

It was explained that According to Article 110(2) of the Staff Regulations, implementing rules shall apply by analogy to agencies nine months after their entry into force at the Commission, unless an opt-out is requested and granted, particularly in view of the drafting of Model Decisions. For reasons of legal certainty, agencies are invited to adopt a formal decision either to apply or to opt out of such implementing provisions. The Agency proposed that the Board adopt Commission Decision C(2025) 2495 of 13 May 2025 by analogy and noted that, following its adoption, ACER would review the related Director's Decision with a view to simplifying some of the current internal procedures.

The Administrative Board agreed with the ACER analysis and adopted the proposed decision by unanimity. Member Paul Rübzig granted a proxy to the Chair Ms Edit Herczog to vote on his behalf.

**Decisions/  
Conclusions**

***The Administrative Board adopted by unanimity the Commission Decision C(2025) 2495 of 13 May 2025 on the general provisions for implementing Articles 11, 12 and 13 of Annex VII to the Staff Regulations of Officials and on authorised travel via its decision 15/2025 of 24 October 2025.***

## **2.9 Draft Single Programming Document for 2026-2028 – feedback on comments provided by the European Commission**

At the Chair's invitation, Mr Volker Zuleger, the Director ad interim and Head of the Coordination Operations and Legal Department, and Mr Valter Ilić, Internal Control Officer, informed the Administrative Board that the Agency received on 13 October 2025 the Commission's Opinion on its draft Programming Document 2026-2028.

The Commission acknowledged the importance of ACER tasks in contributing to the goals set at the EU level (among others Competitiveness Compass, the Clean Industrial Deal, and the Affordable Energy Action Plan). Among few remarks, the Commission requested the ACER to list the tasks being deprioritised alongside a brief summary of new duties and shifts in priorities since last year. It also emphasised that ACER should incorporate relevant updates — such as the adopted budget and available resources — into the final version of the Programming Document. Furthermore, the Agency was invited to continue strengthening gender and geographical balance.

The Agency confirmed that it will address all comments outlined in the Commission's Opinion and will integrate them into the final document to be submitted for the Board's adoption in December.

The Administrative Board took note of the Commission's remarks and agreed with their integration, thereby facilitating the adoption of the Programming Document in December.

**Decisions/  
Conclusions**

***The Administrative Board took note of the Commission's Opinion on the draft Programming Document 2026–2028 and endorsed the integration of the updates addressing the Commission's comments.***

## 2.10 Update on Information Security Policy

In a closed session, the Chief Information Security Officer updated the Administrative Board on recent developments in information and physical security, in accordance with the requirements of Regulation (EU) 2023/2841 on cybersecurity measures for EU institutions, bodies, offices, and agencies (EUIBA Regulation). The comprehensive overview detailed the actions implemented over the past two years and outlined the next steps. The Board congratulated the Agency on the progress achieved and emphasised the continued importance of this policy.

### Decisions/ Conclusions

***The Administrative Board took note of the operational updates and progress regarding the Information Security policy and ongoing cybersecurity initiatives and developments as requested also by the Regulation (EU) 2023/2841 on cybersecurity measures for EU institutions, bodies, offices, and agencies (EUIBA Regulation).***

## 2.11 The building file - Summary of the process of prior notification to the Budgetary Authority

At the Chair's invitation, Ms Olga Borissova, Senior Advisor, updated the Board on the adoption process of the Building File following its endorsement by the Administrative Board at its meeting on 12 September and the subsequent final approval by the Administrative Board's dedicated committee composed of the Chair, the Vice-Chair, and a representative of the European Commission. This committee, established at the 68th extraordinary meeting, was mandated to assess the progress reported by the Agency on the reopened negotiations with the tenderer and was authorised to decide, on behalf of the Board, whether the file could procedurally advance to the Budgetary Authorities. Ms Borissova reported on the outcome of the reopened negotiations, which were approved by the dedicated committee on 19 September, enabling the submission of the Building File to the Budgetary Authorities. This submission was followed by presentations before the Council of the EU (on 24 September) and the European Parliament (on 13 October), both attended by the Chair of the Administrative Board. The Agency expressed its great appreciation for the Chair's active involvement in this process.

The Chair informed the Budgetary Authorities that the file had been closely monitored by the Board over 16 consecutive meetings and emphasised that the current developments represent a unique window of opportunity in an otherwise constrained real estate market, the loss of which could adversely affect the Agency's continued growth.

Ms Borissova reported that both institutions thoroughly examined the file and raised a number of questions to which the Agency provided comprehensive responses. The ACER Building file was subsequently supported by both Budgetary Authorities, paving the way for the contract to be signed by both parties. The Authorising Officer on behalf of ACER will be the Director ad interim.

However, as this may be considered a strategic decision with long-term implications, as defined in Administrative Board Decision 14/2025, the Director ad interim requested the Board's authorisation to sign the new long-term lease agreement, as proposed and outlined in the Building file. The Administrative Board unanimously granted this authorisation, to be adopted through Administrative Board Decision 16/2025. The Chair stressed that the Board is providing the Director ad interim with an explicit authorisation for this case, while reiterating the importance of enabling the Director ad interim to exercise decision-making authority within his mandate.

The Board thanked the Agency's team for the accomplished work and in particular to Ms Olga Borissova and Juila Hentz who were driving the process.

The Chair reminded the members that the implementation of the Building file will need to be closely monitored by the Board. As she will be leaving the Board in January 2026, she invited members to consider who could act as rapporteur alongside Ms Narodoslowsky.

**Decisions/  
Conclusions**

***The Administrative Board welcomed the progress made on the Building file and its approval by the Budgetary Authorities. In line with Administrative Board Decision 14/2025, the Board authorised the ACER Director ad interim to sign the new long-term lease agreement, as proposed and detailed in the Building file, by the end of November 2025 at the latest, through Administrative Board Decision 16/2025.***

## 2.11 AOB

The Chair informed the members that DG IAS had transmitted to all agencies, including ACER, its updated Mission charter. The Mission charter reflects various strategic initiatives and corporate developments, such as the recast of the Financial Regulation and the introduction of the new Global Internal Audit Standards. It defines the mandate, organisational position, reporting relationships, scope of work, types of services, and other key specifications of the IAS in its capacity as the Agency's internal audit function.

The Agency is required to adapt the template Mission charter, where necessary, to its specific circumstances by 7 November 2025, taking into account any legal requirements arising from the Regulation and/or its subsequent amendments. Once adjusted, DG IAS will transmit the Mission Charter for approval and signature by the Director ad interim and the Chair of the Administrative Board.

**Decisions/  
Conclusions**

***The Administrative Board took note of the ongoing process to adapt the updated IAS Mission charter, which is to be co-signed by the Chair of the Administrative Board and the Director ad interim upon its finalisation.***

## 3. CLOSING SESSION

### 3.1 Next meetings

The next/70<sup>th</sup> Administrative Board meetings is scheduled for 11–12 December 2025 in Ljubljana.

Dates of 2026 ordinary meetings are: 19–20 January; 27–28 May; 22–23 October and 10–11 December 2026.