

ACP-EC COTONOU AGREEMENT

AFRICAN, CARIBBEAN AND
PACIFIC GROUP OF STATES

COUNCIL OF
THE EUROPEAN UNION

Brussels, 4 March 2002
(OR. fr)

ACP/85/09/02

ACP-CE 2109/1/02
REV 1

ACP-EC DECISION

Subject : Decision No 2/2002 of the ACP-EC Committee of Ambassadors of 4 March 2002 amending Internal Regulation No S21/S22/L.IV/93 applicable to experts seconded to the Centre for the Development of Enterprise (Financial conditions - monthly living allowance)

DECISION No 2/2002
OF THE ACP-EC COMMITTEE OF AMBASSADORS
of 4 March 2002

amending Internal Regulation No S21/S22/L.IV/93
applicable to experts seconded to the Centre for the Development of Enterprise
(Financial conditions – monthly living allowance)

THE ACP-EC COMMITTEE OF AMBASSADORS,

Having regard to the ACP-EC Partnership Agreement, signed in Cotonou on 23 June 2000, and in particular Article 2(6)(b) of Annex III thereto,

Having regard to Decision No 1/2000 of the ACP-EC Council of Ministers of 27 July 2000 regarding transitional measures valid from 2 August 2000 until the entry into force of the ACP-EC Partnership Agreement,

Whereas:

- (1) Article 9 of Internal Regulation No S21/S22/L.IV/93 establishes the financial conditions applicable to experts seconded to the Centre for the Development of Enterprise and, more specifically, in its second indent, the monthly living allowance of such experts;
- (2) By its Decision No 1/96¹, the ACP-EC Committee on Industrial Cooperation approved an amendment to Article 9 adjusting the monthly living allowance to 90 000 BEF (2 231.04 euros). This amount has not been reviewed since then;

¹ ACP-CE 2105/1/96 REV 1 of 30 May 1996.

13 The financial conditions offered by the Centre for the Development of Enterprise should be commensurate with the high level of experience and expertise that it expects from its seconded experts

HAS DECIDED AS FOLLOWS:

Article 1

The second indent of Article 9 of Internal Regulation No S21/S22/L.IV/93 applicable to experts seconded to the Centre for the Development of Enterprise, as amended by Decision No 1/96 of the ACP-EC Committee on Industrial Cooperation, is replaced by the following:

"- a monthly living allowance of 3 000 euros."

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, on 4 March 2002

By the ACP-EC Committee of Ambassadors
The Chairman

Francisco J. Conde de Saro

ACCORD ACP-CE DE COTONOU

GROUPE DES ÉTATS D'AFRIQUE,
DES CARAÏBES ET DU PACIFIQUE

CONSEIL DE
L'UNION EUROPÉENNE

Bruxelles, le 15 septembre 2003

ACP/85/033/03

ACP-CE 2145/1/03
REV 1

NOTE

Objet : Décision n° 6/2003 du Comité des ambassadeurs ACP-CE du 29 juillet 2003 modifiant le Règlement intérieur n° S21/S22/L.IV/93 applicable aux experts détachés auprès du Centre pour le développement de l'entreprise (CDE) - Durée maximum du détachement des experts

DÉCISION N° 6/2003
DU COMITÉ DES AMBASSADEURS ACP-CE
du 29 juillet 2003

modifiant le Règlement intérieur n° S21/S22/L.IV/93
applicable aux experts détachés auprès du Centre pour le développement de l'entreprise (CDE)
(Durée maximum du détachement des experts)

LE COMITÉ DES AMBASSADEURS ACP-CE,

vu l'accord de partenariat ACP-CE signé à Cotonou le 23 juin 2000, et notamment l'article 2,
paragraphe 6 b) de son Annexe III,

considérant ce qui suit :

- (1) l'article 2 du Règlement intérieur n° S21/S22/L.IV/93 fixe la durée maximum du détachement d'un expert auprès du Centre pour le développement de l'entreprise à 36 mois ;
- (2) le Conseil d'administration du CDE a notifié une modification à ce Règlement intérieur visant à étendre la durée maximum du détachement d'un expert auprès du CDE à 48 mois, s'alignant ainsi sur la durée maximum du détachement d'un expert auprès de la Commission européenne ;
- (3) conformément à l'article 1 paragraphe 3 du Régime applicable au personnel du CDE ⁽¹⁾, les modifications de réglementations adoptées par le Conseil d'administration du Centre font l'objet d'une approbation par le Comité des ambassadeurs ACP-CE,

¹Annexé à la décision n° 1/92 du Conseil des ministres ACP-CEE du 15 décembre 1992.

DÉCIDE :

Article premier

La deuxième phrase du second paragraphe de l'article 2 du Règlement intérieur n° S21/S22/L.IV/93 applicable aux experts détachés auprès du Centre pour le développement de l'entreprise est remplacée par le texte suivant :

"La durée maximum de service ne dépassera pas un total de quarante-huit mois, y compris le détachement initial et toutes prolongations qui pourraient s'ensuivre. "

Article 2

La présente décision entre en vigueur à la date de son adoption.

