



**Governing Board Decision
on the request to the Commission its agreement regarding the non-application of the
Commission Decisions concerning**

- **Middle management staff C(2016) 3288 final**
 - **Function of adviser C(2016) 3214 final**
- **Decisions on learning and development C(2016) 3828 final, C(2016)3855 final, C(2016)3827 final**

The Governing Board of Clean Sky 2 Joint Undertaking,

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,

Having regard to Council Regulation (EC) No 558/2014 of 6 May 2014 establishing Clean Sky 2 Joint Undertaking²,

Having regard to 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,

After consulting the Staff Committee,

Whereas:

- 1) On the 8th of July 2016 the Commission informed Clean Sky Joint Undertaking that it adopted the following decisions: Decision C(2016) 3288 final of 15/06/2016 on middle management staff; Decision C(2016) 3214 final of 7/06/2015 concerning the function of adviser and the following decisions related to learning and development: Decision C(2016) 3828 final of 24/06/2016 on the implementation of the learning and development strategy of the EC, Decision C(2016)3855 final of 24/06/2016 on training on the own initiative of the member of staff, and Decision C(2016)3827 final of 24/06/2016 repealing existing rules on learning and development.

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 169, 7.6.2014, p. 77

- 2) Pursuant to Article 110(2) of the Staff Regulations, implementing rules such as those referred to in Recital 1 shall apply by analogy to Clean Sky 2 Joint Undertaking. By way of derogation, an agency may request the Commission's agreement to the non-application of certain implementing rules.
- 3) Specific model decisions on those matters will be drafted for agencies.
- 4) Pending the Commission agreement on those model decisions, the Clean Sky 2 Joint Undertaking needs to request derogation from the application by analogy from the Commission Decisions referred to in Recital 1
- 5) Clean Sky 2 Joint Undertaking will assess whether it wishes to adopt rules based on the model decisions or to request an individual agreement regarding different rules.

HAS DECIDED AS FOLLOWS:

Article 1

1. In accordance with Article 110(2) of the Staff Regulations, Clean Sky 2 Joint Undertaking requests the agreement of the Commission to the non-application of the following Commission Decisions, pending the Commission's agreement on model decisions on the same matters:

- (a) Commission Decision C(2016) 3288 final of 15/06/2016 on middle management staff;
- (b) Commission Decision C(2016) 3214 final of 7/06/2015 on the function of adviser;
- (c) Commission Decision C(2016) 3828 final of 24/06/2016 on the implementation of the learning and development strategy of the EC,
- (d) Commission Decision C(2016)3855 final of 24/06/2016 on training on the own initiative of the member of staff,
- (e) Commission Decision C(2016)3827 final of 24/06/2016 repealing existing rules on learning and development.

2. After adoption of the Commission's agreement referred to in paragraph 1, the Clean Sky 2 Joint Undertaking shall assess whether it decides to avail itself of it, or submits, for the Commission's individual agreement, its own rules on the matter.

Article 2

This decision shall enter into force on the day of its adoption.

Done at Brussels, on 21 October 2016



Ric Parker

Chairman

Clean Sky 2 Joint Undertaking