

Vacancy Notice for the post of

**Market Monitoring Officer (Grade AD5)
in the Market Monitoring Department**

of the Agency for the Cooperation of Energy Regulators

REF.: ACER/2016/09

Publication	External
Title Function	Market Monitoring Officer
Parent Directorate-General / Service	DG ENER (BXL)

1. WE ARE

The Agency for the Cooperation of Energy Regulators (hereinafter referred to as “the Agency”) is a European Union (“EU”) body, legally established by Regulation (EC) No 713/2009¹ and operational since 2011. Based in Ljubljana (Slovenia), the Agency is central to the liberalisation of the EU's electricity and natural gas markets.

The purpose of the Agency is to assist National Regulatory Authorities (“NRAs”) in exercising, at Union level, the regulatory tasks that they performed in the Member States and, where necessary, to coordinate their action.

In this respect, the Agency:

- a) Complements and coordinates the work of NRAs;
- b) Participates in the creation of European network rules;
- c) Takes, under certain conditions, binding individual decisions on terms and conditions for access and operational security for cross border infrastructure;
- d) Gives advice on electricity and natural gas related issues to the European institutions;

¹ Regulation (EC) No 713/2009 of the European Parliament and of the Council of 13 July 2009 (OJ L 211, 14.8.2009, p. 1)

- e) Monitors the internal markets in electricity and natural gas and reports on its findings.

The main areas on which the Agency's activities focus are:

- supporting European market integration: this is mainly done through the development of common network and market rules as well as through the coordination of regional initiatives which are concrete efforts from market participants to work towards greater integration,
- advising the EU Institutions on trans-European Energy infrastructure issues: the Agency issues opinions on ten-year network development plans to ensure that these are in line with priorities set at EU level,
- energy market monitoring: the Agency has a general mission in terms of market monitoring at the EU level and has, since the end of 2011, a very specific responsibility when it comes to oversight of the wholesale energy trading.

Regulation (EU) No 1227/20112 on Wholesale Energy Market Integrity and Transparency (REMIT) has introduced new rules prohibiting abusive practices affecting wholesale energy markets. According to REMIT, ACER has to collect both transactional and fundamental data necessary to monitoring of wholesale energy markets, in close collaboration with national regulatory authorities (NRAs), in order to detect and deter market abuse.

The Agency currently has a staff of more than 80 people and an approved annual budget of €15.8 million in 2016. The Agency's internal structure comprises four Departments (Electricity, Gas, Market Monitoring and Administration) and the Director's Office.

The Agency is located in Ljubljana (Slovenia).

2. WE PROPOSE

The Market Monitoring Department is responsible for the Agency's wholesale energy market monitoring programme under REMIT.

The tasks of the Market Monitoring Officer in the Market Monitoring Department will include the following:

- Assessing potential cases of market abuse in wholesale energy markets under REMIT;
- Preparing case referrals and notifications of suspected breaches of REMIT to NRAs or other relevant authorities for their review, investigation or enforcement, as appropriate (According to Article 16 (1) and (3) of REMIT);
- Contributing to exercise the Agency's powers under Article 16(4) of REMIT, in particular by: requesting information from NRAs, requesting NRAs to commence an investigation; establishing and coordinating cross-border investigatory groups;
- Managing the day-to-day updates on cases through the IT systems and following the security standards that the Agency has in place;

- Reviewing the ACER Guidance to the NRAs and other relevant policy documents related with the application of the market abuse prohibitions included in REMIT;
- Maintaining active outreach efforts with NRAs, Financial Authorities and Competition Authorities on market conduct matters;
- Reviewing research on topics concerning potential REMIT breach cases, in particular on financial and energy markets;
- Organising and participating in meetings that promote the cooperation/coordination of NRAs and the exchange of best practices in case reviews/investigations/enforcement, including the ones under the cross border investigatory groups dealing with market abuse cases;
- 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;
- Contributing to the preparation of the annual report on the activities of the Agency and the REMIT annual report;
- Contributing to the preparation of the annual work programme.

The tasks involve regular liaison with other areas within the Market Monitoring Department and the Agency's market monitoring network with market surveillance experts from organised market places, National Regulatory Authorities and other competent authorities at EU and national level, as well as other external stakeholders.

