DECISION No GB/2026/8

of The Governing Board of the European Cybersecurity Industrial, Technology and Research Competence Centre (ECCC)

on the request for the Commission's agreement for a derogation from implementing rules adopted under Article 110(2) of the Staff Regulations

THE GOVERNING BOARD,

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

Having regard to the Staff Regulations of Officials of the European Union (hereinafter 'Staff Regulations') and the Conditions of Employment of Other Servants of the European Union (hereinafter 'CEOS'), laid down by Council Regulation (EEC, EURATOM, ECSC) No 259/68[1] as last amended, and in particular to Article 110(2), third subparagraph, of the Staff Regulations;

Having regard to European Parliament and Council Regulation (EU) No 2021/887 of 20 May 2021 establishing the European Cybersecurity Industrial, Technology and Research Competence Centre ('ECCC').

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, and in particular Point 3.3. b) thereof;

After consulting the Staff Committee,

Whereas:

1) Pursuant Article 110(2) of the Staff Regulations implementing rules adopted by the Commission to give effect to the Staff Regulations shall apply by analogy to decentralised agencies, unless the agency decides to adopt implementing rules derogating therefrom, subject to prior agreement by the Commission.

2) On 18.11.2025 the Commission informed the agencies on the adoption of Commission Decision C(2025)7357 of 6.11.2025 on the general provisions for implementing Article 27 of the Staff Regulations of

[1] OJ L 56, 4.3.1968, p. 1, OJ L 287, 29.10.2013, p.15.

Officials of the European Union and Article 12(1) of the Conditions of Employment of Other Servants of the European Union.

3) The above-mentioned Commission Decision falls within the scope of Article 110(2) of the Staff Regulations and is therefore applicable by analogy to decentralised agencies, unless the agency decides to adopt implementing rules derogating therefrom, subject to prior agreement by the Commission.

4) The Governing Board considers that Commission Decision C(2025)7357 is not fully suitable for application by analogy to the Centre, having regard to its specific organisational structure and operational context, in particular the relatively limited size of its establishment plan, the specialised nature of its mandate in the field of cybersecurity, and the need to ensure proportionate and flexible recruitment procedures adapted to its operational needs, without prejudice to the obligation laid down in Article 12(1) of the CEOS.

5) Those specific characteristics justify the need to explore the adoption of tailored implementing rules, while ensuring consistency with the principles of the Staff Regulations.

6) The Agencies Standing Working Party (SWP) has informed the agencies that in coordination with the Commission, a model decision adapted to decentralised agencies is under preparation, which the ECCC intends to adopt once available, and which may provide an appropriate framework for such tailored rules.

7) Pending the finalisation of such model provisions, it is appropriate to initiate the procedure provided for in Article 110(2) of the Staff Regulations by requesting the Commission's agreement to derogate from the relevant Commission implementing rules.

8) Pursuant to Article 110(2) of the Staff Regulations and guidelines on the implementation of Article 110(2) of the Staff Regulations with regard to the implementing rules applicable in the agencies, and in accordance with the governance framework of the ECCC the Governing Board should empower the executive Director to request the Commission's agreement for derogation.

HAS DECIDED AS FOLLOWS:

Article 1

With a view of adopting different rules on the basis of the model decision on geographical balance adapted to decentralised agencies, the Executive Director is hereby empowered to request the European Commission's agreement, pursuant to Article 110(2) of the Staff Regulations, for a derogation from Commission Decision C(2025)7357 of 6 November 2025 laying down general provisions for implementing Article 27 of the Staff Regulations and Article 12(1) of the Conditions of Employment of Other Servants of the European Union.
Such request shall be duly reasoned and shall set out the specific provisions from which a derogation is sought, together with the justification based on the particular characteristics and operational needs of the Centre.

Article 2

This Decision shall enter into force on the date after its adoption.

Done at Bucharest, 30.06.2026

For the European Cybersecurity Industrial, Technology and Research Competence Centre

(e-signed)

Pascal Steichen
Chairperson of the Governing Board