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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels 27 February 2004
C(2004) 577

COMMISSION DECISION

of 27 February 2004

concerning the amendment of decision C(2002) 1559 of 30 April 2002 amended by decision C(2003)406 of 31 January 2003 laying down rules on the secondment of National Experts to the Commission

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THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Whereas:

- (1) Seconded National Experts (SNEs) should enable the Commission to benefit from the high level of their professional knowledge and experience, in particular in areas where such expertise is not readily available.
- (2) It is highly desirable to foster the exchange of professional experience in, and knowledge of, European policies by temporarily assigning to the Commission experts from the Member States.
- (3) SNEs should be drawn from Government or State departments in Member States but should also be available from the private or voluntary sector, the European Economic Area (EEA), candidate countries, international organisations or third countries.
- (4) The rights and obligations of SNEs set out in this Decision should ensure that they carry out their duties solely in the interests of the Commission.
- (5) In view of the temporary nature of their work and their particular status, it should be provided that SNEs should not take responsibility on behalf of the Commission for the exercise of its public law prerogatives.
- (6) It is necessary to set out all the relevant conditions of employment of SNEs, which should be applicable regardless of the origin of the budgetary appropriations used to cover the expenditure.
- (7) In view of the importance of training civil servants of the Member States – and, where appropriate, those of EEA countries, candidate countries and third countries – in Community policies, there is a need to set up a uniform and coherent legal and administrative framework for the information courses organised for these officials,

HAS DECIDED AS FOLLOWS:

Chapter I

General Provisions

Article 1

Scope

1. These Rules are applicable to national experts seconded to the Commission, hereinafter referred to as Seconded National Experts (“SNEs”), by a national, regional or local public authority. They also apply to experts on secondment from an international civil service as well as to those from the private sector and the non-profit making or voluntary sector.
2. The persons covered by these Rules shall remain in the service of their employer throughout the period of secondment and shall continue to be paid by that employer.
3. Except where the Director-General for Personnel and Administration grants a derogation, an SNE must be a national of a Member State. The Commission shall take account of geographical and gender balance and the principle of equal opportunities when accepting SNEs into its departments.
4. Derogations shall not be required for SNEs from countries belonging to the EEA who are seconded under the terms of agreements signed with those countries, and under the ad hoc conditions laid down therein. The same shall apply to candidate countries where ad hoc agreements have been signed with the Commission.
5. Secondment shall be effected by an exchange of letters between the Director-General for Personnel and Administration and the Office of the Permanent Representative of the Member State concerned or the employer, as the case may be. Correspondence shall be exchanged with the EFTA Secretariat for countries of the EEA and with the appropriate diplomatic missions in the case of other non-member countries.

A copy of the rules applicable to national experts on secondment to the Commission shall be attached to the exchange of letters.

Article 2

Cost-free seconded national experts

For the purposes of this Decision, “cost-free SNEs” means SNEs whose secondment does not entail any costs borne by the Commission.

Cost-free SNEs may be seconded from the public administration of Member States, non-member countries and from international organisations in pursuance of a reciprocal and simultaneous exchange with Commission officials, under the terms of the Commission Decision on the attachment of Community civil servants (Commission Decision of 5 January 1995 (C(94) 3895 final), and for the same period as the attachment of the Commission official.

National civil servants may also be seconded as cost-free SNEs for up to a maximum term of four years in the context of bilateral agreements between the Director-General and the Member State concerned. Such agreements require the prior approval of the Director-General for Personnel and Administration and must indicate the number of SNEs involved and the proposed duties to be performed. These conditions shall also apply to cost-free SNEs from countries belonging to the EEA and to candidate countries.

Article 3
Private-sector seconded national experts

The secondment of private-sector SNEs, shall be permitted only where the interests of the Commission warrant the temporary contribution of specific knowledge.

Such secondments shall be authorised on a case-by-case basis by the Director-General for Personnel and Administration.

Article 4
Period of secondment

1. Periods of secondment may not be less than six months nor more than two years. They may be renewed once or more, up to a total period not exceeding four years.
2. The intended period of secondment shall be fixed at the outset in the exchange of letters provided for in Article 1(5). The same procedure shall apply in the case of a renewal of the period of secondment.
3. An SNE who has already been seconded to the Commission may be seconded to it a second time subject to any relevant internal rules laying down maximum periods during which such persons may be present in the Commission departments, and subject further to the following conditions:
 - a) the SNE must continue to meet the conditions for secondment;
 - b) a period of at least six years must have elapsed between the end of the previous period of secondment and a new secondment; if at the end of the first secondment, the SNE has received a contract with the Commission, the six-year period shall begin to run from the expiry of that contract.

