

Helsinki, 6 March 2014

**Rules on the secondment of national experts to the
European Chemicals Agency (ECHA)
(Decision by the Executive Director)**

<p>Owner: Shay O'Malley Validity: Indefinite Revision: Classification: Public</p>	<p>Distribution: Executive Director Quality Manager Director R Head of Unit R2 ECHA net</p>
---	---

AS THE EXECUTIVE DIRECTOR OF THE EUROPEAN CHEMICALS AGENCY

Having regard to Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC¹, and in particular Articles 83(2)(g) and 103 thereof;

WHEREAS:

Following the adjustment of the correction coefficients of 17 December 2013 it is decided to include in Article 17 of the rules only the non-weighted allowances.

I HAVE DECIDED THE FOLLOWING

- 1.** The rules on the secondment of national experts to the European Chemicals Agency, as annexed to this Decision, shall apply to seconded national experts (hereinafter referred to as "SNEs") and, where applicable, to national experts in professional training (hereinafter referred to as "NEPTs").
- 2.** The Executive Director decision ED/167/2012 on the rules on the secondment of national experts to the European Chemicals Agency of 14/12/2012 is hereby revoked.

Done at Helsinki, 6 March 2014

[signed original available at the Executive Office]

Geert Dancet

Executive Director

Annex Rules on the secondment of national experts to the European Chemicals Agency (ECHA)

¹ OJ L 396, 30.12.2006, p.1, corrected by OJ L 136, 29.5.2007, p.3.

Rules on the secondment of national experts to the European Chemicals Agency (ECHA)

Decision ED/13/2014

TITLE I

Chapter I - General provisions

Article 1 - Scope and definitions

1. These Rules shall apply to national experts seconded to the European Chemicals Agency (hereinafter referred to as SNEs).

Seconded national experts are staff employed by a national, regional or local public administration or an inter-governmental organisation (hereinafter referred to as IGO), who are seconded to the European Chemicals Agency (hereinafter referred to as ECHA) so that it can use their expertise in a particular field.

For the purposes of these Rules, "the public administration" means all State administrative services at central, federal and regional level, comprising ministries, government and parliament services, the courts, central banks, and the administrative services of local authorities, as well as the decentralised administrative services of the State and of such authorities.

The persons covered by these Rules must have worked for their employer on a permanent or contract basis for at least 12 months before their secondment and shall remain in the service of that employer throughout the period of secondment.

The SNE's employer shall thus undertake to continue to pay his salary, to maintain his administrative status (permanent official or contract staff member) throughout the period of secondment and to inform the Human Resources unit of ECHA of any change in the SNE's situation in this regard. The SNE's employer shall also continue to be responsible for all his social contributions, particularly social security and pension. The termination of or change in the SNE's administrative status (permanent official or contract staff member) may lead to the termination of his secondment by the ECHA, without notice, in accordance with Article 11(2)(c).

2. Notwithstanding the second subparagraph of paragraph 1, the Executive Director may, on a case-by-case basis, authorise the secondment of an SNE from an employer other than a State public administration or an IGO if the interests of the ECHA warrant bringing in specific expertise as a temporary measure, provided that the SNE's employer:

- is an independent university or research organisation which does not set out to make profits for redistribution; or
- is in fact part of the public sector.

For the purposes of these Rules, to qualify as being part of the public sector the SNE's employer must meet all the following conditions:

- it must be attached to a public administration, as defined in paragraph 1, and specifically it must have been created by legislation or regulation;
- its resources must come primarily from public funding;
- any activities in which it competes against other private or public entities on the market must represent less than half of its activities.

Exceptionally, and where justified by the interest of the service, the Executive Director may authorise the secondment of an SNE by an employer that does not meet one or more of the above criteria. The Executive Director shall regularly report to the Management Board of ECHA on the use of this procedure.

3. Except where the Executive Director grants a derogation, an SNE must be a national of an EU or EFTA Member State or a country with which the Council has decided to open accession negotiations and which has concluded a specific agreement with the Commission on staff secondments.

