



DECISION OF THE GOVERNING BOARD

On the application by analogy of Commission Decision C(2020) 4818 final of 20.7.2020 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

N° 09/2020

THE GOVERNING BOARD OF THE SHIFT2RAIL JOINT UNDERTAKING (hereafter referred as “the S2R JU”),

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

Having regard to Council Regulation (EU) No 642/2014 of 16 June 2014 establishing the S2R JU², and in particular Article 6(3) thereof,

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 Point 3.1 thereof,

After having consulted the S2R JU Staff Committee,

Whereas:

- (1) On 13 February 2015, the European Commission informed the Shift2Rail Joint Undertaking (“S2R JU”) of a set of 43 implementing rules for the application of the revised Staff Regulations. One of these rules was 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
- (2) On 16 July 2015, the S2R JU Governing Board adopted Decision N° 6/2015³ whereby inter alia the above-mentioned Commission Decision should apply by analogy.
- (3) The Commission informed the S2R JU in writing on 29 July 2020 that on 20 July 2020 it adopted Decision C(2020) 4818 final of 20.7.2020 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.

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 177, 17.06.2014, p.9.

³ Governing Board Decision [N° 6/2015](#)

- (4) In application of Article 110(2) of the Staff Regulations, the above-mentioned Decision shall apply by analogy to the S2R JU either nine months after the date of its adoption or by decision of the Governing Board, at an earlier date.
- (5) It is deemed appropriate for the S2R JU to apply by analogy this decision at an earlier date.

HAS ADOPTED THIS DECISION:

Article 1

Commission Decision C(2020) 4818 final of 20.7.2020 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, as listed in the Annex, shall apply by analogy to the staff of the Shift2Rail Joint Undertaking.

Article 2

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

Done at Brussels, on 19 November 2020



For the Governing Board,

Henrik HOLELEI
The Chairperson

ANNEX

Commission Decision C(2020) 4818 final of 20.7.2020 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