

making the railway system
work better for society.

DECISION n° 169

of the Management Board of the European Union Agency for Railways adopting the Framework for Good Administrative Behaviour of the European Union Agency for Railways

THE MANAGEMENT BOARD OF THE EUROPEAN UNION AGENCY FOR RAILWAYS,

Having regard to the Regulation (EU) 2016/796 of the European Parliament and of the Council of 11 May 2016 on the European Union Agency for Railways (hereinafter referred to as “the Agency”) and repealing Regulation (EC) No. 881/2004¹ (hereinafter called “the Regulation”), and in particular Article 51 § 1 points (h) and (s) and Article 69 thereof,

Whereas:

- (1) EU citizens have a fundamental right to good administration under the Charter of Fundamental Rights of the European Union (EU). As a body of the EU, the Agency must provide such good administration, centered on the principles of impartiality and fairness.
- (2) In order to discharge of its obligations, the Agency should put in place a general framework of conduct for its staff, within the limits set out by the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union, laid down by Council Regulation (EEC, Euratom, ECSC) No. 259/682².
- (3) With regard to the prevention and management of conflicts of interest, it is essential that the Agency acts impartially, demonstrates integrity and establishes high professional standards. There should never be any legitimate reason to suspect that decisions might be influenced by interests conflicting with the role of the Agency as a body serving the Union as a whole or by private interests or affiliations of any member of the Agency staff, any seconded national expert or external expert which would create, or have the potential to create, a conflict with the proper performance of the official duties of the person concerned.
- (4) The Agency should therefore put in place comprehensive rules on conflicts of interests that cover the entire Agency. Those rules should take account of recommendations issued by the Court of Auditors in its Special Report No 15 of 2012.

¹ OJ L 138 26.5.2016, p. 1-43.

² Regulation (EEC, Euratom, ECSC) No. 259/68 of the Council of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities and instituting special measures temporarily applicable to officials of the Commission (OJ L 56, 4.3.1968, p. 1), hereinafter referred to as “Staff Regulations” and the “CEOS”.

HAS DECIDED AS FOLLOWS:***Article 1***

1. The framework for Good Administrative Behaviour of the European Union Agency for Railways is adopted as set out in Annex to this decision.
2. The Executive Director shall take all the necessary measures for the practical implementation of the Framework for Good Administrative Behaviour, including by adopting the necessary templates, internal procedures and guidelines and providing the necessary training.

Article 2

The present decision shall enter into force on 1 June 2018. It will be published on the Agency website.

Done at Lille, on 25-01-2018
For the Management Board

The Chairperson
Clio LiÉGEOIS

Annex: Framework for Good Administrative Behaviour of the European Union Agency for Railways