

Governing Board

DECISION GB(D)11-2026

on the request for the Commission agreement for derogation from
implementing rules to the Staff Regulation (*geographical balance*)

THE GOVERNING BOARD OF THE SESAR 3 JOINT UNDERTAKING (“SESAR 3 JU”),

Having regard to:

- The Council Regulation (EU) 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe and repealing Regulations (EC) No 219/2007, (EU) No 557/2014, (EU) No 558/2014, (EU) No 559/2014, (EU) No 560/2014, (EU) No 561/2014 and (EU) No 642/2014 (“Single Basic Act”), as last amended by Council Regulation (EU) 2023/1782 of 25 July 2023;
- 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 259/68¹ as last amended, and in particular to Article 110(2), third subparagraph, of the Staff Regulations;
- 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 having informed the Staff Committee,

Whereas:

- (1) Pursuant to 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 the agencies² to that end, the Commission informs the agencies of any such implementing rule without delay after adoption.
- (2) On 18 November 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 Officials of the European Union and Article 12(1) of the Conditions of Employment of Other Servants of the European Union.

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

² This provision also refers to JUs.

Governing Board

- (3) This communication triggered the nine-month deadline for agencies to decide if they will apply the rules by analogy or request a derogation.
- (4) The SESAR 3 JU considers that Commission Decision C(2025)7357 is not suitable to apply by analogy, mainly because of its different characteristics of the establishment plan, namely with regard to the number of staff.
- (5) Therefore, it is appropriate to request a derogation not to apply these rules by analogy and to adopt different rules.
- (6) The Agencies Standing Working Party (SWP) has informed the agencies that in coordination with the Commission, a specific model decision adapted to agencies will be developed and which will better suit the needs of the agencies;
- (7) 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, 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 to adopting different rules and pending the finalisation of a model decision on this matter for agencies, the Executive Director is hereby empowered to request the Commission's agreement on the derogation from Commission Decision C(2025)7357 of 6.11.2025 on the general provisions for implementing Article 27 of the Staff Regulations of Officials of the European Union and Article 12(1) of the Conditions of Employment of Other Servants of the European Union.

Article 2

This decision shall enter into force on the day of its adoption.

Done in Brussels, 29 June 2026.



For the SESAR 3 JU Governing Board

*The Chairperson
Filip Cornelis*