

SELECTION NOTICE FOR POLICY OFFICER – MARKET CONDUCT

REFERENCE NUMBER: ACER/2024/03

Position (job title):	Policy Officer – Market Conduct
Department / Team:	Market Surveillance and Conduct
Function Group / Grade for internal, interagency and external publication:	Temporary Staff AD5/ This Selection Notice is published at a single grade
Contract duration	5 years (with possibility of renewal)
Place of employment:	Ljubljana, Slovenia
Possible Starting date:	July 2024
Closing date for applications:	29 April 2024, 14:00 Ljubljana time

1. ABOUT THE AGENCY

The European Union Agency for the Cooperation of Energy Regulators (hereinafter referred to as “ACER”) is a European Union (“EU”) body, legally established by Regulation (EU) No 2019/942¹ and operational since 2011. ACER is central to the integration and well-functioning of the EU’s electricity and natural gas markets.

1.1 Our purpose

Our overall purpose is achieving a transition of the European energy system in line with the political objectives set, reaping benefits of increased energy market integration across Europe, and securing low-carbon supply at least possible cost for European businesses and citizens.

The Agency promotes:

- A more competitive, integrated market, offering consumers more choice,
- An efficient energy infrastructure and network, enabling energy to move freely across borders, the integration of renewable sources, and therefore ensuring a higher degree of security of supply,
- A monitored and transparent energy market guaranteeing consumers fair prices and limitation of market abusive behaviours.

In this respect, ACER:

- Complements and coordinates the work of NRAs,
- Participates in the development of European network rules,
- Takes, under certain conditions, binding individual decisions on terms and conditions for access and operational security for cross-border infrastructure, on cross-border cost allocation for Projects of Common Interest and on terms and conditions or methodologies for the implementation of network codes,
- Gives advice on electricity and natural gas related issues to the European institutions,
- Monitors the internal markets in electricity and natural gas and reports on its findings,
- Monitors trading in wholesale energy products to detect and deter market abuse and ensure the integrity and transparency of EU wholesale energy markets in accordance with REMIT i.e., Regulation (EU) No 1227/2011.

1.2 ACER’s evolving role

ACER is on a significant growth trajectory, marked by an expanding number and array of tasks in the recent years. Our role as a collaborative agency within the framework of the EU’s national energy regulatory authorities remains at the heart of our mission, complimented by a range of tasks that span various aspects of the EU energy system, encompassing monitoring of energy flows, wider system needs, and so much more.

¹ Regulation (EU) No 2019/942 of the European Parliament and of the Council of 05 June 2019 (recast).

ACER is currently at a critical point, playing a key role in advancing EU energy market integration and bolstering market integrity and transparency; efforts that strike us as more crucial than ever. Our goal is to contribute with our capacities, insights, and creativity as an EU energy regulatory agency to a transition of the energy system that is affordable, secure, and decarbonized – a transition that takes place at the pace set by leaders across the EU.

ACER has been entrusted with additional responsibilities under the "Clean Energy for all Europeans" legislative package, and is expecting new legislative packages to be adopted, focusing on key areas such as Gas Decarbonisation, REMIT reform, and Electricity Market Design, aiming to bring transformative changes and further evolving the European energy landscape.

1.3 Who we are

ACER currently employs around 175 staff (statutory and non-statutory) and has an approved annual budget of € 32,602,073 in 2024. With the new responsibilities being assigned to its mandate, the Agency anticipates a significant growth in the forthcoming years, expecting more than 200 staff by 2025.

Our organisational structure underwent a transformation to enhance our efficiency and effectiveness and to prepare us to deliver on a number of new tasks accorded to us in the aforementioned major legislative packages agreed towards the end of 2023. Our new organisational structure now comprises seven Departments: Coordination, Cooperation and Legal; Electricity; Energy System Needs; Gas Hydrogen and Retail; Market Information and Transparency; Market Surveillance and Conduct; REMIT Investigations. An updated ACER organigram is [available on our website](#).

