

EUROPEAN MARITIME SAFETY AGENCY

DECISION OF THE ADMINISTRATIVE BOARD OF THE EUROPEAN MARITIME SAFETY AGENCY REGARDING THE IMPLEMENTING RULES OF THE NEW STAFF REGULATIONS

The European Maritime Safety Agency,

Having regard to the Council Regulation (EC) n° 723/2004 of 22 March 2004 amending the Staff Regulations of officials of the European Communities and the Conditions of Employment of other servants of the European Communities¹,

Having regard to the Council Regulation (EC) n° 1406/2004 of 27 June 2002 establishing a European Maritime Safety Agency, and in particular article 6 thereof²,

Having regard to the Decision of the Administrative Board of EMSA of 30 April 2004³,

Having regard to the list of implementing rules adopted by the Commission listed in Annex 1 of this decision,

Has decided:

Article 1

The Implementing Rules listed in Annex 1 of this decision will apply to EMSA staff as of 1 November 2004

Article 2

Article 3 (2) and 3(3) will be replaced as follows: In agreement with the Commission, the Executive Director shall, by 30 June 2005 at the latest, submit a proposal for a decision of the Administrative Board for adapting the remaining implementing rules to the needs of the European Maritime Safety Agency

Article 3

The Executive Director is in charge of undertaking the necessary steps for the implementation of the present decision.

Article 4

The present decision is notified to the staff and the Commission

Done at Lisbon, 22/10/2004

For the Administrative Board:

Brian Wadsworth

Chairman of the EMSA Administrative Board

¹ Official Journal of the European Union L124 of 27 April 2004

² as amended by Council Regulation (EC) 1644/2003 and 724/2004

³ In annex to this decision



EUROPEAN MARITIME SAFETY AGENCY

Annex I

ARTICLES RELATING TO THE DECISION OF THE ADMINISTRATIVE BOARD OF THE EUROPEAN MARITIME SAFETY AGENCY REGARDING THE IMPLEMENTING RULES OF THE NEW STAFF REGULATIONS

Article and Title of Implementing Rule	N° Commission	Reference EMSA
Art. 17 of Annex VII SR and Art. 27 and 89 of CEOS (transfer of part of an official's emolument)	SEC(2004)411	EMSA/SR/VII-17/CEOS-27-89/2004
Art. 56c SR (allowances to compensate for particularly arduous working conditions)	COM(2004)253	EMSA/SR/56c
Art. 56a SR (allowances for regular standby duty)	COM(2004)253	EMSA/SR/56a
Art. 56b SR (allowances for shift work)	COM(2004)253	EMSA/SR/56b
Art. 42a SR (parental leave)	C(2004)1364 54-2004	EMSA/SR/42a
Art. 67 SR and Art. 1(2)(d) of Annex VII SR (household allowance)	C(2004)1364 51-2004	EMSA/SR/67/VII-1(2)(d)
Art. 2(4) of Annex VII SR (persons to be treated as dependent children)	C(2004)1364 50-2004	EMSA/SR/VII-2(4)
Art. 7(3) of Annex VII SR (determining the place of origin)	C(2004)1364 57-2004	EMSA/SR/VII-7(3)
Art. 4 of Annex VIII SR (taking into account, for purposes of calculating pension rights, of periods of activity previously completed by staff before they resume active employment)	C(2004)1364 61-2004	EMSA/SR/VIII-4
Art. 67 and 68 SR and Art. 1, 2 and 3 of Annex VII SR (family allowances to persons other than the official who has custody)	C(2004)1364 52-2004	EMSA/SR/67-68/VII-1-2-3
Art. 42b SR (family leave)	C(2004)1314 64-2004	EMSA/SR/42b
Art. 55a and Annex IVa SR (part-time work)	C(2004)1314 66-2004	EMSA/SR/55A/IVa
Art. 55b SR (job-sharing)	C(2004)1314 67-2004	EMSA/SR/56b
Art. 2(2) of Annex VII SR (child allowance, concept of dependent child)	SEC(2004)411 37-2004	EMSA/SR/VII-2(2)
Art. 5 of Annex VII SR (payment of	SEC(2004)411	EMSA/SR/VII-5