4. When a secondment is being planned, ECHA shall ensure the geographical and gender balance and compliance with the principle of equal opportunities, in accordance with the principles set out in Article 1d and Article 27 of the Staff Regulations.

The Human Resources unit of ECHA shall monitor compliance and, in the event of a serious imbalance, shall take the necessary corrective measures to ensure balanced representation of SNEs.

5. Any reference in these Rules to a person of the male gender shall be deemed also to constitute a reference to a person of the female gender, and vice-versa, unless the context clearly indicates otherwise.

Article 2 - Cost-free seconded national experts

1. For the purposes of these Rules, "cost-free SNEs" means SNEs for whom ECHA does not pay any of the allowances provided for in Chapter III or cover any of the expenses provided for in this Decision, other than those related to the performance of their duties during their secondment.

2. Cost-free SNEs may be seconded from the public administration, as defined in Article 1(1), of an EU or EFTA-EEA Member State or a country with which the Council has decided to open accession negotiations and which has concluded a specific agreement with the Commission on staff secondments, or from an IGO, as part of an agreement and/or exchange programme with the ECHA.

3. In addition, the Executive Director may authorise the secondment of cost-free SNEs on a case-by-case basis, taking into consideration their place of origin, the service in question, the geographical balance and the work to be carried out.

4. Cost-free SNEs shall be taken into account in the ECHA's annual decision on the final allocation of human resources and decentralised administrative expenditure.

Article 3 – Cost-incurred seconded national experts

1. For the purposes of these Rules, “cost-incurred SNEs” means SNEs for whom the Agency, during their secondment and in addition to the allowances and expenses provided for in Chapter III, reimburses to their employers an agreed amount of costs related to the SNE’s salary and social contributions as specified in the fifth subparagraph of Article 1(1) (“remuneration costs”).
2. If its interests so require, the Agency may reimburse all, or part, of the remuneration costs for the cost-incurred SNE during the period of secondment to its employer. Such payments shall be made in accordance with an agreement between the Agency and the employer, to be concluded in advance and recorded in the exchange of letters provided for in Article 4(3).
3. The Executive Director shall authorise a secondment of cost-incurred SNEs and reimbursement of their remuneration costs on a case-by-case basis, taking into account the specific needs of the Agency.
4. Expenses resulting from the reimbursement of cost-incurred SNEs shall be charged against the SNE allocation of the Agency’s general budget.

Article 4 - Selection procedure

1. SNEs shall be selected according to an open and transparent procedure, the practical details of which shall be decided by the Executive Director.
2. Before the secondment, the Executive Director must have been authorised to use SNEs under the Annual Policy Strategy/Preliminary Draft Budget procedure and ECHA's annual decision on the final allocation of human resources and administrative expenditure.
3. The secondment shall be authorised by the Executive Director and effected by an exchange of letters between him/her and the employer.

Article 5 - Period of secondment

1. The initial period of secondment may not be less than six months or more than two years. It may be renewed once or more, up to a total period not exceeding four years. Exceptionally, at the request of the directorate/unit concerned and where the interests of the service warrant it, the Executive Director may authorise one or more extensions of the secondment for a maximum of two more years at the end of the four-year period.

In cases where an SNE has been seconded as a national expert in professional training within the meaning of Article 24 during the six years preceding his secondment as an SNE, the period of the traineeship shall be deducted from the maximum period of six years provided for in the previous paragraph.

2. The initial duration of the secondment shall be specified in the exchange of letters referred to in Article 4(3). Any extension of the period of secondment shall be the subject of a new exchange of letters.

3. An SNE who has already been seconded to ECHA may be seconded to it another time subject to the internal rules governing the maximum length of time such persons may spend in ECHA, 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 the new secondment; if at the end of the previous secondment the SNE received an employment contract with ECHA, the duration of that contract or secondment shall be taken into account when calculating the six-year period referred to above.

