

## DECISION OF THE GOVERNING BOARD

**on the application by analogy of Implementing Rules to the Staff Regulations**

**N°12/2024**

### THE GOVERNING BOARD OF THE EUROPE'S RAIL JOINT UNDERTAKING

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 ('CEOS') of the European Union, laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68<sup>1</sup>, and in particular Article 110(2) of the Staff Regulations,

Having regard to Council Regulation (EU) No 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe and repealing Regulations (EC) No 219/2007, (EU) No 557/2014, (EU) No 558/2014, (EU) No 559/2014, (EU) No 560/2014, (EU) No 561/2014 and (EU) No 642/2014<sup>2</sup>, and in particular point (h) of Article 17(2) thereof,

Having regard to the Communication C(2014)6543 final of 26 September 2014 from Vice-President Sefčovič 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 rules of procedure of the Governing Board of Europe's Rail Joint Undertaking and in particular Article 8 thereof,

After consulting the Staff Committee,

### WHEREAS

- (1) It is necessary to adopt implementing rules to give effect to the Staff Regulations.
- (2) The Commission informed EU-RAIL in writing on 1 March 2024 of the adoption of the Commission Decision C(2024) 1038 final of 21 February 2024 amending Commission Decision C(2011)1278 of 3 March 2011 on the general implementing provisions for Articles 11 and 12 of Annex VIII to the Staff Regulations on the transfer of pension rights, referred to in the Annex of this Decision.
- (3) In application of Article 110(2) of the Staff Regulations, the above-mentioned Commission Decision C(2024) 1038 final shall apply by analogy to the agencies and

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<sup>1</sup> OJ L 56, 4.3.1968, p.1.

<sup>2</sup> OJ L 427, 30.11.2021, p. 17 as amended by Council Regulation (EU) 2023/1782 of 25 July 2023 amending Regulation (EU) 2021/2085 establishing the Joint Undertakings under Horizon Europe, as regards the Chips Joint Undertaking.

joint undertakings either nine months after the date of its adoption or by decision of the Governing Board, at an earlier date.

HAS DECIDED AS FOLLOWS:

*Article 1*

Commission Decision C(2024) 1038 final referred to in the Annex to the present Decision shall apply by analogy to the Europe's Rail Joint Undertaking.

*Article 2*

This Decision shall enter into force on the day following that of their adoption.

Done at Brussels, on 21 June 2024.

For the Governing Board



Magda KOPCZYNSKA  
*The Chairperson*

**Annex:** Commission Decision C(2024) 1038 final of 21.2.2024 amending Commission Decision C(2011)1278 of 3 March 2011 on the general implementing provisions for Articles 11 and 12 of Annex VIII to the Staff Regulations on the transfer of pension rights.