1.4 Our ongoing journey of progress

ACER offers a dynamic and motivating workplace, where diversity is celebrated and where people's commitment and achievements contribute to build an organisation that is better than the sum of its parts. We strive towards becoming an innovative and engaging workplace, by committing continuously to invest in learning and development opportunities and by focusing on staff well-being and work-life balance.

We invest heavily in the professional development of staff, support a 'low on hierarchy, high on impact' organisational culture, prioritise personal relations and support an active constructive feedback culture, emphasising the positives whilst not shying away from addressing the negatives.

Looking ahead, as a growing agency we recognize the importance of focusing on cross-organizational issues, encompassing both work practices and our broader work culture. We find this essential to maintain a cohesive, collegial work culture ("one ACER"), which is reinforced as we welcome a significant number of new colleagues joining our agency in the coming years.

At ACER we believe in fostering a high-impact, high-performance type of environment, built on strong mutual trust, empowerment, personal responsibility, psychological safety, and teamwork at all levels.

2. WHAT WE LOOK FOR

2.1 The profile

We are seeking to establish a reserve list for the position of Policy Officer – Market Conduct. The list will be mainly used to fulfil the needs of the Market Surveillance and Conduct Department. The reserve list may be used for any future vacancies in the similar field of work.

We are committed to continually enhancing our operational processes, which may involve modifying or reallocating specific responsibilities. It is imperative that our Policy Officer – Market Conduct exhibits flexibility, openness to change, and the ability to adapt to evolving roles.

2.2 Competencies

All staff working at ACER share the following **core competencies**:

- **Cooperating:** working with others towards achieving work goals;
- **Delivering quality results:** focusing on achieving results while applying relevant processes and procedures to meet quality standards;

- **Communicating:** sharing relevant information clearly and concisely, sharing useful information with others as appropriate;
- **Problem solving:** having the ability to identify and raise issues or concerns and seeking to anticipate problems a positive and helpful manner;
- **Being service oriented:** complying with ACER's rules and procedures, providing support and delivering services with a view to provide added value;
- **Self-development and knowledge sharing:** ability to share knowledge to support team effectiveness, while seeking feedback to enhance own performance;
- **Valuing diversity:** welcoming and working respectfully, inclusively and effectively with people from diverse backgrounds, while demonstrating respect and understanding of different points of view.

The jobholder will be required to have the following **specific / functional competencies**:

- **Having Technical Expertise:** demonstrating depth of knowledge and skill in a technical area, applying technical knowledge to execute their tasks and solve a range of problems, developing technical solutions to new or highly complex problems that cannot be solved using existing methods or approaches;
- **Being Knowledgeable of the Energy Market:** having in-depth up-to-date knowledge of the functioning and the integration of the EU energy market;
- **Managing Data:** being able to develop systematic study design and collection of data, analyse and interpret complex bulky information in an efficient and effective manner identifying correlations, patterns, causal effects and issues;
- **Being Knowledgeable of EU Law:** knowledge of the systems and methods used in legal analysis as required by ACER. Ability to read, interpret, draw accurate conclusions, advise and advocate based on both legal and factual information.

2.3 The position

The main purpose of the job is to coordinate NRAs on market manipulation and insider trading investigations, review preliminary assessments and investigatory reports, produce Guidance on the definitions of market abuse, and verify the consistency in the application of the market abuse provisions under REMIT.

Main responsibilities

The duties of the Policy Officer - Market Conduct will include the following:

- Performing a set of tasks that aim at ensuring that NRAs carry out their tasks with respect to the market abuse prohibitions of REMIT in a coordinated and consistent way, in particular legal assessment of compliance with the requirements of REMIT;
- Reviewing suspicious transactions reports, investigation reports and notifications from persons professionally arranging or executing transactions (PPAETs), NRAs, Financial Market Authorities (FMAs), other teams from the Agency and competition authorities providing reasonable grounds to suspect that acts in breach of REMIT are being, or have been, carried out;
- Referring cases and notifying suspected breaches of REMIT to NRAs or other relevant authorities for their review, investigation or enforcement, as appropriate (according to Articles 16 (1) and (3) of REMIT);
- Exercising the Agency's powers under Article 16(4) of REMIT, in particular by: requesting information to NRAs and analysing it, providing feedback; requesting NRAs to commence an investigation and following their reviews; establishing and coordinating cross-border investigatory groups;
- Producing and updating Guidance to the NRAs (According to Article 16 (1) of REMIT) on market abuse topics and on the application of provisions on market manipulation, attempted market manipulation, insider trading and/or a breach of other obligations or prohibitions under REMIT;
- Producing assessments of market abuse cases brought forward by NRAs at e.g. enforcement stage and in particular report about the level of case consistency vis-à-vis REMIT and the ACER Guidance;
- Contributing to and organising meetings that promote the cooperation/coordination of NRAs and the exchange of best practices in REMIT case reviews/investigations/enforcement;

