



EIOPA PUBLIC USE
EIOPA-MB-20/041
27 May 2020

Decision of the Management Board on the Reimbursement of Expenses of External Persons

The Management Board of the European Insurance and Occupational Pensions Authority,

Having regard to Regulation (EU) No 1094/2010 of the European Parliament and of the Council of 24 November 2010 establishing the European Insurance and Occupational Pensions Authority (hereinafter referred to as 'Regulation' and 'EIOPA'), and in particular Articles 37 and 58 thereof,

Having regard to the Staff Regulations of Officials ('Staff Regulations') and the Conditions of Employment of Other Servants of the European Union ('CEOS') as laid down by Council Regulation (EEC, EURATOM, ECSC) No 259/68, and in particular Article 86 of the Staff Regulations and Annex IX thereto,

Having regard to the Financial Regulation of the European Insurance and Occupational Pensions Authority of 6 June 2019, revised on 11 October 2019 (EIOPA-MB-19/057), and in particular Articles 77 thereof,

Whereas:

(1) EIOPA's Regulation was recently amended, with an impact on the reimbursement of expenses of certain external persons.

(2) The Joint Committee of the European Supervisory Authorities proposed on 5 March 2020 the Alignment of the Reimbursement Rules among the three European Supervisory Authorities.

Has adopted the following decision:**Article 1 – Beneficiaries and scope**

This decision defines the general provisions for the financial contributions EIOPA provides to the External Persons specified below as defined in the following articles:

- Insurance and Re-insurance Stakeholder Group (IRSG) Members and Occupational Pensions Stakeholder Group (OPSG) Members (together 'SHG Members');
- Members and Alternates of the Board of Appeal appointed by EIOPA ('BoA Members and Alternates');
- Consumer Representatives attending the Annual Joint ESAs' Consumer Protection Day ('Consumers');
- Guest Speakers invited for trainings and events ('Speakers');
- Experts from other institutions or competent authorities sent to EIOPA (no longer than 2 months) to perform tasks requiring specific expertise ('Experts');
- Other Experts/Participants;
- Members and Alternates of EIOPA's Disciplinary Board;
- Former EIOPA staff members and other external persons forming part of the inquiry team appointed in the context of administrative inquiries, as well as their alternates;

- Anyone responsible for accompanying a disabled person who has been invited by EIOPA to attend a meeting in any of the above capacities.

Article 2 – General provisions

- 2.1. A financial contribution shall be granted towards travel and accommodation expenses of SHG Members who attend IRSG and OPSG meetings, excluding extraordinary meetings, provided in each case that the member is acting as or representing consumers, employees, beneficiaries, users of insurance and re-insurance services, academics and, upon prior authorisation, to SMEs and relevant professional associations¹, as specified below.
- 2.2. A financial contribution shall be granted towards travel and accommodation of BoA Members and Alternates, Consumers, as well as Disciplinary Board Members and Alternates.
- 2.3. SHG Members, BoA Members and Alternates as well as Disciplinary Board Members and Alternates shall also receive remuneration/allowance as well as a daily subsistence allowance for the day(s) of the meetings they attend, as specified in Articles 6, 7 and 8 accordingly.
- 2.4. In principle, Speakers, Experts and Participants are not entitled to financial contribution. In exceptional cases, the Executive Director may decide on a case-by-case basis to reimburse their travel and accommodation expenses and possibly grant daily subsistence allowance, taking into consideration the interest of EIOPA and the availability of EIOPA's budget. More precisely, travel and accommodation expenses may be granted to Speakers, Experts and Participants. In addition to this, daily subsistence allowance may only be granted to short term Experts and only for the duration of their stay at EIOPA.

¹ For SMEs and representatives of relevant professional associations, a prior written approval of EIOPA is required to ensure exclusion from industry funding in compliance with art. 37(5) of EIOPA's Regulation. Members who represent organisations registered in the EU Transparency Register under (sub) sections I (professional consultancies/law firms/self-employed consultants) and II (in-house lobbyists and trade/business/professional associations) cannot be eligible for reimbursement.

- 2.5. Former staff members and other persons invited for a hearing in the context of administrative inquiries shall be reimbursed for their travel expenses .
- 2.6. Persons accompanying disabled persons shall be reimbursed for their travel and accommodation expenses, if the external person they are accompanying is entitled to such a reimbursement.

