

**Selection notice to establish a reserve list for the position of**

**Market Conduct Officer**

**(Temporary Staff, Grade AD 5)**

**in the Market Surveillance and Conduct Department of the European Union Agency  
 for the Cooperation of Energy Regulators (ACER)**

**REF.: ACER/2022/02**

**Publication**

**External**

**Title Function**

**Market Conduct Officer**

**1. WE ARE**

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 2019/942<sup>1</sup> and operational since 2011. ACER is central to the integration and well-functioning of the EU's electricity and natural gas markets.

The purpose of ACER is to assist National Regulatory Authorities (“NRAs”) in exercising, at Union level, the regulatory tasks that they perform in the Member States and, where necessary, to coordinate their action, and to mediate and settle disagreements between them. ACER shall also contribute to the establishment of high-quality common regulatory and supervisory practices, thus contributing to the consistent, efficient and effective application of Union law in order to achieve the Union's climate and energy goals.

In this respect, ACER:

- a) Complements and coordinates the work of NRAs;
- b) Participates in the development 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, on cross-border cost allocation for Projects of Common Interest and on terms and conditions or methodologies for the implementation of network codes;
- d) Gives advice on electricity and natural gas related issues to the European institutions;
- e) Monitors the internal markets in electricity and natural gas and reports on its findings; and

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

- f) 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<sup>2</sup>.

The main areas on which ACER'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: ACER issues opinions on ten-year network development plans, to ensure that these are in line with priorities set at EU level, and on the draft lists of Projects of Common Interest; and
- Energy market monitoring: ACER 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 the oversight of wholesale energy trading referred to as surveillance.

With the “Clean Energy for all Europeans” package legislation, additional tasks have been assigned to ACER, including, in particular:

- Approving the all TSOs' proposals for terms and conditions or methodologies to be developed under the Commission Guidelines;
- Approving or amending the new resource adequacy and risk preparedness methodologies to be developed by ENTSO-E; and
- Monitoring state interventions preventing prices from reflecting actual scarcity and the performance of Member States in electricity security of supply issues.

ACER currently employs more than 130 staff members and has an approved annual budget of € 24,891,343 in 2022. ACER's internal structure comprises five Departments (Electricity, Infrastructure, Gas and Retail, Market Surveillance and Conduct, Market Integrity and Transparency and Corporate Services), Strategy Development and Communications Team and four horizontal clusters (BoR-Brussels Liaison team, Legal Services, Data Excellence and IT/Security). Please find the ACER's organisational chart on the following link:

[https://extranet.acer.europa.eu/en/The\\_agency/Organisation/PublishingImages/ACER%20Organigram\\_01072021.jpg](https://extranet.acer.europa.eu/en/The_agency/Organisation/PublishingImages/ACER%20Organigram_01072021.jpg)

ACER is located in Ljubljana (Slovenia).

## **2. WE PROPOSE**

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 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

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<sup>2</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32011R1227&from=EN>.

constructive feedback culture, emphasising the positives whilst not shying away from addressing the negatives.

ACER is looking for a proactive and committed Market Conduct Officer. The jobholder to be recruited from this reserve list will be assigned to the Market Surveillance and Conduct Department of the Agency and will report to the Market Conduct Team Leader.

The duties of the Market Conduct Officer 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 and notifications from persons professionally arranging transactions (PPATs), NRAs, Financial Market Authorities (FMAs) 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 PPATs, 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 Market Conduct Officer may be required to assist in other areas of the work of ACER, according to needs and priorities, as determined by the Head of the Department or the Director.

The requirement is to act with a service-minded culture, handling data with the highest level of confidentiality and professional integrity. Having excellent interpersonal and communication skills, the person should be able to operate in multicultural working environments and liaise with different stakeholders.

The Market Conduct Officer is expected to be proactive and thorough, with a team spirit, high level of flexibility, to be able to prioritize, deliver quality results with attention to detail and a commitment to excellence.

All staff working at ACER share the following core competences: cooperating, delivering quality results, communicating, problem solving, being service oriented, self-development and knowledge sharing, and valuing diversity.

The following technical competencies are relevant for the position: managing projects, having technical expertise, being knowledgeable of the Energy market.

### **3. WE LOOK FOR**

#### **A) 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:

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 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 Union<sup>3</sup> or of Norway, Iceland and Liechtenstein and a satisfactory knowledge of a second of these languages (level B2 of CEFR<sup>4</sup>) 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/ 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 post<sup>5</sup>.

