

DECISION 36/2015/GB

OF THE GOVERNING BOARD OF THE EUROPEAN POLICE COLLEGE

**CONCERNING THE  
IMPLEMENTATION OF ARTICLE 110(2) 3RD AND 5TH INDENTS OF THE STAFF  
REGULATION**

Adopted by the Governing Board  
on 18 November 2015

THE GOVERNING BOARD,

Having regard to Council Decision 2005/681/JHA of 20 September 2005 establishing the European Police College (CEPOL)<sup>1</sup>, and in particular Article 13(1) thereof;

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 259/68 as last amended<sup>2</sup>, in particular Article 110(2) of the Staff Regulations

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, in particular Point 2.B thereof,

Whereas the Commission Guidelines on the implementation of Article 110(2) of the Staff Regulations with regard to the implementing rules applicable in the agencies (C(2014) 6543 final of 26 September 2014) foresee that the Governing Board of CEPOL may decide to empower CEPOL's Director to request the Commission's agreement on the decision to be taken by the Governing Board in the cases referred to in Article 110(2), third and fifth subparagraphs, of the Staff Regulations,

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<sup>1</sup> OJ L 256, 1.10.2005, p. 63. Decision as amended by Regulation (EU) No 543/2014 (OJ L 163, 29.5.2014, p. 5).

<sup>2</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.

HAS DECIDED AS FOLLOWS

*Article 1*

The Governing Board empowers the Director of CEPOL to request on its behalf the Commission's agreement on:

- the adoption of implementing rules that are different from those adopted by the Commission, or
- the non-application of the Commission's implementing rules (opt-out), or
- the adoption of implementing rules which concern subjects other than the implementing rules adopted by the Commission.

The Director's requests to the Commission will be without prejudice to the final decisions to be taken by the Governing Board.

Done in Luxembourg, 18 November 2015.

*For the Governing Board*

*Christian Gatti*  
*Chair of the Governing Board*