

PROCEDURAL ACT OF THE ENERGY COMMUNITY SECRETARIAT

2025/16/ECS-ENC: ON ADOPTING INTERNAL GUIDELINES ON CROSS-UNIT COOPERATION

The Energy Community Secretariat,

While the Internal Audit Report of March 2025, criticised the lack of and recommended formal inter-unit coordination procedures to streamline legal input on cross-unit projects;

Committed to establish a structured framework for collaboration, coordination, and delegation between the different units to ensure efficient, coherent, and timely delivery of work within the Energy Community Secretariat;

Recognising that the application of the below workflows should always contribute to the efficient delivery of work;

ADOPTS THE FOLLOWING PROCEDURAL ACT:

Article 1 Purpose

1. These internal guidelines establish a structured framework for collaboration, coordination, and delegation between the different units (Legal Unit and/or other Units – referred to as Sector Units) to ensure efficient, coherent, and timely delivery of work within the Energy Community Secretariat. They clarify roles, responsibilities, workflows, and communication channels both between the different units as well as with external stakeholders.
2. These internal guidelines only apply in case input from more than one unit is required for the accomplishment of a task/activity – this could be the Legal Unit and one or several Sector Units or Sector Units only.
3. The application of the below workflows should always contribute to the efficient delivery of work; hence, in case of minor input need from another unit, below workflows might not contribute to efficiency and should be disregarded.



Article 2 Guiding Principles

1. **Collaboration:** The units shall collaborate in a spirit of mutual respect, leveraging their respective expertise.
2. **Clarity of Roles:** Tasks must be clearly assigned with defined roles to avoid duplication or gaps.
3. **Timeliness:** The units are expected to respond to delegated tasks within agreed deadlines.
4. **Accountability:** Each unit is accountable for the quality and accuracy of its contributions. The units shall contribute within the scope of its respective expertise and shall be responsible for the verification of the information, analysis, and conclusions falling within its domain.
5. **Quality Assurance:** The coordinated involvement of units shall guarantee that the assessment adheres to applicable standards, legal requirements, and sector-specific best practices.

Article 3 Key Elements of the Coordination Process

1. The coordination process between relevant units whenever the input from more than one unit is required or beneficial shall include the following key elements (subject to mutually agreed changes, if required in the course of the cooperation):
 - a. **Ownership/main responsibility:** Determination of main responsible unit. The designation of the main responsible unit will depend on the deliverable envisaged and the topic concerned. The main responsible unit shall manage the process, which shall include, but not be limited to, the following activities:
 - Determination of the deliverable/scope of work, format, timeline and workflow;
 - Determination of collaborating units;
 - Internal coordination and process organisation;
 - Submission for approval by the Director, if necessary;
 - Communication with external stakeholders.

The Head of the main responsible unit shall allocate the task to the respective expert(s) within the unit.

b. **Timeline:** Definition of timeline.

After determination of the deliverable/scope of work, the main responsible unit shall propose a timeline. After agreement with the other unit(s), the timeline shall be clearly communicated to external stakeholders.

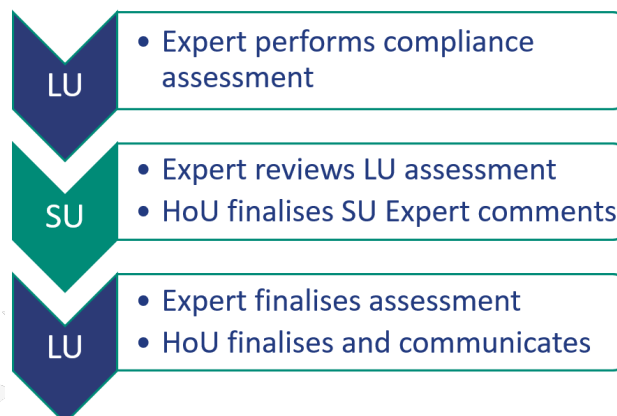
c. **Scope of work:** Determination of the deliverable and scope of work.

The definition of the deliverable requested and planned to be provided (including the format and level of detail) as well as the scope of this deliverable must be defined by the main responsible unit (in cooperation with the other unit(s) involved). This will determine which workflow to be followed as listed below.