The minimum period of six years referred to at paragraph 3 b) shall not be required if the previous secondments lasted for less than four years. In that case the new secondment shall not exceed the unexpired part of the four-year period. It is possible, however, to extend the secondment by up to two more years for a maximum duration of six years, as provided for in paragraph 1.

Article 6 - Place of secondment

SNEs shall be seconded to ECHA's offices in Helsinki.

Article 7 – Tasks

1. SNEs shall assist ECHA's staff that are subject to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities (hereinafter referred to as "statutory staff"). They may not perform middle or senior management duties, even when deputising for their immediate superior.

2. An SNE shall take part in missions or external meetings only as part of a delegation led by a statutory staff member of ECHA or, if on his own, as an observer or for information purposes.

3. In all other cases, by way of derogation from paragraph 2, the Director of the department concerned may give a specific mandate to the SNE to participate on his own in one or more missions or external meetings, after having ensured that there is no potential conflict of interest.

In such cases the Director of the department concerned shall give the SNE clear and specific written instructions on the position to be adopted during the missions or meetings in question.

The Director may delegate his power to derogate within his Department.

Under no circumstances may an SNE on his own represent the ECHA with a view to entering into commitments, whether financial or otherwise, or negotiating on its behalf.

An SNE may, however, represent ECHA in legal proceedings as co-agent with a statutory staff member.

4. ECHA shall remain solely responsible for approving the results of any tasks performed by an SNE and for signing any official documents arising from them.

5. The ECHA departments concerned, the SNE's employer and the SNE must ensure that there is no conflict of interest in relation to the SNE's duties while seconded to the ECHA.

For this purpose, the Department to which the SNE is to be seconded shall inform the SNE and his employer before the start of the secondment about the intended duties and ask them to confirm in writing that they do not know of any reason why the SNE should not be assigned to those duties.

The employer and the SNE shall also undertake to inform the Director of the Department to which the SNE is seconded of any change of circumstances during the secondment which could give rise to any such conflict.

The department to which the SNE is seconded shall keep a copy of all such exchanges of correspondence in its records and shall hand the original(s) over to the Human Resources unit of ECHA.

6. Where the Department 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.

7. Failure on the part of the SNE to comply with his obligations arising from paragraphs 2, 3 or 5 shall entitle ECHA, if it sees fit, to terminate the secondment of the SNE pursuant to Article 11(2)(c).

Article 8 - Rights and obligations

1. During the period of secondment:

a) The SNE shall carry out his duties and conduct himself solely with the interests of ECHA in mind. He shall neither seek nor take instructions from any government, authority, organisation or person outside the ECHA. He shall carry out the duties assigned to him objectively, impartially and in keeping with his duties of loyalty to ECHA.

b) An SNE wishing to engage in an outside activity, whether paid or unpaid, or to carry out any assignment outside ECHA shall be subject to ECHA provisions applicable to outside activities and assignments². The Human Resources unit of ECHA shall consult the SNE's employer before issuing an authorisation.

c) The SNE shall refrain from any action or behaviour which might reflect adversely upon his position and from any form of psychological or sexual harassment³.

d) The SNE shall not, in the performance of his duties, deal with a matter in which, directly or indirectly, he has any personal interests such as to impair his independence, and, in particular, family and financial interests. If he has occasion in the performance of his duties to deal with such a matter, he shall immediately inform his Head of Unit, who will take any appropriate measure and may, in particular, relieve the SNE of responsibility in this matter.

² Article 12b of the Staff Regulations and the provisions implementing this Article shall apply mutatis mutandis on the basis of Article 11 of the Conditions of employment of other servants of the European Communities.

³ Article 12a of the Staff Regulations and the provisions implementing this Article shall apply mutatis mutandis on the basis of Article 11 of the Conditions of employment of other servants of the European Communities.

The SNE may neither keep nor acquire, either directly or indirectly, in undertakings which are subject to the authority of the ECHA or which have dealings with the ECHA, any interests of such kind or magnitude as might impair his independence in the performance of his duties.

