

OPINION AB n° 01/2012

ON THE 2011 FINAL ACCOUNTS

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

HAVING REGARD to Regulation (EC) No 713/2009 of the European Parliament and
of the Council of 13 July 2009 establishing a European Agency for the Cooperation of
Energy Regulators¹, and, in particular, Article 24(5),

HAVING REGARD to Decision AB No 22/2011 on the adoption of the Financial
Regulation of the Agency for the Cooperation of Energy Regulators, and, in particular,
Article 83(2),

HAVING REGARD to the preliminary observations of the European Court of
Auditors on the provisional accounts of the Agency of the Cooperation of Energy
Regulators (the Agency) for the financial year 2011,

HAVING REGARD to the Agency final accounts for the financial year 2011 drawn up
by the Director and signed off by the Accounting Officer and sent to the
Administrative Board on 6 June 2012,

Whereas:

- (1) After receiving the observations of the Court of Auditors on the provisional
accounts of the Agency the Director shall draw up the final accounts and
transmit them for opinion to the Administrative Board.
- (2) The Administrative Board shall deliver an opinion on the final accounts of
the Agency.
- (3) The Director shall transmit the final accounts, accompanied by the opinion
of the Administrative Board, by 1 July following the completion of the
financial year, to the European Parliament, the Council, the Commission
and the Court of Auditors,

HAS ADOPTED a favourable opinion on the final accounts of the Agency for the
financial year 2011 as presented in Annex I, but requests the Director to take
immediate action to remedy the shortcomings identified by the European Court of
Auditors. The Administrative Board looks forward to receiving the final outcome of
these observations in due course.

¹ OJ L 211, 14.8.2009, p.1.



Done at Ljubljana, on 20 June 2012

For the Administrative Board:

Razvan Nicolescu

Vice-Chairman of the Administrative Board

SIGNED

Annex I

**Final Accounts of the European
Agency for the Cooperation of
Energy Regulators**

and

**Report on Budgetary and Financial
Management**

8 March 2011 – 31 December 2011

Drawn up by Director, Alberto Pototschnig,

Signed off by Accounting and Budget Officer, Rodica Mandroc

19 June 2012

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CERTIFICATION OF ANNUAL ACCOUNTS

The annual accounts of the Agency for the Cooperation of Energy Regulators (ACER) for the year 2011 have been prepared in accordance with Title VII of ACER's Financial Regulation as well as the accounting rules adopted by the European Commission's Accounting Officer.

I acknowledge my responsibility for the preparation and presentation of the annual accounts of ACER in accordance with Article 43 of ACER's Financial Regulation.

I have obtained from the authorising officer, who guaranteed its reliability, all the necessary information for the production of the accounts that show ACER's assets and liabilities and the budgetary implementation.

I hereby certify that based on this information, and on such checks as I deemed necessary to sign off the accounts, I have a reasonable assurance that the accounts present a true and fair view of the financial position of ACER in all material aspects.

19 June 2012

Signed

Rodica Mandroc,

Accounting and Budget Officer

INTRODUCTION

LEGAL BASIS

The European Agency for the Cooperation of Energy Regulators (hereinafter referred to as 'ACER') with the seat in Ljubljana, Slovenia has been established by Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 (the "founding Regulation").

The overall mission of ACER, according to its founding Regulation, is to assist national regulatory authorities (NRAs) to perform their duties at the European Union level and to coordinate their actions whenever necessary.

ACER's activities are also governed by the following directives and regulations:

- Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC;
- Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC;
- Regulation (EC) No 714/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity, which repeals Regulation (EC) No 1228/2003;
- Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks and repealing Regulation (EC) No 1775/2005;
- Commission Regulation (EU) No 838/2010 of 23 September 2010 on laying down guidelines relating to the inter-transmission system operator compensation mechanism and a common regulatory approach to transmission charging, and,
- Regulation (EU) No 1227/2011 of the European Parliament and of the Council of 25 October 2011 on wholesale energy market integrity and transparency.

BACKGROUND INFORMATION

According to the founding Regulation, ACER's governing bodies on administrative matters are the Administrative Board and the Director.

The Director of ACER, Mr Alberto Pototschnig is, according to Article 17 of the founding Regulation, responsible for representing the Agency and in charge of its management.

The Administrative Board, chaired by Mr Piotr Woźniak, is composed of nine members with two members appointed by the European Parliament, five members appointed by the Council and two members appointed by the European Commission. Each member has an alternate.



The Administrative Board shall give an opinion on the final accounts of ACER as drawn up by the Director in accordance with Article 24(4) and (5) of the founding Regulation.

ACER's expenditures for 2011 were integrally financed through an annual subsidy from the general budget of the European Union.

In accordance with Article 43(1) of ACER Financial Regulation adopted by the Administrative Board with Decision AB n° 22/2011, the Administrative Board appointed Mrs Rodica Mandroc on 22 September 2011 as the Accounting and Budget Officer of ACER.

This is the first year of ACER's operation and the final accounts have been drawn up starting 8 March 2011, date when the financial autonomy has been granted to the Agency.

The following accounts together with a report on budgetary and financial management have been drawn up in accordance with Articles 76 – 83 of ACER's Financial Regulation and Article 24 of the founding Regulation.



PART I – FINANCIAL STATEMENTS

The following financial statements and notes for the financial year ending 31 December 2011 are presented from the date ACER became financially autonomous, the 8th of March 2011.

ECONOMIC OUTTURN ACCOUNT

<i>for the year ending 31 December 2011</i>	8 March - 31 December 2011 €
REVENUE	
European Commission subsidy	4,362,607.98
Other operating revenue	38,290.07
TOTAL OPERATING REVENUE	4,400,898.05
ADMINISTRATIVE AND OPERATIONAL EXPENSES	
Staff expenses	1,887,289.29
Fixed asset related expenses	112,674.20
Other administrative expenses	1,029,584.75
Operational expenses	444,356.83
TOTAL ADMINISTRATIVE AND OPERATIONAL EXPENSES	3,473,905.07
SURPLUS/(DEFICIT) FROM OPERATING ACTIVITIES	926,992.98
FINANCIAL OPERATIONS	
Financial operations expenses	62.15
SURPLUS/ (DEFICIT) FROM FINANCIAL ACTIVITIES	(62.15)
ECONOMIC RESULT OF THE YEAR	926,930.83

BALANCE SHEET

as of 31 December 2011

**8 March - 31
 December 2011**
 €

NON-CURRENT ASSETS

Intangible fixed assets	28,191.70
Tangible fixed assets	459,311.32
Plant and equipment	456.56
Computer hardware	416,282.16
Furniture and vehicles	41,182.25
Other fixtures and fittings	1,390.35
TOTAL NON-CURRENT ASSETS	487,503.02

CURRENT ASSETS

Short-term receivables	41,015.09
Current receivables	207.43
Sundry receivables	23,495.52
Prepaid expenses and accrued income	17,312.14
Cash and cash equivalents	2,387,634.18
TOTAL CURRENT ASSETS	2,428,649.27
TOTAL CURRENT AND NON-CURRENT ASSETS	2,916,152.29

EQUITY AND LIABILITIES

EQUITY

Economic result of the year	926,930.83
TOTAL EQUITY	926,930.83

CURRENT LIABILITIES

Accounts payable	1,989,221.46
Current payables	5,667.92
Accrued expenses and deferred income	401,416.73
Accounts payable with consolidated entities	1,582,136.81
TOTAL CURRENT LIABILITIES	1,989,221.46

TOTAL EQUITY AND LIABILITIES	2,916,152.29
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CASH FLOW STATEMENT

	8 March - 31 December 2011 €
<i>for the year ending 31 December 2011</i>	
Surplus/(deficit) from operating activities	926,992.98
Cash Flows from Operating Activities	
<u>Adjustments</u>	
Amortization (intangible fixed assets)	5,333.55
Depreciation (tangible fixed assets)	107,340.65
Depreciation of assets transferred from the European Commission	3,598.77
(Increase)/decrease in Short term Receivables	(41,015.09)
Increase/(decrease) in Current payables	5,667.92
Increase/(decrease) in Liabilities related to consolidated entities	1,582,136.81
Net Cash Flow from Operating Activities	2,590,055.59
Cash Flows from Investing Activities	
Purchase of tangible and intangible fixed assets	(603,775.99)
Net Cash Flow from Investing Activities	(603,775.99)
Financing Activities	
Financial operations revenues/expenses	(62.15)
Net Cash Flow from Financing Activities	(62.15)
Net increase/(decrease) in cash and cash equivalents	1,986,217.45
Cash and cash equivalents at the beginning of the period	0.00
Cash and cash equivalents at the end of the period	2,387,634.18

STATEMENT OF CHANGES IN NET ASSETS

as at 31 December 2011

Net Assets	Economic result of the year €	Total Net Assets €
Balance as of 8 March 2011	0.00	0.00
Economic result of the year	926,930.83	926,930.83
Balance as of 31 December 2011	926,930.83	926,930.83



NOTES TO THE FINANCIAL STATEMENTS

ACCOUNTING POLICIES AND PRINCIPLES

The objective of the financial statements in general is to provide users with an overview on the financial performance, position and cash flow of an entity. For a public entity like ACER this objective is more specific as the information contained is used in the decision making process as well as to demonstrate the accountability of the agency towards the resources entrusted to it.