Article 4

Task Assignment and Coordination/Workflow

1. For the **compliance assessment of adopted legislation**, the main responsible unit shall be the Legal Unit and the following process shall apply:
 - i. The Contracting Party submits all relevant documentation, in particular concordance tables and official translations.
 - ii. The Head of Sector Unit and the Head of Legal Unit agree on timeline and scope of work.
 - iii. The Sector Unit Expert (in consultation with the Legal Unit Expert) checks and confirms that all the relevant documentation is submitted.
 - iv. The Legal Unit Expert performs a compliance assessment of the transposition.
 - v. The Sector Unit Expert reviews the Legal Unit's comments and determines the relevance of non-compliances.
 - vi. The Head of Sector Unit reviews and finalises the Sector Unit Expert's input and forwards it to the Legal Unit.
 - vii. The Legal Unit Expert finalises the assessment.
 - viii. The Head of Legal Unit reviews and signs off the compliance assessment.
 - ix. The Head of Legal Unit communicates the assessment to the respective Contracting Party.



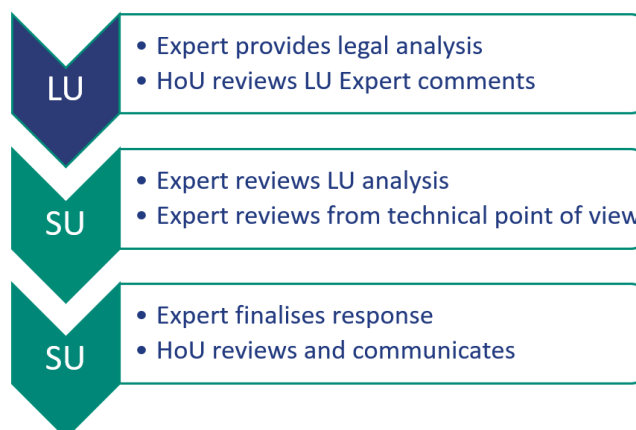
2. For the **review of draft legislation/amendments**, the main responsible unit shall be the Sector Unit and the following process shall apply:

- i. The Head of Sector Unit determines the scope of work:
 - a. Compliance assessment
 - b. With or without recommendations
 - c. Comprehensive assessment or focus areas
- ii. The Head of Sector Unit determines the format of the work product:
 - a. Full report
 - b. Summary of key points
 - c. Comments and remarks in the draft itself
 - d. Redactions and drafting in the draft itself
 - e. Any combination of the above
- iii. The Legal Unit Expert performs a compliance assessment of the transposition.
- iv. The Head of Legal Unit reviews the Legal Unit Expert's input and forwards it to the Sector Unit.
- v. The Sector Unit Expert reviews the Legal Unit's comments and determines the relevance and/or decides on recommendations. The Sector Unit Expert reviews and assesses the draft legislation/amendments from the technical point of view. The Sector Unit Expert finalises the assessment.
- vi. The Head of Sector Unit reviews and signs off the assessment.
- vii. The Head of Sector Unit communicates the assessment to the respective Contracting Party and organizes the follow-up, if any.

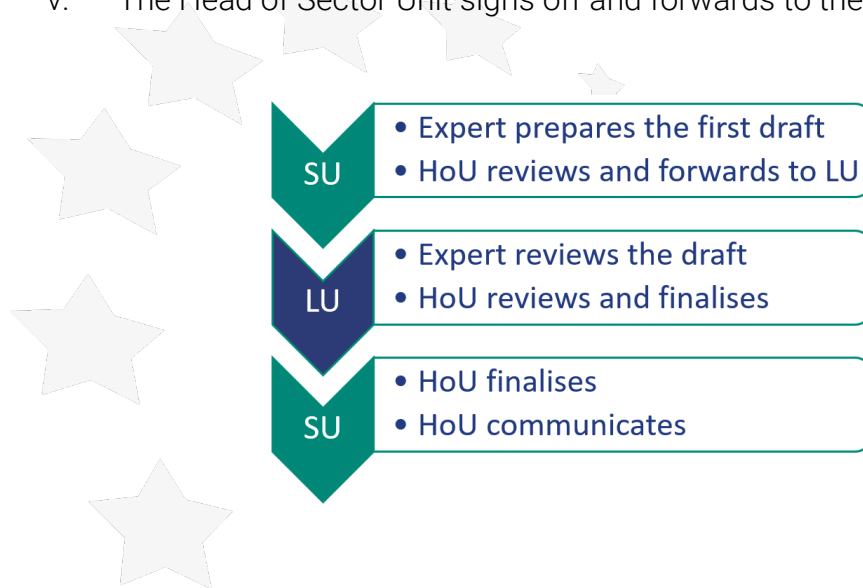


3. For **specific questions on compliance**, the main responsible unit shall be the Sector Unit and the following process shall apply:

- i. The Head of Sector Unit determines the scope of work and format of the work product.
- ii. The Legal Unit Expert provides a legal analysis of the compliance question raised.
- iii. The Head of Legal Unit reviews the Legal Unit Expert's input and forwards it to the Sector Unit.
- iv. The Sector Unit Expert reviews the Legal Unit's analysis from a technical point of view and adds any analysis from a technical point of view. The Sector Unit Expert finalises the response.
- v. The Head of Sector Unit reviews and signs off the response.
- vi. The Head of Sector Unit communicates the response to the relevant stakeholders.



4. For the **adaptation of EU framework to be adopted in the Contracting Parties**, the main responsible unit shall be the Sector Unit and the following process shall apply:
- i. The Sector Unit Expert prepares the first draft of the adapted legal framework.
 - ii. The Head of the Sector Unit reviews and forwards it to the Legal Unit.
 - iii. The Legal Unit Expert reviews the draft.
 - iv. The Head of Legal Unit reviews and finalises the draft. The Head of Legal Unit signs off and forwards it to the Head of Sector Unit.
 - v. The Head of Sector Unit signs off and forwards to the Commission.



5. For **legal assessments, opinions and reports**, the main responsible unit shall be the Legal Unit and the following process shall apply:
- i. The Head of Legal Unit determines the scope of work and format of the work product.
 - ii. The Legal Unit Expert provides a draft assessment/opinion/report.
 - iii. The Sector Unit Expert reviews the Legal Unit's analysis from a technical point of view and adds any analysis from a technical point of view.
 - iv. The Head of Sector Unit reviews and signs off on the Sector Unit Expert's input.
 - v. The Legal Unit Expert finalises the assessment/opinion/report.
 - vi. The Head of Legal Unit reviews and finalises the assessment/opinion/report.
 - vii. The Head of Legal Unit communicates the assessment/opinion/report to the relevant stakeholders, if any.



6. For **official letters, correspondences, and minor inquiries**, the main responsible unit shall be the Sector Unit and the following process shall apply:

- i. The Head of Sector Unit determines the scope and format of the work product.
- ii. The Sector Unit Expert drafts the initial analysis to be included in the respective correspondence outlining all the relevant argumentation and implications.
- iii. The Legal Unit Expert reviews the draft from a legal point of view and provides recommendations, if necessary.
- iv. The Head of Legal Unit reviews and signs off on the Legal Unit Expert's input.
- v. The Sector Unit Expert implements the Legal Unit's input and finalises the draft.
- vi. The Head of Sector Unit reviews and finalises the deliverable.
- vii. The Head of Sector Unit communicates the input to the relevant stakeholders.



7. For **coordination between Sector Units only**, the main responsible unit shall be the Responsible Sector Unit and the following process shall apply:

- i. The Head of Responsible Sector Unit determines the scope of work and format of the work product, plus outlines the product structure/content.
- ii. The Head of Responsible Sector Unit determines the Cooperating Sector Units and agrees with Heads of Cooperating Sector Units on the scope, timing, and responsibilities, plus nominations to the Expert Working Team.
- iii. Expert Working Team collaborates on providing inputs as per agreed scope and schedule, and presents the draft product for comments to Heads of Cooperating Sector Units and Responsible Sector Unit.
- iv. Heads of Cooperating Sector Units and Responsible Sector Unit provide comments and the Expert Working Team updates the draft.
- v. Head of Responsible Sector Unit reviews and finalizes the draft.
- vi. Head of Responsible Sector Unit obtains approval from Director (if necessary) and communicates the product to the relevant stakeholders.

Article 5

Confidentiality and Information Sharing

1. All shared documents are subject to the organization's confidentiality rules, including but not limited to the rules on the use and release of information as specified in Article 3.5 of the Staff Regulations of the Energy Community.
2. Information must be shared securely and only with authorized personnel.

For the Energy Community



Artur Lorkowski
Director

Done in Vienna on 29 September 2025