



Valletta Harbour, 28 July 2021
EASO/MB/2021/116

DECISION No 74
OF THE MANAGEMENT BOARD OF THE EUROPEAN ASYLUM SUPPORT OFFICE
of 28 July 2021

amending Management Board Decision No 54 of 14 August 2019 on the EASO Financial Regulation

THE MANAGEMENT BOARD:

HAVING REGARD to Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office¹ (hereafter 'EASO Founding Regulation'), and in particular Articles 31(6)(e) and 37 thereof.

HAVING REGARD to Commission Delegated Regulation (EU) 2019/715 of 18 December 2018 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) No 2018/1046 of the European Parliament and of the Council² (hereafter 'Framework Financial Regulation'), and in particular Article 1 thereof.

HAVING REGARD to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012³ (hereafter 'EU Financial Regulation'), and in particular Article 70 thereof.

HAVING REGARD to Commission Decision C(2021) 4310 of 11 June 2021 on a request from the European Asylum Support Office for its financial rules to depart from Article 93 of Delegated Regulation (EU) 2019/715 (hereafter 'Commission Decision C(2021) 4310'), and in particular Article 1 thereof.

¹ Regulation (EU) No 439/2010 of the European Parliament and of the Council of 19 May 2010 establishing a European Asylum Support Office, (OJ L 132, 29.5.2010, p. 11).

² OJ L 122, 10.05.2019.

³ OJ L 193, 30.7.2018.

WHEREAS:

1. Commission Delegated Regulation (EU) No 1271/2013⁴ has been repealed (and replaced) by Commission Delegated Regulation (EU) No 2019/715 of 18 December 2018. Accordingly, the Management Board of the European Asylum Support Office adopted its Decision No 54 of 14 August 2019 on the EASO Financial Regulation⁵.
2. Article 93 of the EASO Financial Regulation provides that “*Article 237 of Regulation (EU, Euratom) 2018/1046 shall apply mutatis mutandis*”. The wording thereof is based on Article 93 of the Framework Financial Regulation.
3. Article 237 of the EU Financial Regulation provides that “[...] *Union institutions may select remunerated external experts to assist them in the evaluation of grant applications, projects and tenders, and to provide opinions and advice in specific cases*”.
4. The Agency identified a need for a broader range of experts to provide operational and technical support to Member States subject to particular pressure on their asylum and reception systems, in accordance with the EASO Founding Regulation.
5. The Agency therefore submitted a request to the European Commission to depart from the wording of Article 93 of the Framework Financial Regulation, in order to allow EASO to select remunerated external experts to provide operational, technical and administrative assistance to Member States.
6. Pursuant to Commission Decision C(2021)4310, EASO has been granted consent by the European Commission to depart from Article 93 of the Framework Financial Regulation, in accordance with the wording set out in Article 1 below.
7. The EASO Financial Regulation should subsequently be amended by means of this present Decision.

HAS DECIDED AS FOLLOWS:

Article 1 Amendment

The wording of Article 93 of Management Board Decision No. 54 of 14 August 2019 on the EASO Financial Regulation, is hereby replaced by the following:

“Article 237 of Regulation (EU, Euratom) 2018/1046 shall apply *mutatis mutandis*. However, the Agency may also select remunerated external experts to provide operational, technical and administrative assistance to Member States. Such experts may form part of the asylum support teams referred to in Regulation (EU) No 439/2010.”

⁴ Commission Delegated Regulation (EU) No 1271/2013 of 30 September 2013 on the framework financial regulation for the bodies referred to in Article 208 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council (OJ L 328, 7.12.2013, p. 42).

⁵ Repealing (and replacing) Management Board Decision No 20 of 27 December 2013 on the EASO Financial Regulation.

Article 2
Entry into force

This Decision shall enter into force on the date of its signature and amends Management Board Decision No 54 of 14 August 2019 on the EASO Financial Regulation.

Done by written procedure on 28 July 2021
For the Management Board



Mikael Ribbenvik
Chair of the EASO Management Board