

DECISION No GB/2021/2

of

**The European Cybersecurity Industrial, Technology and Research Competence Centre
Governing Board**

**authorising the Competence Centre Executive Director to engage in negotiations with
the Government of Romania on and conclusion of a Host agreement**

THE GOVERNING BOARD,

Having regard to Protocol (No 7) on the Privileges and Immunities of the European Union, annexed to the Treaty on European Union, the Treaty on the Functioning of the European Union and the Treaty establishing the European Atomic Energy Community (hereinafter referred to as ‘the Protocol’),

Having regard to Regulation (EU) 2021/887 of the European Parliament and of the Council of 20 May 2021 establishing the European Cybersecurity Industrial, Technology and Research Competence Centre and the Network of National Coordination Centres¹ (hereinafter referred to as ‘the Regulation’), and in particular Article 45 thereof,

Having regard to the Staff Regulations of Officials of the European Union and the conditions of employment of other servants of the European Union, laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68², and in particular Article 1e(2) thereof,

WHEREAS:

(1) By Decision (EU) 2021/4³, the Representatives of the Governments of the Member States decided that the Competence Centre would have its seat in Bucharest, Romania.

(2) In compliance with Article 45 of the Regulation, an administrative agreement may be concluded between the Competence Centre and Romania concerning privileges and immunities and other support to be provided by Romania to the Competence Centre.

(3) According to Article 32 of the Regulation, the Protocol shall apply to the Competence Centre and its staff.

(4) The Host Agreement should fully comply with the Protocol.

(5) In compliance with Article 1e(2) of the Staff Regulations and the Conditions of Employment of Other Servants, the Competence Centre staff should be accorded working

¹ OJ L 202, 8.6.2021, p.1.

² OJ L 56, 4.3.1968, p. 1.

³ Decision (EU) 2021/4 taken by common accord between the representatives of the Governments of the Member States of 9 December 2020 on the location of the seat of the European Cybersecurity Industrial, Technology and Research Competence Centre, OJ L 4, 7.1.2021, p. 7.

conditions complying with appropriate health and safety standards at least equivalent to the minimum requirements applicable under measures adopted in these areas pursuant to the Treaties.

(6) According to Article 17(1) of the Regulation, the Executive Director shall be responsible for operations and for the day-to-day management of the Competence Centre and shall be its legal representative, as well as accountable to the Governing Board.

(7) In compliance with Article 46(2) of the Regulation, an interim Executive Director has been designated by the Commission until the Executive Director takes up his or her duties and exercises the duties of the Executive Director.

(8) It is therefore necessary to adopt a decision authorizing the Executive Director, and until his or her appointment, the interim Executive Director, to engage in negotiations with the Romanian authorities aiming at the conclusion of a Host Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The Competence Centre Executive Director is hereby authorised to engage in negotiations with the Government of Romania with the view to concluding a Host Agreement, in compliance with the mandate referred to in the Annex of this Decision.

Article 2

The Executive Director is requested to seek guidance from the Governing Board at decisive milestones of the negotiations and shall present the draft Host Agreement to the Governing Board for approval.

Article 3

Until the Executive Director takes up his or her duties, the interim Executive Director designated by the Commission shall exercise the duties of the Executive Director as set out in this Decision.

Article 4

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

Done at Brussels, on 20 October 2021

For the European Cybersecurity Industrial,
Technology and Research Competence
Centre

(e-signed)