

DRAFT DECISION №

of the Management Committee of the Office of the Body of European Regulators for Electronic Communications (BEREC Office) to establish direct service agreements with the international early childhood centres in the Republic of Latvia to cover kindergarten fees for children of the BEREC Office staff members

The Management Committee of the BEREC Office (hereinafter referred to as “the Management Committee”),

Having regard to the Regulation (EC) № 1211/2009 of 25 November 2009 establishing the Body of European Regulators for Electronic Communications (BEREC) and the Office, and, in particular, Article 9, paragraphs 5 and 6;

Having regard to the Staff Regulations of Officials of the European Union (Staff Regulations) and in particular Articles 1e and 27 and the Conditions of Employment of Other Servants of the European Union (CEOS), laid down by Council Regulation (EEC, EURATOM, ECSC) № 259/68, and in particular Articles 12 and 82;

Having regard to the decisions of the Commission setting up implementing rules for the application of the Staff Regulations and the CEOS;

Having regard to the decision of the Management Committee of 3 December 2010 on the adoption “by analogy” of the implementing rules to the Staff Regulations;

Having regard to the Guidelines on Staff Policy in the European Regulatory Agencies adopted by the European Commission on 16 December 2005 (C(2005)5304), and in particular of point 2.3.3 thereof;

In agreement with the European Commission pursuant to Article 110 of the Staff Regulations.

Whereas:

- 1) The BEREC Office is a new body of the European Union in its start-up phase with 14 staff members recruited at the end of August 2012;
- 2) The BEREC Office is established in Riga, the Republic of Latvia;
- 3) The BEREC Office needs to employ, and possibly retain, staff of the highest standards of ability and efficiency, recruited on the broadest possible geographical basis from amongst the nationals of the EU Member States;
- 4) The Seat Agreement with the hosting country recognizes the importance of multilingual and multicultural schooling of children of BEREC Office staff. For this reason, all parties concerned shall be requested to assist and facilitate a process in accordance with the Seat Agreement defining the Statute of the European Schools;
- 5) However, from the experience of other EU Regulatory Agencies, and given the extremely small size of the BEREC Office (20 staff members by the end of the

planned recruiting), it is clear that the establishment of a new European Early Childhood Centre is a long process in case such request by the Latvian Government will be approved. The conditions of providing European Early Childhood schooling in Riga are subject to the fact that the Latvian Government will establish such school in Riga. Negotiations are on-going.

- 6) In the absence of European Early Childhood Centres in Riga and in the Republic of Latvia, it is appropriate that the BEREC Office takes supporting social measures needed to offer similar conditions to these that can be found at other EU Institutions, notably at the Headquarters of Brussels and Luxembourg;
- 7) However, no extra-curricular activities shall be supported by the budget of the BEREC Office;
- 8) Given that, it is, however, appropriate that the support to be granted shall not involve an unreasonable financial burden for the BEREC Office budget;

HAS ADOPTED THE FOLLOWING DECISION:

Article 1 *Scope*

The BEREC Office shall cover Early Childhood Centres fees for children of BEREC Office staff members attending an International Early Childhood Centre located in Latvia as long as these Centres have signed an agreement with the BEREC Office. Covered under these provisions are the children of staff members attending or applying for International Early Childhood Centre which is accredited by the responsible national Institution in Latvia, after having been considered eligible by the Administrative Manager of the BEREC Office. Staff members applying for this option shall immediately stop receiving an education allowance for the children concerned, from the moment the children start attending the school to which they have been admitted. Alternatively, if it will be impossible to stop receiving the education allowance, the BEREC Office will cover only the 70% of the fees.

Article 2 *Payments*

For children enrolled in an International Early Childhood Centre which has signed the service agreement with the BEREC Office, registration, capital, tuition and examination fees will be paid directly to the schools by the BEREC Office upon receipt of the relevant invoices. All other due fees, including transport costs, canteen, books, extracurricular activities and any other service requested by staff members, shall be invoiced directly to the staff members by the schools.

Article 3

Education in Early Childhood Centre which have not signed a service agreement with the BEREK Office

For those members of the staff with children attending schools which have not signed a service agreement with the BEREK Office, the provisions under the implementing rules on the granting of education allowance shall apply.

Article 4

Eligibility

Only temporary and contract agents employed by the BEREK Office shall have access to the support granted by this decision;

In order to be eligible for the support granted by this decision, a child of the BEREK Office staff member must be deemed to be a “dependent” child within the meaning of article 2(2) of Annex VII to the Staff Regulations.

Article 5

Entry into force, duration and implementation

This decision shall apply for the school year 2012-2013. It shall apply to further school years unless the Management Committee decides to repeal it.

The Administrative Manager shall take all necessary measures in order to implement this decision. The Administrative Manager will notably select the most appropriate International Early Childhood Centre that will be invited to sign a service agreement.

This Decision enters into force on the same date of its adoption by the Management Committee.

Done at, on

For the Management Committee,

**Chair of the Management Committee
of the BEREK Office**