ACER
European Union Agency for the Cooperation of Energy Regulators

73rd Administrative Board Meeting

Ordinary session (hybrid mode)

Wednesday, 27 May 2026, 16:00 - 20:00

Thursday, 28 May 2026, 08:00 - 13:30

ACER premises, Trg republike 3, 1000 Ljubljana

MINUTES

Members and Alternates of the Administrative Board, present at the meeting:	Function
Mr Bogdan CHIRIŢOIU	Chair
Mr Tomasz DĄBROWSKI	Vice-Chair
Mr Václav BARTUŠKA	Member
Ms Karoline NARODOSLAWSKY	Member
Mr Jorge SOUSA	Member
Ms Josianne CUTAJAR (present online on both days)	Member
Mr Paul RÜBIG (present on 28 May 2026)	Member
Ms Rebecca HARMS	Alternate
Mr Markus PIEPER	Alternate
Mr Atanas GEORGIEV (present online on 28 May)	Alternate
Ms Emmanuela TRULI (present online on both days)	Alternate
ACER	Volker ZULEGER, Paul MARTINET, Antonio SANTOS, Martin GODFRIED, Olga BORISSOVA, François BEAUDE, Silvia MANESSI, Rodica MANDROC, Valter ILIĆ, Julia HENTZ, Savvas SAVVIDES, Christina BRANTL, Aleš STANIČ, Andreas MILTSOS, Tina VONČINA
European Commission	DG ENER: Carmen NARANJO SÁNCHEZ – Member with proxy of member Ms JUUL-JØRGENSEN; Juan-Ignacio DE DIOS MORALES Ignacio DE LA SERNA (present online on both days), Inez BORGOWSKA (present online on both days)

ACER

European Union Agency for the Cooperation of Energy Regulators

Board of Regulators	Emmanuelle WARGON, Chair, and Helena LONNBERG, CRE

Member Ms Ditte JUUL-JØRGENSEN granted proxy to Ms Carmen NARANJO SÁNCHEZ.

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. At the request of the Chair of the Board of Regulators, and with the agreement of the Administrative Board, Ms Wargon participated in the closed session concerning the potential date of the joint Administrative Board and Board of Regulators meeting, dedicated to the selection of the ACER Director. Mr Zuleger was not attending the Administrative Board closed session. The Secretariat was provided by the Agency.

SUMMARY OF CONCLUSIONS OF THE 73RD MEETING OF THE ADMINISTRATIVE BOARD

At the 73rd meeting, the Administrative Board:

1)	expressed its support for the actions proposed by the Director *ad interim* to strengthen selected Agency's horizontal services and to fulfil the commitment to close the European Court of Auditors' longstanding recommendation concerning the use of interim staff in the beginning of 2027;
2)	took note of the requested data on the ACER teleworking pattern and of the actions already taken by the Director *ad interim* to fully align the teleworking guidance with the Commission rules, as reflected in the Administrative Board decision;
3)	largely supported the proposed package of measures at the discretion of the Director to accompany the implementation of the teleworking policy while ensuring compliance with the Staff Regulations, including: the possibility of regular teleworking from a neighbouring country, subject to reasonable distance criteria; the strengthening of the Brussels Liaison Office; the establishment of a pilot project for liaison officers based on strategic needs and the interests of ACER; and the introduction of an additional transitional period until 1 July 2027 for staff facing personal hardship situations;
4)	while the Commission representative could not support a request for a derogation from the Commission model decision to increase the number of teleworking days from abroad from 10 to 60 days, all other Board members supported the idea of submitting, at a future Board meeting or through electronic procedure, a request for a targeted opt-out from the relevant provision of Administrative Board Decision 11/2023;
5)	recognized both identified structural issues - ACER's understaffing of horizontal services and the ACER financing model through fees - as highly relevant and supported the Director ad interim in raising these matters in forward-looking discussions;
6)	took note of the findings of recent ACER monitoring reports assessing developments in EU energy markets, in particular gas market dynamics in the context of the Middle East crisis, and of the main conclusions of the ENTSO-E report on the Iberian electricity system incident;
7)	reviewed the findings of the Gas Markets Taskforce Report and of the implications for ACER arising from its recommendations. The Board endorsed ACER's proposed follow-up actions;
8)	noted recent discussions of the Board of Regulators, including its endorsement of updated ACER's mission, vision and values;

9) was informed of progress made in the operationalisation of ACER's investigatory powers;
10) acknowledged the assessment of the 2026 Review Panel of conflict of interest declarations submitted by the members and alternates. It appointed Ms Naranjo Sánchez as the representative of the European Commission in the 2026 Administrative Board Review Panel for the management and prevention of conflicts of interest;
11) discussed and adopted the procedural aspects of the upcoming selection of the ACER Director and, together with the Chair of the Board of Regulators, established an indicative timeline for selection interviews, should the Commission submit the list of shortlisted candidates by the end of June;
12) took note of the operational updates and progress regarding the Information security policy and ongoing cybersecurity initiatives and developments;
13) took note of the data on ACER staff teleworking patterns and the concerns raised by the Staff Committee. It acknowledged the efforts made by management to identify viable solutions and largely supported the package proposed by the Director *ad interim* (see conclusions 3 and 4).
14) largely supported the presented need for flexibility regarding Contract Staff in 2026 and assessed the 2026 budget implementation as satisfactory at this stage of the year, while noting the concentration of procurement procedures in the second half of the year. The Board expressed strong support for an adequate ACER budget in the next Multiannual Financial Framework and invited Members to actively advocate for it;
15) stressed that the European School is an important factor in ACER's attractiveness as an employer and therefore deserves continued attention and priority, including in discussions with the Slovenian Government, which should strive to ensure the successful development and performance of the school. The Board would like to discuss the topic in October meeting;
16) appreciated that the Boards of Appeal have been issuing robust decisions, resulting in a strong success rate with relatively few cases being lost in front of the ECJ;
17) took note of the procedure for the appointment of new members and alternates to the Board of Appeal, whose mandate ends on 17 October 2026, and committed to proceeding in due time to ensure the Board of Appeal is operational by the start of a new mandate;
18) on the announced recommendation from the IAS audit on human resources management and ethics, in particular regarding organisational structure and reporting lines, the Administrative Board agreed tabling at the October meeting a revision of the Administrative Board decision on middle management, post types, and post titles, with the aim of introducing Head of Unit roles within the Agency;
19) required the Agency to carefully review the estimated additional costs of the approved layout and security measures in the new premises, and to inform the Board of the proposed next steps and procedures to be followed;
20) unanimously adopted Decision No 08/2026 of 28 May 2026 amending the 2026 Establishment Plan annexed to Decision No 21/2025 on the Single Programming Document 2026–2028, in order to regularise the outcome of the 2026 reclassification exercise in a budget-neutral manner;
21) adopted, with eight votes in favour and one abstention, the Decision 09/2026 of 28 May 2026 to opt out of Commission Decision C(2025) 7357 of 6 November 2025 laying down general provisions for the implementation of Article 27 of the Staff Regulations concerning the geographical composition of staff, pending the adoption of a model decision tailored to the specific circumstances of EU agencies;

