

Regulation (EC) No 713/2009 of the European Parliament and  
of the Council of 13 July 2009 establishing an Agency for the  
Cooperation of Energy Regulators (Text with EEA relevance) (repealed)

CHAPTER V

**GENERAL PROVISIONS**

*Article 27*

**Privileges and immunities**

The Protocol on Privileges and Immunities of the European Communities shall apply to the Agency.

*Article 28*

**Staff**

1 The Staff Regulations, the Conditions of Employment and the rules adopted jointly by the European Community institutions for the purpose of applying the Staff Regulations and the Conditions of Employment shall apply to the staff of the Agency, including its Director.

2 The Administrative Board, in agreement with the Commission, shall adopt appropriate implementing rules, in accordance with Article 110 of the Staff Regulations.

3 In respect of its staff, the Agency shall exercise the powers conferred on the appointing authority by the Staff Regulations and on the authority entitled to conclude contracts by the Conditions of Employment.

4 The Administrative Board may adopt provisions to allow national experts from Member States to be employed on secondment at the Agency.

*Article 29*

**Liability of the Agency**

1 In the case of non-contractual liability, the Agency shall, in accordance with the general principles common to the laws of the Member States, make good any damage caused by it or by its staff in the performance of their duties. The Court of Justice shall have jurisdiction in any dispute over the remedying of such damage.

2 The personal financial liability and disciplinary liability of Agency staff towards the Agency shall be governed by the relevant provisions applying to the staff of the Agency.

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*Status: Point in time view as at 13/07/2009.*

*Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 713/2009 of the European Parliament and of the Council (repealed), CHAPTER V. (See end of Document for details)*

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### Article 30

#### Access to documents

1 Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents<sup>(1)</sup> shall apply to documents held by the Agency.

2 The Administrative Board shall adopt practical measures for applying Regulation (EC) No 1049/2001 by 3 March 2010.

3 Decisions taken by the Agency pursuant to Article 8 of Regulation (EC) No 1049/2001 may be the subject of a complaint to the Ombudsman or of proceedings before the Court of Justice, in accordance with the conditions laid down in Articles 195 and 230 of the Treaty respectively.

### Article 31

#### Participation of third countries

1 The Agency shall be open to the participation of third countries which have concluded agreements with the Community whereby they have adopted and are applying Community law in the field of energy and, if relevant, in the fields of environment and competition.

2 Under the relevant provisions of those agreements, arrangements shall be made specifying, in particular, the nature, scope and procedural aspects of the involvement of those countries in the work of the Agency, including provisions relating to financial contributions and to staff.

### Article 32

#### Committee

1 The Commission shall be assisted by a committee.

2 Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

### Article 33

#### Language arrangements

1 The provisions of Council Regulation No 1 of 15 April 1958 determining the languages to be used by the European Economic Community<sup>(2)</sup> shall apply to the Agency.

2 The Administrative Board shall decide on the internal language arrangements for the Agency.

3 The translation services required for the functioning of the Agency shall be provided by the Translation Centre for the Bodies of the European Union.

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- (1) OJ L 145, 31.5.2001, p. 43.
- (2) OJ 17, 6.10.1958, p. 385.

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