

Decision of the Management Board 27/2020/MB

**ON THE APPLICATION OF COMMISSION DECISIONS C (2011) 1278 AND
C (2020) 4818 ON THE TRANSFER OF PENSION RIGHTS**

Adopted by the Management Board

on 12 November 2020

THE MANAGEMENT BOARD,

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 259/68¹, and in particular Article 110(2) of the Staff Regulations,

Having regard to European Parliament and Council Regulation (EU) No 2015/2219 on the European Union Agency for Law Enforcement Training (CEPOL) and replacing and repealing Council Decision 2005/681/JHA²,

After informing the staff,

Whereas:

- (1) On 29 July 2020, the Commission informed CEPOL that it adopted Decision C(2020) 4818 amending the 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. This Decision entered into force within Commission Department on 21 July 2020.
- (2) On 5 August, the Commission completed the notification by sending Decision C(2011) 1278 of 3 March 2011. The nine months period shall be calculated as of the date of this addendum. It is to be noted that CEPOL is following this implementing rule but has never formalised its by-analogy application.
- (3) According to the timelines provided by article 110(2) of the Staff Regulation, Commission Decision C(2020) 4818 would enter into force on 5 April 2021 unless the Agency decides that the implementing rule enters into force at an earlier date.
- (4) It is appropriate for CEPOL to apply Commission Decision C(2020) 4818 at an earlier date.
- (5) In the interest of clarity and legal certainty, it is important to formalise the by-analogy application of the aforementioned rules via a Management Board Decision.

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 L319, 4.12.2015, p.1

HAS DECIDED AS FOLLOWS:

Article 1

1. Decision C(2011) 1278 on the general implementing provisions for Articles 11 and 12 of Annex VIII to the Staff Regulations on the transfer of pension rights shall apply by analogy within CEPOL.
2. Decision C(2020) 4818 amending the 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 shall apply by analogy within CEPOL.

Article 2

This Decision shall take effect on the day following its adoption.

Done at Lisbon, on 16 November 2020

For the Management Board

<< Signature on file >>

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Mr José Leitão

Chair of the Management Board