22) unanimously adopted the proposed ACER mission, vision and values, as amended following the discussions of the Board of Regulators, and agreed to their incorporation into the Single Programming Document 2027–2029, to be presented in December 2026;
23) adopted by unanimity via Decision No 10/2026 of 28 May 2026 the Agency's Consolidated Annual Activity Report for the year 2025, which is to be submitted by 1 July to the European institutions (European Parliament, Council of the EU, Commission, European Court of Auditors, Economic and Social Committee and Committee of the Regions);
24) adopted by unanimity the Opinion No 1/2026 of 28 May 2026 on the final accounts of the Agency for the financial year 2025, which is to be sent by 1 July to the European institutions.

1. OPENING

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. The Vice-Chair Dąbrowski declared that he is a candidate in the ongoing selection procedure for the ACER Director position. In view of this, he informed that he would not participate in the closed session dedicated to the procedural discussion of this matter. The Chair and the Board took note of this declaration and agreed with the proposed course of action. No other member or alternate declared or reported any such interest.

1.1 .Approval of the agenda and minutes

The Chair informed the Administrative Board of a request from the Chair of the Board of Regulators to participate in the first part of the closed session. The Administrative Board agreed to the request. The agenda of the 73rd meeting was approved.

2. DISCUSSION AND DECISION-MAKING

2.1 Discussion with the Director *ad interim*: Business continuity roadmap update

At the invitation of the Administrative Board Chair Mr Chiriţoiu, the Director *ad interim* Mr Zuleger updated the Board on the implementation of the Business continuity roadmap in the second quarter of 2026, focusing on i) strengthening horizontal services, ii) addressing longstanding European Court of Auditors (ECA) observations on interim staff, iii) ongoing Article 45(1) evaluation of ACER and iv) implementation of teleworking policy.

The Director *ad interim* informed the Board of plans to reinforce in terms of human resources the ACER Legal Service, IT Operations, and the Boards' Secretariat. Moreover, he intends to reinforce the Agency's Brussels liaison office by regularising the employment status of three staff members whose duties require a regular presence in Brussels, by changing their place of employment from Ljubljana to Brussels. Ms Naranjo Sánchez, representing the European Commission, stated that the Commission does not object to a stronger presence of the Agency in Brussels. In addition, beyond the three staff members concerned by the change of place of employment, the Commission supports the temporary presence of up to 10 additional ACER FTEs in DG ENER premises in Brussels through long-term missions, without payment of daily allowances. The Commission representative noted that, once appointed, the new ACER Director could decide on permanent relocation, provided that such a decision is duly justified based on the Agency's operational needs. Should the FTEs subsequently relocate permanently, DG ENER will engage with ACER to look for a more permanent office solution in Commission premises.

Mr Zuleger recalled his objective to address a longstanding ECA observation on the use of interim staff by replacing all interim secretaries with AST/SC staff by mid-2026. However, as the relevant AST/SC reserve lists have been exhausted and a new recruitment procedure needs to be launched - which can only take place as of September due to the current understaffing of the HR team following the resignation of the HR Team Leader and an HR officer - one interim staff member working as a department assistant can only be replaced by an AST/SC staff member by early 2027.

The Director *ad interim* reported on the ongoing Article 45(1) ACER evaluation, which aims to assess the Agency's mandate, objectives, and tasks. The evaluation foresees the involvement of ACER staff, as well as interviews with the Chairs of the Agency's Boards, NRAs, CEER, and other relevant stakeholders. Mr Zuleger informed the Board that the ongoing evaluation represents a good opportunity to address two structural issues affecting the Agency's functioning: ACER's corporate governance gap and its funding model through fees.

Regarding the former, he explained that ACER's responsibilities, operational complexity, and overall funding have increased significantly in recent years, while staffing levels in key enabling functions and horizontal services have not grown proportionately. This has placed increasing pressure on administrative, governance, and control capacities, with also operational staff increasingly required to absorb non-core administrative tasks. As a result, the Agency faces growing risks in terms of internal control and organisational efficiency. Strengthening horizontal services is therefore necessary to ensure sound governance, effective internal control, and the sustainable delivery of ACER's expanding mandate.

Regarding the latter, the Director *ad interim* noted that ACER's current funding mode - based primarily on the EU budget and supplemented by REMIT fees - may become increasingly difficult to sustain in light of the Agency's expanding mandate. He highlighted the need to revise the REMIT fee model to allow the Agency to collect fees beyond 50% of its EU subsidy. In addition, he underlined the importance of applying the concept of assigned revenue to REMIT fees to increase flexibility. Looking ahead, and also in the context of the next Multiannual Financial Framework, a possible further avenue for reflection could be the gradual development of a function-based financing model, under which different categories of ACER activities would be financed through different sources depending on the nature of the tasks and identifiable beneficiaries. This could also include the possibility for ACER to raise additional fees for services beyond REMIT, similar to other EU Agencies.

The Director *ad interim* informed the Board about the actions taken following the receipt of two notes of DG HR on the implementation of Commission Decision C(2023)5076: "Model decision for decentralised agencies and joint undertakings on working time and hybrid working" questioning the implementation of the teleworking rules by some Agencies. Mr Zuleger reported on the immediate actions taken to align the teleworking guidance with the Commission rules, as reflected in the Administrative Board decision, and informed the Board about a series of meetings, including with DG HR, IAS, and staff representatives. Moreover, as requested at the January Board meeting, Mr Zuleger provided the Board with data collected on teleworking practices, enabling the Director to better assess the issue and its impact on staff and the Agency. The data showed that a significant number of staff teleworking from outside Slovenia do so from neighbouring countries, and that the increased flexibility in teleworking following the COVID-19 pandemic may have contributed to an increase in the proportion of female staff members.

