

*TRIBUNAL DE CUENTAS EUROPEO*

*EVROPSKÝ ÚČETNÍ DVŮR*

*DEN EUROPÆISKE REVISIONSRET*

*EUROPÄISCHER RECHNUNGSHOF*

*EUROOPA KONTROLLIKODA*

*ΕΥΡΩΠΑΪΚΟ ΕΛΕΓΚΤΙΚΟ ΣΥΝΕΔΡΙΟ*

*EUROPEAN COURT OF AUDITORS*

*COUR DES COMPTES EUROPÉENNE*



*CORTE DEI CONTI EUROPEA*

*EIROPAS REVĪZIJAS PALĀTA*

*EUROPOS AUDITO RŪMAI*

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*EUROPEISKA REVISIONSRÄTTEN*

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**DECISION LAYING DOWN  
THE IMPLEMENTING PROVISIONS  
FOR THE RULES OF THE EUROPEAN COURT OF AUDITORS  
ON TRAINING<sup>1</sup>**

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<sup>1</sup> As adopted by the Administrative Committee on 23 February 2006

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**DECISION LAYING DOWN THE  
IMPLEMENTING PROVISIONS  
FOR THE RULES OF THE EUROPEAN COURT OF AUDITORS  
ON TRAINING**

THE ADMINISTRATIVE COMMITTEE, BY DELEGATION OF THE EUROPEAN COURT OF AUDITORS,

- Having regard to the Staff Regulations of officials of the European Communities, and in particular Article 24a thereof,
- Having regard to the Conditions of employment of other servants of the European Communities, and in particular Articles 11 and 54 thereof,
- Having regard to Decision No 87-10 of 26 February 1987 by the Appointing Authority setting up a Joint Committee on Training,
- Having regard to Opinion No 3/05 by the Joint Committee on Training of 19 October 2005,
- Having regard to Decision No 7-2006 of 3 February 2006 laying down the Rules of the European Court of Auditors on Training;

**HAS DECIDED:**

## **CHAPTER 1: DETERMINATION OF TRAINING REQUIREMENTS AND COURSE PLANNING**

### **SECTION 1: THE DIRECTIONAL PLAN**

#### **Article 1**

The managing department shall draw up a draft directional plan the purpose of which is to set out the Court's major guidelines in the sphere of training. The draft directional plan shall be sent for examination and opinion to the Joint Committee on Training. The draft, together with the opinion, shall then be submitted to the Court with a view to adoption.

#### **Article 2**

The directional plan shall in principle cover a period of four years but it may be revised beforehand either at the managing department's initiative or at the Committee's initiative by a unanimously-taken decision.

### **SECTION 2: DRAWING-UP AND CONTENTS OF THE ANNUAL PROGRAMME**

#### **Article 3**

A preliminary draft programme in respect of the year  $n + 1$  shall be sent to the Committee by the managing department by no later than 31 January of the year  $n$ . This document shall contain information on the managing department's draft budget and general guidelines. The Committee shall have a period of two months as of that date in which to deliver an opinion.

#### **Article 4**

The managing department shall draw up a draft annual training programme covering a period of twelve months corresponding to the year  $n + 1$ . It shall send the draft programme to the Committee by no later than 30 September of the year  $n$ . The Committee shall have a period of two months as of that date in which to deliver an opinion on the draft programme. The draft, amended where necessary following the Committee's opinion and accompanied by this opinion, shall be submitted by the Secretary-General to the Court for adoption. After adoption by the Court the annual programme shall be communicated to Court staff by the managing department.

#### **Article 5**

The managing department shall submit to the Committee, by no later than 30 April of the year  $n + 1$ , a report on the implementation and assessment of the programme for the year  $n$ . The Committee shall have a period of two months as of that date in which to deliver an opinion.

#### **Article 6**

Within the framework of the report mentioned under Article 5 above, the Committee shall be kept informed by the managing department of all the decisions to attend training courses not listed in the annual programme.

#### **Article 7**

The opinions mentioned in Articles 3, 4 and 5 above shall be sent by the Chairman/Chairwoman of the Committee to the Secretary-General. The latter shall communicate to staff the report on the implementation of the programme for the past year and the opinion mentioned in Article 5 above.

