

PROCEDURAL ACT OF THE ENERGY COMMUNITY SECRETARIAT

2011/02/ECS-EnC on the assignment of a Deputy Director

The Energy Community Secretariat,

Having regard to the experience gained during the first five years of operation of the Secretariat, the growing number of staff and the increase and diversification of the Secretariat's tasks and workload,

Having regard to the recent expansion of the Energy Community and the possible extension of the *acquis communautaire* in the near future, including the new tasks to be assigned to the Secretariat thereunder,

Having regard to the existing coordination scheme within the Secretariat, which already task the Legal Counsel with staff management coordination particularly, but not exclusively, in the energy policy area (see, inter alia, Procedural Act of the Secretariat 2009/2/ECS on certain aspects of the Secretariat's activities under Article 67 of the Treaty),

Taking into account various provisions of Energy Community law envisaging alternate, substitute or deputy positions such as Article 71 of the Treaty, Article 4.6 of the Staff Regulations and Article 1 of the Staff Arbitration Procedures,

Recalling the possibility under Article 4.5.c of the Energy Community Staff Regulations for assignment to an Employee permanent tasks, which are not within the relevant job description and taking note of the relevant agreement by the Employee in this aspect,

Based on Article 67 e) of the Energy Community Treaty,

ADOPTS THE FOLLOWING PROCEDURAL ACT:

Article 1

Mr Dirk BUSCHLE is hereby assigned with the functions of a Deputy Director of the Energy Community Secretariat.

Article 2

The Deputy Director shall be in charge of coordinating all matters related to the Secretariat's role regarding the implementation of the Treaty and have full management authority in that respect.

The Deputy Director shall replace the Director during the latter's absence in all his duties with full delegated power. Delegation of powers related to the implementation of the Energy Community budget shall be subject to separate authorization.

The Deputy Director shall fulfill the functions under Article 4.6 of the Staff Regulations (excluding budget implementation responsibilities) and Article 1 of the Staff Arbitration Procedures, and where necessary the functions defined by Article 71 of the Treaty.

Article 3

This Procedural Act shall not affect the establishment plan or create a new position. The position of, as well as the tasks assigned to, Mr BUSCHLE in his capacity as the Legal Counsel remain unaffected.

Article 4

This Procedural Act enters into force on the day of its adoption.

For the Energy Community Secretariat

Slavtcho Neykov
Director

A handwritten signature in blue ink, appearing to be "Slavtcho Neykov", written over the printed name and title.

Done in Vienna on 4 May 2011

I accept under Article 4.5.c of the Staff Regulations

Dirk Buschle
Legal Counsel

A handwritten signature in blue ink, appearing to be "Dirk Buschle", written over the printed name and title.