In view of his mandate as Director *ad interim* to ensure business continuity and to refrain from taking structural measures with a long-lasting impact without consulting the Board, as set out by the Administrative Board, Mr Zuleger presented a set of measures within the discretion of the Director aimed at complementing the updated rules on teleworking and limiting any negative impact on the attractiveness of the Agency as an employer, notably in relation to high-level energy experts:

a) <u>application of Luxembourg rule for teleworking from the neighbouring countries</u> which would represent a regular teleworking and not teleworking from abroad: the Director *ad interim* explained that neighbouring country criteria and its key term “reasonable distance” would be assessed on a case by case basis in terms of operational reliability, not physical distance (assessment of staff member’s post and service need to physically come to the office; distance to the place of employment which should not be at greater distance as is compatible with the proper performance of the duties and time needed to physically come to the office within a reasonable time without being dependent on the hazard of transportation in case of an unforeseen service need). These criteria, which would cover around 40% of staff teleworking in addition to those based in Ljubljana, are to be shortly discussed by the Director *ad interim* with the IAS and DG HR.

b) a targeted opt-out from the current European Commission rule of maximum 10 teleworking days from abroad to ACER’s former teleworking practice allowing up to 60 teleworking days from abroad. This would require the amendment of the Administrative Board decision 11/2023 on working time and hybrid working, which is based on Commission Decision C(2022) 1788. The Board’s decision could be amended just for a targeted opt-out from the 10 days limitation.

c) strengthening the Brussels liaison office as explained above via permanent placement of three colleagues and temporary presence of 10 FTEs, the latter as a one-year pilot project and to be hosted in DG ENER premises.

d) establishment of liaison officers in selected Member States or partner institutions to enhance ACER’s liaison with the Commission services, EU Agencies (e.g. ESMA and ENISA), the Energy Community Secretariat or with NRAs. Mr Zuleger explained that the ACER Regulation allows to place staff members as liaison officers abroad. He explained the difference between local offices and liaison officers which is that local offices are physical representations of the Agency, whilst liaison officers would be posted part-time in premises of other EU or NRA institutions but would remain organisationally attached to the headquarters in Ljubljana (place of employment would remain Ljubljana), with reporting lines unchanged. This model is proposed to start as a one-year pilot project in order to be reassessed by a formally appointed Director.

e) the teleworking model, realigned with the Model Decision, starts as of 1 September 2026 for the most staff, but for duly justified personal hardship cases an additional transition period will apply until 1 July 2027.

The Administrative Board thanked the Director *ad interim* for presenting a series of proposals and decided the following:

- The Board considered the proposed measures on the strengthening of some Agency’s horizontal services to be within the remit of the Director *ad interim* and expressed its support for their implementation.

- Regarding the commitment to address the issue of interim staffing, the Board took note that, due to exceptional circumstances, this longstanding recommendation from the European Court of Auditors would be completed at the beginning of next year.

- The Board largely supported the proposed package of measures at Director’s discretion accompanying the teleworking policy, emphasising the need for the Agency to remain an attractive and competitive employer. Members highlighted the importance of retaining existing staff and attracting qualified candidates, particularly in light of the Agency’s expanding role in energy policy, which has become an increasingly important strategic and security-related priority.

- The importance of other attractiveness factors was also stressed, including the good functioning of the European School and efforts to raise the Agency’s profile among the public and potential candidates in order to attract new talent.

- A suggestion was made for ACER to formally request a targeted derogation to increase the maximum number of teleworking days from abroad from 10 to 60 days. The Commission representative stated that, at this stage, the Commission could not support such a request and, based on the arguments presented so far, considered that there would be difficulties in granting the proposed derogation if formally requested.

- The Commission indicated, however, that it could support the proposed framework for regular teleworking from the place of employment, provided that ACER requires telework to be performed from the place of employment or at no greater distance than is compatible with the proper performance of duties. As stated in applicable rules, staff should telework from a location that allows them to physically report to the office within a reasonable timeframe, without being dependent on uncertain transport arrangements, in the event of an unforeseen service need. The Commission confirmed that the application of these requirements in individual cases and for specific job profiles falls within the responsibility of the Director, who remains accountable for ensuring compliance with the Staff Regulations and avoiding the risk of unequal treatment of staff. Members appreciated the Commissions' view on this.

- Regarding the use of liaison officers in other Member States, the Commission stated that it does not object to their establishment, provided that the requirements of the ACER Regulation are respected and that each individual relocation is justified by the Agency's service needs, while ensuring transparency and equal treatment. Furthermore, the Chair of the Board of Regulators welcomed the proposed liaison officer initiative, noting that it could help strengthen cooperation between ACER and the NRAs. She stressed, however, the importance of clearly defining the areas of cooperation and addressing the managerial challenges associated with having staff located across different Member States. Should the Administrative Board express overall support for the initiative, Ms Wargon suggested that the topic be included on the agenda of the next Board of Regulators meeting.

- On forward looking topics, the Board supported both identified structural issues (ACER's need to strengthen horizontal services and ACER financing model through fees) as highly relevant and expressed its support for the Director *ad interim* to raise them in forward-looking discussions, in particular the budgetary aspects (removal of the cap on fees and introduction of assigned revenue). It was noted that these changes would require an amendment of the ACER Regulation, which is likely only feasible in the medium term.

- Regarding the reported understaffing of support functions, Ms Naranjo Sánchez acknowledged the limited growth of horizontal services and took note of the estimated staffing needs. She confirmed that DG ENER would liaise with DG BUDG on this, while recommending that these needs also be considered in future legislative proposals and their assessment of the financial and human resources required for their implementation. The Commission representative further informed the Board about the ongoing large-scale review within the Commission, aimed at modernising its organisation and operations, which is expected to result in the streamlining of horizontal services.

As part of his update, Mr Zuleger also informed the Board of key recent regulatory events in which the Agency's experts participated, including three major stakeholder forums in Madrid (gas), Florence (electricity), and Copenhagen (infrastructure). He also briefly presented his intervention at the informal meeting of Energy Ministers organised by the Cypriot Presidency in May 2026.

Decisions/ Conclusions	***1. The Administrative Board expressed its support for the actions proposed by the Director ad interim to strengthen selected Agency's horizontal services and to fulfil the commitment to close the European Court of Auditors' longstanding recommendation concerning the use of interim staff in the beginning of 2027.***

2. ***The Administrative Board took note of the requested data on the ACER teleworking pattern and of the actions already taken by the Director ad interim to fully align the teleworking guidance with the Commission rules, as reflected in the Administrative Board decision.***
3. ***The Administrative Board largely supported the proposed package of measures at the discretion of the Director to accompany the teleworking policy, including: the possibility of regular teleworking from a neighbouring country, subject to reasonable distance criteria; the strengthening of the Brussels Liaison Office; the establishment of a pilot project for liaison officers based on strategic needs and the interests of ACER; and the introduction of an additional transitional period until 1 July 2027 for staff facing personal hardship situations.***
4. ***While the Commission representative could not support a request for a derogation from the Commission model decision to increase the number of teleworking days from abroad from 10 to 60 days, all other Board members supported the idea of submitting, at a future Board meeting or through electronic procedure, a request for a targeted opt-out from the relevant provision of Administrative Board Decision 11/2023.***
5. ***The Administrative Board recognized both identified structural issues - ACER's need to strengthen selected Agency's horizontal and the ACER financing model through fees - as highly relevant and supported the Director ad interim in raising these matters in forward-looking discussions.***

2.2 Energy market and regulatory developments – recent ACER actions, efforts, perspectives and reflections

At the invitation of the Chair, Ms Christina Brantl, Strategy Lead, provided an update on developments in the EU natural gas market in the context of the Middle East conflict, as assessed in two recent ACER reports: ACER Key developments in European electricity and gas markets - 2026 Monitoring Report and ACER's LNG Monitoring Report.