- Cooperating with PPAETs, NRAs, ESMA, FMAs and, where appropriate, national competition authorities to ensure that a coordinated approach is taken to the enforcement of the relevant rules;
- Contributing to the development, maintenance and project management of the IT tools that are used by the Agency for the Market Conduct activities (namely the Notification Platform, the Case Management Tool and other business intelligence tools);
- Provide (legal) analysis and advice on issues related to internal energy market legislation, in particular on issues relating to REMIT;
- If appropriate, drafting recommendations to the European Commission on market rules, standards, and procedures which could improve market integrity and the functioning of the internal market according to Article 7(3) of REMIT;
- Assisting the Team Leader in the content preparation of senior management meetings and other critical activities;
- Contributing to the preparation of the annual report and work programme on the activities of the Agency;
- Contributing, where necessary, to the other tasks of the Market Conduct team and/or the Agency.

The Policy Officer – Market Conduct may be required to work in other areas of ACER, according to needs and priorities, as determined by the Director.

3. WHAT WE OFFER

3.1 What you can expect in the role

The Policy Officer – Market Conduct will become part of a diverse, young and motivated team of approximately 30 people coming from 12 different Member States. You will have a possibility to develop your knowledge and competencies through both on-the-job and specialised training relative to your profile and benefit from the ACER's Mentoring Scheme.

3.2 Work-life balance

At ACER, we are committed to providing a healthy work-life balance, by offering the possibility of hybrid working arrangements that allow you to balance your professional and personal life effectively. With flexible working hours, you can tailor your schedule to suit your preferences, making it easier to manage your commitments both in and outside of work. We believe that a harmonious work-life balance is essential for everyone's well-being and productivity.

3.3 Conditions of employment

Pursuant to Article 2(f) of the CEOS, the successful candidate will be appointed by the Director as a Temporary Staff in Grade AD 5 for a period of 5 years, which may be renewed.

Pay and welfare benefits: The pay of staff members consists of a basic salary, allowances and other benefits. Depending on the individual family situation and the place of origin, the successful jobholder may be entitled to expatriation allowance (16% of the basic salary), household allowance, dependent child allowance, education allowance, pre-school allowance, reimbursement of removal costs, daily subsistence allowance, installation allowance and other benefits. Salaries are exempted from national tax; a Union tax is paid at source.

Additional benefits:

- Annual leave entitlement of two days per calendar month plus additional days for age, grade, 2,5 days' home leave if applicable, and in addition up to 19 ACER holidays per year;
- EU Pension Scheme (after 10 years of service);
- EU Joint Sickness and Insurance Scheme (JSIS), accident and occupational disease coverage, unemployment and invalidity allowance and insurance.

Estimation of monthly basic salary, with specific allowances where applicable:

Grade/Step	Monthly basic salary (gross)	Estimation of monthly net salary, including specific allowances ²
AD 5, Step 1	5,507.55 €	5,738.24 €

3.4. Why Ljubljana?

Quality of life: Ljubljana is known for its high quality of life. It's a relatively small and safe city with a charming old town, green spaces, and a vibrant cultural scene. For individuals looking for a good work-life balance, Ljubljana is an attractive option. You can enjoy a fulfilling career while still having plenty of time to pursue hobbies, travel, and socialize.

