MANAGEMENT BOARD DECISION No 23/2014
of 25 September 2014

authorising to request for derogations from the European Commission implementing rules on working time

THE MANAGEMENT BOARD

Having regard to the Frontex Regulation1, and in particular Article 17(4) thereof, read together with the Staff Regulations2, and in particular Article 110(2) thereof,

Whereas:

(1) Frontex Management Board shall adopt the necessary provisions implementing the Staff Regulations in agreement with the European Commission pursuant to the Article 110 of Staff Regulations of Officials of European Union;

(2) Implementing rules to the Staff Regulations adopted by the European Commission (hereinafter “EC”) shall apply by analogy to EU agencies nine months after their entry into force in the EC or nine months after the date on which the EC has informed the agencies of the adoption of these rules;

(3) Should an agency wish to derogate or not apply by analogy any of the EC implementing rules to the Staff Regulations, it is required to submit its justified request to the EC before the expiry of the nine months period;

(4) Frontex came to conclusion that it would be contrary to Frontex interest to let the EC Decision on working time enter into force in Frontex without taking into account specifics of Frontex and in particular its core operations that significantly influence working regime and working time registration for affected staff members involved especially in field operations and joint return operations

HAS DECIDED AS FOLLOWS:

Article 1

Authorisation

Frontex Executive Director is authorized to request to the EC for derogations from the EC implementing rules on working time C(2014) 2502 of 15 April 2014, which would apply by analogy to Frontex as of 1 March 2015, and to present to the EC for its agreement a modification of respective EC rules that would better suit specifics, needs and structure of Frontex.

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**Article 2**
Adoption of Frontex implementing rule on working time

After receiving the formal agreement of the EC to the modified version of the implementing rules on working time, the final version of Frontex implementing rules on working time is to be presented to Frontex Management Board for its final adoption.

**Article 3**
Entry into force

This decision enters into force on the day following its adoption.

Done in Rome, 25 September 2014

For the Management Board

[signed]
Ralf Göbel
Chairperson