Ms Brantl stressed that while the EU remains vulnerable to energy shocks, the current market tensions are not comparable in scale to the 2022–2023 energy crisis and arise from different causes. The restructuring of the EU gas market following the previous crisis increased resilience through diversification and demand reduction, but also resulted in greater exposure to global LNG markets. Consequently, the EU is now more vulnerable to global price volatility and transport disruptions, which could lead to higher costs for industry and households and negatively affect competitiveness, affordability, and economic stability. As part of the efforts to continue broad monitoring of gas markets, Ms Brantl informed the Board that the Agency is currently preparing its first Decarbonised Gases Monitoring Report. Its publication is planned in June 2026 and it will assess the outlook for the decarbonisation of the gas system and its potential impacts on European energy markets.

Ms Brantl also briefed the Board on the final ENTSO-E report on the Iberian electricity system incident, to which ACER experts contributed. Published in March, the report concluded that the blackout resulted from a combination of factors that coincided on the day of the incident. However, officially it was identified as the first blackout of its kind caused by overvoltage. A key takeaway from the report is that the energy transition and increasing market integration are changing operating conditions in power grids. As a result, regulatory frameworks need to be better aligned with technical requirements to ensure a well-designed and resilient power system. The report sets out 20 non-binding recommendations, whose implementation will nevertheless be monitored. ACER will incorporate the report's findings into its forthcoming recommendations for updating the EU system operation and grid connection codes, expected in 2026–2027.

Looking ahead, Ms Brantl announced that the regulatory community will be actively engaged in the initiatives, emerging from the European Commission’s recently announced AccelerateEU package.

Ms Naranjo Sánchez expressed the European Commission appreciation for ACER’s work on both gas market monitoring reports and stated that the Commission looks forward to the forthcoming report on decarbonised gases. She also praised ACER’s contribution to the ENTSO-E report on the Iberian blackout and confirmed that the Commission is assessing the recommendations and intends to propose the necessary amendments to the network codes. The Chair of the Board of Regulators highlighted the strong interest of NRAs in the forthcoming updates to the network codes. She also emphasised the important role of NRAs in engaging with Transmission System Operators (TSOs) to support the implementation of the recommendations set out in the ENTSO-E report. Vice-Chair Dąbrowski echoed this view, stressing the need for all stakeholders to begin implementing the recommendations without delay and to draw the appropriate lessons from the incident.

As rapporteurs on developments in the energy markets and in the Council, Mr Dąbrowski and Mr Bartuška noted that the crisis in the Middle East is creating new challenges for both Member States and the EU’s decarbonisation efforts, leading to differing responses across the Union. They also acknowledged the changing geopolitical landscape, observing that market dynamics are increasingly being shaped by strategic and geopolitical considerations rather than by free-market principles alone. Ms Narodoslawsky observed that the Middle East crisis has exposed a lack of coordination at EU level in the area of oil. She noted that the positive experience with cooperation frameworks and common rules in the gas and electricity sectors could serve as a model for developing at the EU level a similar coordination mechanism for oil.

Decisions/ Conclusions	***The Administrative Board took note of the findings of recent ACER monitoring reports assessing developments in EU energy markets, in particular gas market dynamics in the context of the Middle East crisis, and of the main conclusions of the ENTSO-E report on the Iberian electricity system incident.***

2.3 Gas Markets Taskforce – ACER implementation of recommendations

At the invitation of the Chair, Mr Antonio Santos, Acting Head of the Market surveillance and conduct department, presented the outcome of the Gas Markets Taskforce. The Taskforce was established in February 2025 in the context of the Clean Industrial Deal and the Action Plan for Affordable Energy, building on the 2024 Draghi Report on competitiveness and the central role that gas played in the energy crisis linked to the Russian invasion of Ukraine.

The Taskforce brought together gas market experts from the European Commission and two EU agencies, ACER and ESMA. Its mandate was to examine the functioning of EU gas and gas derivatives markets, identify any shortcomings, and propose measures to address them. Mr Santos informed the Board that the Taskforce had completed its work and that the final report was expected to be published shortly.

The report concludes that European gas and gas derivatives markets are functioning effectively. At the same time, it sets out a number of recommendations aimed at ensuring that both markets continue to deliver benefits to European businesses and consumers. Several recommendations are expected to involve ACER, including in the areas of data sharing among institutions and cooperation between energy and financial supervisory authorities.

As no additional resources are currently envisaged for the implementation of these recommendations, ACER is exploring options for their operationalisation through the prioritisation of workstreams and the development of guiding implementation principles like building on existing structures and processes to facilitate efficient and timely implementation.

The implementation of the recommendations is already being discussed with the other institutions involved, including the European Commission and ESMA. The approach will also be discussed with NRAs at the next meeting of the ACER REMIT Committee (ARC) in June.

Decisions/ Conclusions	***The Administrative Board reviewed the findings of the Gas Markets Taskforce Report and of the implications for ACER arising from its recommendations. The Board endorsed ACER's proposed follow-up actions.***

2.4 Board of Regulators progress report

Ms Emmanuelle Wargon, Chair of the Board of Regulators, reported on discussions within the regulatory community during its recent meetings. She informed that the Board of Regulators had endorsed the independent section on regulatory activities of ACER's Consolidated Annual Activity Report 2025, which has now been submitted to the Administrative Board for approval (see point 2.12).