The condition in point (b) shall not prevent the Commission from accepting the secondment of an SNE whose initial secondment has lasted for less than four years, but in that case the new secondment shall not exceed the unexpired part of the four-year period.

Article 5
Place of secondment

SNEs may be seconded to any place where the Commission has an office.

Article 6
Duties

1. SNEs shall assist Commission officials or temporary agents and carry out the tasks assigned to them.
2. An SNE shall take part in missions or external meetings only if accompanying a Commission official or temporary agent, or acting alone as an observer or for information purposes.

The Director-General of the service concerned may in exceptional circumstances derogate from this rule on the basis of a specific mandate given to the SNE and after having ensured that there is no potential conflict of interest. Under no circumstances may an SNE on his own represent the Commission with a view to entering into commitments, whether financial or otherwise, or negotiating on its behalf.

3. The Commission shall remain solely responsible for approving the results of any tasks performed by the SNE and for signing any official documents arising from them.
4. Every effort must be made by the Commission departments concerned, by the SNE's employer and by the SNE to avoid any conflict of interest or appearance of such conflict in relation to the SNE's duties while seconded to the Commission. For this purpose, the department to which it is intended to assign the SNE shall provide the SNE and the employer with full information a reasonable time before the start of the secondment about the intended duties, and shall ask the SNE and the employer to confirm in writing that they do not know of any reason why the SNE should not be assigned to those duties. The SNE shall be asked in particular to declare any potential conflict between his family circumstances and the proposed duties while on secondment. In particular, he shall declare the professional activities of close family members or any important financial interests of his own, or of those persons.

The employer and the SNE shall be asked to undertake to declare any change of circumstances during the secondment which could give rise to any such conflict, or appearance of conflict, to the Director-General of the service to which the SNE is assigned.

The department to which the SNE is to be assigned shall keep all such exchanges of correspondence in its records and shall produce it to the Director-General for Personnel and Administration on request.

5. Where the Directorate General to which an SNE is to be seconded considers that the nature of its activities requires particular security precautions, security clearance shall be obtained prior to recruitment.
6. Failure on the part of an SNE to comply with his obligations arising under the provisions of paragraphs 2, 3 or 4 shall entitle the Commission, if it sees fit, to terminate the secondment of an SNE under the terms of Article 10.

Article 7
Rights and obligations

1. During the period of secondment:
 - (a) the SNE shall carry out his duties and shall behave solely with the interests of the Commission in mind;
 - (b) the SNE shall abstain from any action, and in particular any public expression of opinion, which may reflect on his position at the Commission;
 - (c) an SNE who, in the performance of his duties, is called upon to pronounce on a matter in the handling or outcome of which he has a personal interest such as to impair his independence shall inform the head of the department to which he is assigned;
 - (d) an SNE shall not, whether alone or together with others, publish or cause to be published any matter dealing with the work of the Communities without obtaining permission in accordance with the conditions and rules in force at the Commission. Permission shall be refused only where the proposed publication is liable to prejudice the interests of the Communities;
 - (e) all rights in any work done by the SNE in the performance of his duties shall be the property of the Community;
 - (f) the SNE shall reside at the place of secondment or at no greater distance therefrom as is compatible with the proper performance of his activities;
 - (g) the SNE shall assist and tender advice to the superiors in the Commission to whom he is assigned and shall be responsible to his superiors for performance of the tasks entrusted to him or her;
 - (h) the SNE shall accept no instructions relating to the performance of his duties from their employers or from national governments. He shall not undertake any activities for his employer, for governments or for other persons, private companies or public bodies.
2. Both during and after the period of secondment, the SNE shall exercise the greatest discretion with regard to all facts and information coming to his knowledge in the course of, or in connection with, the performance of his duties; he shall not in any form whatsoever disclose to any unauthorised person any document or information not already made public nor shall he use it for personal gain.
3. Failure to comply with any of the provisions of paragraphs 1 and 2 during the period of secondment shall entitle the Commission, if it sees fit, to terminate the secondment of an SNE pursuant to Article 10.
4. After termination of the secondment, an SNE shall continue to be bound by the duty to behave with integrity and discretion as regards the exercise of new tasks assigned to him and the acceptance of certain appointments or benefits.

To this end, during the three years after the period of secondment an SNE shall inform the Commission without delay of any duties which he is required to carry out

for his current employer which may give rise to any conflict of interest in relation to his duties while seconded to the Commission.