The SNE shall declare any gainful activity performed in a professional capacity by his spouse, as defined by the Staff Regulations.

e) The SNE shall refrain from any unauthorised disclosure of information received in the line of duty, unless that information has already been made public or is accessible to the public. On taking up duty, the SNE shall sign a declaration of confidentiality and commitment and a declaration of interests.

f) The SNE has the right to freedom of expression, with due regard for the principles of loyalty and impartiality.

The SNE who intends to publish or cause to be published, whether alone or with others, any text on a matter relating to the work of ECHA shall inform the Executive Director in advance. Where the Executive Director is able to demonstrate that the publication is liable seriously to prejudice the legitimate interests of ECHA, he shall inform the SNE of his decision in writing within 30 working days of receipt of the information. If no such decision is notified within the specified period, the Executive Director shall be deemed to have had no objections.

g) All rights in any work done by the SNE in the performance of his duties shall be the property of ECHA.

h) The SNE shall reside at the place of secondment or at no greater distance there from as is compatible with the proper performance of his activities.

i) Based on his professional knowledge and experience, the SNE shall assist and tender advice to the superiors in the ECHA to whom he is assigned and shall be responsible to his superiors for performance of the tasks entrusted to him.

2. Failure to comply with any of the provisions of paragraph 1 during the period of secondment shall entitle the ECHA, if it sees fit, to terminate the SNE's secondment pursuant to Article 11(2)(c).

3. At the end of the secondment the SNE shall continue to have a duty of loyalty to ECHA and be bound by the obligation to act with integrity and discretion in the exercise of new duties assigned to him and in accepting certain posts or advantages.

Article 9 - Professional experience and knowledge of languages

1. To qualify for secondment to ECHA a national expert must have at least three years' experience of administrative, legal, scientific, technical, advisory or supervisory functions which can be regarded as equivalent to those of function groups AD or AST – this latter function group being taken into consideration only for highly specialised job profiles – as defined in the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities.

2. The SNE must produce evidence of a thorough knowledge of one of the Community languages and a satisfactory knowledge of another Community language to the extent necessary for the performance of his duties. An SNE from a non-member country must produce evidence of a thorough knowledge of one Community language necessary for the performance of his duties.

Article 10 - Suspension of secondment

1. At the written request of the SNE or his employer, and with the latter's agreement, ECHA may authorise suspensions of periods of secondment and specify the terms applicable. ECHA may also ask for a suspension of the secondment at the interest of the service. During such suspensions:

- a) the subsistence allowances referred to in Article 17 shall not be payable;
- b) the travel expenses referred to in Article 19 shall be payable only if the suspension is at the ECHA's request.

2. The period of suspension shall not be counted in the period of secondment as defined in Article 5.

Article 11 - Termination of periods of secondment

1. Subject to paragraph 2, the expert's secondment may be terminated at the request of ECHA or the SNE's employer, subject to three months' notice, or at the SNE's request, subject to the same period of notice and with the agreement of the ECHA and the SNE's employer.

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 ECHA and the employer acting jointly, at the request of the SNE addressed to both parties, if the SNE's personal or professional interests so require;
- c) by ECHA in the event of failure by the SNE or his employer to respect their obligations under these Rules; ECHA shall immediately inform the SNE and his employer accordingly.

Chapter II - Working conditions

Article 12 - Social security

1. Before the period of secondment begins, the national public administration or IGO from which the SNE is to be seconded shall certify that he will remain, throughout the period of secondment, subject to the social security legislation applicable to the public administration that employs him and is responsible for expenses incurred abroad. To this end, the SNE's employer shall provide the ECHA with the certificate referred to in Article 11(1) of Council Regulation (EEC) No 574/72⁴.

⁴ OJ L 74, 27.3.1972, p. 1.

2. From the day on which their secondment begins, SNEs shall be covered by ECHA against the risk of accident. ECHA shall provide them with a copy of the terms of this cover on the day on which they report to the Human Resources unit of ECHA to complete the administrative formalities related to the secondment.

