



DECISION OF THE GOVERNING BOARD OF THE SMART NETWORKS AND SERVICES JOINT UNDERTAKING No 03/2021

On the application by analogy of the Implementing Rules of the Staff Regulations adopted by the Commission

THE GOVERNING BOARD,

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(2) of the Staff Regulations,

Having regard to Council Regulation (EU) 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe (hereinafter "Single Basic Act")² and in particular articles 16 and 17 thereof,

Having regard to the Communication C(2014)6543 final of 26 September 2014 from Vice-President Šefčovič to the 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.B thereof,

Having regard to the fact that the Staff Committee of the Smart Networks and Services Joint Undertaking, which is to be consulted pursuant to Article 110(2) of the Staff Regulations, has not yet been constituted because the Smart Networks and Services Joint Undertaking does not have staff yet, it is impossible at the present to comply with the requirements of that provision. The Staff Committee will be invited to give its opinion on the relevant implementing rules when it has been constituted and due consideration will be given to its opinion. It is urgent and indispensable that the Smart Networks and Services Joint Undertaking adopts implementing rules on the application by analogy of the Implementing Rules of the Staff Regulations adopted by the Commission to start functioning. The Governing Board is entitled in such circumstances to approve the rules forthwith.

WHEREAS

(1) It is necessary to adopt implementing rules for giving effect to the Staff Regulations;

¹ 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.

² OJ L 427, 30.11.2021, p. 17.

- (2) The Commission informed the Smart Networks and Services Joint Undertaking in written on 10 January 2022 of the necessity to adopt the decisions referred to in the Annex to this decision;
- (3) In application of Article 110(2) of the Staff Regulations, the above-mentioned Decisions shall apply by analogy to the agencies either nine months after the date of its adoption or by decision of the Governing Board, at an earlier date;

HAS ADOPTED THE FOLLOWING DECISION:

Article 1

Commission Decisions listed in the Annex to the present Decision shall apply by analogy at the Smart Networks and Services Joint Undertaking.

Article 2

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

Done at Brussels, on 15 December 2021.

For the Governing Board

Pearse O'Donohue

The Interim Chair

ANNEX

1. Commission decision C(2018) 4048 of 29/6/2018 on Outside activities;
2. Commission decision C(2013) 8970 of 16/12/2013 on Classification;
3. Commission decision C(2015) 9720 of 08/01/2016 on Part time work
4. Commission decision C(2013) 9051 of 16/12/2013 on Leave and its amendment C(2020) 1559 of 16/03/2020;
5. Commission decision C(2013) 8971 of 16/12/2013 on Education allowance;
6. Commission decision C(2013) 8971 of 16/12/2013 on Place of origin;
7. Commission decision C(2013) 8987 of 16/12/2013 on Travel expenses;
8. Commission decision C(2013) 9040 of 16/12/2013 on Removal expenses;
9. Commission decision C(2013) 9020 of 16/12/2013 on Maternity leave and maternity pay;
10. Commission decision C(2013) 8965 of 16/12/2013 on Housing policy;
11. Commission decision C(2004) 1318 of 7/04/2004 on Recruitment of disabled persons;
12. Commission decision C(2013) 4876 of 7/08/2013 on Assistance with home care or sick child;
13. Commission decision C(2010) 7572 of 5/11/2010 on Parental leave;
14. Commission decision C(2010) 7494 of 5/11/2010 on Family leave;
15. Commission decision C(2004)1364 of 15/04/2004 on Household allowance;
16. Commission decision C(2004) 1364/2 of 15/04/2004 on Persons treated as dependent child;
17. Commission decision C(2004) 1364/4 of 15/04/2004 on Family, household and educational allowance;
18. Commission decision C(2017) 5323 of 27/09/2017 on Mission guide;
19. Commission decision C(2004) 1364/6 of 15/04/2004 on Calculation of pension rights;
20. Commission decision C(2011) 1278 of 3/03/2011 on Transfer of pension rights and its amendment C(2020) 4818 of 20/07/2020;
21. Commission decision C(2004) 1597/11 of 28/04/2004 on Sickness or accident absences;
22. Commission decision C(2019) 4231 of 12/06/2019 on Disciplinary procedures;

23. Commission decision of 23/12/1997 on the Establishment of a Staff Committee