



EUROPEAN  
COMMISSION

Brussels, 16.12.2013  
C(2013) 8987 final

**COMMISSION DECISION**

**of 16.12.2013**

**laying down general provisions giving effect to Article 8 of Annex VII to the Staff  
Regulations**

## COMMISSION DECISION

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### laying down general provisions giving effect to Article 8 of Annex VII to the Staff Regulations

THE EUROPEAN COMMISSION,

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

Having regard to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union, laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68<sup>1</sup>,

After consulting the Staff Regulations Committee,

After consulting the Staff Committee,

Whereas:

- (1) Article 8 of Annex VII to the Staff Regulations, concerning expenses of travel between the place of employment and the place of origin, has been amended with effect as of 1 January 2014. The Commission Decision of 28 April 2004 laying down general provisions giving effect to Article 8 of Annex VII to the Staff Regulations (C(2004) 1588 final/3) should be adapted accordingly.
- (2) For reasons of clarity and legal certainty, Decision C(2004) 1588 final/3 should be replaced by this Decision,

HAS DECIDED AS FOLLOWS:

#### *SECTION I*

#### *PAYMENT OF TRAVEL EXPENSES INCURRED IN THE YEAR OF TAKING UP AN APPOINTMENT, OF TAKING FULL TIME PARENTAL OR FAMILY LEAVE OR LEAVE ON PERSONAL GROUNDS OR OF TERMINATION OF SERVICE*

##### *Article 1*

Officials who take up an appointment or are reinstated on the expiry of full time parental or family leave or of leave on personal grounds in the course of a calendar year, and who in that year complete at least nine months of active employment, shall be entitled to the full payment provided for in Article 8 of Annex VII to the Staff Regulations.

If, during that year, they complete less than nine months of active employment, they shall be entitled to only part of the payment referred to in the preceding paragraph, the basis of calculation being one twelfth for every month of service. A fraction of a month shall be rounded up to a full month to the benefit of the officials concerned.

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<sup>1</sup> OJ L 56, 4.3.1968, p. 1.

## *Article 2*

Article 1 shall apply *mutatis mutandis* to officials whose service is terminated in the course of the year for any reason other than death or who are on full time parental or family leave or on leave on personal grounds.

In the event of the death of an official in the course of a calendar year, the full flat-rate payment for travel expenses for the current year, divided into equal parts, shall be made to the surviving spouse and to the dependants within the meaning of Article 2 of Annex VII to the Staff Regulations, provided the persons concerned are themselves entitled to such payment.

## *SECTION 2*

### *PAYMENT OF TRAVEL EXPENSES IN THE EVENT OF A CHANGE IN THE PLACE OF EMPLOYMENT OR PLACE OF ORIGIN*

## *Article 3*

- (1) Officials whose place of employment is situated in the territory of a Member State and who are transferred to another place of employment situated in the territory of one of the Member States shall be entitled to the payment provided for in Article 8, paragraphs 1 – 3, of Annex VII to the Staff Regulations on a pro rata basis corresponding to the number of months spent in each place of employment. A fraction of a month of active employment shall be rounded up to a full month to the benefit of the officials concerned. The total number of months to be taken into consideration shall not exceed twelve.
- (2) Officials who are employed in a place situated in the territory of a Member State and who are transferred to a place outside the territory of the Member States or vice versa as well as officials who are employed in a place outside the territory of the Member States and who are transferred to another place of employment outside the territory of the Member States shall be entitled to a single payment under Article 8 of Annex VII to the Staff Regulations with reference to one of their places of employment, whichever corresponds to the higher cost of travel.

## *Article 4*

If an official's place of origin is changed, the payment for the calendar year in question shall be calculated on a pro rata basis according to the number of months for which each of the places of origin was established.

## *Article 5*

Where, for a reason other than marriage, the conditions for payment are not fulfilled by the spouse or by persons treated as dependent children for the entire calendar year, the payment shall be calculated on a pro rata basis according to the period for which these conditions are fulfilled. A fraction of a month shall be rounded up to a full month.

However, where these conditions cease to be fulfilled on a date later than that specified in Article 7, officials shall retain entitlement to full payment in respect of the person or persons concerned.

### *SECTION 3*

#### *MEANS OF TRANSPORT*

##### *Article 6*

In cases covered by Article 8(4) of Annex VII to the Staff Regulations, the cost of travel by air in economy class shall be paid in the form of a flat-rate payment based on IATA rates.

### *SECTION 4*

#### *DEADLINE FOR THE PAYMENT OF TRAVEL EXPENSES*

##### *Article 7*

In accordance with Articles 2 to 5, the flat-rate payments referred to in Article 8 of Annex VII to the Staff Regulations shall be made no later than in July of each year on the basis of the family circumstances of the official concerned, subject to adjustment for under- or overpayments.

### *SECTION 5*

#### *PLACE OF ORIGIN OUTSIDE THE EU*

##### *Article 8*

If an official's place of origin is situated outside the territories of the Member States of the Union as well as outside the countries and territories listed in Annex II to the Treaty on the Functioning of the European Union and the territories of the Member States of the European Free Trade Association, it shall, for the purpose of applying Article 8, paragraphs 1 – 3, of Annex VII to the Staff Regulations, be replaced by the capital city of the Member State whose nationality the official holds. If the official holds the nationalities of more than one Member State, Article 8, paragraphs 1 – 3, of Annex VII to the Staff Regulations shall be applied with reference to the capital city of the Member State of the official's first nationality as registered in the Commission's staff data base.

### *SECTION 6*

#### *SCOPE AND FINAL PROVISIONS*

##### *Article 9*

This Decision shall apply to officials. It shall also apply to temporary staff who satisfy the criteria laid down in Article 26 of the Conditions of Employment of Other Servants and to contract staff who satisfy the criteria laid down in Articles 26 and 92 of those Conditions of Employment.

The Commission Decision of 28 April 2004 laying down general provisions giving effect to Article 8 of Annex VII to the Staff Regulations (C (2004) 1588 final/3) is repealed.

This Decision shall take effect on 1 January 2014.

Done at Brussels, 16.12.2013

*For the Commission*  
*Maroš ŠEFČOVIČ*  
*Vice-President*