



## DECISION OF THE GOVERNING BOARD OF THE ETF

The Governing Board of the ETF,

Having regard to the Council Regulation (EC) No. 723/2004 amending the Staff Regulations of officials of the European Communities and the Conditions of Employment of other servants of the European Communities;

Having regard to the Council Regulation (EC) No. 1360/90, establishing a European Training Foundation, as amended by the Council Regulation (EC) No. 2063/94, and in particular article 14 thereof;

Whereas the European Commission has adopted a number of decisions setting up implementing rules for the application of the amended Staff Regulations of officials of the European Communities and the Conditions of Employment of other servants of the European Communities;

Whereas the Governing Board of ETF adopted on 29 June 2004 a decision (ETF-GB-04-022) according to which the implementing rules adopted by the European Commission for the application of the amended Staff Regulations are applicable by analogy to the ETF until 30 April 2005;

Whereas the submission for the decision to the Governing Board of implementing rules adapted to the needs of the ETF is subject to the prior agreement of the European Commission, as foreseen in article 110 of the Staff Regulations;

Considering that the consultation process between the European Commission and the Agencies, including the ETF, about the design of specific implementing rules adapted to the needs of the Agencies is still ongoing;

Has decided:

### Article 1

Without prejudice of article 14 of the Council Regulation (EC) No. 1360/90, as amended by the Council Regulation (EC) No. 2063/94 above mentioned, a mandate is given to the Director to implement the amended Staff Regulations applicable to officials and other servants of the ETF from 1 May 2004 under the conditions laid down in articles 2 and 3.

### Article 2

With a view to provide clarity on the legal framework and rules applicable to the relation between the ETF and its staff, the implementing rules adopted by the European Commission, shall apply by analogy. The provisions apply from 1st May 2004 until the date of entry into force of specific implementing rules for the ETF, which the Governing Board will adopt following the agreement of the European Commission.

### Article 3

- (1) From 1 May 2004, the Director shall undertake the evaluation of the necessary adaptations of the implementing rules of the above-mentioned Staff Regulations, in consideration of specific needs or situations encountered in the ETF.
- (2) Following consultations with the Staff Committee, and in agreement with the European Commission, the Director shall submit a proposal for decision of the Governing Board for adapting the implementing rules to the needs of ETF.
- (3) The regime approved by the Governing Board will come into force on the date the final decision of the Board will be notified to the staff and the Commission. The amended regime will then replace the provisions implemented in accordance with article 2.

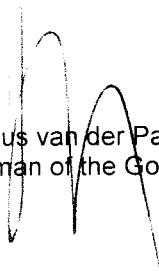
**Article 4**

The Governing Board decision of 29<sup>th</sup> June 2004 (ETF-GB-04-022) is repealed, and replaced by the present decision.

**Article 5**

The present decision is notified to the staff and to the European Commission.

Done in Brussels on 13 April 2005

  
Nikolaus van der Pas  
Chairman of the Governing Board