3. A SNE who cannot be covered by a public sickness insurance scheme may apply to have this risk insured by the ECHA. The SNE shall pay half the relevant insurance premium and his contribution shall be deducted monthly from the subsistence allowances referred to in Article 17.

Article 13 - Working hours

1. The working hours for SNEs shall be the same as those in force at ECHA⁵.

2. An SNE shall serve on a full-time basis throughout the period of secondment. Following a duly justified request originating from the department concerned, the Executive Director may allow an SNE to work part time, provided the SNE's employer agrees and the arrangement is compatible with the smooth running of the department.

Article 14 - Sick leave

1. The rules in force at the ECHA on absence due to sickness or accident shall apply to SNEs⁶.

2. Where the period of sick leave exceeds three months or the length of time worked by the SNE, whichever is longer, the subsistence allowances referred to in Article 17 shall be automatically suspended.

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

3. SNEs who are the victim of a work-related injury which occurs during the secondment shall continue to receive the subsistence allowances in full throughout the period during which they are unfit for work. These allowances shall not, however, be paid beyond the end of the period of secondment.

Article 15 - Annual and special leave

1. With the exception of the provisions relating to grade, the rules in force at ECHA on annual and special leave applicable to statutory staff members shall apply to SNEs⁷.

⁵ Articles 55, 56 and 56c of the Staff Regulations and the provisions implementing these Articles shall apply mutatis mutandis on the basis of Article 16 of Conditions of employment of other servants of the European Communities.

⁶ Articles 59 and 60 of the Staff Regulations and the provisions implementing these Articles shall apply mutatis mutandis on the basis of Article 16 of Conditions of employment of other servants of the European Communities.

⁷ Articles 57 and 59a of and Annex V to the Staff Regulations and the provisions implementing these Articles shall apply mutatis mutandis on the basis of Article 16 of Conditions of employment of other servants of the European Communities.

2. Leave shall be subject to prior authorisation by the Department to which the SNE is seconded. In the event of unauthorised absence within the meaning of Article 60 of the Staff Regulations, subsistence allowances shall not be paid.

3. Upon a duly justified request from the SNE's employer, the SNE may be granted up to two days of special leave by the ECHA in a 12-month period to visit his employer.

4. Days of annual leave not taken by the end of the period of secondment shall be forfeited.

Article 16 - Maternity leave

1. The rules in force at ECHA on maternity leave shall apply to SNEs⁸. While on maternity leave the SNE shall receive the subsistence allowances referred to in Article 17.

2. Where the rules that are binding upon the SNE's employer provide for a period of maternity leave longer than that granted by the ECHA, the secondment may, at the SNE's request, be interrupted for the period by which that leave exceeds the leave granted by ECHA.

A period equivalent to the break may be added to the end of the secondment if the interests of the ECHA warrant it.

3. An SNE may, as an alternative, apply for a break in the secondment to cover the sum of the periods allowed for maternity leave. In that case, the second subparagraph of paragraph 2 shall apply.

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 and a monthly subsistence allowance.

On the date of entry into force of these Rules:

- the daily subsistence allowance for Helsinki shall be €127,65
- the monthly subsistence allowance shall be paid in accordance with the following table:

⁸ Article 58 of the Staff Regulations and the provisions implementing this Article shall apply *mutatis mutandis* on the basis of Article 16 of Conditions of employment of other servants of the European Communities.

Distance between place of recruitment and place of secondment (km)	Amount in EUR
0 – 150	0
> 150	82,05
> 300	145,86
> 500	237,05
> 800	382,92
> 1300	601,73
> 2000	720,27

2. These subsistence allowances shall be granted under the same conditions as the expatriation allowance for statutory staff members.

3. In the case of cost-free SNEs, the exchange of letters referred to in Article 4(3) shall stipulate that these allowances will not be paid.

4. The subsistence allowances for SNEs seconded to Helsinki shall be subject to the weighting set by the Council pursuant to Article 64 of the Staff Regulations.

