

GOVERNING BOARD OF THE GLOBAL HEALTH EDCTP3 JOINT UNDERTAKING DECISION N° GB/14/2026

on the request for the Commission agreement for derogation from implementing rules to the staff regulations

THE GOVERNING BOARD OF THE GLOBAL HEALTH EDCTP3 JOINT UNDERTAKING (hereafter "Global Health EDCTP3 JU"),

Having regard to Council Regulation (EU) No 2021/2085 of 19 November 2021 establishing the Joint Undertakings under Horizon Europe, in particular Article 17(2)(v),

Having regard to the Staff Regulations of Officials of the European Union ('Staff Regulations') and the Conditions of Employment of Other Servants of the European Union ('CEOS'), laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68, and in particular Article 110(2) of the Staff Regulations,

Having regard to 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 2.B) thereof;

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 agencies 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 November 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.
- (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) Global Health EDCTP3 Joint Undertaking considers that Commission Decision C(2025)7357 is not suitable to apply by analogy to the Agency, mainly because of the different characteristics of its establishment plan, namely regarding the limited number of staff.
- (5) It is therefore 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 and more suitable model decision adapted to agencies will be developed.

- (7) Pursuant to Article 110(2) of the Staff Regulations and the 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 must empower the Executive Director to request the Commission's agreement for derogation.
- (8) The staff Committee has been consulted.

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 of the Global Health EDCTP3 Joint Undertaking is hereby empowered to request the Commission's agreement on the derogation from Commission Decision C(2025)7357 of 6 November 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 take effect on the day following its adoption.

Done at Brussels, 12 August 2026.

For the Global Health EDCTP3 Joint Undertaking Governing Board

Qualified electronic signature by: MARIA

PILAR AGUAR FERNANDEZ

Date 2026-08-17 10:00:46 UTC

Maria Pilar AGUAR FERNANDEZ
Chairperson of the Governing Board

Annex:

1. Commission Decision C(2025) 7357 of 6 November 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.
2. Annex to the Commission Decision C(2025) 7357 of 6 November 2025.
3. Justification note.