The financial statements for the year 2011 were prepared on the basis of the European Commission Accounting Rules as laid down by the accounting officer of the European Commission, applicable to the specific environment of the European Union and which are based on the International Public Sector Accounting Standards and International Financial Reporting Standards. The financial statements are prepared on an accrual basis whereas the reports on the implementation of the budget are prepared on a cash basis. Reconciliation between the two methods is presented in the second part of this report.

The accounting system of ACER contains general and budget accounts with the functional currency being Euro. The budget accounts provide a detailed picture on the implementation of the budget and are based on cash accounting principles. The general accounts prepared on an accrual accounting basis present the financial performance and position of ACER as at the end of the financial year.

The current financial statements have been drawn in accordance with the principles specified in Article 78 of ACER Financial Regulation and the corresponding articles of the general Implementing Rules, as follows:

Going concern basis

ACER has been established for an indefinite duration and the financial statements have been prepared in accordance with the going concern principle and Article 187 of the general Implementing Rules.

Principle of prudence

The assets and income in the financial statements of ACER have not been overstated nor have the liabilities and charges been understated. The principle of prudence from Article 188 of the general Implementing Rules has been complied with.

Principle of consistent accounting method

In accordance with this principle and Article 189 of the general Implementing Rules, the structure of the components of the financial statements and the accounting methods and valuation rules adopted this year carry no intention of being changed over the coming years.



Principle of comparability of information

In accordance with this principle for each item the financial statements shall show the amount of the corresponding item in the previous year – Article 190 of the general Implementing Rules. Being the first year of operations for ACER, comparative amounts will only be shown from next year.

Materiality principle

The materiality principle as per Article 191 of the general Implementing Rules has been applied to the financial statements of ACER and implies that all operations significant by nature shall be taken into account in the financial statements. Items may be aggregated if they are of identical nature, negligible amounts or when aggregation improves clarity of financial statements.

No-netting principle

The no-netting principle in accordance with Article 192 of the general Implementing Rules as applied to the financial statements of ACER implies that assets and liabilities have not been offset against each other, nor were revenues and expenses except where the revenues and expenses derived from the same or similar transaction.

Principle of reality over appearance

In accordance with the Article 193 of the general Implementing Rules, the accounting events recorded in the financial statements of ACER are presented by reference to their economic nature.

Accrual-based accounting principle

According to this principle and Article 194 of the general Implementing Rules, transactions and events entered in the accounts of ACER were recorded at the time they occurred and not when amounts were actually paid or recovered.

CURRENCY AND BASIS FOR CONVERSION

Functional and reporting currency

The functional and reporting currency used in the preparation of the financial statements for ACER is Euro.

Transactions

Foreign currency transactions were translated into Euros in accordance with Articles 7 and 8 of the general Implementing Rules using the official European Commission exchange rates of the day on which the payment order was drawn up.



Foreign exchange gains and losses resulting from the settlement of transactions in foreign currency are recognised in the economic outturn account.

CHART OF ACCOUNTS

The chart of accounts used by ACER follows the structure of the chart of accounts used by the European Commission (PCUE).

ECONOMIC OUTTURN STATEMENT

Revenue

The 2011 revenues of ACER consist of

- the subsidy received from the general budget of the European Union that contains a percentage of EFTA countries' contribution;
- revenues resulted from the transfer of assets that were bought on behalf of ACER while under the *tutelle* of the parent Directorate General, and
- foreign exchange realised gains.

	8 March - 31 December 2011
Revenues	€
European Commission subsidy	4,362,607.98
Other operating revenue	38,290.07
	<hr/> 4,400,898.05 <hr/>

Expenses

	8 March - 31 December 2011
Administrative and operational expenses	€
Staff expenses	1,887,289.29
Fixed asset related expenses	112,674.20
Other administrative expenses	1,029,584.75
Operational expenses	444,356.83
	<hr/> 3,473,905.07 <hr/>

Staff expenses consist of personnel-related expenses such as salaries, allowances and other welfare benefits.

Fixed assets-related expenses contain the charge of amortisation of intangible assets and the depreciation of tangible assets for the financial year ending 31 December 2011.



Other administrative expenses consist of costs associated with the building, office running costs, including the cost of physical inventory that does not qualify as financial assets, as well as the cost of interim staff.

Operational expenses include the cost of operational missions, meetings, workshops, public hearings and other operational expenditure incurred for the functioning of the Agency.

BALANCE SHEET

NON-CURRENT ASSETS

Assets are resources controlled by ACER as a result of past events from which future economic benefits or service potential is expected to flow.

Fixed assets are assets with a useful life of more than one reporting period. The valuation of fixed assets in the financial statements of ACER is based at their acquisition price. The book value of these assets is equal to their acquisition price increased or decreased by revaluations, decreased by depreciation and amounts written off.

For the record of fixed assets ACER uses ABAC Assets2 as inventory application, which is an integrated part of the ABAC platform. Two main categories can be distinguished: intangible and tangible assets.

Intangible fixed assets

Intangible fixed assets recorded in the inventory of ACER consist of assets without physical substance and are only represented by software.

Tangible fixed assets

Assets with a physical substance recorded in the inventory of ACER consist mainly of furniture, computer hardware, telecommunication and audio-visual equipment and a small number of other equipment and fittings.

Amortisation and depreciation

Depreciation and amortisation as a systematic allocation of the loss in value over the useful life of an asset is calculated using the straight-line method with the following rates:

Type of asset	Straight line depreciation rate
Computer software	25%
Furniture	10%
Transport and kitchen equipment	12.5%
Computer hardware	25%
Technical equipment	25%
Telecommunication audio-visual equipment	25%



A number of assets administered by DG ENER of behalf of ACER have been transferred to ACER after the financial autonomy has been granted.

Details on the classification and depreciation rates of the fixed assets can be found in the following table:

FIXED ASSETS

08.03.2011 - 31.12.2011

Account number	Asset category	Opening balance	Acquisition price			Depreciation Rate and Method	Opening balance	Depreciation			
			Assets transferred from DG ENER	Additions during the year	Closing balance			Depreciation of assets transferred from DG ENER	Depreciation charge for the year	Accumulated Depreciation	Closing book value
21001000	Computer software	0.00	36,573.02	0.00	36,573.02	L 25%	0.00	3,047.77	5,333.55	8,381.32	28,191.70
23001000	Plant, machinery and equipment	0.00	0.00	515.65	515.65	L 12,5%	0.00	0.00	59.09	59.09	456.56
24001000	Furniture and rolling stock	0.00	0.00	44,607.47	44,607.47	L 10%; 12,5%, 25%	0.00	0.00	3,425.22	3,425.22	41,182.25
24101000	Computer hardware	0.00	5,289.30	515,092.17	520,381.47	L 25%	0.00	551.00	103,548.31	104,099.31	416,282.16
24201000	Other fixtures and fittings	0.00	0.00	1,698.38	1,698.38	L 25%	0.00	0.00	308.03	308.03	1,390.35
	Totals	0.00	41,862.32	561,913.67	603,775.99		0.00	3,598.77	112,674.20	116,272.97	487,503.02

CURRENT ASSETS

Receivables

Receivables are carried at original invoice amount less any write-down for impairment. A write-down for impairment of receivables is established only where there is objective evidence that ACER will not be able to collect all amounts due according to the original terms of the receivables, with the impaired amount being recognised in the economic outturn for the year.

Short-term receivables

	2011
	€
VAT receivable	207.43
Salary advances paid to staff	23,495.52
Deferred charges	17,312.14
	<u>41,015.09</u>

ACER benefits from a direct exemption for VAT from the Slovenian state for purchases above the threshold amount of €60 and the VAT paid on purchases where the direct exemption is impracticable to obtain the VAT is refunded by the Slovenian state on a quarterly basis.

Salary advances paid to staff members are integrated/recuperated by the Pay Master Office (PMO) from the staff member salary in the month following that of the payment.

Deferred charges consist of prepayments made during the year mainly on subscriptions and insurance premiums.

Cash and cash equivalents

	2011
	€
Bank account	2,378,677.54
Imprest account	8,484.05
Petty cash	472.59
	<u>2,387,634.18</u>

The main bank account and the imprest account are held with UniCredit AG Germany based on a banking services contract signed between the two parties.

EQUITY AND LIABILITIES

Current liabilities

	8 March - 31 December 2011
	€
Accounts payable	5,667.92
Accrued expenses	401,416.73
Repayable positive budgetary outturn	1,571,424.88
Repayable interest earned on EU subsidy	10,711.93
	<u>1,989,221.46</u>

The accounts payable as at 31 December 2011 consist of outstanding claims from ACER suppliers and other public bodies to be settled as they fall due.