Article 8

Professional experience and knowledge of languages

1. To qualify for secondment to the Commission a national expert must have at least three years' full time experience of administrative, scientific, technical, advisory or supervisory functions which can be regarded as equivalent to those of categories A or B as defined in the Staff Regulations of officials of the European Communities and in the Conditions of employment of other servants of the European Communities. The employers from which the SNE has to be seconded shall supply the Commission, before the secondment, with a statement of the expert's employment over the previous twelve months.
2. An SNE must have a thorough knowledge of one Community language, and a satisfactory knowledge of a second language, for the performance of his duties. An SNE from a non-member country must have a thorough knowledge of one Community language for the performance of his duties.

Article 9

Breaks in periods of secondment

1. The Commission may authorise breaks in periods of secondment and specify the terms applicable. During such breaks:
 - (a) the allowances referred to in Article 17 shall not be payable;
 - (b) the expenses referred to in Articles 21 and 22 shall be payable only if the break is at the Commission's request;
 - (c) any reimbursement of remuneration to the SNE's employer under Article 19 shall be automatically suspended.
2. The Commission shall inform the SNE's employer.

Article 10

Termination of periods of secondment

1. Subject to paragraph 2, the secondment may be terminated at the request of the Commission or of the SNE's employer, on the party concerned giving three months' notice to the other party. It may also be terminated on giving the same notice at the SNE's request, subject to the Commission's agreement.
2. In exceptional circumstances the secondment may be terminated without notice:
 - (a) by the SNE's employer, if the employer's essential interests so require;
 - (b) by the Commission and the employer acting jointly, on request by the SNE to both parties, if the SNE's essential personal or professional interests so require;

- (c) by the Commission in the event of a failure by the SNE to respect his obligations under this Decision.

In the event of termination under point (c), the Commission shall immediately inform the employer.

Chapter II

Working conditions

Article 11

Social security

1. Before the period of secondment begins, the national or international civil service from which the SNE is to be seconded, shall certify to the Commission that he will remain, throughout the period of secondment, subject to the social security legislation applicable to that civil service and will assume responsibility for expenses incurred abroad.
2. Before the period of secondment begins, the SNE's employer shall provide the Commission with the certificate referred to in Article 11(1) of Council Regulation (EEC) No 574/72¹.
3. From the day on which their secondment begins, SNEs shall be covered by the Commission against the risk of accident. The Commission shall provide them with a copy of the terms of this cover on the day on which an SNE reports to the appropriate department of the Directorate-General for Personnel and Administration to complete the administrative formalities of secondment.
4. An SNE who cannot be covered by a public sickness insurance scheme can apply to have this risk insured by the Commission. The SNE shall pay half the relevant insurance premium and his contribution shall be deducted monthly from the allowances referred to in Article 17.

Article 12

Working hours

1. The working hours for SNEs shall be the same as those in force at the Commission.
2. The SNE shall serve on a full-time basis throughout the period of secondment. Following a duly justified request originating from a Directorate-General and subject to compatibility with the interests of the Commission, the Director-General for Personnel and Administration may authorise the use of part-time working by an SNE after agreement by her or his employer. In this case, the amount of annual leave shall be reduced accordingly.

¹ OJ L 74, 27.3.1972, p. 1.

3. Where part-time working is authorised, the SNE must work every month at least half of the normal working time.
4. An SNE may work flexible hours only if authorised to do so by the Commission service to which he is assigned. Such authorisation shall be communicated for information to the responsible unit of the Directorate-General for Personnel and Administration.

Article 13
Sick leave

1. In the event of absence from work for reasons of sickness or accident, the SNE shall notify his Head of Unit as soon as possible, stating his present address. He shall produce a medical certificate if absent for more than three days and may be required to undergo a medical examination arranged by the Commission.
2. If such absence due to sickness or accident of not more than three days exceeds a total of twelve days over a period of twelve months, the SNE shall produce a medical certificate for any further absence due to sickness.
3. Where the period of sick leave exceeds one month or the period of service performed by the SNE, whichever is longer, the allowances referred to in Article 17 (1) shall be automatically suspended. This provision shall not apply in the event of illness linked to pregnancy.

Sick leave may not extend beyond the duration of the secondment of the person concerned.

4. SNEs who are the victim of a work related injury which occurs during the secondment shall continue to receive the allowance in full throughout the period during which they are unfit for work up to the end of the of secondment.