On behalf of the Board of Regulators, she expressed appreciation for the opportunity to discuss ACER's proposal to update its mission, vision, and values so that they better reflect Agency's current culture and activities. The Board proposed a few suggestions, including amending the accompanying purpose statement - which is to be placed alongside the mission, vision, and values - with a reference to cooperation with the NRAs in carrying out tasks at the EU level. The Board of Regulators considers the revised text ready for approval (see point 2.11)

Among recent discussions at the Board level Ms Wargon singled out the adoption of:

- ACER Recommendation on reasoned proposals for the improvement of the regulatory framework to ensure robust implementation of the internal electricity market rules; the Recommendation is an important input to the upcoming „White Paper on deeper electricity market".
- ACER Decision on amending the European Resource Adequacy Assessment (ERAA) methodology and 2025 European Resource Adequacy Assessment Decision.
- Report to the Energy Union Task Force: Mitigating High Electricity Prices in Southeast Europe – ACER's response to the Commission's request to assess measures to prevent or mitigate similar price spikes in the future. The report proposes targeted actions to increase cross-zonal capacity (its main focus), as well as measures to enhance demand response, system flexibility, market design, and system planning.

- ACER reasoned opinions to the European Commission on derogations from the application of gas network codes and guidelines to Bulgaria, Estonia, Hungary, Italy, Lithuania, Slovakia, Spain.

The Chair of the Board of Regulators underlined the importance of the three stakeholder forums held in Madrid, Florence, and Copenhagen, which resulted in several follow-up actions for the NRAs. She also informed the Board that NRAs expect the upcoming Commission proposal on network charges design to trigger extensive discussions and noted that significant differences in electricity prices across Europe warrant further discussion.

Decisions/ Conclusions	***The Administrative Board noted the recent discussions of the Board of Regulators, including its endorsement of updated ACER's mission, vision and values.***

2.5 REMIT Investigations update

At the Chair's invitation, Mr Martin Godfried, Head of the REMIT Investigations department, presented to the Board the progress made in establishing the department, including its internal structure, governance arrangements, training programme, IT tools and operational procedures. A key recent milestone was the adoption and publication of the Rules of Procedure, providing market participants with clarity on the applicable procedural framework.

Mr Godfried noted that the main current challenge is the recruitment of qualified staff, observing that changes to the teleworking policy have had an impact on the attractiveness of Ljubljana for prospective candidates. Another challenge concerns ensuring the timely and effective enforcement of ACER's investigation reports. Nevertheless, Mr Godfried expressed confidence that the work is progressing according to plan, paving the way for the launch of the first investigations in 2026.

Decisions/ Conclusions	***The Administrative Board was informed of progress made in the operationalisation of ACER's investigatory powers.***

2.6 Session with members and alternates only

In line with the Administrative Board's agreement, this agenda item was also partially followed by the Chair of the Board of Regulators, Ms Wargon.

Ms Tina Vončina, Administrative Board Secretariat, provided an overview of the results of the assessment of the 2026 Review Panel's annual conflict of interest policy. In light of the current suspension of one alternate appointed by the Council, it was agreed to make additional efforts to optimise the process. Moreover, it was suggested that the Chair discuss the modalities of the process with the Council Secretariat.

In line with the rules, the Administrative Board appointed Ms Carmen Naranjo Sánchez as a member of the 2026 Administrative Board Review Panel – alongside the Chair and Vice Chair of the Board.

ACER European Union Agency for the Cooperation of Energy Regulators

The Board discussed the procedural aspects of the upcoming selection of the ACER Director and, together with the Chair of the Board of Regulators, established an indicative timeline for selection interviews, should the Commission submit the list of shortlisted candidates by the end of June.	
Decisions/ Conclusions	***1. The Administrative Board acknowledged the assessment of the 2026 Review Panel of conflict of interest declarations submitted by the members and alternates. It appointed Ms Naranjo Sánchez as the representative of the European Commission in the 2026 Administrative Board Review Panel for the management and prevention of conflicts of interest.*** ***2. The Administrative Board discussed and adopted the procedural aspects of the upcoming selection of the ACER Director and, together with the Chair of the Board of Regulators, established an indicative timeline for selection interviews, should the Commission submit the list of shortlisted candidates by the end of June.***

2.7 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 overview detailed the actions implemented in 2026 and outlined the next steps.

The Board congratulated the Agency on the work carried out since the 2023 cybersecurity attack and on the progress achieved and offered its support if needed. Moreover, it emphasised the continued importance of this policy area and requested to be kept informed on this matter of strategic importance. The European Commission informed the Board about plans to develop a European sovereign cloud, and ACER expressed interest in participating.

In response to a question from Mr Rübig on cooperation with other agencies, particularly in emerging technologies, the Chief Information Security Officer explained that the Agency works closely with CERT-EU, EU-LISA, FRONTEX, and ENISA. Regarding the latter, ACER intends to sign a Memorandum of Understanding to strengthen cooperation.

Decisions/ Conclusions	***The Administrative Board took note of the operational updates and progress regarding the Information security policy and ongoing cybersecurity initiatives and developments.***

2.8 Organisational developments (Human resources management, inlcuding implementation of the working time and hybrid working; New ACER Staff committee; 2026 budget & procurement implementation, European school update; Legal Services – recent developments; Upcoming appointment of BoA members and alternates; Accounting and audits; ACER new premises – update)

Upon the Chair's invitation, Ms Silvia Manessi, Team Leader of Human Resources Management, provided a more detailed overview of the data requested by the Administrative Board concerning the ACER staff teleworking pattern. It was highlighted that teleworking is closely linked to the fact that the families of some staff members do not necessarily reside in Ljubljana. In addition, greater flexibility in teleworking arrangements may have contributed to the increase in the number of female staff members within the Agency. Ms Manessi also noted that stricter teleworking rules are already having an impact, as some candidates selected for new posts have declined job offers, citing these restrictions as a reason for their decision. Furthermore, Ms Manessi explained the Agency's trajectory towards aligning, within the Multiannual Financial Framework, the number of Contract Agent (CA) posts with the allocated staff establishment plan. Consequently, the arrangement allowing the temporary replacement of Seconded National Expert (SNE) posts into CA posts - introduced in agreement with the European Commission due to limited interest in SNE positions - would cease by mid-2027, when two CA contracts are due to expire. The Director *ad interim* explained that a reduction in staff numbers beyond the last two "converted" SNE positions which will end in 2027 by end of 2026 would not be feasible, as it would result in certain operational tasks not being implemented.

The newly elected Staff Committee members also presented to the Administrative Board the deep concerns of staff regarding the teleworking rules. They underlined that ACER operates in a structurally different environment from that of the European Commission services in Brussels and that, consequently, the rules should be adapted to the Agency's specific reality. It was stressed that ACER's work is predominantly digital and output-based, making the physical location of staff largely irrelevant for the performance of their duties. In this context, business continuity does not depend on physical presence but is instead digitally structured. Furthermore, staff face a number of challenges that require a certain degree of flexibility, including family circumstances, constraints of family relocation, schooling considerations, limitations in healthcare systems, and connectivity issues.

