



**DECISION OF THE GOVERNING BOARD
OF THE EuroHPC JOINT UNDERTAKING No 15/2022**

laying down general implementing provisions regarding the payment of the education allowance provided for in Article 15 of Annex X to the Staff Regulations to staff members for the duration of temporary assignments to the seat of the institution or any other place of employment in the Union

THE GOVERNING BOARD OF THE EuroHPC JOINT UNDERTAKING (hereinafter 'EuroHPC JU'),

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Council Regulation (EU) 2021/1173 of 13 July 2021 on establishing the European High Performance Computing Joint Undertaking and repealing Regulation (EU) 2018/1488¹, and in particular to Article 20(1) therein.

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 259/68², and in particular Article 110(2) of the Staff Regulations and Articles 2(3) and 30 of Annex IX to the Staff Regulations,

Having regard to the EuroHPC JU Governing Board Rules of Procedure³ and in particular Article 2(2)(j) thereof,

Having regard to the fact that the Staff Committee of the EuroHPC JU, which is to be consulted pursuant to Article 110(2) of the Staff Regulations, has not yet been constituted, it is impossible at the present to comply with the requirements of that provision. The Staff Committee will be invited to give its opinion on these implementing rules when it has been constituted and due consideration will be given to its opinion. The Governing Board is entitled in such circumstances to approve the rules forthwith,

Whereas:

- (1) On 9 February, the Commission informed EuroHPC JU that it had adopted Decision C(2021) 8179 of 16 November 2021 laying down general implementing provisions regarding the payment of the education allowance provided for in Article 15 of Annex X to the Staff Regulations to staff members for the duration of temporary assignments to the seat of the institution or any other place of employment in the Union.
- (2) Pursuant to Article 110(2) of the Staff Regulations, implementing rules such as those referred to in Recital 1 are to apply by analogy to the EuroHPC JU. By way of

¹ OJ L 256, 19.7.2021, p. 3–51

² OJ L 56, 4.3.1968, p.1.

³ As updated by Decision of the Governing Board 17/2021, of 30 September 2021.

derogation, an agency may request the Commission's agreement to the non-application of certain implementing rules. The Commission may, instead of accepting or rejecting the request, require the agency to submit, for its agreement, implementing rules that are different from those adopted by the Commission.

- (3) Commission Decision C(2021) 8179 is suitable to apply to EuroHPC JU by analogy.
- (4) EuroHPC JU has not been able to establish a Staff Committee yet because, having been created recently, it has not got sufficient staff to be able to create a Staff Committee. However, EuroHPC JU needs to adopt implementing rules on administrative inquiries and disciplinary proceedings to provide staff members with certainty on the rules applicable in this regard considering the significant staff growth expected after Regulation 2021/1173 entered into force.

HAS DECIDED AS FOLLOWS:

Article 1

Commission Decision C(2021) 8179 of 16 November 2021 laying down general implementing provisions regarding the payment of the education allowance provided for in Article 15 of Annex X to the Staff Regulations to staff members for the duration of temporary assignments to the seat of the institution or any other place of employment in the Union shall apply by analogy at the EuroHPC JU.

Article 2

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

Done at Luxembourg, on 1 June 2022.

For the Governing Board

[e-signed]
Herbert Zeisel
The Chair

Annex: Commission Decision C(2021) 8179 of 16 November 2021 laying down general implementing provisions regarding the payment of the education allowance provided for in Article 15 of Annex X to the Staff Regulations to staff members for the duration of temporary assignments to the seat of the institution or any other place of employment in the Union