Fait à Bruxelles, le 29 juillet 2003

Par le Comité des ambassadeurs ACP-CE

Le président

Isikeli U. MATAITOGA

29.11.93

INTERNAL REGULATION N° S21/S22/L.IV/93

Date of issue : Ref. Decision N° 1/92 of the ACP-EEC Council of Ministers of 15/12/92, hereinafter referred to as Decision 1/92, Art. 5	Title : SECONDED EXPERTS (NATIONAL OR INTERNATIONAL)
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Article 5 of the Staff Regulation of the CDI (Decision N° 1/92 of the ACP-EEC Council of Ministers) reads :

Art.1 Definition

- a) A seconded expert for the purpose of this Regulation is any national or international civil servant, private-sector executive or public, semi-public or private sector with qualifications and experience equivalent to those required by a member of the staff of the CDI, who is temporarily transferred to CDI or exchanged with a member of the CDI staff.
- b) The person covered by this regime must be, and remain during his/her secondment to CDI, in remunerated service in a public administration or institution (international, national, regional or local) or company and keep his social coverage and advantages. He/she must be a national of a state signatory of the Lomé Convention or of a state candidate to become signatory.

Art. 2 Duration of the secondment

The secondment must be authorized by the Director and endorsed by the Chairman of the Joint Executive Board. It cannot exceed a period of 12 months or be shorter than 6 months and may not exceed the contract expiry date authorised by the CIC for the nomination of the regular staff of the Centre. The duration of the secondment will be indicated in an exchange of letters between the CDI and the employer of the seconded person. The same person can only be seconded to CDI once only. This exchange of letters will contain all terms of reference for the secondment.

Any single extension of the secondment period, will not exceed 12 months. The maximum period of service will not exceed a total of 36 months including the original secondment and following prolongations. The Director will inform the Joint Executive Board of his decisions.

Art. 3 Tasks

The seconded expert must act as an independent expert and not as a representative of the interests of his country of origin, within a work programme issued by the CDI and contained in the terms of reference referred to in Article 2.

Art. 4 Professional profile

The seconded expert must have a proven working knowledge of one of the main working languages of the CDI and be normally in possession of a university degree or prove other very high qualifications. The minimum requirement of relevant work experience must correspond to that indicated in Art. 7 of the Staff Regulation of CDI, according to the level of the function given to him; and in any case not be inferior to 5 years.

Art. 5 Insurances

The seconded expert must produce, before his/her arrival to CDI :

- a certificate of fitness and good health,
- the declaration from his/her employer that, during the period of secondment, he/she will be covered by the social security scheme of his/her country (including health scheme).

The CDI will ensure the risks of accident, death and health risks at the same level of its own staff; the seconded expert or its employer will contribute to the relevant cost by paying 50 % of the premium of this additional insurance and their prior agreement must be formalized before the seconded expert takes up duties. The CDI may take into consideration additional contributions in particular cases.

Art. 6 Interruption of the secondment

The first three months will be considered as a trial (probationary) period ; during it the Director of the CDI may stop the secondment at any time with one week notice. After this trial (probationary) period, the interruption of the secondment may be decided at any time by the Director of the CDI, either on his own initiative or upon motivated request by the employer of the seconded expert or by the latter. In this case a minimum one month notice will be allowed to the expert.

Art. 7 Rights and obligations of the seconded expert

- The seconded expert must fulfil his/her function and perform only in the interest of the CDI. He/she will be evaluated periodically, in the same way and following the same procedures of CDI staff members.

- The seconded expert must abstain from any act, and particularly public expression, that could damage the dignity of his/her function and CDI reputation.
- The seconded expert must declare his/her involvement in respect of any matter in which he/she has personal interest in the performance of his/her duties. He/she must also engage himself/herself in written to abide by CDI's internal rules.
- The seconded expert must be very discreet in respect of any matter or any information he/she knows, because of his involvement in CDI's activity. He/she is not allowed to communicate those matters or information to any unauthorised person, and above all, if those matters or information concerning respect for confidentiality as applicable to staff, would apply, mutatis mutandis, to the seconded expert. Any breach in this respect may lead to legal pursuits on the part of CDI.
- The seconded expert cannot either publish or have published, on his/her own behalf or with any collaboration, any text of which the content is related to the activity of the CDI without prior approval in accordance with the conditions and the regulations of the CDI.
- The seconded expert cannot commit CDI, unless specifically authorized/mandated by the Director.
- All rights related to the work of any seconded expert for the duration of the secondment are CDI property.
- During the secondment period, the expert should abstain from doing any activity implicating directly or indirectly the representative of his country of origin in the fields where the CDI's and the EEC's interests are at stake.

Art. 8 Working hours - bank holidays - leave

Working hours, bank holidays and leave will follow the CDI internal regulation.

Art. 9 Financial conditions

The CDI will reimburse to the seconded expert :

- travel costs from his/her place of residence to Brussels at the beginning of the secondment and the return at the end thereof : Economy class for air, First class for train.
- a monthly living allowance of 70.000 BF.