5. The adjustments to remuneration adopted by the Council pursuant to Article 65 of the Staff Regulations shall apply automatically to the subsistence allowances in the month following their adoption. The Human Resources unit in ECHA shall be responsible for implementing this provision.

6. These allowances are intended to cover SNEs' living expenses in the place of secondment on a flat-rate basis and shall in no circumstances be construed as remuneration paid by ECHA.

The SNE shall inform the Human Resources unit of ECHA of any allowance similar to the subsistence allowances paid by ECHA received from other sources. This amount shall be deducted from the subsistence allowances paid by ECHA. Following a duly justified request from the employer, ECHA may decide not to make this deduction.

7. Subsistence allowances shall be payable for every day of the week, including during periods of mission, annual leave, special leave and holidays granted by the ECHA.

8. 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. This lump sum shall be paid by the 25th day of the month for SNEs starting on the first day of the same month. For SNEs starting on the 16th day of the month, this lump sum shall be paid by the 10th day of the following month. If the secondment is ended during the first 75 days, the SNE shall return the amount corresponding to the remainder of that period.

9. Subsistence allowances shall be paid no later than the 25th day of each month.

Article 18 - Place of origin

1. For the purposes of these Rules, "place of origin" means the place where the SNE performed his duties for his employer at the time of his secondment. The place of secondment shall be Helsinki where ECHA is located.
2. Both places shall be identified in the exchange of letters referred to in Article 4(3).
3. If, six months before his secondment to ECHA as an SNE, a national expert already has his main residence in a place other than that in which the employer's headquarters is located, the place of origin shall be deemed to be whichever of the places is closer to the place of secondment.

Article 19 - Travel expenses

1. SNE's other than those seconded cost-free, shall be entitled to reimbursement of the cost of his travel between his place of origin and the place of secondment, as defined in Article 18, at the beginning and end of his secondment.
2. Travel expenses shall be reimbursed in accordance with the relevant rules and conditions in force at ECHA.
3. By way of derogation from paragraph 1, an SNE who proves that he will be assigned to a place other than his place of origin at the end of the secondment shall be entitled to reimbursement of the travel expenses to that new place under the conditions laid down in paragraph 2. However, this reimbursement may not be more than the amount that would have been paid had the SNE returned to his place of origin.
4. The ECHA shall not reimburse any expenses referred to in the preceding paragraphs if they have been met by the employer or any other body. The employer concerned shall inform the Human Resources unit of ECHA to this effect.

Article 20 - Missions and mission expenses

1. An SNEs may be sent on mission subject to Article 6.
2. Mission expenses shall be reimbursed in accordance with the relevant rules and conditions in force at ECHA.

Article 21 – Training

SNEs shall be entitled to attend training courses organised by ECHA, if the interests of the ECHA warrant it. The interests of the SNE, in particular with a view to his reinstatement into his original administration after the secondment, may be considered when a decision is taken on whether to allow him to attend a training course.

Article 22 - Administrative provisions

SNEs shall report to the Human Resources unit of ECHA on the first day of secondment to complete the requisite administrative formalities. They shall take up duty on either the first or the sixteenth day of the month.

Chapter IV – Complaints

Article 23

Without prejudice to the possibilities for instituting proceedings after taking up his position, under the conditions and time limits laid down in Article 230 of the EC Treaty, any SNE may submit a complaint to the Human Resources unit of ECHA responsible for complaints and requests under the Staff Regulations about an act adopted by the ECHA under these Rules which adversely affects him, with the exception of decisions which are direct consequences of decisions taken by his employer.

The complaint must be lodged within two months. The period shall start to run on the date of notification of the decision to the person concerned, but in no case later than the date on which the latter received such notification. The Executive Director shall notify the person concerned of his reasoned decision within four months from the date on which the complaint was lodged. If at the end of that period no reply to the complaint has been received, this shall be deemed to constitute an implied decision rejecting it.