Article 14
Annual and special leave

1. SNEs shall be entitled to two-and-a-half working days of leave per whole month of service, giving 30 days per calendar year.
2. Leave is subject to prior authorisation by the service to which the SNE is assigned.
3. SNEs may, on submitting a reasoned application, be granted special leave in the following cases:
 - (a) marriage of the SNE: two days;
 - (b) serious illness of spouse: up to three days;
 - (c) death of spouse: four days;
 - (d) serious illness of a relative in the ascending line: up to two days;

- (e) death of a relative in the ascending line: two days;
 - (f) birth of a child: two days;
 - (g) serious illness of a child: up to two days;
 - (h) death of a child: four days.
4. Upon a duly justified request from the SNE's employer, up to two days of paid special leave in a 12-month period may be granted by the Commission on a case-by-case basis.
 5. The entitlements set out in paragraphs 1, 3 and 4 shall be considered exhaustive. In particular, no further entitlement shall be allowed in respect of travel, age or category.
 6. In the case of part-time work, the annual leave shall be reduced accordingly.
 7. Days of annual leave not taken by the end of the secondment shall be forfeited.

Article 15
Maternity leave

1. An SNE who is pregnant shall be granted maternity leave of sixteen weeks, during which period she shall receive the allowances as set out in Article 17.
2. An SNE who is breast-feeding may, on request, on the basis of a medical certificate attesting the fact, be granted a special leave for a maximum of four weeks running from the end of her maternity leave, during which period she shall receive the allowances as set out in Article 17.
3. Where the relevant rules binding the employer of the SNE grant a longer period, a break in the secondment under the provisions of Article 9 shall be applied for the period exceeding that granted by the Commission.

A period equivalent to the break shall be added to the end of the secondment if the interests of the Commission warrant it.
4. An SNE may, as an alternative, apply for a break in the secondment to cover the sum of the periods allowed for maternity and breast-feeding leave. In that case, the second subparagraph of paragraph 3 shall apply.

Article 16
Management and control

Management and control of leave, working time and absences shall be the responsibility of the Directorate-General or service to which the national expert is assigned.

For SNEs appointed to Commission offices other than Brussels or Luxembourg, day-to-day administrative and financial management, such as the calculation and payment of daily

allowances, and of travel allowances and removal costs if appropriate, shall also be the responsibility of the Directorate General or service to which the SNE is assigned.

A copy of the administrative situation of these SNEs, and of any modifications to it, as well as statistical information concerning them, shall be sent monthly to whichever Unit of the Director-General for Personnel and Administration is responsible.

Chapter III

Allowances and Expenses

Article 17

Subsistence allowances

1. An SNE shall be entitled, throughout the period of secondment, to a daily subsistence allowance. Where the distance between the place of residence as determined in accordance with Article 20 and the place of secondment is 150 km or less, the daily allowance shall be EUR 27,96; where the distance is more than 150 km, the daily allowance shall be EUR 111,83.
2. If the SNE has not received removal expenses from any source, an additional monthly allowance shall be paid as shown in the table below:

Distance between place of residence and place of secondment (km)	Amount in EUR
0 – 150	0
> 150	71,89
> 300	127,8
> 500	207,68
> 800	335,48
> 1300	527,18
> 2000	631,03

This allowance shall be paid in arrears.

3. In the case of cost-free SNEs, the exchange of letters referred to in Article 1(5), shall stipulate that the allowances referred to in paragraphs 1 and 2 shall not be paid.
4. Subsistence allowances shall be payable for periods of mission, annual leave, special leave and holidays granted by the Commission.

5. SNEs who, during the three years ending six months before the secondment, have habitually resided or carried on their main occupation at a distance of 150 km or less from the place of secondment shall receive 25% of the daily allowance.

For the purpose of this paragraph, circumstances arising from work done by SNEs for a State other than that of the place of secondment, or for an international organisation, shall not be taken into account.

6. When the SNE starts the secondment, the first 75 days of the subsistence allowances to which he is entitled shall be advanced in the form of a lump sum and the allowances shall not be paid during the corresponding period. If the secondment is ended during the first 75 days, the SNE shall return the amount corresponding to the remainder of that period.
7. The SNE shall inform the Director-General for Personnel and Administration of any similar payments received from other sources. Any such amounts shall be deducted from the corresponding allowance paid by the Commission pursuant to paragraph 1.
8. Daily and monthly allowances shall be reviewed each year without retroactive effect on the basis of the adaptation of the basic salaries of Community officials at Brussels and Luxembourg.