Accrued expenses relate mainly to goods or service delivered at the end of the financial year but for which the invoices have not been received. According to Staff Regulation (Annex V – Leave, Article 4) the staff members are entitled to a compensation equal to one thirtieth of his/her monthly remuneration for each leave day due to him/her at the time of leaving the service. A holiday compensation amounting to €44,097.04 has been calculated and recognised as accrued expenses for all untaken annual leave entitlements as at the end of the financial year.

The budgetary outturn result remains the property of the European Commission and ACER has an obligation to return the unused amount of the pre-financing.

Interest yields on the pre-financing fall under the same obligation and have to be returned to the European Commission.

CONTINGENT ASSETS

Under international financial reporting standards, a contingent asset is a possible asset arising from past events and that will be confirmed only by future events not under an entity's control.

ACER has identified as contingent asset the disputed salary indexation and coefficient correction for the period starting 1 July 2011. If the legal action were to be successful, the impact for ACER would be a receivable amount of €14,608.77 to be recuperated from a number of its staff members.

CHANGES IN ACCOUNTING POLICIES

There have been no changes in accounting policies for the financial year 2011.

OTHER DISCLOSURE

Contribution in kind

Since 1 February 2011 when ACER has moved its seat in Ljubljana the following contributions in kind have been accepted:

From the Council of European Energy Regulators:

- office space, logistical and secretarial support for the Agency's liaison office in Brussels free of any rent, fees and charges.

From the Government of the Republic of Slovenia:

- use of office space offered free of any rent or related charges pursuant to the Seat Agreement signed on 26 November 2010 for the first two years of ACER operation. The rent-free period ends on 31 January 2013, date from which ACER will be responsible for covering the costs of its premises.

In both cases neither the legal title nor the economic ownership has passed to ACER, therefore the non-exchange component of these transactions is not accounted for in the accounts of ACER.

EVENTS AFTER BALANCE SHEET DATE

ACER has not identified any material event after its balance sheet date that would have an impact on its financial performance and position.



PART II – REPORT ON BUDGETARY AND FINANCIAL MANAGEMENT

ACER has become financially autonomous on 8 March 2011. The approved budget for the Agency for the financial year 2011 amounted to €5,000,000 plus a contribution from EFTA countries of €119,000. Before the financial autonomy, DG ENER has managed the budget of the Agency ensuring a sound financial management of the Agency's appropriations.

From the beginning of the financial year until 8 March 2011 when the financial autonomy has been granted an amount of €326,655 has been spent on behalf of ACER in commitment and payment appropriations by the parent Directorate General.

At the time when the financial autonomy has been granted the amount of available appropriations that have been transferred into the Agency's accounts amounted to €4,792,345 in commitments and payments appropriations.

The following table presents the implementation of these appropriations for the period between 8 March 2011 and 31 December 2011:

Title Chapter	Heading	Appropriation (1)	Committed (2)	% Committed	Paid (3)	% Paid	Balance Commitment (1-2)	Balance Payment (2-3)
TITLE 1	Expenditure related to employees of the agency							
CHAPTER 11	Staff in active employment	2,930,526.00	2,012,603.33	68.68%	1,837,481.23	62.70%	917,922.67	175,122.10
CHAPTER 12	Missions and duty travel	142,031.00	79,746.37	56.15%	71,338.76	50.23%	62,284.63	8,407.61
CHAPTER 13	Socio-medical infrastructure	21,600.00	8,507.45	39.39%	366.08	1.69%	13,092.55	8,141.37
CHAPTER 14	Social services	14,300.00	6,664.00	46.60%	6,076.76	42.49%	7,636.00	587.24
	TOTAL TITLE 1	3,108,457.00	2,107,521.15	67.80%	1,915,262.83	61.61%	1,000,935.85	192,258.32
TITLE 2	Agency's building and associated costs							
CHAPTER 20	Agency premises costs	104,000.00	77,457.41	74.48%	48,900.89	47.02%	26,542.59	28,556.52
CHAPTER 21	Data processing	153,388.00	129,515.32	84.44%	55,759.41	36.35%	23,872.68	73,755.91
CHAPTER 22	Movable property and associated costs	80,000.00	69,068.14	86.34%	53,936.26	67.42%	10,931.86	15,131.88
CHAPTER 23	Current administrative expenditure	236,500.00	108,681.24	45.95%	19,132.00	8.09%	127,818.76	89,549.24
CHAPTER 24	Postal charges, telecommunication and computer infrastr.	177,000.00	124,587.43	70.39%	29,842.21	16.86%	52,412.57	94,745.22
	TOTAL TITLE 2	750,888.00	509,309.54	67.83%	207,570.77	27.64%	241,578.46	301,738.77
TITLE 3	Operational expenditure							
CHAPTER 30	Meetings, seminars and representation expenses	412,160.00	255,714.97	62.04%	67,087.72	16.28%	156,445.03	188,627.25
CHAPTER 31	Operational and expert missions	291,864.00	220,367.11	75.50%	184,608.53	63.25%	71,496.89	35,758.58
CHAPTER 32	Public relations and website	188,976.00	119,489.35	63.23%	7,034.62	3.72%	69,486.65	112,454.73
CHAPTER 33	Translations	40,000.00	0.00	0.00%	0.00	0.00%	40,000.00	0.00
	TOTAL TITLE 3	933,000.00	595,571.43	63.83%	258,730.87	27.73%	337,428.57	336,840.56
	GRAND TOTAL BUDGET 2011	4,792,345.00	3,212,402.12	67.03%	2,381,564.47	49.70%	1,579,942.88	830,837.65

A detailed description of the 2011 budget implementation can be found under the 'Revenue' and 'Expenditure' sub-sections of the 'Budgetary Management' section of this report.

In addition to the current year appropriations an amount of €1,443,833.71 has been transferred from DG ENER after the financial autonomy has been granted and represents the value of commitment and payment appropriations carried forward from the financial year 2010 to honour the commitments administered on behalf of ACER by the parent DG.



The following table presents the implementation of these appropriations for the period between 8 March 2011 and 31 December 2011:

Title Chapter	Heading	Appropriation (1)	Committed (2)	% Committed	Paid (3)	% Paid	Balance Commitment (1-2)	Balance Payment (2-3)
TITLE 1	Expenditure related to employees of the agency							
CHAPTER 11	Staff in active employment	190,902.28	37,109.76	19.44%	37,109.76	19.44%	153,792.52	0.00
CHAPTER 12	Missions and duty travel	15,033.15	0.00	0.00%	0.00	0.00%	15,033.15	0.00
CHAPTER 13	Socio-medical infrastructure	10,500.00	2,854.40	27.18%	2,854.40	27.18%	7,645.60	0.00
	TOTAL TITLE 1	216,435.43	39,964.16	18.46%	39,964.16	18.46%	176,471.27	0.00
TITLE 2	Agency's building and associated costs							
CHAPTER 20	Agency premises costs	37,000.00	9,699.64	26.22%	9,699.64	26.22%	27,300.36	0.00
CHAPTER 21	Data processing	90,872.41	54,979.49	60.50%	54,979.49	60.50%	35,892.92	0.00
CHAPTER 22	Movable property and associated costs	149,660.85	149,660.85	100.00%	149,660.85	100.00%	0.00	0.00
CHAPTER 23	Current administrative expenditure	15,000.00	1,246.51	8.31%	1,246.51	8.31%	13,753.49	0.00
CHAPTER 24	Postal charges, telecommunication and computer infrastr.	868,295.60	868,278.20	100.00%	868,278.20	100.00%	17.40	0.00
	TOTAL TITLE 2	1,160,828.86	1,083,864.69	93.37%	1,083,864.69	93.37%	76,964.17	0.00
TITLE 3	Operational expenditure							
CHAPTER 30	Meetings, seminars and representation expenses	65,569.42	27,716.23	42.27%	27,716.23	42.27%	37,853.19	0.00
CHAPTER 33	Translations	1,000.00	0.00	0.00%	0.00	0.00%	1,000.00	0.00
	TOTAL TITLE 3	66,569.42	27,716.23	41.64%	27,716.23	41.64%	38,853.19	0.00
	GRAND TOTAL BUDGET 2011	1,443,833.71	1,151,545.08	79.76%	1,151,545.08	79.76%	292,288.63	0.00

More details on the implementation of these commitments can be found under the 'Revenue' and 'Expenditure' sub-sections of the 'Budgetary Management' section of this report.