The jobholder will work in the Market Monitoring Department, under the direction of the Head of Department and the Market Conduct team leader.

The Market Monitoring Officer will be required to act with a service culture, handling files with confidentiality and utmost professional integrity, being able to show excellent interpersonal and communication skills. He/she is expected to be proactive, with a team spirit, good management of stress, good level of flexibility, being able to prioritise, delivering quality and results with attention to detail and commitment to excellence.

The Market Monitoring Officer in the Market Monitoring Department may be required, at times, to assist in other areas of work of the Agency, according to needs and priorities, as planned and defined by the Director and the Head of the Market Monitoring Department.

3. WE LOOK FOR

A) Eligibility criteria

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

1. To have a level of education which corresponds to completed university studies of at least three years, attested by a diploma;

(Only study titles that have been awarded in the EU Member States 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 Union² and a satisfactory knowledge of a second of these languages (level B2) to the extent necessary to perform his/her duties;
3. To be a national of a Member State of the European Union;
4. To be entitled to his or her 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 post³.

B) Selection criteria

The following criteria will be assessed when selecting the candidates for the interviews:

Technical knowledge:

1. University degree in a field relevant to this post (economics, law, business administration, management, engineering, mathematics, physics or similar academic area);
2. By the closing date for applications candidates must, after obtaining the qualifications mentioned in point 3.A.1, have acquired at least **3 (three) years of relevant professional experience⁴ in the monitoring of the Nordic or North-Western European wholesale energy markets, financial markets or other commodity markets or in a regulatory function related with the application of the market abuse provisions included in REMIT, MAR/MAD, or Competition Law.**
3. Familiarity with wholesale energy markets (specifically for electricity and gas); candidates are invited briefly to explain in their motivation letter in which position(s) they acquired this knowledge;
4. Proven understanding of REMIT or MAR/MAD.

² 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.

³ 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.

⁴ Professional experience is counted only from the time the candidate obtained the diploma required for being eligible. At a later stage, the candidate will be asked to provide supporting documents confirming the length and the level of his/her professional experience.

Communication and other personal skills:

5. Excellent written and oral command (level C2) of the English language;
6. Evidence of excellent communication skills - demonstrable ability to explain complex issues succinctly and with clarity in writing and orally; candidates are invited briefly to explain in their motivation letter in which position(s) they acquired this knowledge;
7. Strong analytical skills, ability to analyse large data sets of trading data or provide direction to case work;
8. Effective internal and external stakeholder management, ability to build effective relationships with external and internal stakeholders and demonstrable capability to influence staff internally and externally;
9. Attention to detail - personal accountability and ensuring work output is of a high standard;
10. Evidence of teamwork and collaboration - the ability to work cooperatively with others to achieve outcomes in both formal and informal teams. Demonstrable ability to work individually to support team and organisational goals;
11. Experience of working in an international environment dealing with a very diverse range of projects.

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

4. SELECTION AND APPOINTMENT

A Selection Committee will evaluate the applications and select those candidates meeting the eligibility criteria and best matching the selection criteria. The Selection Committee will endeavour to invite a minimum of six candidates and a maximum of eight candidates to an interview and written test. However such numbers may be increased in the case of a larger number of high-scoring candidates participating in the selection procedure or reduced in the case of a limited number of eligible applicants and/or a limited number of high-scoring candidates participating in the selection procedure.

The interview and test will focus on the following aspects:

- Specific competences and knowledge of languages with reference to the applicants' profiles in line with the selection criteria of the present Vacancy Notice.
- General aptitudes and language abilities to the extent necessary for the performance of the duties in accordance with article 12.2.e of the Conditions of Employment of Other Servants (CEOS);
- Knowledge of structures of EU bodies, and the Agency.

A reserve list of the most suitable candidates will be drawn up by the Agency. Candidates achieving the qualifying mark in the competency test and interview of a minimum of 70% will be placed on the reserve list. The reserve list will be valid until 31/12/2016. Its validity may be extended by decision of the Director of the Agency.

All candidates will be informed about the outcome of the procedure.

5. 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.

