

## DECISION OF THE GOVERNING BOARD

N°12/2022

### **Appointing the common Accounting Officer for the Europe's Rail Joint Undertaking and repealing Governing board Decision N° 6/2016**

THE GOVERNING BOARD OF THE EUROPE'S RAIL JOINT UNDERTAKING (hereafter referred as "EU-Rail"),

Having regard to Council Regulation (EU) No 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe and repealing Regulations (EC) No 219/2007, (EU) No 557/2014, (EU) No 558/2014, (EU) No 559/2014, (EU) No 560/2014, (EU) No 561/2014 and (EU) No 642/2014 (hereafter the "Single Basic Act or the "SBA")<sup>1</sup>, and in particular Articles 13(1)(d) and 26(3) thereof;

Having regard to the EU-Rail Financial Rules adopted by the Governing Board on 21 December 2021<sup>2</sup> (hereafter the "Financial Rules"), and in particular Article 25 ("Accounting officer");

Having regard to the Governing Board Decision n° 6/2016 appointing the Accounting Officer of the European Commission as Accounting Officer of the Shift2Rail Joint Undertaking and inter-alia, of the EU-Rail<sup>3</sup>.

Whereas:

- (1) Article 25(1) of Financial Rules provides that the Governing Board must appoint an accounting officer who should be totally independent in the performance of his or her duties, and be responsible for the tasks set out in that article,
- (2) Article 25(2) of the Financial Rules states that Joint Undertakings may appoint the same accounting officer,
- (3) The Accounting Officer of the European Commission has been appointed as the Accounting Officer of the EU-Rail since 18 March 2016,
- (4) Article 13(1) of the SBA states that to gain synergies and efficiencies Joint undertakings shall, within one year following the date of entry into force of the SBA, operate back office arrangements (hereafter "BOAs"), amongst other areas, in accounting (excluding treasury),

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<sup>1</sup> OJ L 427, 30.11.2021, p. 17–119.

<sup>2</sup> <https://rail-research.europa.eu/wp-content/uploads/2020/01/S2R-JU-Financial-Rules.pdf>

<sup>3</sup> GB Decision n° 02/2021 approving the list of decisions adopted by the Shift2Rail Joint Undertaking that will continue to apply for the Europe's Rail Joint Undertaking in accordance with Article 174(12) of Council Regulation (EU) No 2021/2085.

- (5) The European Commission (Directorate-General for Budget) has informed in its note ARES(2021)6560472 of 25 November 2021 about the termination of DG Budget's accounting services to Joint Undertakings as from 1<sup>st</sup> December 2022,
- (6) As announced during the Governing Board meeting on 24 June 2022, the EU-Rail Executive Director started the process to propose a BOA for Accounting Services to the other Joint Undertakings, in accordance with Article 13 of the SBA,
- (7) The Executive Director of the EU-Rail sent a formal proposal for BOA for Accounting services to all the Executive Directors of the Horizon Europe Joint Undertakings, (note ARES (2022)5976078), followed by the expression of interest of several Joint Undertakings to join this BOA,
- (8) In respect of Article 25 of the Financial Rules, it is up to the Governing Board of each Joint Undertaking to adopt the necessary decision to entrust the Accounting Officer function to an Accounting Officer working for a "JU Accounting Provider",
- (9) The Accounting Officer skills and competences allows fulfilling the duties established in the Financial Rules and the necessary handover with the former Accounting Officer duly ensured,
- (10) The EU-Rail made the necessary arrangements in order to avoid any conflict of interests as regards the nominated Accounting Officers and deputy Accounting Officers.

HAS ADOPTED THIS DECISION:

*Article 1*

**Accounting Officer for the EU-Rail**

Mr Andrei Hretu (EU-Rail) is hereby appointed as the Accounting Officer of the EU-Rail and will also perform those tasks also for the other Joint Undertakings that expressed the interest to join the BOA for Accounting Services.

*Article 2*

**Deputy Accounting Officers for the EU-Rail**

Ms Andrea Toth (Clean Aviation Joint Undertaking) and Ms Katty Hancq (SESAR 3 Joint Undertaking) are hereby appointed as the Deputy Accounting Officers of the EU-Rail JU and will also perform those tasks for the other Joint Undertakings that expressed the interest to join the BOA for Accounting Services.

The deputization will occur in case of the impossibility of the Accounting Officer appointed in Article 1 of this Decision, to perform her/his task in accordance with Article 25(1) of the Financial Rules. This role will only be activated after the Governing Board is informed in writing. The information should clarify the reason for the deputizing activation, the name of the Deputy Accounting Officer and the expected duration of the deputization.

Once the deputization is activated, the Deputy Accounting Officer is considered appointed with the same responsibility and at the same conditions as set out in Article 25(1) of the Financial Rules.

*Article 3*

The Governing Board Decision n°6/2016 appointing the Accounting Officer of the European Commission as Accounting Officer of the EU-Rail is thereby repealed.

*Article 4*

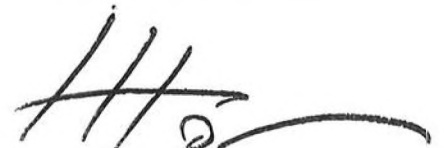
The Executive Director of EU-Rail shall make this decision publicly available on the EU-Rail's website.

*Article 5*

This decision shall enter into force on the day of its adoption.

Done at Brussels, on 30 November 2022.

For the Governing Board



Henrik HOLOLEI  
*The Chairperson*