MANAGEMENT BOARD DECISION No 12/2014
of 21 May 2014
adopting by analogy the European Commission implementing rules

THE MANAGEMENT BOARD

Having regard to the Frontex Regulation\(^1\), in particular Article 17(4) thereof;

Having regard to the Staff Regulations\(^2\), in particular Article 110(2) thereof;

After consultation of the Frontex Staff Committee;

Whereas:

(1) It is necessary to follow Article 110(2) of the Staff Regulations to adopt the appropriate implementing rules for giving effect to the Staff Regulation

(2) The decisions of the European Commission setting up implementing rules for application of the revised Staff Regulations apply by analogy at Frontex and enter into force nine months after their entry into force at the European Commission or nine months after the date on which the European Commission informed Frontex of the adoption, whichever is later;

(3) In the absence of derogation, these rules apply by analogy at Frontex as from 1 October 2014\(^3\);

(4) An Agency may decide that such implementing rules enter into force at an earlier date after consultation of the Staff Committee;

(5) Frontex deems appropriate to adopt by analogy, without waiting for the expiry of the time-limit, certain decisions of the European Commission setting up the implementing rules for the application of the Staff Regulations;

(6) Some implementing rules to the Staff Regulations adopted by the European Commission after the entry into force of the Management Board Decision of 1 January 2005\(^4\) have not been formally adopted so far in Frontex;

(7) It is necessary that the practical details (non-essential elements) of those implementing rules of the European Commission adopted by analogy in Frontex are adjusted to the organisational structure of Frontex and clarified accordingly through Frontex Administrative Notices;


\(^2\) Council Regulation (EEC, Euratom, ECSC), No 259/68 of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community, OJ L 56/01, 4.3.1968, as last amended

\(^3\) Letter of the European Commission, DG Human Resources and Security, Note to the attention of the Directors of the EU Agencies, 17 December 2013

\(^4\) Management Board Decision No 6/2005 of 1 January 2005 on the adoption of Implementing rules to the Staff Regulations
HAS DECIDED AS FOLLOWS:

Article 1

The implementing rules to the Staff Regulations, as adopted by the European Commission, and listed in the Annex 1, apply by analogy in Frontex.

Article 2

The implementing rules adopted by analogy by the Management Board Decision No 6/2005 of 1st January 2005, as listed in the Annex 2, are repealed.

Article 3

The practical details (non-essential elements) of those implementing rules of the European Commission in order to adjust them to the organisational structure of Frontex are issued through Frontex Administrative Notices.

Article 4

This decision takes effect on the day following the date of its adoption.

Done in Warsaw, 21 May 2014

For the Management Board

[signed]

Ralf Göbel
Chairperson
ANNEX 1

List of Commission Decisions (implementing rules) applicable by analogy in Frontex


15. Commission Decision on the general implementing provisions for Articles 11 and 12 of Annex VIII to the Staff Regulations on the transfer of pension rights - (C(2011) 1278 of 3.3.2011)
ANNEX 2

List of repealed implementing rules originally adopted as part of the Decision of the Management Board No. 6/2005 of 1 January 2005:


2. Commission decision on general implementing provisions for giving effect to Article 7(3) of Annex VII to the Staff Regulations on determining the place of origin (C(2004) 1364 of 15.04.2004)