Location: Slovenia's central location in Europe makes it convenient for travel to other European countries. Ljubljana's proximity to other major European cities can be advantageous for business travel or personal exploration. Ljubljana is surrounded by beautiful natural landscapes, including parks, forests, and mountains. You can take advantage of outdoor activities such as hiking, cycling, or simply exploring the picturesque surroundings. The Ljubljana Marshes, Tivoli Park, and Šmarna Gora are popular destinations for outdoor enthusiasts.

Cultural diversity and exploration: Ljubljana is a culturally diverse city with a rich history. For someone interested in experiencing different cultures and meeting people from various backgrounds, Ljubljana can offer a welcoming environment. Ljubljana is rich in history and culture, with museums, galleries, and historical landmarks scattered throughout the city. You can explore these cultural attractions at your own pace and delve into Slovenia's rich heritage.

Family friendly: Moving to Ljubljana, Slovenia to work at the Agency offers a unique blend of professional advancement and an exceptional quality of life. Ljubljana, the charming capital of Slovenia, provides a welcoming and family-friendly environment with its rich cultural heritage, picturesque surroundings, and excellent infrastructure.

Kindergartens and Schools: All levels of education are offered by both public and private institutions in Slovenia. Private kindergartens and schools offer program in English, French and German besides Slovenian. Parents at ACER are free to enroll their children in a kindergarten of their choice. ACER also provides a contribution to the kindergarten fees for establishments in Ljubljana territory.

An accredited European School operates in Ljubljana as of September 2018 to allow dependent children of all ACER statutory staff (including Slovene nationals) to attend a (tuition-free) European-type multilingual education. The school successfully established all of the Primary school levels (P1-P5), Secondary levels are currently available from S1 to S6, with the final S7 level being opened in September 2024/2025, when the first European Baccalaureate will be obtained.

In addition, in case the appropriate education level is not yet available for a child in the accredited European School, up to a certain ceiling, the Agency contributes to the tuition cost of each dependent child attending another international school in Ljubljana territory. There are several international schools in Ljubljana (Ljubljana International School, French International School, Vector Academy, etc.). Some Slovenian public schools also offer a program in English as well as the International Baccalaureate program.

Ljubljana stands out as an excellent destination for families due to a combination of factors that cater to their needs and well-being. Firstly, the city's manageable size ensures convenience and accessibility to essential services such as schools, healthcare facilities, and recreational areas. Families can find a range of educational options, including international schools, which offer high-quality education and smooth integration for expatriate children. The city's safe and pedestrian-friendly streets make it an ideal environment for families to explore together, whether it's visiting parks, museums, or participating in community events.

4. REQUIREMENTS

4.1 Eligibility criteria

Candidates will be considered eligible for the selection phase on the basis of the following formal criteria to be fulfilled by the deadline for applications:

²An estimation of net salary, including the deduction for tax, correction coefficient (91.9% for Slovenia) and social security, adding the allowances (this estimation has been calculated with expatriation allowance, household allowance and with one dependent child allowance.

Please note that allowances depend in any case on the personal situation of the candidate.

- 1) To have a level of education which corresponds to completed university studies of at least three (3) years, attested by a diploma;
(Only study titles that have been awarded in the EU Member States or Norway, Iceland and Liechtenstein or that are subject to the equivalence certificates issued by the authorities in the said Member States shall be taken into consideration.)
- 2) To have a thorough knowledge of one of the official languages of the European Union³ or Norway, Iceland and Liechtenstein and satisfactory knowledge of a second of these languages (level B2 of CEFR⁴) to the extent necessary to perform their duties;
- 3) To be a national of a Member State of the European Union or Norway, Iceland and Liechtenstein;
- 4) To be entitled to their full rights as a citizen;
- 5) To have fulfilled any obligations imposed by the applicable laws concerning military service;
- 6) To be physically fit to perform the duties linked to the post⁵.