6. CONDITIONS OF EMPLOYMENT

The successful candidate will be appointed by the Director as a temporary staff at grade AD5, pursuant to Article 2(f) of the Conditions of Employment of Other Servants, for a period of 5 years, which may be renewed in the interest of the service.

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, installation allowance, reimbursement of removal costs, initial temporary daily subsistence allowance and other benefits. Salaries are exempted from national tax; instead a Union tax at source is paid.

Grade/step	Minimum requirements for classification in step <i>(required level of university studies + minimum number of years of experience after university graduation)</i>	Monthly basic salary	Monthly net salary, including specific allowances ⁵
AD5 step1	3 years' university degree in a field relevant for this position + up to 3 years' experience in some or all of the fields covered by the job description	4,489.61 €	4,164.00 €
AD5 step2	3 years' university degree in a field relevant for this position + more than 3 years' experience in some or all of the fields covered by the job description	4,678.27 €	4,305.01 €

⁵ An estimation of net salary, including the deduction for tax, correction coefficient (currently at 81.2 %). and social security and adding the allowances (this estimation has been calculated with expatriation allowance, household allowance and with one dependent child allowance). Allowances depend in any case on the personal situation of the candidate.

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 on average 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.

7. DATA PROTECTION

The Agency will ensure that your personal data is processed as required by Regulation (EC) No 45/2001⁶ on the protection of personal data.

The information submitted during the selection process will be used solely for that purpose. The legal basis is available in the Staff Regulations of Officials and the Conditions of Employment of Other Servants (CEOS) and, in particular, in Articles 12-15 and 82-84 of CEOS.

The Agency will ensure, on its part, that applicant's personal data is processed in accordance with Regulation (EC) No 45/20016 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data. Only Agency's staff directly involved in the selection procedure in question shall have access to this data. In some cases, an external expert, equally bound by the same data protection principles, may assist the Agency in the selection of candidates.

When an applicant is selected for inclusion on the reserve list, his/her personal data will be stored for the duration of the validity of the reserve list while, for non-recruited candidates, the information will be stored for a maximum period of two years. Documents related to recruited candidates are kept in the agent's personal file, which are kept until 10 years after the jobholder has terminated employment at the Agency.

Any party submitting personal data to the Agency is entitled to access and to rectify that data (after the closing date of the application deadline, rectification is limited to identification data). To exercise these rights, contact the Data Protection Officer at DPO@acer.europa.eu.

Furthermore, you also have the right to recourse, at any time, to the European Data Protection Supervisor

⁶ Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000, OJ L8, 12.1.2001, p.1.

8. APPLICATION PROCEDURE

For applications to be valid, candidates must submit:

- a detailed curriculum vitae in [European CV format](#) **in English**
- a letter of motivation (1 page sheet maximum) **in English** explaining in which positions they acquired their knowledge and professional experience in the specified areas identified in Section 2 of this vacancy notice.

Candidates must clearly indicate in the application, for which profile the application in made.

Applications that are incomplete, or do not indicate the profile applied for will be rejected.

Together with the application, candidates are also invited to provide in the CV the names and contact details of at least two most recent professional references (preferably your direct hierarchical superiors without personal link) who may be contacted for references.

Applications should be sent by email to SELECTIONS-ACER-2016-09@acer.europa.eu quoting the reference number of the vacancy notice.

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 vacancy will be in English.

Under no circumstances should candidates approach the selection committee, directly or indirectly, concerning this recruitment. The authority authorised to conclude a contract reserves the right to disqualify any candidate who disregards this instruction.

Applications must be sent by e-mail by 19 June 2016 (23:59 Ljubljana time).

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 the Guide for Applicants on the Agency's website:

http://www.acer.europa.eu/en/The_agency/Working_at_ACER/Documents/GUIDE%20FOR%20APPLICANTS-HR%20FINAL.pdf.

9. APPEALS

Pursuant to Article 90(2) of the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the Union, a candidate may submit a complaint against an act affecting him/her adversely. The complaint must be lodged within 3 months from the date of notification to the following address:

Human Resources Officer

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 3 months from the date of notification to the following address:

European Union Civil Service Tribunal

Boulevard Konrad Adenauer

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 for 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 to the following address:

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 the 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.