The Staff Committee emphasised that staff are not seeking unlimited teleworking from abroad but rather a reasonable and proportionate level of flexibility, similar to the arrangements that have been successfully applied in recent years. The Staff Committee thanked management for its efforts to identify solutions and expressed its appreciation for management's support for targeted flexibility beyond the current annual limit of 10 days for justified family and personal circumstances. It also welcomed management's support for a flexible margin of discretion in the implementation of the neighbouring-country policy, while remaining fully compliant with the Staff Regulations and relevant European Commission rules, as well as for case-by-case solutions where justified, including the possibility of establishing liaison officer arrangements.

In this context, it called on the Administrative Board to support a flexible and proportionate interpretation of the applicable rules, in line with the Staff Regulations and reflective of the Agency's operational reality. The Staff Committee further requested the Administrative Board's support in pursuing dialogue with DG HR and national authorities, advocating for a more tailored implementation of teleworking rules for decentralised agencies, and supporting a targeted review of Commission Decision C(2022) 1788 on working time and hybrid working.

Alternate Board member Ms Harms asked whether ACER was the only agency facing such challenges or whether similar derogations were being sought across other agencies. Staff Committee member Mr Savvides explained that the issue is of concern to a number of decentralised agencies and staff committee of many of them are now cooperating through an inter-agency task force on the matter. He noted, however, that only a limited number of agencies face circumstances comparable to ACER's, primarily due to their geographical location, including agencies based in Thessaloniki, Tallinn, Malta and Valenciennes.

The Director *ad interim* reported on budget and procurement implementation. The collection rate of the REMIT fees stood at 43.7% by the end of April. The level of commitments was higher compared to the same period in 2025, while the situation regarding payments was slightly less favourable than in April 2025 due to challenges related to the introduction of the new financial system, SUMMA, and a lack of resources. On the other hand, the implementation of payments relating to funds committed in 2025 was significantly better compared to the same period last year. The procurement plan implementation rate at the end of April 2026 was 21.3%, corresponding to EUR 4 million implemented out of the planned EUR 23.7 million. The Director *ad interim* considered the lack of resources to be a key bottleneck and expressed his intention to address the issue already this year. However, due to the current situation in Human Resources, recruitment procedures are on hold. Reinforcement of resources is expected in 2027. Regarding the 2026 budget, Mr Zuleger regretted that the Agency's cybersecurity needs had not been adequately recognised by the budgetary authorities and recalled that insufficient funding could have negative consequences.

As requested by the Administrative Board in January, Mr Paul Martinet, Deputy Head of Coordination, Operations and Legal, provided an overview of the situation of the European School, including the number of children enrolled by ACER staff. He also presented the overall enrolment of ACER staff's children across all schools. Furthermore, Mr Martinet outlined a number of shortcomings in the educational cycles of the Accredited European School Ljubljana, particularly regarding school facilities and the quality of teaching. These issues contributed to the very low satisfaction of the European School in the 2024 ACER Staff Engagement Survey. The situation has a significant impact on ACER staff, affecting staff well-being, retention, and the Agency's attractiveness as an employer. ACER has sought to address these concerns by raising them with the various stakeholders involved through several forums, albeit with limited success to date. Nevertheless, a number of factors that are outside ACER's direct control could contribute to improving the situation. These include the move to a new school building, higher teacher salaries, changes to the management structure, and, above all, a shift in management culture towards greater excellence and openness to parents.

For the reasons mentioned above, Mr Martinet explained that the current support mechanism, consisting of top-up contributions for kindergarten and secondary school staff, would be maintained. At the same time, the Agency remains committed to improving the overall situation and supporting the long-term development of the school as its success is in interest of the agency. The Staff Committee added that it would like to establish a new task force to analyse the situation in a more structured manner and develop evidence-based recommendations. To support this work, the Committee would like to establish monthly meetings with school.

Mr Paul Martinet, Deputy Head of Coordination, Operations and Legal, provided an overview of the recent legal developments.

Ms Naranjo Sánchez briefly presented the procedure for the appointment of new members and alternates to the Board of Appeal, whose mandate ends on 17 October 2026. Pursuant to Article 25(2) of Regulation (EU) 2019/942, the Board of Appeal is composed of six members and six alternates, selected from among current or former senior staff of regulatory authorities, competition authorities, or other Union or national institutions with relevant experience in the energy sector. 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 expressions of interest and after consultation with the Board of Regulators. Ms Naranjo Sánchez explained that the Commission is expected to finalise the process shortly and submit the list to the Boards for final appointment. She also noted that the timeline for discussions by the boards should be aligned to ensure a decision is reached before the end of the current mandate.

Ms Rodica Mandroc, Financial Services Team Leader, reported on the European Court of Auditors' audits of ACER's annual accounts. While the report on the 2025 accounts has not yet been finalised and is expected in October, Ms Mandroc provided an overview of open recommendations from previous reports. ACER plans to close four recommendations in autumn, while two are expected to remain open, relating to the high level of payment appropriations carried over from one year to the next and late payments.

On the IAS audit, no major update from March meeting could be reported. Recommendations from previous cycles are expected to be closed in June, with the exception of the recommendation on the establishment of an expert group, which will be extended by one quarter. In the meantime, IAS announced the topic for the 2026/2027 audit, which will focus on the implementation of the new Commission Decision on fees due to ACER for REMIT. The Board was reminded that the new IAS-ACER Mission Charter was signed in March (also by the AB Chair).

In addition, ACER has invested significant effort during the year in providing requested input for the 2025 audit on human resources management and ethics. The draft advance report was received towards the end of April, followed by a validation meeting. While the Agency requires sufficient time to examine the findings and recommendations, and aside the recommendation on the need to align teleworking practice with the Model Decision, one other recommendation stands out, namely the one linked to the identified risks pertaining to organisational structure and reporting lines: (i) direct reporting of HR to the Director may limit the Director's capacity to focus on overall Agency management and oversight, with overlapping responsibilities potentially leading to reduced oversight and accountability; and (ii) misalignment between formally assigned roles and actual practice may weaken internal control and oversight arrangements. A possible mitigating measure for the first issue would be to reconsider the direct reporting lines of HR and Facilities team and Strategy, Delivery Communication team (SDC) to the Director. For the second, a revision of the Administrative Board decision on middle management, post types, and post titles could be considered in order to introduce Head of Unit roles within the Agency. The Director *ad interim* committed to taking this forward with DG ENER and to presenting an amendment to the Administrative Board decision at the October meeting. The European Commission has expressed readiness to discuss and submit this to the October Administrative Board. It was noted that a revision of the Board's decision would provide the new Director with a clean slate.