## **B) Selection criteria**

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

### Technical knowledge:

1. Relevant studies in the field of economics, mathematics, engineer, law or similar (LLM and MBA are welcomed);
2. By the deadline for applications, having acquired at least two (2) years of relevant professional experience after obtaining the qualifications mentioned in point 3 A) 1 above, in the area of:
  - a. Application of REMIT, MAR, money laundering Laws, Tax (VAT) fraud Legislation or Competition Law; **or**
  - b. Supervision of energy or others commodities trading; **or**
  - c. Monitoring of wholesale energy markets; **or**
  - d. Trading on energy products or commodities.
3. Professional experience involving the assessment of large data sets to support conclusions/decisions **or** leadership in the handling of complex processes;
4. Relevant experience in stakeholder's management and coordination in an international setting acquired through relevant professional experience.

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

1. Professional experience in the wholesale energy markets;

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<sup>3</sup> 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.

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

<sup>5</sup> 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

2. Professional experience in European Agencies/European Commission;
3. Knowledge of investigatory techniques and methodologies related to enforcement in the energy and/or financial sector;
4. Experience as project manager or key account manager.

Communication and other personal skills (core competencies):

1. Excellent written and oral command (level C2 of CEFR) of the English language;
2. Proven ability to work in a team and under pressure; and
3. Experience of working in an international environment dealing with a range of stakeholders including third parties.

Communication and other personal skills (core competences) will be assessed at the stage of the interview and the written examination.

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 the candidates meeting the eligibility criteria and best matching the selection criteria.

The highest scoring applicants will be invited for a written examination and an oral interview with the Selection Committee. The number of invited candidates shall be between a minimum of six and a maximum of eight. In case of equal merit, the number of candidates invited may be exceeded at the discretion of the Selection Committee.

The interview and test will focus on the following aspects.

- a) Specific competencies and knowledge of languages with reference to the selection criteria of the present call for expression of interest; and
- b) General aptitudes 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);

A reserve list of the most suitable candidates will be drawn up by ACER.

In line with Director Decision 2017/16, candidates achieving the qualifying mark in the written test and oral interview of a minimum of 70% will be placed on the reserve list. The reserve list will be valid until 31/12/2023. 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.

#### **5. EQUAL OPPORTUNITIES**

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 sensible 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 21 different nationalities: for this reason candidates of the following nationalities are particularly encouraged to apply: Estonia, Finland, Latvia, Luxembourg, Malta and Sweden.

## 6. 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.

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	Estimated net salary including expatriation allowance	Estimated net salary including expatriation, household and one dependent child allowance <sup>6</sup>
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<sup>6</sup> An estimation of net salary, including the deduction for tax, correction coefficient (currently at 84.9 %). 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.



AD5 step1	university degree of at least 3 years in a field relevant for this position + <i>up to</i> 3 years of experience in some or all of the fields covered by the job description	5010.72 €	4066.40 €	4880.16 €
AD5 step2	university degree of at least 3 years in a field relevant for this position + <i>more than</i> 3 years of experience in some or all of the fields covered by the job description	5221.27 €	4221.86 €	5045.31 €

**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.

**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.

ACER 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.

ACER 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](mailto:DPO@acer.europa.eu). Candidates are invited to consult the privacy statement, which explains how the ACER processes personal data in relation to recruitment and selections, available on the ACER website.

**8. APPLICATION PROCEDURE**

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

- A complete and detailed curriculum vitae in English, in [European CV format](#) (Europass)<sup>7</sup> - **other formats will not be considered**;

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<sup>7</sup> The Europass template is available at the following link: <https://europass.cedefop.europa.eu/>



- A letter of motivation (1 page maximum) in English, explaining in which positions they acquired their knowledge and professional experience in the specified areas identified in Section 2 of this selection notice;
- A completed eligibility form.

**Applications must be sent by e-mail by 18/02/2022 (23:59 Ljubljana time).**

Applications should be sent by email to [SELECTIONS-ACER-2022-02@acer.europa.eu](mailto:SELECTIONS-ACER-2022-02@acer.europa.eu) with the following subject line: ACER-2022-02 NAME and 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:

[https://www.acer.europa.eu/en/The\\_agency/Working\\_at\\_ACER/Pages/Selection-procedure.aspx](https://www.acer.europa.eu/en/The_agency/Working_at_ACER/Pages/Selection-procedure.aspx)

## **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 Niedergrünewald  
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.