REVENUE OUTTURN STATEMENT

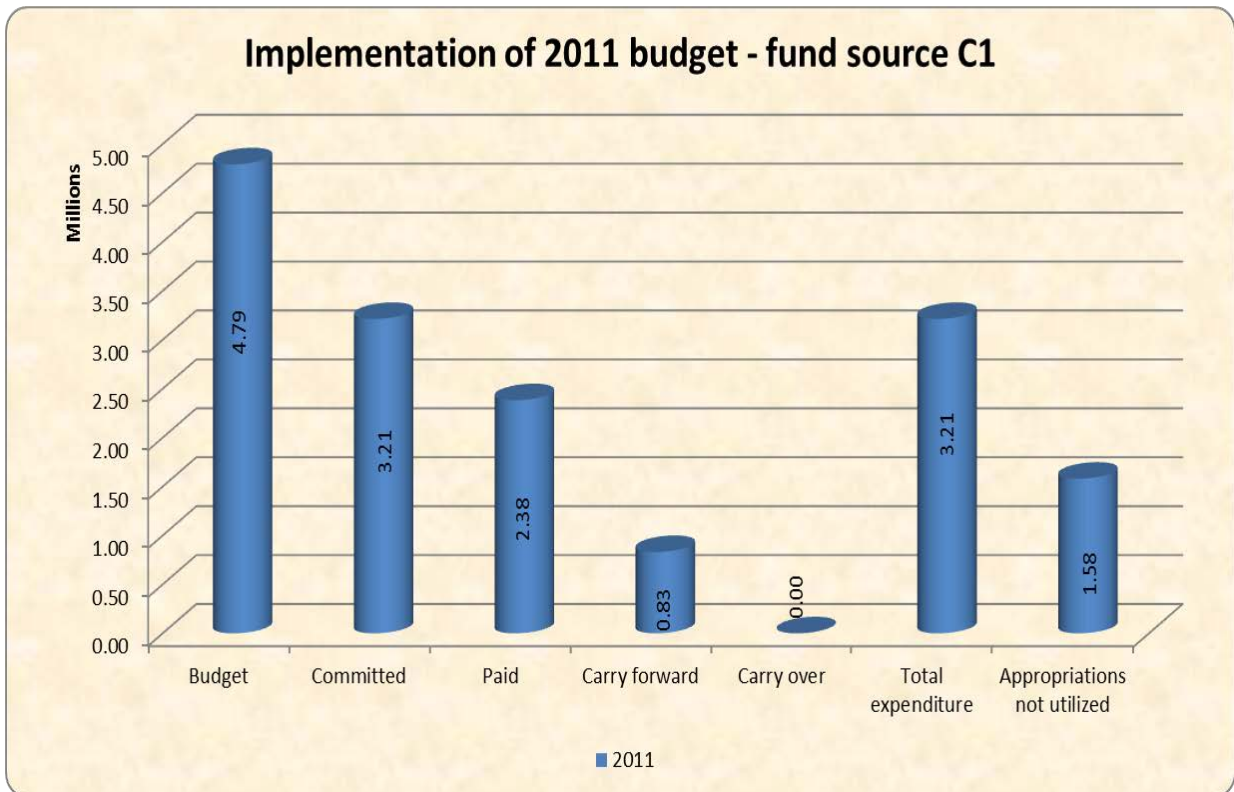
The Revenue Outturn Statement presents on a cash basis the actual amounts cashed as income and the amount of cash consumed to honour the payment of commitments as well the amounts of unutilised and cancelled appropriations. Based on forecasted cash flows during the year an amount of €300,000 has not been cashed from the available appropriations of €4,792,345 on 8 March 2011.

	8 March - 31 December 2011
	€
INCOME	
European Commission subsidy	4,371,199.15
EFTA contribution	119,000.00
Miscellaneous income	0.00
TOTAL INCOME	<u>4,490,199.15</u>
EXPENSES	
Expenditure related to employees of the agency -Title I	
Payments	1,915,262.83
Carry-forwards and carryovers	192,258.32
Agency's building and associated expenses - Title II	
Payments	207,570.77
Carry-forwards and carryovers	301,738.77
Operational expenditure - Title III	
Payments	258,730.87
Carry-forwards and carryovers	336,840.56
TOTAL EXPENSES	<u>3,212,402.12</u>
Total appropriations not utilised	1,277,797.03
REVENUE OUTTURN BEFORE SPECIAL ITEMS	<u>1,277,797.03</u>
Cancelled carryovers	292,288.63
Correction from data migration	2,146.27
Exchange rate differences	-807.05
REVENUE OUTTURN	<u><u>1,571,424.88</u></u>

BUDGET IMPLEMENTATION

The following tables present a detailed budget implementation by budget Titles as well as individual budget lines for both the current year budget and the budgetary appropriations of 2010.

	8 March - 31 December 2011
	€
TITLE 1	
Budget	3,108,457.00
Committed	2,107,521.15
Paid	1,915,262.83
Carry forward	192,258.32
Carry over	0.00
Total expenditure	2,107,521.15
Appropriations not utilized	1,000,935.85
Executed	67.80%
TITLE 2	
Budget	750,888.00
Committed	509,309.54
Paid	207,570.77
Carry forward	301,738.77
Carry over	0.00
Total expenditure	509,309.54
Appropriations not utilized	241,578.46
Executed	67.83%
TITLE 3	
Budget	933,000.00
Committed	595,571.43
Paid	258,730.87
Carry forward	336,840.56
Carry over	0.00
Total expenditure	595,571.43
Appropriations not utilized	337,428.57
Executed	63.83%
TOTAL	2011
Budget	4,792,345.00
Committed	3,212,402.12
Paid	2,381,564.47
Carry forward	830,837.65
Carry over	0.00
Total expenditure	3,212,402.12
Appropriations not utilized	1,579,942.88
Executed	67.03%



Detailed budget implementation of current year appropriations – fund source C1

B.L.	Official Budget Item Desc (Fr)	Appropriation (1)	Committed (2)	% Committed (2/1)	Paid (3)	% Paid (3/1)	Balance Commitment (1-2)	Balance Payment (2-3)
A-1100	Basic Salaries and corr	1,175,591.00	1,018,262.09	86.62 %	1,018,262.09	86.62 %	157,328.91	0.00
A-1101	Family allowance	281,923.00	115,131.56	40.84 %	115,131.56	40.84 %	166,791.44	0.00
A-1102	Epatiation allowance	233,033.00	159,919.12	68.63 %	159,919.12	68.63 %	73,113.88	0.00
	Sum:	1,690,547.00	1,293,312.77	76.50 %	1,293,312.77	76.50 %	397,234.23	0.00
A-1110	Contract agents	79,348.00	66,126.38	83.34 %	66,126.38	83.34 %	13,221.62	0.00
	Sum:	79,348.00	66,126.38	83.34 %	66,126.38	83.34 %	13,221.62	0.00
A-1120	Training	83,172.00	48,782.00	58.65 %	21,998.71	26.45 %	34,390.00	26,783.29
	Sum:	83,172.00	48,782.00	58.65 %	21,998.71	26.45 %	34,390.00	26,783.29
A-1130	Sickness Insurance	52,316.00	39,774.78	76.03 %	39,774.78	76.03 %	12,541.22	0.00
A-1131	Accidents Insurance	14,088.00	8,208.42	58.27 %	8,208.42	58.27 %	5,879.58	0.00
A-1132	Unemployment insurance	17,392.00	14,689.88	84.46 %	14,689.88	84.46 %	2,702.12	0.00
	Sum:	83,796.00	62,673.08	74.79 %	62,673.08	74.79 %	21,122.92	0.00
A-1140	Birth and death grants	1,983.00	0.00	0.00 %			1,983.00	0.00
A-1141	Travel allowance	42,301.00	11,783.74	27.86 %	11,783.74	27.86 %	30,517.26	0.00
A-1142	Removal allowance	104,827.00	104,817.40	99.99 %	41,062.35	39.17 %	9.60	63,755.05
A-1143	Schooling fees	70,565.00	54,565.00	77.33 %	29,084.14	41.22 %	16,000.00	25,480.86
	Sum:	219,676.00	171,166.14	77.92 %	81,930.23	37.30 %	48,509.86	89,235.91
A-1160	Recruitment	164,100.00	100,780.00	61.41 %	55,933.24	34.08 %	63,320.00	44,846.76
A-1161	Take-up duty costs	21,000.00	14,161.07	67.43 %	14,161.07	67.43 %	6,838.93	0.00
A-1162	Installation allowance	276,954.00	137,323.02	49.58 %	137,323.02	49.58 %	139,630.98	0.00
A-1163	Daily allowance	264,510.00	98,840.98	37.37 %	98,840.98	37.37 %	165,669.02	0.00
	Sum:	726,564.00	351,105.07	48.32 %	306,258.31	42.15 %	375,458.93	44,846.76
A-1170	Interim staff	10,000.00	9,922.50	99.23 %	5,181.75	51.82 %	77.50	4,740.75
A-1171	Admin publications	0.00					0.00	
A-1172	Admin translations	10,000.00	5,000.00	50.00 %			5,000.00	5,000.00
A-1173	Admin assistance	27,423.00	4,515.39	16.47 %			22,907.61	4,515.39
	Sum:	47,423.00	19,437.89	40.99 %	5,181.75	10.93 %	27,985.11	14,256.14
A-1200	Staff missions	142,031.00	79,746.37	56.15 %	71,338.76	50.23 %	62,284.63	8,407.61
	Sum:	142,031.00	79,746.37	56.15 %	71,338.76	50.23 %	62,284.63	8,407.61