Article 18
Additional flat-rate allowance

Except where the place of residence of the SNE is 150 km or less from the place of secondment, he shall, where appropriate, receive an additional flat-rate allowance equal to the difference between the gross annual salary, less family allowances, paid by his employer plus the subsistence allowances paid by the Commission and the basic salary payable to an official in step 1 of Grade A8 or Grade B5, depending on the category to which he is assimilated.

These allowances shall be reviewed once a year without retroactive effect on the basis of the adaptation of the basic salaries of Community officials.

Article 19
Possible reimbursement of remuneration

1. If its interests so require, the Commission may reimburse all or part of the net remuneration of an SNE during the period of secondment to his employer under an agreement to be concluded in advance and recorded in the exchange of letters provided for in Article 1(5).
2. The reimbursement of remuneration shall be authorised on a case-by-case basis by the Director-General for Personnel and Administration, taking into account the specific needs of the Service and, in particular, the need to use SNEs from all Member States.
3. Expenses resulting from the reimbursement shall be charged against the SNE allocation of the Directorate General making the request or, where appropriate, the operational budget line.

Article 20
Place of residence

1. For the purposes of this Decision, the place of residence shall be the place where the SNE has performed his duties for the employer immediately prior to the secondment. The place of secondment shall be the place where the Commission department to which the SNE is assigned is located. Both places shall be identified in the exchange of letters mentioned in Article 1(5).
2. If, on secondment to the Commission as an SNE, a national expert is already on secondment on behalf of his employer in a place different from that in which the latter's head office is located, the place of residence shall be whichever of the two is closer to the place of secondment.
3. The place of residence shall be considered to be the place of secondment in the following cases:
 - (a) where, during the three years ending six months before the start of the secondment, either the SNE's habitual residence or his main occupation was at a place situated 150 km or less from the place of secondment; or
 - (b) where at the time of the Commission's request for the secondment, the place of secondment is the principal residence of the SNE's spouse or of any of his dependent children; for this purpose, residence at 150 km or less from the place of secondment is to be treated as residence at that place.
4. Circumstances arising from work done by the SNE for a State other than that of the place of secondment, or for an international organisation, shall not be taken into account for the purpose of this Article.

Article 21
Travel expenses

1. An SNE whose place of residence is more than 150 km from the place of secondment shall be entitled to reimbursement of travel expenses in accordance with the following rules:
 - (a) He shall be entitled on his own account:
 - (i) from the place of the deemed residence to the place of secondment at the beginning of the period of secondment;
 - (ii) from the place of secondment to the place of the deemed residence at the end of the period of secondment;
 - (b) He shall be entitled in respect of his spouse and dependent children, provided that they live with him and that the removal is to be reimbursed by the Commission in accordance with Article 22:
 - (i) at the beginning of the secondment, on removal from the place of residence to the place of secondment;

- (ii) at the end of the secondment, from the place of secondment to the place of residence.
2. Unless the journey is made by air, the amount reimbursed shall be a flat rate, limited to the cost of the second-class rail fare, without supplements. This shall also apply to journeys made by car.

Air travel expenses shall be reimbursed up to actual cost of a reduced-price ticket (PEX or APEX), on production of tickets and boarding cards. Such reimbursement shall be granted only where the standard rail journey exceeds 500 km or where the standard route involves a sea crossing.
3. By way of derogation from paragraph 1, SNEs who prove that they have changed the place at which they will be primarily employed after the end of the secondment shall be entitled to reimbursement of the travel expenses to that place up to the limits set out in paragraphs 1 and 2. The reimbursement may not involve the payment of a sum higher than that to which he is entitled in case of return to the place of residence.
4. If the SNE has effected his removal from his place of residence to his place of secondment, he shall be entitled each year to a flat-rate payment equal to the cost of a return journey from his place of secondment to his place of residence for himself, his spouse and any dependent children on the basis of the conditions in force at the Commission.

Article 22
Removal expenses

1. Unless the second subparagraph of Article 17(5) applies, an SNE may remove his personal effects from the place of residence to the place of secondment, at the Commission's expense and after obtaining its prior authorisation, pursuant to the rules in force at the time concerning reimbursement of removal costs if the following conditions are met:
 - (a) the SNE's initial period of secondment must be for two years;
 - (b) the SNE's place of residence must be 100 km or more from the place of secondment;
 - (c) the removal must be completed within six months of the starting date of the secondment;
 - (d) the authorisation must be requested at least two months before the intended date of removal;
 - (e) the removal costs are not being met by the employer: in the event of partial reimbursement by the employer, an equal amount shall be deducted from the reimbursement payable by the Commission;
 - (f) the SNE must produce originals of estimates, receipts and invoices to the Commission and a certificate from the employer, either confirming that the employer is not reimbursing removal costs or stating what part of the costs the employer is paying.