4.2 Selection criteria

The following criteria will be assessed when selecting the candidates for the written tests and the interview:

Essential criteria (scoring: minimum 0 and maximum 3 points per criterion)

- a) Relevant studies in the field of law, economics, mathematics or similar.
- b) By the deadline for applications, having acquired at least two (2) years of relevant professional experience related to the post, in the area of:
 - application of REMIT, MAR, money laundering Laws, Tax (VAT) fraud Legislation or Competition Law; **or**
 - supervision of energy or others commodities trading; **or**
 - monitoring of wholesale energy markets; **or**
 - trading on energy products or commodities.
- c) Relevant experience in stakeholder's management and coordination in an international setting acquired through relevant professional experience.
- d) Relevant experience in a role that requires quality assurance and consistency on processes, documents and other deliverables.

Advantageous criteria (scoring: minimum 0 and maximum 1 point per criterion)

- e) Possessing or being in the process of finalizing an LLM or PhD in Competition law, European law or similar.
- f) Professional experience in European Agencies/European Commission.
- g) Professional experience in the wholesale energy markets, particularly in the Nordic area.
- h) Relevant experience in drafting Guidance and Guidelines.
- i) Knowledge of investigatory techniques and methodologies related to enforcement in the energy and/or financial sector.
- j) Experience as project manager or key account manager.
- k) Professional experience involving the assessment of large data sets to support conclusions/decisions or leadership in the handling of complex processes.

Candidates are invited to briefly explain in their application form in which positions they acquired their knowledge and professional experience in the specified areas.

³ The languages of the EU are Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, Irish, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish, and Swedish.

⁴ Language levels of the Common European Framework of Reference: <http://europass.cedefop.europa.eu/resources/european-language-levels-cefr>

⁵ Before the appointment, a successful candidate shall be medically examined by one of the institutions' medical officers in order for the Agency to be satisfied that he/she fulfils the requirement of article 28(e) of the Staff Regulations of the Officials of the European Union.

5. SELECTION AND APPOINTMENT

The Selection Process will be organised in several consecutive stages:

SCREENING AND SHORTLISTING: A Selection Committee will evaluate all the valid applications against the eligibility and the selection criteria. The group of the highest scoring Applicants, meeting all the eligibility and essential criteria and scoring at least 50% of the total points or the selection criteria listed in 4.2. above, (hereinafter referred to as “Candidates”), shall be invited for a written examination.

WRITTEN EXAMINATION: testing the technical knowledge required for the post. The highest ranking among the Candidates scoring more than 50% on the written test will be invited to the oral interview with the Selection Committee. The number of invited Candidates shall be, as a minimum, 6 and maximum 18.

ORAL INTERVIEW: focusing on the following aspects:

- a) Specific competencies and knowledge with reference to the selection criteria of the present selection notice;
- b) General aptitudes to the extent necessary for the performance of the duties in accordance with article 12.2 of the Conditions of Employment of Other Servants (CEOS).

ESTABLISHMENT OF RESERVE LIST: The final score of each Candidate is the sum of the scores obtained on the written examination and the oral interview. All candidates achieving the overall qualifying mark of a minimum of 70% will be placed on the reserve list. The reserve list will be valid until 31/12/2025. Its validity may be extended by decision of the Director.

All candidates will be informed about the outcome of the procedure. Recruitment will be subject to budgetary availability and assignment of posts by the Budgetary Authority.

As part of our selection process, candidates will be asked to provide references from their former or current employments; for senior management positions, this would entail reference from a former or current superior, peer colleague, working at the same hierarchical level, and from a subordinate colleague.

6. EQUAL OPPORTUNITIES

The Agency applies an equal opportunities policy and accepts and treats applications without distinction on grounds of sex, race, colour, ethnic or social origin, genetic features, language, religion, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.

ACER celebrates diversity! We are convinced that diversity is a strength in the workplace and that its harnessing will improve our productive environment, where everyone feels valued, where their talents are being fully empowered, and in which organisational goals are met.

The Agency is fully committed to the provision of equality of opportunity for all its employees through its employment practices, policies and procedures. ACER undertakes to provide a working environment that is sensitive to differences in racial or ethnic origin, religion or belief, disability, age, sexual orientation and gender. The Agency’s way of working is based on a model of best practice whereby all employees can reach their full potential.