B.L.	Official Budget Item Desc (Fr)	Appropriation (1)	Committed (2)	% Committed (2/1)	Paid(3)	% Paid (3/1)	Balance Commitment (1-2)	Balance Payment (2-3)
A-1300	Medical service	20,600.00	8,107.45	39.36 %			12,492.55	8,107.45
A-1301	Medical equipment	1,000.00	400.00	40.00 %	366.08	36.61 %	600.00	33.92
	Sum:	21,600.00	8,507.45	39.39 %	366.08	1.69 %	13,092.55	8,141.37
A-1401	Staff interrraction	14,300.00	6,664.00	46.60 %	6,076.76	42.49 %	7,636.00	587.24
	Sum:	14,300.00	6,664.00	46.60 %	6,076.76	42.49 %	7,636.00	587.24
A-1410	Staff Committee	0.00					0.00	
	Sum:	0.00					0.00	
A-2020	Insurance	15,000.00	1,329.29	8.86 %	1,248.16	8.32 %	13,670.71	81.13
	Sum:	15,000.00	1,329.29	8.86 %	1,248.16	8.32 %	13,670.71	81.13
A-2030	Building security	34,000.00	27,805.58	81.78 %	500.00	1.47 %	6,194.42	27,305.58
	Sum:	34,000.00	27,805.58	81.78 %	500.00	1.47 %	6,194.42	27,305.58
A-2040	Other buliding costs	55,000.00	48,322.54	87.86 %	47,152.73	85.73 %	6,677.46	1,169.81
A-2041	Equipment maintenance	0.00					0.00	
	Sum:	55,000.00	48,322.54	87.86 %	47,152.73	85.73 %	6,677.46	1,169.81
A-2100	Consumables	15,000.00	369.33	2.46 %	369.33	2.46 %	14,630.67	0.00
A-2101	Software	61,000.00	57,100.00	93.61 %			3,900.00	57,100.00
A-2102	Subscriptions	77,388.00	72,045.99	93.10 %	55,390.08	71.57 %	5,342.01	16,655.91
	Sum:	153,388.00	129,515.32	84.44 %	55,759.41	36.35 %	23,872.68	73,755.91
A-2210	Purchase of furniture	25,000.00	20,439.13	81.76 %	11,066.74	44.27 %	4,560.87	9,372.39
	Sum:	25,000.00	20,439.13	81.76 %	11,066.74	44.27 %	4,560.87	9,372.39
A-2220	Transportation	25,000.00	20,059.00	80.24 %	15,104.80	60.42 %	4,941.00	4,954.20
	Sum:	25,000.00	20,059.00	80.24 %	15,104.80	60.42 %	4,941.00	4,954.20
A-2230	Library purchases	3,500.00	2,500.00	71.43 %	1,694.71	48.42 %	1,000.00	805.29
A-2231	Subscriptions copies	26,500.00	26,070.01	98.38 %	26,070.01	98.38 %	429.99	0.00
	Sum:	30,000.00	28,570.01	95.23 %	27,764.72	92.55 %	1,429.99	805.29
A-2300	Stationery	25,000.00	25,000.00	100.00 %	13,672.61	54.69 %	0.00	11,327.39
	Sum:	25,000.00	25,000.00	100.00 %	13,672.61	54.69 %	0.00	11,327.39



B.L.	Official Budget Item Desc (Fr)	Appropriation (1)	Committed (2)	% Committed (2/1)	Paid(3)	% Paid (3/1)	Balance Commitment (1-2)	Balance Payment (2-3)
A-2310	Bank charges	500.00	100.00	20.00 %	62.15	12.43 %	400.00	37.85
	Sum:	500.00	100.00	20.00 %	62.15	12.43 %	400.00	37.85
A-2320	Legal expenses	0.00					0.00	
A-2321	Consultation	211,000.00	83,581.24	39.61 %	5,397.24	2.56 %	127,418.76	78,184.00
	Sum:	211,000.00	83,581.24	39.61 %	5,397.24	2.56 %	127,418.76	78,184.00
A-2400	Postal charges	6,000.00	4,200.00	70.00 %	1,016.07	16.93 %	1,800.00	3,183.93
	Sum:	6,000.00	4,200.00	70.00 %	1,016.07	16.93 %	1,800.00	3,183.93
A-2410	Telecommunication	29,000.00	17,868.38	61.62 %	13,108.75	45.20 %	11,131.62	4,759.63
	Sum:	29,000.00	17,868.38	61.62 %	13,108.75	45.20 %	11,131.62	4,759.63
A-2420	Hardware	67,000.00	33,978.65	50.71 %	13,756.39	20.53 %	33,021.35	20,222.26
A-2421	Maintenance	25,000.00	24,710.40	98.84 %	1,961.00	7.84 %	289.60	22,749.40
A-2422	Phones	0.00					0.00	
A-2423	Video conf equip	50,000.00	43,830.00	87.66 %			6,170.00	43,830.00
	Sum:	142,000.00	102,519.05	72.20 %	15,717.39	11.07 %	39,480.95	86,801.66
B3-000	AB missions	47,200.00	37,760.00	80.00 %	16,840.26	35.68 %	9,440.00	20,919.74
B3-001	RoB missions	292,640.00	162,530.97	55.54 %	35,530.97	12.14 %	130,109.03	127,000.00
B3-002	BoA missions	23,320.00	23,320.00	100.00 %	2,708.63	11.62 %	0.00	20,611.37
B3-004	Experts missions	19,000.00	7,851.00	41.32 %	351.00	1.85 %	11,149.00	7,500.00
	Sum:	382,160.00	231,461.97	60.57 %	55,430.86	14.50 %	150,698.03	176,031.11
B3-010	Seminars	10,000.00	4,253.00	42.53 %	4,253.00	42.53 %	5,747.00	0.00
	Sum:	10,000.00	4,253.00	42.53 %	4,253.00	42.53 %	5,747.00	0.00
B3-020	Representation exp	20,000.00	20,000.00	100.00 %	7,403.86	37.02 %	0.00	12,596.14
	Sum:	20,000.00	20,000.00	100.00 %	7,403.86	37.02 %	0.00	12,596.14
B3-100	Boards missions	20,000.00	14,878.56	74.39 %	7,878.56	39.39 %	5,121.44	7,000.00
	Sum:	20,000.00	14,878.56	74.39 %	7,878.56	39.39 %	5,121.44	7,000.00
B3-110	SNEs	156,864.00	90,488.55	57.69 %	90,488.55	57.69 %	66,375.45	0.00
	Sum:	156,864.00	90,488.55	57.69 %	90,488.55	57.69 %	66,375.45	0.00
B3-120	Other Missions	115,000.00	115,000.00	100.00 %	86,241.42	74.99 %	0.00	28,758.58
	Sum:	115,000.00	115,000.00	100.00 %	86,241.42	74.99 %	0.00	28,758.58