#### **Article 8**

The recurring courses organised by the Court or managed jointly at interinstitutional level shall be included in the annual training programme. The programme may indicate the staff targeted by the course.

#### **Article 9**

Any other training course which may be of general interest to the Court shall be communicated to the staff by the managing department.

### **SECTION 3: PERSONAL DEVELOPMENT PLAN**

#### **Article 10**

A personal development plan (PDP) shall be drawn up for each member of staff in the course of the annual appraisal procedure. It shall result from collaboration between the member of staff and his/her hierarchical superior.

#### **Article 11**

The PDP aims to enable the member of staff:

- to identify his/her personal development requirements as regards the knowledge and skills required to perform his/her duties;
- to set short and medium-term work-related objectives;
- to establish ways of fulfilling these requirements and achieving these objectives.

### **Article 12**

The PDP shall cover a period of several financial years and shall be updated annually.

The member of staff shall carry out the PDP in cooperation with his/her hierarchical superior in accordance with the following stages:

- identification of the specific features of the post held by the member of staff;
- identification of the corresponding requirements in the area of work experience and training;
- determination of priorities, in the form of objectives to be met and measures to be taken in the above-mentioned areas;
- carrying-out of the PDP and annual follow-up of its implementation.

### **Article 13**

Training aims to promote the implementation of the PDP by staff by proposing three types of training course:

- training courses designed to acquire knowledge in their area of work;
- training courses to be attended at specific stages of the staff member's career;
- on-going training of a general nature.

### **Article 14**

The acquisition of knowledge in their area of work must enable staff to improve their performance in their current duties and to obtain the experience required for taking on additional responsibilities. To this end, each member of staff shall agree with his/her hierarchical superior upon an annual plan containing, on the one hand, the work-related objectives to be achieved and, on the other hand, the corresponding training courses, including language courses. The plan for the year n + 1 shall form the subject of a written document drawn up in the course of the annual appraisal procedure in cooperation with the hierarchical superior by no later than 15 January of the year n + 1, and the part of it which relates to training courses shall be sent to the managing department.

### **Article 15**

Specific courses to be attended when moving from one category to another and giving access to managerial duties are designed to give staff the skills required to carry out their new duties.

In accordance with Article 5 of the Rules, these courses may be made compulsory.

### **Article 16**

Ongoing training of a general nature shall be designed to keep up-to date and develop staff's specialised knowledge in the areas required for the sound functioning of Court work, in particular auditing, accounting, law, economic sciences and Community policies.

In accordance with Article 5 of the Rules, ongoing training courses may be made compulsory.

## **CHAPTER 2: VALUE OF TRAINING COURSES**

### **SECTION 1: COURSES IN THE SOLE INTEREST OF THE COURT**

#### **Article 17**

A course not listed in the annual programme and not organised by the managing department shall be deemed to be in the sole interest of the Court if all the following conditions have been met:

- (a) the course is given by a recognised body, in a location as near as possible to the place of employment (preferably within the Community);
- (b) the applicant member of staff, given his/her grade and post, does not have the specific knowledge provided by this course;
- (c) the course is essential for the work of the of the division/department as listed, for example, in the audit divisions' annual work programme;
- (d) when the course has several modules, the modules whose content is of sole interest to the Court must correspond, according to the managing department's assessment, to at least 50% of the time envisaged for the course;
- (e) the cost of the course financially covered is reasonable, given its individual nature;
- (f) the course recipient shall undertake to discharge the corresponding obligations requested by the managing department (see Article 33 of these Implementing Provisions).

### **Article 18**

By derogation from Article 17(b) and (c) above, a course not included in the annual programme and not organised by the managing department shall be deemed to be of sole interest if it is requested by a member of staff to fulfil his/her obligations vis-à-vis a professional association of which he/she is a member, to the extent that the subject matter of the association and of the course is relevant to the Court's activities.

## **SECTION 2: COURSES IN THE JOINT INTEREST OF THE COURT AND THE MEMBER OF STAFF**

### **(i) Conditions**

#### **Article 19**

Any course not listed in the annual programme and not organised by the managing department which fulfils the conditions laid down in Article 17 above except for the condition under (c) shall be deemed to be of joint interest.