2. Subject to paragraphs (3) and (4), where the removal to the place of secondment has been reimbursed by the Commission, the SNE shall be entitled at the end of the secondment, after prior authorisation, to reimbursement of removal costs from the place of secondment to the residence, pursuant to any internal rules in force at the time concerning reimbursement of removal costs, subject to the conditions set out in points (d), (e) and (f) of paragraph 1, and to the following further conditions:
 - (a) the removal must not take place earlier than three months before the end of the secondment;
 - (b) the removal must be completed within six months following the end of the secondment.
3. An SNE whose secondment is terminated at his request or at the employer's request within two years from the start of the secondment shall not be entitled to reimbursement of removal costs to the place of residence.
4. Where the SNE proves that the place where he will pursue his main occupation after secondment has changed, removal costs to that new place may be reimbursed, but only up to the amount which would have been paid in the case of removal to the place of residence.

Article 23
Missions and mission expenses

1. An SNE may be sent on mission subject to Article 6.
2. Mission expenses shall be reimbursed in accordance with the rules and conditions relating to the payment of mission expenses in force at the Commission.

Article 24
Training

SNEs shall be entitled to attend training courses organised by the Commission, if the interests of the Commission warrant it. The reasonable interests of the SNE in attending, in particular in the light of the SNE's professional career following secondment, shall be considered when a decision is taken on whether to permit attendance.

Article 25
Administrative provisions

1. The SNE shall report to the appropriate department of the Directorate-General for Personnel and Administration on the first day of the secondment to complete the relevant administrative formalities. He shall take up duty on either the first or the sixteenth day of the month.
2. SNEs not seconded to Brussels shall report to the appropriate service of the Commission in the place of secondment.

Chapter IV

Information Courses

Article 26

Admission to information courses

1. The Commission shall receive staff from government departments of Member States, EEA countries, candidate countries and third countries who are seconded from their employment in order to follow an information course, in accordance with the terms of the agreements referred to paragraph 5.

Those courses must form part of a training programme organised by those departments, in order to foster and facilitate partnerships with the government administrations concerned.

2. The length of courses shall not exceed six months. The course syllabus shall be determined in advance and shall include a general part based on the aims of the courses as laid down in the agreements between the Commission and the country concerned. The general part shall be supplemented where appropriate by provisions specific to each Directorate-General receiving trainees.
3. For administrative purposes, persons following courses shall be considered to be 'cost-free' SNEs.
4. The provisions of Articles 1, 6, 7, 12, 16, and 23, shall apply to persons following courses. By way of derogation from Article 11(3) and (4), those following courses must be insured by their employers against risk of accident.
5. A standard agreement, established by the Director-General for Personnel and Administration, shall serve as a framework for the organisation of information courses.

Chapter V

SNEs paid from Research appropriations

Article 27

This Decision shall also apply to SNEs whose allowances are paid from research appropriations allocated to Directorate-General for Research or to the Joint Research Centre.

A copy of personal data, administrative position and modifications concerning SNEs, as well as related statistics shall be forwarded to the responsible Unit of the Directorate-General for Personnel and Administration on a monthly basis.

Article 28

The powers delegated by this Decision to the Director-General for Personnel and Administration shall be exercised, in the case of the SNEs mentioned in Article 27, by the Directors-General responsible.

Chapter VI

SNEs seconded to Commission delegations

Article 29

This Decision shall apply to SNEs seconded to Commission delegations.

Article 30

The powers vested by this Decision in the Director-General for Personnel and Administration shall be exercised, in the case of SNEs seconded to Commission delegations, by the Director-General for External Relations, who may delegate these powers to officials under his authority.

Article 31

The subsistence allowances mentioned in Article 17 may be replaced by a rent allowance, where this is justified by the particular conditions in the country of secondment, by reasoned decision of the Director-General for External Relations.

Chapter VII

Final Provisions

Article 32

The Rules of 7 January 1998 applicable to national experts on secondment, as amended by the Commission Decisions of 3 February 1999, of 6 December 2000 and of 9 February 2001, are repealed.

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

It shall apply to all new secondments and all renewals of secondment starting on or after the date on which it takes effect.

Done at Brussels, 27 February 2004.

For the Commission
Neil Kinnock
Vice-President of the Commission