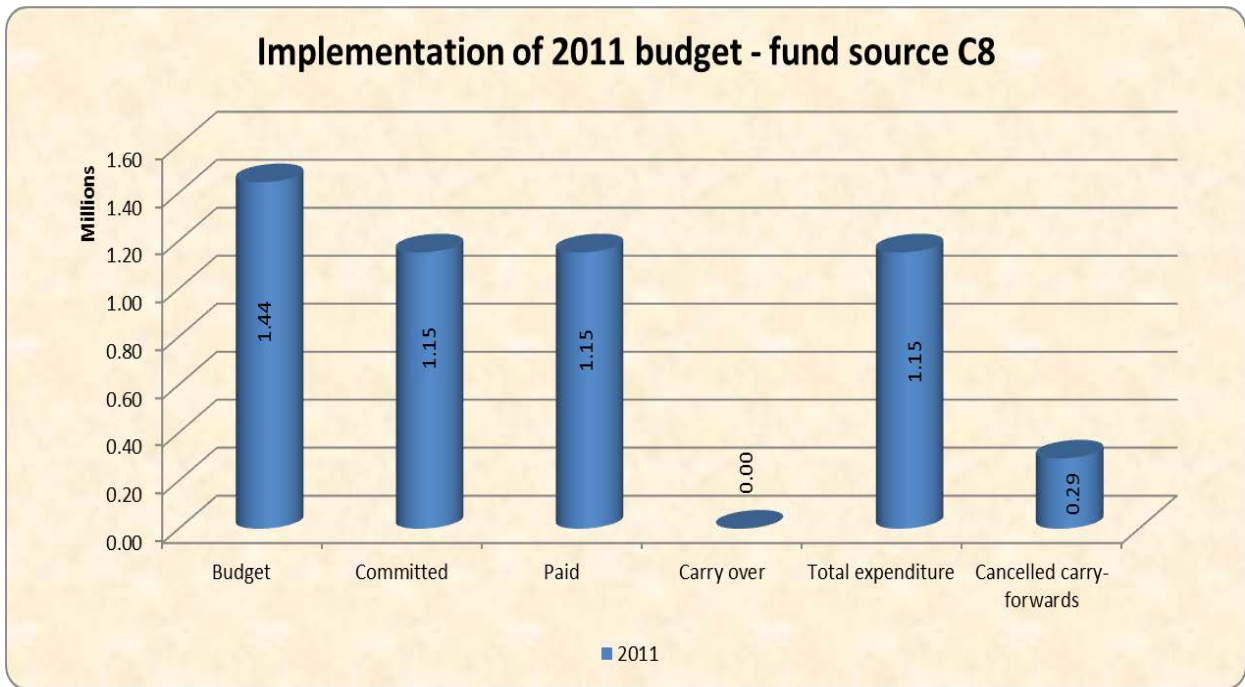


B.L.	Official Budget Item Desc (Fr)	Appropriation (1)	Committed (2)	% Committed (2/1)	Paid(3)	% Paid (3/1)	Balance Commitment (1-2)	Balance Payment (2-3)
B3-200	Public hearing, conf	45,000.00	29,000.00	64.44 %	3,676.59	8.17 %	16,000.00	25,323.41
B3-201	Website	60,000.00	54,450.00	90.75 %			5,550.00	54,450.00
B3-202	Info material	60,000.00	19,486.03	32.48 %	3,358.03	5.60 %	40,513.97	16,128.00
B3-203	Annual report	23,976.00	16,553.32	69.04 %			7,422.68	16,553.32
	Sum:	188,976.00	119,489.35	63.23 %	7,034.62	3.72 %	69,486.65	112,454.73
B3-300	Translation CDT	40,000.00	0.00	0.00 %			40,000.00	0.00
B3-301	Translation other	0.00					0.00	
	Sum:	40,000.00	0.00	0.00 %			40,000.00	0.00
	Sum:	4,792,345.00	3,212,402.12	Sum:	2,381,564.47	Sum:	1,579,942.88	830,837.65
			Average:	67.03 %	Average:	49.70 %		



Implementation of previous year carried over budget - fund source C8

	2011 €
TITLE 1	
Budget	216,435.43
Committed	39,964.16
Paid	39,964.16
Carry forward	0.00
Carry over	0.00
Total expenditure	39,964.16
Cancelled carry-forwards	176,471.27
Executed	18.46%
TITLE 2	
Budget	1,160,828.86
Committed	1,083,864.69
Paid	1,083,864.69
Carry forward	0.00
Carry over	0.00
Total expenditure	1,083,864.69
Cancelled carry-forwards	76,964.17
Executed	93.37%
TITLE 3	
Budget	66,569.42
Committed	27,716.23
Paid	27,716.23
Carry forward	0.00
Carry over	0.00
Total expenditure	27,716.23
Cancelled carry-forwards	38,853.19
Executed	41.64%
TOTAL	
Budget	1,443,833.71
Committed	1,151,545.08
Paid	1,151,545.08
Carry over	0.00
Total expenditure	1,151,545.08
Cancelled carry-forwards	292,288.63
Executed	79.76%



Detailed budget implementation of appropriations carried forward – fund source C8

B.L.	Official Budget Item Desc (Fr)	Appropriation (1)	Committed (2)	% Committed (2/1)	Paid (3)	% Paid (3/1)	Balance Commitment (1-2)	Balance Payment (2-3)
A-1110	Contract agents	10,000.00	9,528.75	95.29 %	9,528.75	95.29 %	471.25	0.00
	Sum:	10,000.00	9,528.75	95.29 %	9,528.75	95.29 %	471.25	0.00
A-1120	Training	20,171.51	19,151.13	94.94 %	19,151.13	94.94 %	1,020.38	0.00
	Sum:	20,171.51	19,151.13	94.94 %	19,151.13	94.94 %	1,020.38	0.00
A-1160	Recruitment	160,730.77	8,429.88	5.24 %	8,429.88	5.24 %	152,300.89	0.00
	Sum:	160,730.77	8,429.88	5.24 %	8,429.88	5.24 %	152,300.89	0.00
A-1200	Staff missions	15,033.15	0.00	0.00 %			15,033.15	0.00
	Sum:	15,033.15	0.00	0.00 %			15,033.15	0.00
A-1300	Medical service	10,500.00	2,854.40	27.18 %	2,854.40	27.18 %	7,645.60	0.00
	Sum:	10,500.00	2,854.40	27.18 %	2,854.40	27.18 %	7,645.60	0.00
A-2040	Other buliding costs	37,000.00	9,699.64	26.22 %	9,699.64	26.22 %	27,300.36	0.00
	Sum:	37,000.00	9,699.64	26.22 %	9,699.64	26.22 %	27,300.36	0.00
A-2102	Subscriptions	90,872.41	54,979.49	60.50 %	54,979.49	60.50 %	35,892.92	0.00
	Sum:	90,872.41	54,979.49	60.50 %	54,979.49	60.50 %	35,892.92	0.00
A-2210	Purchase of furniture	149,660.85	149,660.85	100.00 %	149,660.85	100.00 %	0.00	0.00
	Sum:	149,660.85	149,660.85	100.00 %	149,660.85	100.00 %	0.00	0.00
A-2321	Consultation	15,000.00	1,246.51	8.31 %	1,246.51	8.31 %	13,753.49	0.00
	Sum:	15,000.00	1,246.51	8.31 %	1,246.51	8.31 %	13,753.49	0.00
A-2420	Hardware	868,295.60	868,278.20	100.00 %	868,278.20	100.00 %	17.40	0.00
	Sum:	868,295.60	868,278.20	100.00 %	868,278.20	100.00 %	17.40	0.00
B3-000	AB missions	65,569.42	27,716.23	42.27 %	27,716.23	42.27 %	37,853.19	0.00
	Sum:	65,569.42	27,716.23	42.27 %	27,716.23	42.27 %	37,853.19	0.00
B3-300	Translation CDT	1,000.00	0.00	0.00 %			1,000.00	0.00
	Sum:	1,000.00	0.00	0.00 %			1,000.00	0.00
	Sum:	1,443,833.71	1,151,545.08	Sum:	1,151,545.08	Sum:	292,288.63	0.00
			Average:	79.76 %	Average:	79.76 %		



BUDGETARY OUTTURN RECONCILIATION

Given the different basis of presentation between the budgetary and financial statements information, reconciliation is performed between the two systems, as follows:

	8 March - 31 December 2011	
	€	
	Detail	Total
Budgetary revenue outturn		1,571,424.88
<u>Impact of budgetary result (return to the European Commission)</u>		(1,571,424.88)
<u>Impact of purchase of fixed assets and depreciation</u>		
Purchase of fixed assets less unpaid assets	603,775.99	
Depreciation of assets transferred from European Commission	(3,598.77)	
Depreciation and write off fixed assets	(112,674.20)	
		487,503.02
<u>Impact of accrued expenses of the year</u>		
Carry-forwards	830,837.65	
Accrued expenses and allocated expenses	(401,416.73)	
		429,420.92
<u>(Increase)/decrease of provisions</u>		0.00
<u>Other impacts</u>		
Prepaid expenses	17,312.14	
Creditors	(7,237.99)	
Other corrections	(67.26)	
		10,006.89
Total adjustments		(644,494.05)
Economic result		926,930.83

BUDGETARY MANAGEMENT

Budgetary principles

The budget of ACER has been established in compliance with the principles of unity, budgetary accuracy, annuality, equilibrium, unit of account, universality, specification, sound financial management and transparency, as set out in ACER Financial Regulation.

Subsidy from the general budget of the European Union

A budget of 5,000,000€ has been allocated to ACER in 2011 from the general budget of the European Union. Together with its subsidy, ACER also received an amount of 119,000€ as percentage allocation of the EFTA contribution. On 8 March 2011, when financial autonomy was granted to ACER, commitment and payment appropriations of €4,792,345 were transferred into the accounts of ACER. On the basis of cash flow forecasts during the year an amount of €300,000 from the available appropriation has not been cashed.

In addition to the current year appropriations an amount of €1,443,833.71 has been transferred from DG ENER after the financial autonomy has been granted that represents the value of commitment and payment appropriations carried forward from the financial year 2010 to honour the commitments administered on behalf of ACER by the parent DG.

Budget and accounting management systems

In order to record and keep track of the budgetary transactions, ACER uses the financial system also used by the European Commission, ABAC, with the SAP system integrated as back-end for the accounting part. The Business Objects web platform is used as the reporting tool. The workflow access in ABAC allows for an instant audit trail and provides the authorising officer with an overview on the segregation of duties compliance as required under the 'four-eyes' principle. The inventories are managed by ACER in accordance with its Financial Regulation and the system used to record inventory items is ABAC Assets2.

Nomenclature

The nomenclature of appropriations is as follows:

- C1: Appropriations voted in the current budget
- C4: Internal assigned revenue (current year)
- C5: Internal assigned revenue (carried over)
- C8: Commitments carried forward corresponding appropriations
- C9: Commitments carried forward (without corresponding payment appropriations)
- R0: External assigned revenue (expense side)
- IC1: Universal income voted in the budget
- IC4: Internal assigned revenue
- IR1: External assigned revenue (income side)

REVENUE

For the financial year ending 31 December 2011 ACER budget has been funded by a subsidy from the general European Union budget of €5,119,000 including a percentage allocation of EFTA contribution. Until the financial autonomy the budget of ACER has been administered by the parent Directorate General for Energy. On 8 March 2011 when financial autonomy was granted to ACER, commitment and payment appropriations for €4,792,345 were transferred into the accounts of ACER. On the basis of cash flow forecasts during the year an amount of €300,000 from the available appropriation has not been cashed.