Ms Olga Borissova, Senior Advisor, reported on recent developments regarding the ACER premises. In line with the business continuity mandate approved by the Board for this task, the Agency has finalised a layout adapted to its actual needs and operational requirements, including cyber and physical security considerations. Shortly before the meeting, the Agency received a budget estimate for these adjustments which exceeds the previously provided estimate budget. As the new estimate is above the applicable budgetary threshold, it might, therefore, require additional approval by the Administrative Board, followed by endorsement by the budgetary authority. The related costs are expected to be accommodated within ACER budget, not impacting 2027 budget, covering both the subsidy and fees components. The Agency will review the budget estimate and revert to the Board with proposed next steps.

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

- took note of the concerns raised by staff due to changed teleworking rules from abroad and reaffirmed the importance of the issue. The Board acknowledged the efforts being made by management to identify viable solutions. The European Commission representative Ms Naranjo Sánchez recalled that any solution must remain within the applicable legal framework. It was suggested that a coordinated approach by several agencies could be useful for discussing this issue with DG HR. It was further noted that the large-scale review process could impact more generally the overall framework for agencies and other entities. The Board encouraged the Director *ad interim* to liaise with the Directors of agencies facing similar challenges, particularly those located in Thessaloniki and Tallinn. The Board encouraged exploring solutions related to employment opportunities of spouses and the promotion of success stories. It noted the gender dimension of the issue as highly relevant and to be carefully considered, as overly restrictive teleworking arrangements could risk undermining progress in gender balance, diversity, and inclusion;

- the alternate member, Mr Pieper, called on Board members, especially those appointed by the European Parliament, to be strong advocates for a more adequate budget for the Agency, both for 2027 and within the next Multiannual Financial Framework (2028–2034). He committed to sending a letter of support to the European Parliament. The European Commission considered

	the budget implementation to be satisfactory for this stage of the year but expressed concern that procurement procedures were lagging behind schedule. Ms Naranjo Sánchez asked for views on how to address the delays in procurement. The Director *ad interim* expressed confidence that the team would catch up with the procedures during the second half of the year, when the peak of procurement activities is expected. However, he agreed that such a working rhythm is not sustainable and, for this reason, considers the recruitment of a procurement officer to be a priority; • stressed that the European School is an important factor in ACER's attractiveness as an employer and therefore deserves continued attention and priority, including in discussions with the Slovenian Government, which should strive to ensure the successful development and performance of the school. The Chair suggested that for such matters the Board should occasionally discuss with representatives of Slovenian politics and society. The Board also noted that the performance of the school could be discussed with the relevant services of the European Commission, with a view to coordinate the approach towards Slovenian stakeholders. Finally, the Chair of the Board requested additional information for the October meeting regarding the out-of-pocket expenses incurred by parents whose children attend other schools; • regarding the overview of the recent legal developments, the Board appreciated that the Boards of Appeal have been issuing robust decisions, resulting in a strong success rate with relatively few cases being lost in front of the European Court of Justice (ECJ); • took note of the procedure for the appointment of new members and alternates to the Board of Appeal, whose mandate ends on 17 October 2026, and committed to proceeding in due time to ensure the Board of Appeal is operational by the start of a new mandate; • on the announced recommendations from the IAS audit on human resources management and ethics, in particular regarding organisational structure and reporting lines, the Board agreed tabling at the October meeting, following consultation with DG ENER, a revision of the Administrative Board decision on middle management, post types, and post titles, with the aim of introducing Head of Unit roles within the Agency; • required the Agency to carefully review the estimated additional costs of the approved layout and security measures in the new premises, and to inform the Board of the proposed next steps and procedures to be followed.
Decisions/ Conclusions	***1. The Administrative Board took note of the data on ACER staff teleworking patterns and the concerns raised by the Staff Committee. It acknowledged the efforts made by management to identify viable solutions and largely endorsed the package proposed by the Director ad interim (previous day). The Board strongly emphasised the importance of the gender dimension, noting that the data suggests that increased flexibility in teleworking may have contributed to the rise in the number of female staff members.*** ***2. The Administrative Board supported the presented need for flexibility regarding Contract Staff in 2026 and assessed the 2026 budget implementation as satisfactory at this stage of the year, while noting the concentration of procurement procedures in the second half of the year. The Board expressed strong support for an***

adequate ACER budget in the next Multiannual Financial Framework and invited Members to actively advocate for it.

3. ***The Administrative Board stressed that the European School is an important factor in ACER's attractiveness as an employer and therefore deserves continued attention and priority, including in discussions with the Slovenian Government, which should strive to ensure the successful development and performance of the school. The Board would like to discuss the topic in October meeting.***

4. ***The Administrative Board appreciated that the Boards of Appeal have been issuing robust decisions, resulting in a strong success rate with relatively few cases being lost.***

5. ***The Administrative Board took note of the procedure for the appointment of new members and alternates to the Board of Appeal, whose mandate ends on 17 October 2026, and committed to proceeding in due time to ensure the Board of Appeal is operational by the start of a new mandate.***

6. ***On the announced recommendations from the IAS audit on human resources management and ethics, in particular regarding organisational structure and reporting lines, the Administrative Board agreed tabling at the October meeting a revision of the Administrative Board decision on middle management, post types, and post titles, with the aim of introducing Head of Unit roles within the Agency.***

7. ***The Administrative Board required the Agency to carefully review the estimated additional costs of the approved layout and security measures in the new premises, and to inform the Board of the proposed next steps and procedures to be followed.***

2.9 First amendment to the 2026 ACER establishment plan

Upon the Chair's invitation, Ms Silvia Manessi, Team Leader of Human Resources Management, presented the request to amend the 2026 Establishment Plan, which was adopted together with the 2026 Budget as part of the Single Programming Document 2026–2028 in December 2025. The proposed amendment is required to regularise the outcome of the 2026 reclassification exercise.

Pursuant to Article 34 of the Financial Regulation, any amendment to the budget, including the Establishment Plan, must be adopted in accordance with the same procedure as the initial budget. However, Article 38(1) allows the Administrative Board to amend the Establishment Plan by up to 10% of the authorised posts, provided that the volume of staff appropriations remains unaffected, the total number of posts is not exceeded, and the Agency has participated in a benchmarking exercise. Ms Maness confirmed that all these conditions have been met. She explained that staff benchmarking is carried out annually as part of the Consolidated Annual Activity Reporting process. Under this exercise, each agency is required to classify every post according to its role into one of three categories: administrative support and coordination, neutral, or operational.