installation allowance...)	39-2004	
Art. 6 of Annex VII SR (re-settlement allowance in the event of retirement on account of invalidity...)	SEC(2004)411 40-2004	EMSA/SR/VII-6
(tax abatement for children who continue to study....)	SEC(2004)411 36-2004	EMSA/SR/CCA- EC/abat/impot
(retirement pension, payment of correct amounts – taking all factors into consideration)	SEC(2004)411 42-2004	EMSA/SR/CCA- EC/pension/liq
(re-classification of auxiliary staff contracts as temporary staff contracts...pension entitlements)	SEC(2004)411 43-2004	EMSA/SR/CCA/requal/aux
Art. 5 of Annex VIII SR (calculation of the bonus provided in...)	SEC(2004)411 41-2004	EMSA/SR/VIII-5
Art. 12 of Annex VIII SR, Art. 39, 40, 109, 110 CEOS (severance grant, payment to temporary staff recruited within the same category ...)	SEC(2004)411 38-2004	EMSA/SR/VIII-12/CEOS- 39-40-109-110
Art. 3 of Annex IX SR (presence of a person chosen by official to assist him or her as provided...)	SEC(2004)411 45-2004	EMSA/SR/IX-3
Art. 3 of Annex VII SR (education allowance; interpretation of the term “imperative educational reasons duly supported by evidence”)	SEC(2004)411 46-2004	EMSA/VII-3
Art. 66a SR (calculation of the special levy for officials and...)	SEC(2004)411 44-2004	EMSA/SR/66a
Art. 73 SR and Art. 28 and 93 CEOS (covering of the risks of accident and occupational disease of the civil servant)	SEC(2004)414	EMSA/SR/73/CEOS-28-93
Art. 1d (4) SR (facilities for disabled persons)	C(2004)1318 69-2004	EMSA/SR/1(d)4
Art. 72 (1) SR (joint rules on sickness insurance for officials)	SEC(2004)480	EMSA/SR/72(1)
Art. 11 and 12 of Annex VIII SR (transferring pension rights)	C(2004)1588 60-2004	EMSA/SR/VIII-11-12
Art. 8 of Annex VII SR (payment of travel expenses; place of work – place of origin)	C(2004)1588 56-2004	EMSA/SR/VII-8
Art. 26 of Annex XIII SR (transferring pension rights – transitional provisions)	C(2004)1588 62-2004	EMSA/SR/XIII-26
Art. 9 of Annex VIII SR and Art. 39 CEOS (early retirement of officials and temporary agents without reduction of pension rights)	C(2004)1588 63-2004	EMSA/SR/VIII-9/CEOS-39
Art. 22 (4) of Annex XIII SR (purchase of additional pension rights)	C(2004)1588 59-2004	EMSA/SR/XIII-22(4)
Art. 15, 37 and 40 SR and Art. 11, 17, and 88a CEOS (leave on personal grounds for officials and unpaid leave for temporary and contract staff (CCP))	C(2004)1597 82-2004	EMSA/SR/15-37- 40/CEOS-11-17-88a
Art. 20 (3) of Annex XIII SR (changing the place of origin after retirement)	SEC(2004)481 91-2004	EMSA/SR/XIII-20(3)
half-time and part-time work	SEC(2004)481 89-2004	EMSA/SR/CCA/av/echelon

Annex I



EUROPEAN MARITIME SAFETY AGENCY

DECISION OF THE ADMINISTRATIVE BOARD OF THE EUROPEAN MARITIME SAFETY AGENCY OF 30 APRIL 2004

The Administrative Board of the European Maritime Safety Agency

Having regard to the Council Regulation (EC) n°723/2004 of 22 March 2004 amending the Staff Regulations of officials of the European Communities and the Conditions of Employment of other servants of the European Communities¹.

Having regard to the Council Regulation (EC) n°1406/2004 of 27 June 2002 establishing a European Maritime Safety Agency, and in particular article 6 thereof²

Having regard to the decisions of the Commission 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.

Has decided:

Article 1

Without prejudice of article 6 of the Council Regulation (EC) n° 1406/2002 above mentioned, a mandate is given to the Executive Director to implement the amended Staff Regulations applicable to officials and other servants of the European Maritime Safety Agency 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 European Maritime Safety Agency and its staff, the implementing rules adopted by the Commission, as listed in annex 1 shall apply by analogy.

The provisions will apply from 1 May until the date mentioned in article 3 - § 3.

¹ Official Journal of the European Union L 124 of 27 April 2004

² as amended by the Council Regulation (EC) n° 1644/2003 of 22 July 2003.

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Article 3

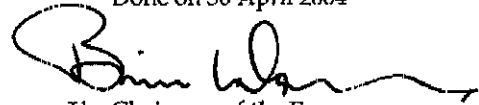
- (1) From 1 May 2004, the Executive Director shall undertake the evaluation of the necessary adaptations of the implementing rules of the above mentioned staff regulations, in consideration of specific needs or situations encountered in the European Maritime Safety Agency.
- (2) In agreement with the Commission, the Executive Director shall by 1 January 2005 submit a proposal for decision of the Administrative Board for adapting the implementing rules to the needs of the European Maritime Safety Agency.
- (3) The regime approved by the Administrative Board will come into force at the date the final decision of the Board will be notified to the staff and the Commission, and not later than 15 February 2005.

The amended regime will then replace the provisions implemented in accordance with article 2.

Article 4

The present decision is notified to the Staff and to the Commission.

Done on 30 April 2004



The Chairman of the European
Maritime Safety Agency