Non-budgetary revenue in the form of bank interest received on the daily account balance amounting to €10,711.93 and recorded in the accounts of ACER will be returned to the European Commission according to Article 51 of ACER Financial Regulation. Also to be returned to the European Commission is the positive result of the budgetary outturn amounting to €1,571,424.88.

EXPENDITURE

Current year appropriations – C1

Title	Heading	Original Budget	Final Budget	Commitments	Commitment execution	Payments	Payment execution
TITLE 1	EXPENDITURE RELATING TO EMPLOYEES OF THE AGENCY	3,337,957.00	3,108,457.00	2,107,521.15	67.80%	1,915,262.83	61.61%
TITLE 2	AGENCY'S BUILDING AND ASSOCIATED COSTS	471,388.00	750,888.00	509,309.54	67.83%	207,570.77	27.64%
TITLE 3	OPERATIONAL EXPENDITURE	983,000.00	933,000.00	595,571.43	63.83%	258,730.87	27.73%
	TOTAL BUDGET 2011	4,792,345.00	4,792,345.00	3,212,402.12	67.03%	2,381,564.47	49.70%

Title 1

ACER became financially autonomous as of 8 March 2011 and has used all its available options at that time to continue attracting human resources in order to implement the tasks assigned to it by the relevant directives and regulation.

The length of the recruitment process has been most of the time influenced by factors outside the Agency's control. The Agency is seeking very specific profiles and offers a remuneration package which, especially for the more senior positions, is not always competitive when compared with opportunities offered in an expanding energy sector. Moreover, its location in Ljubljana represents a challenge for the relocation of staff members' families, due to limited education and occupational opportunities. These issues resulted in late occupancy of several opened positions.

Although the Agency has managed to fill in all of the advertised position by the end of 2011, the delay in the actual taking-up of these positions had a significant impact on the Agency's ability to implement its budget. This resulted in an overall low implementation rate of 67.80% for commitment appropriation and 61.61% for payment appropriation.



Title 2

With a reduced number of human resources in the first year of its operation, ACER has managed to initiate most of its procurement procedures. The unexpected low reply-rate to most of the tender procedures, and in a few cases the absence of replies, resulted in a low implementation of the allocated budget. The limited human resources available to the Agency for running procurement procedures during most of the year resulted in a concentration of such procedures towards the end of the year, with consequent delays in the actual delivery of the ordered goods and services, implying a low implementation of the payments appropriation.

Title 3

With most of the Board of Regulators meetings taking place in locations other than Ljubljana, and a delay in the taking up duties of the seconded national experts, significant savings have occurred in the allocated budget for Title 3. Some timing delays in the reimbursements of participants to the meetings led to a low implementation of payments appropriation for the same title.

Budget transfers

During the financial year 2011 two lots of budgetary transfers took place in order to reallocated resources from areas where budgetary savings have been identified towards areas of scarce resources to ensure the achievement of the year's objectives. From a total number of 45 budgetary transfers, five transfers approved by Director Decision were made between budget titles within the limit of 10%.

The following table presents the detailed budgetary transfers made during the financial year 2011.

BUDGET TRANSFERS 2011						
Budget line	Fund source	Credit Local Key	Acceptance Date	Initial	Aménagements	Credit Available Pay
A-1100	C1	ACR.1	16/03/2011	1,340,591.00		1,340,591.00
	C1	ACR.29	10/08/2011		-45,000.00	-45,000.00
	C1	ACR.31	28/10/2011		-120,000.00	-120,000.00
A-1100	Basic salaries and corrections			1,340,591.00	-165,000.00	1,175,591.00
A-1101	C1	ACR.1	16/03/2011	311,923.00		311,923.00
	C1	ACR.31	28/10/2011		-30,000.00	-30,000.00
A-1101	Family allowances			311,923.00	-30,000.00	281,923.00
A-1102	C1	ACR.1	16/03/2011	258,533.00		258,533.00
	C1	ACR.31	28/10/2011		-25,500.00	-25,500.00
A-1102	Expatriation allowance			258,533.00	-25,500.00	233,033.00
A-1110	C1	ACR.1	16/03/2011	79,348.00		79,348.00
A-1110				79,348.00		79,348.00
A-1120	C1	ACR.1	16/03/2011	43,172.00		43,172.00
	C1	ACR.29	10/08/2011		40,000.00	40,000.00
A-1120	Training of staff			43,172.00	40,000.00	83,172.00
A-1130	C1	ACR.1	16/03/2011	52,316.00		52,316.00
A-1130				52,316.00		52,316.00
A-1131	C1	ACR.1	16/03/2011	14,088.00		14,088.00
A-1131				14,088.00		14,088.00
A-1132	C1	ACR.1	16/03/2011	17,392.00		17,392.00
A-1132				17,392.00		17,392.00
A-1140	C1	ACR.1	16/03/2011	1,983.00		1,983.00
A-1140				1,983.00		1,983.00



Budget line	Fund source	Credit Local Key	Acceptance Date	Initial	Aménagements	Credit Available Pay
A-1141	C1	ACR.1	16/03/2011	42,301.00		42,301.00
A-1141				42,301.00		42,301.00
A-1142	C1	ACR.1	16/03/2011	158,827.00		158,827.00
	C1	ACR.31	28/10/2011		-54,000.00	-54,000.00
A-1142	Removal expenses			158,827.00	-54,000.00	104,827.00
A-1143	C1	ACR.1	16/03/2011	70,565.00		70,565.00
A-1143				70,565.00		70,565.00
A-1160	C1	ACR.1	16/03/2011	164,100.00		164,100.00
A-1160				164,100.00		164,100.00
A-1161	C1	ACR.1	16/03/2011	21,000.00		21,000.00
A-1161				21,000.00		21,000.00
A-1162	C1	ACR.1	16/03/2011	276,954.00		276,954.00
A-1162				276,954.00		276,954.00
A-1163	C1	ACR.1	16/03/2011	264,510.00		264,510.00
A-1163				264,510.00		264,510.00
A-1170	C1	ACR.29	10/08/2011		10,000.00	10,000.00
A-1170	Interim staff				10,000.00	10,000.00
A-1171	C1	ACR.1	16/03/2011	10,000.00		10,000.00
	C1	ACR.29	10/08/2011		-10,000.00	-10,000.00
A-1171	Administrative publications			10,000.00	-10,000.00	0.00
A-1172	C1	ACR.1	16/03/2011	10,000.00		10,000.00
A-1172				10,000.00		10,000.00
A-1173	C1	ACR.1	16/03/2011	27,423.00		27,423.00
A-1173				27,423.00		27,423.00



Budget line	Fund source	Credit Local Key	Acceptance Date	Initial	Aménagements	Credit Available Pay
A-1200	C1	ACR.1	16/03/2011	142,031.00		142,031.00
A-1200				142,031.00		142,031.00
A-1300	C1	ACR.1	16/03/2011	15,600.00		15,600.00
	C1	ACR.29	10/08/2011		5,000.00	5,000.00
A-1300		Medical services		15,600.00	5,000.00	20,600.00
A-1301	C1	ACR.1	16/03/2011	1,000.00		1,000.00
A-1301				1,000.00		1,000.00
A-1401	C1	ACR.1	16/03/2011	9,800.00		9,800.00
	C1	ACR.29	10/08/2011		4,500.00	4,500.00
A-1401		Staff welfare		9,800.00	4,500.00	14,300.00
A-1410	C1	ACR.1	16/03/2011	4,500.00		4,500.00
	C1	ACR.29	10/08/2011		-4,500.00	-4,500.00
A-1410		Staff committee		4,500.00	-4,500.00	0.00
A-2020	C1	ACR.1	16/03/2011	15,000.00		15,000.00
A-2020				15,000.00		15,000.00
A-2030	C1	ACR.1	16/03/2011	50,000.00		50,000.00
	C1	ACR.29	10/08/2011		-16,000.00	-16,000.00
A-2030		Building security		50,000.00	-16,000.00	34,000.00
A-2040	C1	ACR.1	16/03/2011	10,000.00		10,000.00
	C1	ACR.29	10/08/2011		3,000.00	3,000.00
	C1	ACR.31	28/10/2011		42,000.00	42,000.00
A-2040		Other building costs		10,000.00	45,000.00	55,000.00
A-2041	C1	ACR.1	16/03/2011	5,000.00		5,000.00
	C1	ACR.29	10/08/2011		-5,000.00	-5,000.00
A-2041		Equipment maintenance		5,000.00	-5,000.00	0.00



