

## DECISION № MC/2015/6

### by the Management Committee of the Office of the Body of European Regulators for Electronic Communications (BEREC Office) on the adoption of certain implementing rules to the Staff Regulations

#### The Management Committee of the BEREC Office,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Staff Regulations of Officials of the European Union ('Staff Regulations') and the Conditions of Employment of Other Servants of the European Union ('CEOS'), laid down by Council Regulation (EEC, Euratom, ECSC) No 259/681, and in particular Article 110 and Annex X thereof;

Having regard to the Regulation (EC) № 1211/2009 of the European Parliament and of the Council of 25 November 2009 establishing BEREC and the Office, and, in particular Article 10(2) thereof;

Having regard to the Communication C(2014)6543 final of 26 September 2014 from Vice-President Šefčovič to the European Commission on the guidelines on the implementation of Article 110(2) of the Staff Regulations with regard to the implementing rules applicable in the agencies, and in particular Point 2.A thereof,

Whereas:

- (1) Pursuant to Article 110 (2) of the Staff Regulations, on 17 December 2013 the European Commission informed all EU Decentralized Agencies about the adoption of a number of implementing rules giving effect to the Staff Regulations. The Management Committee with MC Decision (2014) 2 adopted by analogy only the implementing rules relevant for the BEREC Office staff;
- (2) Those implementing rules on housing policy in EU delegations, reimbursements due to officials assigned to non-EU member countries, management of rest leaves pursuant to Article 8 of Annex X to the Staff Regulations, living conditions allowance and the additional allowance referred to in Article 10 of Annex X to the Staff Regulations, home leave for officials, temporary agents and contract agents posted in third countries (second paragraph of Article 7 of Annex V to the Staff Regulations);
- (3) In application of Article 110 (2) (2) of the Staff Regulations and in absence of derogation, these rules apply automatically to the BEREC Office as of 1st October 2014;

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<sup>1</sup> OJ L 56, 4.3.1968, p. 1, as last amended by Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013, OJ L 287, 29.10.2013, p.15.

- (4) Despite of the limited relevance of the remaining implementing rules, currently for the BEREC Office staff, for the sake of clarity and legal certainty, the adoption of an MC Decision is recommended.

HAS ADOPTED THE FOLLOWING GENERAL IMPLEMENTING RULES:

### **Article 1**

The general implementing rules of the Staff Regulations, as adopted by the European Commission, and listed in Annex I, shall apply by analogy to the BEREC Office.

### **Article 2**

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

Done at Bergen, on 5 June 2015

**For the Management Committee**

**(s)**

**Fátima Barros  
BEREC Chair 2015**

## ANNEX I

1. COMMISSION DECISION on rules for the implementation of housing policy in EU delegations C (2013) 8965 of 16.12.2013;
2. COMMISSION DECISION on reimbursements due to officials assigned to non-member countries C (2013) 8990 of 16.12.2013;
3. COMMISSION DECISION on management of rest leaves pursuant to Article 8 of Annex X to the Staff Regulations C (2013) 9027 of 16.12.2013;
4. COMMISSION DECISION on the living conditions allowance and the additional allowance referred to in Article 10 of Annex X to the Staff Regulations: C(2013) 9032 of 16.12.2013;
5. COMMISSION DECISION on home leave for officials, temporary agents and contract agents posted in third countries (second paragraph of Article 7 Annex V to the Staff Regulations) C(2013) 9035 of 16.12.2013.