Two amendments to the 2026 Establishment Plan were submitted for the approval of the Administrative Board. First, one AST 6 post is to be upgraded to AST 7 to give effect to the promotion of a staff member who has fulfilled the conditions for promotion to grade AST 7 pursuant to Article 45 of the Staff Regulations. As the current Establishment Plan does not contain any AST 7 post, a formal amendment is required. To ensure budgetary neutrality, one AST 6 post will simultaneously be downgraded to AST 5, thereby offsetting the financial impact of the upgrade.

Decisions/ Conclusions	***The Administrative Board unanimously adopted Decision No 08/2026 of 28 May 2026 amending the 2026 Establishment Plan annexed to Decision No 21/2025 on the Single Programming Document 2026 - 2028, in order to regularise the outcome of the 2026 reclassification exercise in a budget-neutral manner.***

2.10 Derogation from Commission decision c(2025)7357 of 6.11.2025 on the general provisions for implementing article 27 of the Staff Regulations of officials of the European union and Article 12(1) of the Conditions of Employment of other servants of the European Union

Upon the Chair’s invitation, Ms Silvia Manessi, Team Leader of Human Resources Management, reported that on 18 November 2025, the Agency received a notification from the European Commission on the adoption of the implementing provisions of Staff Regulation on the geographical composition of staff (official document: Commission Decision C(2025) 7357 of 6.11.2025 on the general provisions for implementing Article 27 of the Staff Regulations)

This Decision lays down rules on the assessment and the monitoring of the geographical composition of staff in the Commission, as well as on the application of appropriate measures to re-establish and maintain the geographical balance of staff in the Commission.

The Standing Working Party (SWP) informed the agencies that, in cooperation with the European Commission, a model decision specifically adapted to agencies will be developed. This reflects the fact that the mechanism underpinning the current model presupposes a critical mass of staff that is not available in many agencies.

The Administrative Board was therefore requested to opt-out from the Commission’s rules, in light of an upcoming Model Decision.

Decisions/ Conclusions	***The Administrative Board adopted, with eight votes in favour and one abstention, the Decision 09/2026 of 28 May 2026 to opt out of Commission Decision C(2025) 7357 of 6 November 2025 laying down general provisions for the implementation of Article 27 of the Staff Regulations concerning the geographical composition of staff, pending the adoption of a model decision tailored to the specific circumstances of EU agencies.***

2.11 ACER mission, vision and values

Upon the invitation of the Chair, Mr Bart Vereecke, Deputy Head of the Gas, Hydrogen and Retail Department and project sponsor of the initiative, reported on the outcome of the discussions on the Mission, Vision and Values at the Board of Regulators.

He recalled that this bottom-up project originated from the All Staff Away Day, where it was recognised that the existing Mission and Vision statements were outdated and should be revised to reflect the Agency's current culture and activities. In light of the significant changes in staffing since 2017, it was also agreed to review ACER's values and assess whether they adequately reflect the organisation today.

Following the conclusion of the Administrative Board in December 2025, the draft Mission, Vision and Values, as developed through the internal process, were submitted to the Board of Regulators for discussion in March 2026. As already indicated by the Chair of the Board of Regulators under item 2.4, all suggestions made by the Board of Regulators were incorporated, including the strengthening of the wording on cooperation with NRAs in the purpose statement, the renaming of one value from "Unwaveringly Independent" to "Independent and Objective", and the inclusion of a reference to gender equality and diversity within the value of cooperation ("We aspire to treat everyone equally, working together to foster gender equality and respect our diverse backgrounds").

The final wording was now submitted to the Administrative Board for approval.

The Board welcomed the inclusiveness of the process. Some members underlined the importance of including a reference to security of supply in the mission and welcome that the aspect of competitive markets is reflected in the purpose statement.

Decisions/ Conclusions	***The Administrative Board unanimously adopted the proposed ACER Mission, Vision and Values, as amended following the discussions of the Board of Regulators, and agreed to their incorporation into the Single Programming Document 2027 - 2029, to be presented in December 2026.***

2.12 ACER Consolidated Annual Activity Report 2025

At the Chair's invitation, Mr Zuleger, ACER Director *ad interim*, and Mr Valter Ilić, Internal Control Officer, presented the draft Consolidated Annual Activity Report, providing an overview of the Agency's activities for 2025.

The Report contains (a) an independent section on the regulatory activities of the Agency, approved on 22 April 2026 by the Board of Regulators, as well as (b) a section on financial and administrative matters, which also incorporates a section on the work of the Administrative Board.

For the first time, the Report includes a foreword from the Chairs of all three ACER governing bodies, as the Chair of the Board of Appeal was invited to contribute his overview.

Mr Ilić highlighted feedback from external evaluations, internal control reporting, and management assurances. In this context, Mr Zuleger informed the Board that the Agency is undergoing the ISO 9001 certification process, which is expected to be concluded in the following week, and expressed hope in its successful completion.

The Administrative Board welcomed the Report as an important document demonstrating that the Agency had successfully implemented the 2025 Work Programme. The Chair offered the possibility to revert to the Report at a future meeting should members consider that any particular topic requires in-depth discussion.

Decisions/ Conclusions	***The Administrative Board adopted by unanimity via Decision No 10/2026 of 28 May 2026 the Agency's Consolidated Annual Activity Report for the year 2025, which is to be submitted by 1 July 2026 to the European institutions (European Parliament, Council of the EU, Commission, European Court of Auditors, Economic and Social Committee and Committee of the Regions).***

2.13 Opinion on ACER final Accounts – year 2025

At the Chair's invitation, Mr Andreas Miltsos, ACER Accounting Officer, presented the Agency's 2025 final accounts, prepared following receipt of the observations on the provisional accounts from the European Court of Auditors and the completion of the audit of the 2025 budget by the external audit firm.

On the basis of the external audit findings, Mr Miltsos provided the Board with an overview of both expenditure and revenue and confirmed his reasonable assurance that the accounts give a true and fair view, in all material respects, of the Agency's financial position, results of operations, and cash flows.

Mr Miltsos noted that in 2025 ACER recorded an overall 24% increase in revenue, comprising a 5% increase in the EU subsidy and a 61% increase in fees, which was matched by a 26% increase in expenditure, mainly driven by staff and administrative costs. Consequently, no amounts from the EU subsidy will be returned to the Commission this year. No appropriations were cancelled in 2025.

Decisions/ Conclusions	***The Administrative Board adopted by unanimity the Opinion No 1/2026*** **of 28 May 2026** ***on the final accounts of the Agency for the financial year 2025, which is to be sent by 1 July 2026 to the European institutions.***

3. CLOSING SESSION

3.1 Next meetings

The next/74th Administrative Board meeting will be an extraordinary one on the selection of the ACER Director set provisionally for 7 July 2026.

The dates of the 2026 ordinary meetings are: 22–23 October and 10–11 December.