Budget line	Fund source	Credit Local Key	Acceptance Date	Initial	Aménagements	Credit Available Pay
A-2100	C1	ACR.1	16/03/2011	5,000.00		5,000.00
	C1	ACR.29	10/08/2011		10,000.00	10,000.00
A-2100		Consumables		5,000.00	10,000.00	15,000.00
A-2101	C1	ACR.1	16/03/2011	1,000.00		1,000.00
	C1	ACR.31	28/10/2011		60,000.00	60,000.00
A-2101		Software		1,000.00	60,000.00	61,000.00
A-2102	C1	ACR.1	16/03/2011	82,388.00		82,388.00
	C1	ACR.29	10/08/2011		10,000.00	10,000.00
	C1	ACR.31	28/10/2011		-15,000.00	-15,000.00
A-2102		IT Subscriptions		82,388.00	-5,000.00	77,388.00
A-2210	C1	ACR.1	16/03/2011	15,000.00		15,000.00
	C1	ACR.29	10/08/2011		10,000.00	10,000.00
A-2210		Purchase of furniture		15,000.00	10,000.00	25,000.00
A-2220	C1	ACR.1	16/03/2011	5,000.00		5,000.00
	C1	ACR.29	10/08/2011		30,000.00	30,000.00
	C1	ACR.31	28/10/2011		-10,000.00	-10,000.00
A-2220		Transportation costs		5,000.00	20,000.00	25,000.00
A-2230	C1	ACR.1	16/03/2011	3,500.00		3,500.00
A-2230				3,500.00		3,500.00
A-2231	C1	ACR.1	16/03/2011	3,500.00		3,500.00
	C1	ACR.29	10/08/2011		23,000.00	23,000.00
A-2231		Subscriptions		3,500.00	23,000.00	26,500.00
A-2300	C1	ACR.1	16/03/2011	25,000.00		25,000.00
A-2300				25,000.00		25,000.00
A-2310	C1	ACR.1	16/03/2011	6,000.00		6,000.00
	C1	ACR.29	10/08/2011		-5,000.00	-5,000.00
	C1	ACR.31	28/10/2011		-500.00	-500.00
A-2310		Bank charges		6,000.00	-5,500.00	500.00



Budget line	Fund source	Credit Local Key	Acceptance Date	Initial	Aménagements	Credit Available Pay
A-2320	C1	ACR.1	16/03/2011	20,000.00		20,000.00
	C1	ACR.31	28/10/2011		-20,000.00	-20,000.00
A-2320	Legal expenses			20,000.00	-20,000.00	0.00
A-2321	C1	ACR.1	16/03/2011	50,000.00		50,000.00
	C1	ACR.29	10/08/2011		-30,000.00	-30,000.00
	C1	ACR.31	28/10/2011		191,000.00	191,000.00
A-2321	Consultation			50,000.00	161,000.00	211,000.00
A-2400	C1	ACR.1	16/03/2011	6,000.00		6,000.00
A-2400				6,000.00		6,000.00
A-2410	C1	ACR.1	16/03/2011	80,000.00		80,000.00
	C1	ACR.29	10/08/2011		-40,000.00	-40,000.00
	C1	ACR.31	28/10/2011		-11,000.00	-11,000.00
A-2410	Telecommunication			80,000.00	-51,000.00	29,000.00
A-2420	C1	ACR.1	16/03/2011	44,000.00		44,000.00
	C1	ACR.31	28/10/2011		23,000.00	23,000.00
A-2420	Hardware			44,000.00	23,000.00	67,000.00
A-2421	C1	ACR.1	16/03/2011	25,000.00		25,000.00
A-2421				25,000.00		25,000.00
A-2422	C1	ACR.1	16/03/2011	5,000.00		5,000.00
	C1	ACR.29	10/08/2011		-5,000.00	-5,000.00
A-2422	Phones			5,000.00	-5,000.00	0.00
A-2423	C1	ACR.1	16/03/2011	15,000.00		15,000.00
	C1	ACR.29	10/08/2011		15,000.00	15,000.00
	C1	ACR.31	28/10/2011		20,000.00	20,000.00
A-2423	Video conference equipment			15,000.00	35,000.00	50,000.00



Budget line	Fund source	Credit Local Key	Acceptance Date	Initial	Aménagements	Credit Available Pay
B3-000	C1	ACR.1	16/03/2011	47,200.00		47,200.00
B3-000				47,200.00		47,200.00
B3-001	C1	ACR.1	16/03/2011	292,640.00		292,640.00
B3-001				292,640.00		292,640.00
B3-002	C1	ACR.1	16/03/2011	28,320.00		28,320.00
	C1	ACR.29	10/08/2011		-5,000.00	-5,000.00
B3-002		BoA meetings		28,320.00	-5,000.00	23,320.00
B3-004	C1	ACR.1	16/03/2011	59,000.00		59,000.00
	C1	ACR.29	10/08/2011		-40,000.00	-40,000.00
B3-004		Experts missions		59,000.00	-40,000.00	19,000.00
B3-010	C1	ACR.1	16/03/2011	10,000.00		10,000.00
B3-010				10,000.00		10,000.00
B3-020	C1	ACR.1	16/03/2011	20,000.00		20,000.00
B3-020				20,000.00		20,000.00
B3-100	C1	ACR.1	16/03/2011	35,000.00		35,000.00
	C1	ACR.29	10/08/2011		-15,000.00	-15,000.00
B3-100		Boards missions		35,000.00	-15,000.00	20,000.00
B3-110	C1	ACR.1	16/03/2011	326,864.00		326,864.00
	C1	ACR.29	10/08/2011		-120,000.00	-120,000.00
	C1	ACR.31	28/10/2011		-50,000.00	-50,000.00
B3-110		SNEs		326,864.00	-170,000.00	156,864.00
B3-120	C1	ACR.1	16/03/2011	15,000.00		15,000.00
	C1	ACR.29	10/08/2011		100,000.00	100,000.00
B3-120		Other missions		15,000.00	100,000.00	115,000.00
B3-200	C1	ACR.1	16/03/2011	45,000.00		45,000.00
B3-200				45,000.00		45,000.00



Budget line	Fund source	Credit Local Key	Acceptance Date	Initial	Aménagements	Credit Available Pay
B3-201	C1	ACR.1	16/03/2011	20,000.00		20,000.00
	C1	ACR.29	10/08/2011		40,000.00	40,000.00
B3-201	Website set-up			20,000.00	40,000.00	60,000.00
B3-202	C1	ACR.1	16/03/2011	5,000.00		5,000.00
	C1	ACR.29	10/08/2011		55,000.00	55,000.00
B3-202	Information material			5,000.00	55,000.00	60,000.00
B3-203	C1	ACR.1	16/03/2011	38,976.00		38,976.00
	C1	ACR.29	10/08/2011		-15,000.00	-15,000.00
B3-203	Annual report production			38,976.00	-15,000.00	23,976.00
B3-300	C1	ACR.1	16/03/2011	10,000.00		10,000.00
	C1	ACR.29	10/08/2011		30,000.00	30,000.00
B3-300	Translations CdT			10,000.00	30,000.00	40,000.00
B3-301	C1	ACR.1	16/03/2011	30,000.00		30,000.00
	C1	ACR.29	10/08/2011		-30,000.00	-30,000.00
B3-301	Translations other			30,000.00	-30,000.00	0.00
Sum:				4,792,345.00	0.00	4,792,345.00



Carry forward appropriation – fund source C8

Title	Heading	Budget carried forward from 2010	Commitments	Commitment execution	Payments	Payment execution
TITLE 1	EXPENDITURE RELATING TO EMPLOYEES OF THE AGENCY	216,435.43	39,964.16	18.46%	39,964.16	18.46%
TITLE 2	AGENCY'S BUILDING AND ASSOCIATED COSTS	1,160,828.86	1,083,864.69	93.37%	1,083,864.69	93.37%
TITLE 3	OPERATIONAL EXPENDITURE	66,569.42	27,716.23	41.64%	27,716.23	41.64%
	TOTAL	1,443,833.71	1,151,545.08	79.76%	1,151,545.08	79.76%

Title 1

Appropriations carried forward under Title 1 related mainly to recruitment costs for the vacant positions published during 2010. The actual cost of reimbursements turned out to be significantly less than initially estimated. The unused amount is to be returned to the European Commission.

Title 2

Most of the appropriations carried forward under this title have been consumed in order to honour the obligations ACER had towards its suppliers. The unused portion is to be returned to the European Commission.

Title 3

The appropriations carried forward under Title 3 were mainly used to cover the reimbursement of costs for the Boards' members participating in the organised meetings during 2010. The lower than expected costs resulted in some significant budgetary savings and the unused amount is to be returned to the European Commission.

PART III – ESTABLISHMENT PLAN

The numbers of temporary posts as authorised under the 2011 budget are as follows:

Function group and grade	2011	
	Authorised under EU Budget	
	Permanent Posts	Temporary Posts
AD 16		
AD 15		
AD 14		1
AD 13		
AD 12		
AD 11		3
AD 10		
AD 9		2
AD 8		5
AD 7		4
AD 6		3
AD 5		9
AD total		27
AST 11		
AST 10		
AST 9		
AST 8		
AST 7		
AST 6		
AST 5		1
AST 4		
AST 3		12
AST 2		
AST 1		
AST total		13
TOTAL		40
GRAND TOTAL	40	