Article 3 – ‘Point of departure’

- 3.1. The ‘point of departure’ is the basis for calculating the travel costs eligible for the reimbursement.
- 3.2. If the place of residence and the place of current employment are in the same country, the place of residence will be taken as a ‘point of departure’. If the place of residence and the current place of employment are in different countries then the place with the shortest distance to the meeting venue is taken as ‘point of departure’.
- 3.3. If the place of departure is different from the place of origin or the place of residence, the prior approval of EIOPA is required. In case of authorisation by EIOPA to use a deviating point of departure, the actual reimbursement is limited to the supposed point of departure.

Article 4 – Travel expenses

- 4.1. Travel expenses to be reimbursed by EIOPA to the selected categories of SHG Members, BoA Members and Alternates and the other categories identified under Article 1 cover the following:
 - i. cost of transportation to the place of the meeting;
 - ii. travel expenses from the point of departure, as specified in Article 3, to the place of the meeting by the most appropriate means of transport given the distance involved;
 - iii. costs of travel by rail (excluding local transport), a first-class rail ticket, non-flexible, for distances less than 400km one way;
 - iv. costs of travel by air, an economy class ticket, non-flexible. If the journey by air involves a flight of 4 hours or more without

stopovers, the cost of a business class ticket. Regardless of the number of stopovers, flights are reimbursed up to the cost of the ticket for the most direct route;

- v. the cost of travel by private car at the same rate as a rail ticket unless the route is not served by a train in which case it shall be reimbursed at the rate of EUR 0.28 per km.

4.2. The following expenses shall not be reimbursed:

- i. where the distance between the place of residence and the place of the meeting is 50 km or less;
- ii. taxi fares and local public transport (among others: bus, tram, metro, parking fees, charges for car rental) as well as food and beverages. However, if there are cases where using public transport is not reasonable or highly problematic due to the time or safety reasons, a derogation for taxi use prior to the travel can be requested. The request shall be duly justified in order for EIOPA to take a well-informed decision on its appropriateness;
- iii. excess luggage fees.

4.3. The EIOPA staff responsible for the reimbursement shall specifically try to ensure that meetings are organised in such a way as to enable External Persons to benefit from the most economical travel rates.

4.4. The EIOPA staff responsible for the reimbursement shall scrutinize any request for reimbursement and have the right to carry out any checks that might be needed as well as request any proof from the External Persons required for this purpose. The responsible EIOPA staff shall also have the right, where it appears to be justified, to limit the reimbursement.

4.5. Travel expenses shall be reimbursed upon presentation of scanned copies of original supporting documents: travel tickets and invoices, as well as electronic versions of online bookings/reservations and boarding passes for the outward journey. The documents supplied must show the name of passenger, class of travel used, the departure and arrival time and the amount paid. In case of travel by private car, the calculation from the point of departure to EIOPA and the bill(s) proving the use of the car (toll payments/petrol bills) must be provided.

Article 5 – Accommodation expenses

- 5.1. With regard to accommodation expenses, the number of nights reimbursed by EIOPA may not exceed the number of meeting days. If a flight or train is available prior to and following the end of the meeting, the External Persons are expected to arrive from and depart to their 'point of departure' on the same day. If it is not feasible, authorisation before the meeting date shall be asked from the EIOPA Staff responsible for the reimbursement.
- 5.2. The cost of accommodation is reimbursed based on presentation of the invoice/bill and in accordance with the ceiling established by the European Commission.
- 5.3. The reimbursement of accommodation costs applies only to the city of the meeting. It does not apply to the city of residence. In exceptional cases, via prior approval of EIOPA, the reimbursement of accommodation costs can be granted for a city other than that of the meeting.

Article 6 – Allowances paid to eligible EIOPA Stakeholder Group Members

- 6.1. The SHG members' allowance for participating in an EIOPA SHG meeting shall be EUR 600 (EUR 200 per day for attending the meeting, EUR 200 for one preparatory day and EUR 200 for follow up tasks) per meeting. The allowance for the preparatory day shall be paid only if the meeting was physically attended²).
- 6.2. The SHG members' meeting allowance for participating in an EIOPA Working Group meeting, Project Group or Steering Committee shall be EUR 200 per day of the meeting. No additional financial support will be provided in case the duration of travel exceeds the number of meeting days attended.

² If someone prepared for a meeting, but falls sick or due to a strike or other reasons cannot attend the meeting last minute, EIOPA will not pay the allowances.

- 6.3. The SHG member is entitled to a daily subsistence allowance established by the European Commission³ for each day of the meeting. This is paid on top of the allowances mentioned in point 6.1. The allowance covers transport costs such as taxi fares, local public transport (among others: bus, tram, metro, parking fees, any express trains to the relevant airports) to and from the airport/station/hotel/etc. to/from the place of the meeting as well as breakfast and the two main meals.
- 6.4. The allowances and the reimbursement of travel and accommodation expenses a SHG member receives as set out above shall not exceed the total amount of EUR 10,000 in any calendar year.

