

European Aviation Safety Agency

**DECISION N° 2009/002/F
OF THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY
of 23 March 2009**

**ON THE GENERAL TERMS AND CONDITIONS FOR THE REIMBURSEMENT OF TRAVEL AND
SUBSISTENCE EXPENSES TO OUTSIDE PERSONS**

THE EXECUTIVE DIRECTOR OF THE EUROPEAN AVIATION SAFETY AGENCY

Having regard to the Regulation (EC) No 216/2008 of the European Parliament and of the Council of 20 February 2008 on common rules in the field of civil aviation and establishing a European Aviation Safety Agency, and repealing Council Directive 91/670/EEC, Regulation (EC) No 1592/2002 and Directive 2004/36/EC¹ (hereinafter "The Basic Regulation"), and in particular Article 38(3)(e) thereof,

Having regard to Commission Regulation (EC) 736/2006 of 16 May 2006 on working methods of the European Aviation Safety Agency for conducting standardisation inspections²,

Whereas

- (1) The European Aviation Safety Agency (the Agency), in application of Article 6(6) of the said Commission Regulation (EC) 736/2006 of 16 May, has to bare the expenses arising from the participation of national coordinators and/or authorised personnel of Member States in standardisation activities;
- (2) The Management Board has decided in its meeting of 17 September 2008 to temporarily cease all reimbursements to rulemaking group members. However, the Management Board decided that reimbursement will nonetheless be considered on a case by case basis for experts whose organisation cannot bear the travel costs;
- (3) Reimbursement of travel and subsistence expenses to National Aviation Authorities in the context of certification tasks are covered by the provisions defined in the respective framework service contracts with the NAAs (paragraphs 1.8.2., 1.8.5. and annex IV).

HAS ADOPTED THE FOLLOWING PROVISIONS:

¹ OJ L 79, 19.03.2008, p. 1.

² OJ L 129, 17.5.2006

Article 1

The general terms and conditions to be followed to reimburse travel and subsistence expenses to outside persons, in attachment, are hereby approved.

Article 2

The general terms and conditions determine the validity of travel and subsistence expenses, and the administrative formalities for those outside persons invited by the Agency that are eligible to claim reimbursement of travel and subsistence expenses. The eligibility to reimbursement is determined separately on the basis of applicable regulations, a formal decision by the competent body or an Agency decision.

Article 3

On the basis of the relevant regulations and decisions, the general terms and conditions for the reimbursement of travel and subsistence expenses will apply to the following:

- Outside persons invited by the Agency as members of the Management Board, members of other Boards and Committees on the condition that the eligibility for reimbursement of travel and subsistence expenses for the concerned outside persons is formally approved by the competent body;
- NAAs for persons (national coordinators and/or authorised personnel of Member States) participating in standardisation activities related to Commission Regulation (EC) 736/2006;
- In exceptional cases, experts who are members of Rulemaking groups that comply with the criteria defined in the Agency's Work Instruction "R.1028 - Procedure for the determination of the membership of rulemaking groups".
- In exceptional cases, that do not fall under all of the above, an outside person who has been invited by the Agency as an expert to fulfil an essential and leading role in an activity that is organised by the Agency and in the interest of the Agency, such as a facilitator to a workshop, speaker to a conference or provider of a presentation, and the concerned activity does not fall under an existing contractual obligation of the person concerned or of his/her organisation towards the Agency. In these cases, the reimbursement of travel and subsistence expenses of the concerned outside person must be based on a formal decision by the responsible authorising officer or authorising officer delegated prior to the invitation.

Article 4

These general terms and conditions repeal and replace decisions (ED Decision 2005/01/ADM of 4 February 2005 and ED Decision 2006/03/Q of 4 August 2006) adopted by Executive Director of the Agency.

Article 5

The terms and conditions (Annex 1) shall enter into force on 23/03/2009 for all meetings and standardisation activities, referred to in Article 3, for which the invitations are sent after this date.

The terms and conditions shall be published in the official publication of the Agency.

Done at Cologne, 23 March 2009

P. GOUDOU