#### **Article 20**

By derogation from Article 19, any course not included in the annual programme and not organised by the managing department, and which does not satisfy all the conditions laid down in Article 17 of these Implementing Provisions, shall be deemed to be of joint interest if it is included in the staff member's personal development plan.

### **(ii) Enrolment fees**

#### **Article 21**

Where the budget allows, the enrolment fees for courses deemed to be in the joint interest of the member of staff and the Court may be reimbursed by the Court, on production of supporting documents, to the extent of 50 % of the expenses incurred, and within a lower limit of 55 euro and a ceiling of 550 euro per calendar year. These amounts shall be updated every three years by the Administrative Committee at the managing department's proposal. These expenses shall be exclusive of all other reimbursement or financial cover.



**(iii) Special leave for training and special leave for examinations**

**Article 22**

Special leave for training shall be granted to enable the member of staff to attend classes relating to the approved course or training. The duration of the special leave for training shall be equal to half of that of the course, the other half being, of necessity, docked from the staff member's leave entitlement.

Special leave for training may only be granted once at the same level of study and, where a member of staff has to repeat a year, special leave shall no longer be applicable to the level in question.

No special leave for training shall be granted in respect of days of training that coincide with public holidays.

**Article 23**

Special leave for training may in no event exceed 25 working days or their equivalent in working hours per calendar year, irrespective of the number or type of courses that the applicant member of staff may attend over the same calendar year.

The days required for travelling to and from the places where the course is held do not give entitlement to the granting of travelling time. They must be taken from annual leave.

**Article 24**

Special leave for training may in no event exceed, for the same course or a specific study cycle, an overall credit of 45 working days or its equivalent in working hours, all years taken together.

**Article 25**

Correspondence courses do not give entitlement to the granting of compensatory special leave for training.

**Article 26**

Applications for special leave for training, whether they concern courses referred to in Article 15 or in Article 16 of the Rules, shall be submitted using the leave application form. Where a course is cancelled, the corresponding special leave for training shall be cancelled likewise.

**Article 27**

In the case of temporary, auxiliary and contract staff, such leave shall only be granted if the remainder of his/her contract exceeds one year as from the end of the training course. If special leave for training has been requested subsequent to the request for prior authorisation, the managing department shall not be bound, for the granting of this leave, by any approval which it might have given beforehand.

**Article 28**

The above-mentioned limits shall be reduced accordingly in the event of part-time work.

**Article 29**

Where an application for special leave for training covers a period immediately preceding leave on personal grounds, special leave may only be granted if the leave on personal grounds does not exceed three months and is intended to extend the training.

**Article 30**

Members of staff may take special leave for examinations for a period equal to the number of days required to sit the compulsory tests provided for in the course cycle. They shall be allowed one day for preparation per calendar year. This leave, which may be split into half days where necessary, shall be granted within the limit of 15 working days per calendar year, all courses taken together. In the event of failure, followed by re-enrolment in a subsequent university year or course of study for the purpose of repeating the level, this leave is no longer due for the level of study concerned.

Special leave for examinations shall be increased by the travelling time applicable. Days for examinations and travelling time shall be granted within the limit of the working days required to travel or sit the examination. If the tests and travelling time coincide with non-working days, no recovery of the travelling time or examination leave shall be allowed.

Applications, whether for courses referred to in Article 15 or in Article 16 of the Rules, must be submitted using the leave application form.

**Article 31**

Special leave for training or examinations and travelling time shall be granted by the Appointing Authority after the managing department has indicated its approval on the course application form.

**Article 32**

Members of staff who have attended a training course giving entitlement to special leave should send the Appointing Authority and the managing department, within a period of one month as from the last day of the course, attestations of attendance and/or course completion certificates issued by the organisation responsible for the course.

### **CHAPTER 3: FORM AND CLOSING DATE FOR APPLICATIONS**

#### **Article 33**

All applications to attend a course must be sent to the managing department using the form drawn up by the latter. For any courses not listed in the annual programme, the following documents and information should be attached to the application:

- the authorisation to attend the course, agreed in accordance with Article 8 of the Rules,
- the enrolment form from the training body, duly completed, containing, in particular, the following information:
- the course programme,
- the place where the course is being held,
- the references of the training body,
- the procedures of the training cycle or course,
- the enrolment or education fees,
- the estimated maximum number of days of special leave for training and examinations, including any travelling time.