To this purpose, ACER applies a policy of equal opportunities and takes great care to avoid any form of discrimination in its selection and recruitment procedure: the Agency ensures that no employees nor job applicants is treated inequitably due to gender, marital or parental status, age, sexual orientation, disability, ethnicity, colour, citizenship/nationality or religious belief.

The Agency’s premises are set to accommodate needs of persons with disabilities: ACER constantly makes sure to arrange what candidates, visitors and staff consider necessary to enable them to take part in the activities of the Agency.

The Agency offers a complete set of family support measures, from parental and family leaves to kindergarten and school support, better to foster the performance of duties for colleagues with caring responsibilities.

Work opportunities at ACER are open to nationals of the 27 European Union Member States. Currently the Agency employs staff from 26 different nationalities.

7. DATA PROTECTION

The purpose of processing the data that candidates submit is to manage their application(s) in view of possible (pre)selection and recruitment at the Agency. Personal data is processed by and accessible to authorised Agency’s

personnel. In some cases, an external expert, equally bound by the same data protection principles, may assist the Agency in the selection of candidates.

The Agency adheres to and is regulated by Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC.

The Agency is supervised by EDPS (<http://www.edps.europa.eu>). For any further enquiries, candidates may contact the Data Protection Officer at DPO@acer.europa.eu. Candidates are invited to consult the privacy statement, which explains how the Agency processes personal data in relation to recruitment and selections, available on the Agency website.

8. HOW TO APPLY?

For applications to be valid, candidates must submit the following documents **in Word, PDF or similar**:

- A complete and detailed curriculum vitae in English;
- Fully completed **Application form** (Application forms that are incomplete, will not be taken into consideration)

Applications must be sent by e-mail by 29/04/2024, 14:00h Ljubljana time.

Applications should be sent by email to SELECTIONS-ACER-2024-03@acer.europa.eu with the following **subject line**:
ACER-2024-03 NAME SURNAME

Applications that are not complete or that are received after the deadline are considered as non-valid.

Supporting documents (e.g. certified copies of degrees/diplomas, references, proof of experience etc.) should not be sent at this stage but must be submitted at a later stage of the procedure if requested.

In order to facilitate the selection process, all communications to candidates concerning this selection will be in English.

Under no circumstances should candidates approach the Selection Committee, directly or indirectly, concerning this recruitment. ACER reserves the right to disqualify any candidate who disregards this instruction.

If at any stage in the procedure it is established that any of the information a candidate provided is incorrect, the candidate in question will be disqualified.

For more information on the selection procedure, please consult [ACER's website](#).

9. APPEALS

Pursuant to Article 90(2) of the Staff Regulations of Officials and the Conditions of Employment of Other Servants, a candidate may submit a complaint against an act affecting him/her adversely. The complaint must be lodged within three months from the date of notification to the following address:

Human Resources Management
European Union Agency for the Cooperation of Energy Regulators (ACER)
Trg Republike 3
1000 Ljubljana – Slovenia

Should the complaint be rejected, pursuant to Article 270 of the Treaty on the Functioning of the European Union and Article 91 of the Staff Regulations of Officials and the Conditions of Employment of Other Servants, a candidate may request judicial review of the act. The appeal must be lodged within three months from the date of notification to the following address:

Registry
The General Court
Rue du Fort Niedergrünwald

L-2925 Luxembourg

Luxembourg

Any citizen of the European Union or any natural or legal person residing in a Member State may make a complaint about maladministration pursuant to Article 228(1) of the Treaty on the Functioning of the European Union. The complaint must be lodged within two years of becoming aware of the facts on which the complaint is based on, to the following address:

The European Ombudsman
1, Avenue du President Robert Schuman - BP 403
F-67001 Strasbourg Cedex
France

Please note that complaints to the European Ombudsman do not have the effect of suspending the period mentioned in Articles 90 and 91 of the Staff Regulations of Officials and Conditions of Employment of Other Servants for lodging complaints or submitting an appeal pursuant to Article 270 of the Treaty on the Functioning of the European Union. Please note also that under Article 2(4) of the [General conditions governing the performance of the Ombudsman's duties](#), any complaint lodged with the European Ombudsman must be preceded by the appropriate administrative approaches to the institutions and bodies concerned.