



**Decision No 05/2024  
of 16.05.2024  
of the Management Board**

**on the application by analogy of the Commission Decision amending the  
general implementing provisions for Articles 11 and 12 of Annex VIII to the  
Staff Regulations on the transfer of pension rights**

THE MANAGEMENT BOARD OF THE EUROPEAN LABOUR AUTHORITY,

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 259/68<sup>1</sup>,

Having regard to Regulation (EU) 2019/1149 of the European Parliament and of the Council of 20 June 2019 establishing the European Labour Authority amending Regulations (EC) No 883/2004, (EU) No 492/2011, and (EU) 2016/589 and repealing Decision (EU) 2016/344<sup>2</sup>, and in particular Articles 32 and 33 therein,

Having regard to the 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 section 3.1 thereof,

Having regard to the information pursuant to Article 110 § 2 of the Staff Regulations from the Commission to the European Labour Authority on 01 March 2024 on the adoption of implementing rule giving effect to the Staff Regulations, in particular Commission Decision C(2024) 1038 of 21 February 2024 amending Decision C(2011)1278 final on the general implementing provisions for Articles 11 and 12 of Annex VIII to the Staff Regulations on the transfer of pension rights;

After consulting the Staff Committee,

Whereas:

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<sup>1</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.

<sup>2</sup> OJ L 186, 11.7.2019, p.21 .

- (1) According to Regulation (EU) 2019/1149, the Staff Regulations and the Conditions of Employment of Other Servants of the European Union (hereinafter “the Staff Regulations”) apply to the staff of the Authority;
- (2) In application of Article 110(2) of the Staff Regulations, Commission Decision C(2024) 1038 of 21 February 2024 amending Decision C(2011)1278 final 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 to the Authority nine months after the date of the notification from the Commission of 01 March 2024;
- (3) In order to clarify the legal status of staff employed by Authority, it is recommended that relevant provisions of the Staff Regulations enter into force as soon as possible.

HAS DECIDED AS FOLLOWS:

*Article 1*

The Commission Decision C(2024) 1038 of 21 February 2024 amending Decision C(2011)1278 final 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 at the European Labour Authority.

*Article 2*

This Decision shall enter into force on the day following its adoption.

Done at Bratislava, on 16 May 2024

For The Management Board

Tom BEVERS

Chair of the Management Board

**Annex:** Commission Decision C(2024) 1038 of 21 February 2024 amending Decision C(2011)1278 final on the general implementing provisions for Articles 11 and 12 of Annex VIII to the Staff Regulations on the transfer of pension rights