The managing department may also request the member of staff to provide it with more detailed information on the nature of the training course or cycle.

On the basis of all this information, the managing department shall assess the application in accordance with the criteria provided for in Chapter 4 of the Rules.

#### **Article 34**

All courses not listed in the annual programme must be approved by the course recipient, his/her department and the managing department.

The approval process shall determine:

- the value of the course within the meaning of Section 1 of Chapter 4 of the Rules,
- the corresponding obligations devolving on the course applicant, in particular with regard to the passing-on of the knowledge that he/she has acquired from the course,
- the financial arrangements for meeting the cost of the course.

### **Article 35**

All applications to attend courses should reach the managing department by no later than 10 working days before the closing-date for applications or, where no closing date is specified, before the beginning of the course. The application forms for courses not included in the annual programme should be submitted to the managing department at least 20 working days before the closing-date for applications or, where no closing-date is specified, before the beginning of the course. Failure to observe these deadlines leaves the applicant member of staff open to refusal of his/her application.

### **Article 36**

The managing department shall inform the applicant member of staff of the outcome of his/her application as soon as possible, and by no later than ten working days following its receipt.

### **Article 37**

Where access to a course is limited to a certain number of participants, applications shall be processed by the managing department on a "first come, first served" basis.

## **CHAPTER 4: ATTENDANCE AT TRAINING COURSES BY PERSONS RECRUITED FOR LESS THAN ONE YEAR**

### **Article 38**

A person recruited for a period of less than one year must attend the compulsory courses which he/she been instructed to attend by his/her hierarchical superior.

### **Article 39**

Persons recruited for a period of less than one year may attend language courses within the following limits:

- attendance at a single course of 60 hours per year;
- the courses must concern one of these three languages: English, French or German.

### **Article 40**

The persons referred to in the previous article may not attend courses the cost of which to the Court amounts to over 550 euro per week (i.e. 110 euro per day or 55 euro per half day), except where a derogation has been granted by the managing department.

## **CHAPTER 5: OBLIGATIONS OF THOSE ATTENDING TRAINING COURSES**

### **Article 41**

Anyone attending a course shall undertake:

- (a) to attend the course in question regularly; the managing department should be notified in good time of any interruption or absence and the reasons must be stated. If these conditions are not observed, the Court reserves the right to charge any financial costs which may result from irregular attendance or unjustified withdrawal to the member of staff concerned;
- (b) to sit all the examinations held in connection with the course chosen;
- (c) to provide proof that he or she has actually attended the course regularly, if the course is held outside the workplace.

If the course is not listed in the annual programme, the member of staff attending shall undertake to:

- provide a detailed report to his/her hierarchical superior and to the managing department;
- discharge the corresponding obligations described in the approval provided for in Article 34 of these Implementing Provisions, which may consist in giving one or more presentations, in oral or written form, relating to the training course attended to other members of the Court's staff in conjunction with the managing department.

### **Article 42**

Members of staff who attend training courses involving the granting of a financial contribution by the Court must submit to the managing department the supporting documents that the latter deems necessary and, where applicable, the teachers' assessment of the person concerned.

## **CHAPTER 6: LANGUAGE COURSES**

### **Article 43**

The annual credit for language courses, which includes repeating years, amounts to 120 hours for each member of staff, irrespective of the form or framework in which they are given. In the case of French and English classes, the annual credit for language courses, which includes repeating years, shall amount to 180 hours for each member of staff.

**Article 44**

Except in the case of express derogation granted by the managing department, a member of staff shall not be authorised to attend more than 120 hours (or 180 hours) of courses during the same calendar year, irrespective of the form or framework in which they are given. The above-mentioned limit shall be reduced accordingly in the case of part-time work.

**Article 45**

All practical procedures concerning language courses that are adopted, now or in the future, by the managing department or the Interinstitutional Training Group shall apply to Court staff.

**Article 46**

The managing department shall provide the staff with the relevant information in good time for them to enrol on a course.

**Article 47**

Outside the special provisions as regards exemption referred to under Articles 39 to 46 of the Rules and Articles 43 to 45 of these Implementing Provisions, the general principles referred to in these regulations shall apply.

Luxembourg, 23 February 2006