TITLE II

NATIONAL EXPERTS IN PROFESSIONAL TRAINING

Article 24 - General provisions and definitions

1. National experts in professional training (hereinafter referred to as NEPTs) are staff from the public administrations of EU or EFTA-EEA Member States or, depending on the places available, of countries with which the Council has decided to open accession negotiations and which have concluded a specific agreement with the ECHA on staff secondments, or from IGOs, who are admitted to ECHA departments for professional training purposes.

2. The provisions of Article 1(1), (3), (4) and (5) shall apply by analogy to NEPTs.

Article 25 - Purpose of the professional training

1. The purpose of the professional training is:

- to give NEPTs experience of the ECHA's working methods and policies;
- to enable them to gain practical experience and understanding of the day-to-day work of ECHA departments and to give them the opportunity to work in a multicultural, multilingual environment;

– to enable staff of national administrations to put into practice the knowledge they have acquired in their studies, particularly in their respective areas of responsibility.

2. For its part, ECHA:

– benefits from the input of people who can offer a new point of view and up-to-date knowledge which will enrich the daily work of the institution;

– builds up a network of people with direct experience of its procedures.

Article 26 – Eligibility

1. The provisions of Article 8 on professional experience and knowledge of languages shall apply by analogy to NEPTs.

2. People who have already been seconded as an SNE or worked under an employment contract in one of the Community institutions or bodies shall not be eligible for traineeships.

Article 27 - Selection of candidates

1. ECHA shall decide on the procedure and methods for submission of applications.

2. After consulting the Departments concerned and considering the situation, the Executive Director shall decide how many NEPTs are to be admitted to the ECHA services for each period.

Article 28 - Duration of the professional training

1. The professional traineeships shall last between three and five months. The duration shall be fixed at the outset and may not be changed or extended.

An NEPT may complete only one professional traineeship.

2. The professional traineeships are organised twice a year, usually starting on the 1st or 16th of the months of March and October.

Article 29 - Organisation of the professional training

Throughout the professional traineeship NEPTs shall be supervised by a training advisor. The training advisor must inform the Human Resources unit of ECHA of any significant incidents during the professional traineeship (in particular absences, illness, accidents or interruption) which he knows of or has been informed of by the NEPT.

NEPTs must obey instructions given by their training advisor, their superiors in the Directorate to which they are seconded and the Human Resources unit of ECHA.

NEPTs shall be allowed to attend meetings, unless they are restricted or confidential, to receive documentation and to participate in the activities of the Directorate to which they are seconded.

Article 30 - Suspension of the professional traineeship

At the written request of the NEPT or his employer, and with the latter's prior agreement, the Director of Resources of ECHA may authorise a very brief suspension of the professional traineeship or its early termination. The NEPT may return to complete the remaining period of the professional traineeship, but only up until the end of that period. Under no circumstances may the traineeship be extended.

Article 31 - Working conditions and remuneration

1. The following Articles shall apply by analogy to NEPTs:

- Article 7 on tasks;
- Article 8 on rights and obligations;
- Article 12(1) and (2) on social security;
- Article 13(1) on working hours;
- Article 14 on sick leave;
- Article 15 on annual leave and special leave;
- Article 20 on missions and mission expenses.

2. NEPTs shall be regarded as cost-free SNEs within the meaning of Article 2. They shall continue to be paid by their employer without any financial compensation being paid by ECHA.

ECHA will accept no requests for grants or fees or the reimbursement of travel or other expenses other than the reimbursement of mission expenses incurred as part of the professional traineeship.

Article 32 - Reports and certificate of attendance

NEPTs who have completed the stipulated professional training period shall complete the evaluation reports requested by the Human Resources unit of ECHA at the end of their traineeship. Training advisors must also complete the relevant evaluation report. Subject to the completion of the professional traineeship and these reports, NEPTs shall receive a certificate showing the dates of the professional training and the Directorate in which it took place.

TITLE III FINAL PROVISIONS

Article 33 – Delegation

1. The Executive Director may delegate the powers devolved to him pursuant to these Rules to one or more persons of his choice.