Article 7 – Remuneration and allowances to Board of Appeal Members and Alternates

7.1. Remuneration for participating in appeal cases

BoA Members and Alternates are remunerated for their participation in appeal cases as follows:

- EUR 800 per day, with a maximum of EUR 8,000 per case.

The President of the Board of Appeal and the Rapporteur for the appeal case are remunerated as follows:

- EUR 1,000 per day, with a maximum of EUR 20,000 per case.

7.2. Remuneration for participating in regular meetings of the Board of Appeal

BoA Members and Alternates are remunerated for their participation in meetings as follows:

- EUR 800 per meeting day.

7.3. Daily Subsistence Allowance

Members and Alternates are entitled to a daily allowance established by the European Commission for the day(s) of the meeting, as specified in Article 6.3.

³ http://data.europa.eu/eli/reg_del/2016/1611/oj (subject to changes by the European Commission).

7.4. 'Ad-hoc' meetings

BoA Members and Alternates are entitled to reimbursement of travel and accommodation expenses in relation to exceptional ad-hoc meetings, subject to 'joint' invitation by the ESAs. Reimbursement of the daily allowance does not apply in such cases. This includes participation in conferences and events organised by the ESAs, which are of relevance to the Board of Appeal.

Article 8 - Remuneration and allowances to Disciplinary Board Members and Alternates

8.1. Members and alternates of EIOPA's Disciplinary Board who are employed by another EU institution, will not receive any remuneration for the work related to their appointment as members of the Disciplinary Board in addition to their normal salary.

8.2. Members and alternates of the Disciplinary Board, who are former members of an EU institution or EU Agency/Body, will be remunerated on a daily basis at a level equivalent to 1/22 of the basic salary in grade AD14, step 1.

8.3. Daily Subsistence Allowance

Members and Alternates are entitled to a daily allowance established by the European Commission for the day(s) of the meeting, as specified in Article 6.3.

Article 9 – Payments

9.1. The payment order shall be drawn up on the basis of a request for reimbursement, duly completed and signed by:

- the External Person;
- the EIOPA staff member responsible for certifying the presence of the External Persons at the meeting/seminar/ conference.

9.2. The reimbursement will take place within the period laid down in EIOPA's Financial Regulation.

- 9.3. Unless the External Person provides proper justification that is accepted with a reasoned decision of the responsible Authorising Officer, failure to comply with paragraphs 4.4 and 4.5 above shall absolve EIOPA from any obligation to reimburse travel and accommodation expenses or pay any allowances.
- 9.4. Payments shall be made in euros, converted where appropriate at the exchange rate applying on the day the cost was incurred, in accordance with the monthly conversion rates on the InforEuro website (<http://ec.europa.eu/budget/inforeuro/>).

Article 10 – Liability

- 10.1. EIOPA shall not be liable for any material, non-material or physical damage suffered by External Persons or those responsible for accompanying the External Persons in the course of their journey to or during their stay in the place where the meeting is held unless such harm is directly attributable to EIOPA.
- 10.2. Invited persons using their own means of transport for travelling to such meetings shall be entirely liable for any accidents they might cause.
- 10.3. Where, taking into account the expenses incurred by disabled persons as a result of their disability or any person accompanying them, the reimbursement provided for in this policy appears to be clearly inadequate, the amount reimbursed shall be adjusted at the request of the responsible Authorising Officer on presentation of supporting documents.

Article 11 – Implementation

- 11.1. The Executive Director shall adopt the practical measures necessary for the implementation of this Decision through Instructions for Reimbursement.
- 11.2. Compliance with the Instructions for Reimbursement by External Persons is necessary for being entitled to reimbursement.

Article 12 – Data Protection

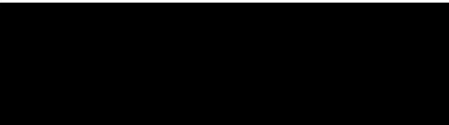
12.1. Any processing of personal data necessary in the context of these rules shall be performed in compliance with Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by Union institutions and agencies and the free movement of such data.

Article 13 – Final provisions

13.1. The Decision of the Management Board of 11 June 2018 on the Reimbursement Rules for the Travel and Subsistence Expenses of External Persons (EIOPA-MB-16/060 rev1) is hereby repealed.

13.2. This decision shall enter into force on 1 July 2020.

Done at Frankfurt am Main, on 16 June 2020.



Gabriel Bernardino
Chair of EIOPA
For the Management Board