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DECISION n°185

of the Management Board of the European Union Agency for Railways adopting rules on reimbursement of travel accommodation expenses and subsistence allowance for members of the Board of Appeals and other persons and on fees for experts envisaged under the Board(s) of Appeal Rules of Procedure

THE MANAGEMENT BOARD OF THE EUROPEAN UNION AGENCY FOR RAILWAYS,

Having regard to 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 881/2004 (hereinafter referred to as “Regulation (EU) 2016/796”), and in particular Articles 55(5) thereof,

Having regard to Commission Implementing Regulation (EU) 2018/867 of 13 June 2018 laying down the rules of procedure of the Board(s) of Appeal of the European Union Agency for Railways and in particular Article 29§3, 29§4, 35 and 36 thereof,

Whereas:

- (1) The Management Board should define the conditions and amount of the reimbursement of travel, accommodation, daily subsistence allowance and related expenses for members of the Board(s) of Appeal and other persons which participating in the appeal/arbitration proceedings defined in the Board(s) of Appeal Rules of Procedure;
- (2) In addition, it should define the remuneration fees for experts for their services provided to the Board(s) of Appeal based on the rate applicable to other experts assisting the Agency in order to ensure coherent and consistent remuneration for all experts;
- (3) Reimbursement amounts should be the same as those applicable to the other experts of the Agency also adopted by the Management Board.

HAS DECIDED AS FOLLOWS:

Article 1 - Reimbursement rules

1. Members and alternates of the Board(s) of Appeal shall be reimbursed according to the rules on reimbursement of expenses for travel, accommodation and subsistence allowance incurred by people from outside the Agency invited to attend meetings in an expert capacity as adopted by the Management Board.

2. Fees for experts providing services to the Board(s) of Appeal shall be the same as those set for other experts assisting the Agency as adopted by the Management Board.

3. Other persons including experts as defined in the Board of Appeal Rules of Procedure Article 35 shall be reimbursed according to the rules on reimbursement of expenses for travel, accommodation and subsistence incurred by people from outside the Agency invited to attend meetings in an expert capacity as adopted by the Management Board.

Article 2 - Payments

In accordance with Article 80(3) of the ERA Regulation (2016/796/EU) payments to the beneficiaries for reimbursements should be charged to the income generated by the Agency from fee-related activities.

Article 3 - Monitoring

1. The Board(s) of Appeal shall introduce a system to monitor the attribution of days of work of its members, the planning and number of meetings/hearings/deliberations related to cases as well as other meetings and report to the Management Board regularly.

2. A common system of such monitoring shall be established when there are more than one Boards of Appeal.

Article 4 – Entry into force

The present decision shall enter into force the date following that of its adoption. It shall be published on the Agency's website.

Done at Valenciennes, on 18-11-2018
For the Management Board

The Chairperson
Clio LIÉGEOIS