



EUROPEAN COMMISSION  
RESEARCH EXECUTIVE AGENCY

Steering Committee

**REA/SC(2017) 4.5**

**STEERING COMMITTEE DECISION  
APPLYING BY ANALOGY THE COMMISSION DECISION C(2017) 6760 FINAL ON GENERAL  
PROVISIONS FOR IMPLEMENTING ARTICLE 79(2) OF THE CONDITIONS OF EMPLOYMENT  
OF OTHER SERVANTS OF THE EUROPEAN UNION, GOVERNING THE CONDITIONS OF  
EMPLOYMENT OF CONTRACT STAFF EMPLOYED BY THE COMMISSION UNDER THE  
TERMS OF ARTICLES 3A AND 3B THEREOF**

THE STEERING COMMITTEE of the Research Executive Agency (REA),

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

Having regard to the Staff Regulations of Officials (Staff Regulations) and the Conditions of Employment of Other Servants of the European Union (CEOS), laid down by Council Regulation (EEC, EURATOM, ECSC) No 259/68<sup>1</sup>, and in particular, Title IV of the CEOS,

Having regard to Regulation (EC) No 58/2003<sup>2</sup>, and in particular Article 18 thereof,

Having regard to the Commission Implementing Decision 2013/778/EU of 13 December 2013, establishing the Research Executive Agency and repealing Decision 2008/46/EC,

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 3.1 thereof,

After consulting the REA Staff Committee,

Whereas:

- (1) Pursuant to Article 110(2) of Staff Regulations, the General Implementing Provisions adopted by the Commission to give effect to the Staff Regulations shall apply by analogy to REA and shall enter into force nine months after their entry into force at the Commission or nine months after the date on which the Commission informed REA of the adoption of the respecting implementing rule, whichever is later. Notwithstanding the foregoing, REA Steering Committee may decide that such Implementing Provisions are to enter into force at an earlier date,

<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.

<sup>2</sup> Council Regulation (EC) n°58/2003 of 19 December 2002 laying down the statute for the executive agencies to be entrusted with certain tasks in the management of Community programmes, OJ L 11, 16.1.2003, p.1.

- (2) On 16 October 2017, the European Commission adopted the Decision C(2017) 6760 final on the general provisions for implementing Article 79(2) of the Conditions of Employment of Other Servants of the European Union, governing the conditions of employment of contract staff employed by the Commission under the terms of Articles 3a and 3b thereof taking effect for the European Commission staff on 11 Novembre2017,
- (3) Pursuant to article 110(2) of the Staff Regulations, on 19 October 2017 the European Commission has informed REA of the adoption of the Commission Decision C(2017)6760 final,
- (4) The above-mentioned Commission Decision adapts the provisions governing the conditions of employment of contract staff to the new needs and recent developments, particularly in the selection procedure and statutory framework, following the changes resulting from the revision of the Staff Regulations and the CEOS,
- (5) Having these Implementing rules in force would be in the interest of the REA as it would minimize the uncertainty linked to a different treatment with the staff of the Commission and other executive Agencies,
- (6) For reasons of clarity and legal certainty, the REA Steering Committee Decision REA/SC(2012) WP.5 of 20 August 2012 should be repealed and replaced by this Decision.

HAS ADOPTED THE FOLLOWING DECISION:

*Article 1 – Scope*

The Commission Decision C(2017) 6760 final of 16 October 2017 on the general provisions for implementing Article 79(2) of the Conditions of Employment of Other Servants of the European Union, governing the conditions of employment of contract staff employed by the Commission under the terms of Articles 3a and 3b thereof, shall apply by analogy to the staff engaged by the Research Executive Agency.

*Article 2 – Entry into force*

- (1) This Decision shall enter into force on the day following its adoption. It shall take effect on 1 January 2018.
- (2) The REA Steering Committee Decision REA/SC(2012) WP.5 of 20 August 2012 on general implementing provisions on the procedures governing the engagement and the use of contract staff at the Research Executive Agency is hereby repealed.

Done in Brussels, 15 December 2017

For the Steering Committee,

Patrick Child  
Chairman