

SECONDED NATIONAL EXPERT- JOB PROFILE

LEGAL OFFICER

(LEGAL AND PROCUREMENT UNIT/CORPORATE GOVERNANCE)

Tasks and responsibilities related to this post/position:

Reporting to the Head of Unit and under the supervision of the respective Head of Sector the main duties related to this position are:

- drafting legal opinions, best practices, procedures, rules, decisions and other legal instruments;
- tendering legal advice to practitioners, providing support on a wide range of assignments of an operational nature, including Frontex operational plans and the European Border and Coast Guard Standing Corps planning and implementation, or on issues related to the functioning of the Agency;
- other tasks and responsibilities assigned by Heads of Sector/Unit.

Selection criteria:

Professional qualifications, competencies and experience required:

Essential:

- Experience and knowledge of EU law, or EU affairs, or Public International Law or International Affairs;
- Professional experience acquired in a Home Affairs, or Justice, or Defence or Foreign Affairs' national institution;
- Excellent level of English, including the ability to perform legal drafting in that language;
- Previous experience in providing legal advice to national public authorities.

Assets:

- Experience or knowledge of EU institutions/bodies or international organisations;
- Expert knowledge in at least one of these fields:
 - Home Affairs, or Justice, or Defence, or Foreign Affairs
 - Fundamental Rights Law
 - Schengen *acquis*
 - Integrated Border Management
 - Administrative Law, Contract Law and Financial Law
 - Privileges and immunities
 - International maritime law;
- Ability to explain legal issues to non-experts in a service-oriented manner, focusing on problem solving;
- Excellent organisation and prioritisation skills and the ability to handle a large volume of work in an efficient and timely manner;
- Exposure to advising on the coast guard functions, 'returns', the use of force and/or capacity building projects related to the rule of law.

Personal skills & competencies required:

Attributes especially important to this post include:

- Excellent communication and teamwork skills;
- Critical thinking;
- Ability to take initiative with proven ability to work independently with minimal supervision.

To the all NFPOCs

Call for SNEs - Seconded National Expert in Legal and Procurement Unit/ Corporate Governance Division

Dear Sir/Madame,

I would like to ask you for assistance in selecting a qualified National Expert (SNE) that could be seconded to Frontex by considering your personnel to be proposed for an SNE post of the following profile:

Post Title	Legal Officer
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- Number of the procedure: **SNE/2020/14**
- Deadline for applications: **20 November 2020**
- Proposed date of starting the secondment: **as soon as possible**
- Place of secondment: **Warsaw, Poland**
- Length of secondment: **three years** and it may be renewed if it is justified in the interest of Frontex
- Level security clearance: at least at the **EU SECRET (SECRET UE)** level; copy should be provided together with the application form

The secondment is governed by the 'Management Board Decision 12/2017 of 30 March 2017 on secondment of national experts to Frontex in Warsaw and decision of the Executive Director of Frontex, establishing the different levels of security clearance for posts in Frontex of 30 November 2016.

The applications should be submitted via the Permanent Representation Offices using the Specific Application Form annexed to this letter.

Please kindly inform the SNE's employer about the obligations towards the person throughout the period of secondment in accordance with article 1(1) of the SNE rules. Please note that only applicants shortlisted for the interview/competency test will be notified about the outcomes. The status of the recruitment procedure is to be found on Frontex website.

Please accept my highest considerations,
Yours sincerely,


Fabrice Leggeri
Executive Director

Annex 1: SNE job profile
Annex 2: Specific Application Form
Annex 3: Decision of the Management Board of 30 March 2017 laying down the rules on the secondment of the National Experts to Frontex
Annex 4: Decision of the Executive Director on the levels for security clearance for Frontex posts
Annex 5: form 1A - Employer authorization for Seconded National Expert candidate

This application form is specifically created only for this selection procedure. It shall be:

- Downloaded and opened in a PDF reader in a MS Windows equipped computer** – the recommended version is the Adobe Acrobat Reader DC (version 2020.012.20041. You may download this free version here: <https://get.adobe.com/uk/reader/>). Opening the file and working only in a browser is not supported. Also, MacOS is found not to support all the functionalities of this digital form.
- Filled in electronically** in English language.
- Fields, where you may enter your input, are highlighted in light blue colour.** Fields marked with an asterisk (*) indicate a required input.
- When entering dates, **the only accepted format is DD/MM/YYYY** (if you use different format, e.g. DD-MM-YYYY or DD.MM.YYYY, the automatic calculation fields may not display the calculations correctly).
- You should be concise – **the space for your input is limited by the size of the text boxes.**
- In case you have any issues with filling/saving this form, you may write to us at sne-recruitment@frontex.europa.eu.

FRONTEX APPLICATION FORM - SNE/2020/14

MY PERSONAL DATA

1. First (given) name*		2. Surname (family name)*	
3. Gender*		4. Date of birth*	
5. Address (street / number / post office code / city / country)*			
6. Telephone (including int'l prefix)*			
7. E-mail address (to be used for communication)*	Make sure that this e-mail address is correctly entered and frequently monitored by you as it will be used by Frontex to communicate with you regarding your application.		

THE POST / POSITION I AM APPLYING FOR IN FRONTEX

8. Position / Business title	Type of position	Please mark your choice*
Legal Officer in LEG (SNE/2020/14)	Seconded National Expert	

INFORMATION AND DECLARATIONS ON MEETING THE ELIGIBILITY CRITERIA (CHECKLIST)

9.	Currently, I possess a citizenship of the following one of the Member States of the European Union or one of the Schengen Associated Countries (primary citizenship)	
10.	Currently, I possess a second citizenship of the following country	
11.	Currently, I am enjoying full rights as a citizen of the following one of the Member States of the European Union or one of the Schengen Associated Countries	
12.	Currently, I possess a professional experience of at least three years in administrative, legal, scientific, technical, advisory or supervisory functions	
13.	I possess a thorough knowledge of the following language of the EU (my main EU language)	
14.	I possess a satisfactory knowledge of another language of EU to the extent necessary for the performance of duties	

INFORMATION AND DECLARATIONS ON MY PROFESSIONAL EXPERIENCE

Starting with your present or last post / position, list in retrospective order some details of your previous and/or current working experience longer than 3 months which you deem are the most relevant for the post / position you are applying for. In case you wish to list additional working experience you may add additional information on your other working experience in Annex II at the end of the application form.

	Organisation – name (including city and country)	% of full time	Period of employment		Calculated length
			Start date (DD/MM/YYYY)	End date (DD/MM/YYYY)	
15.a		%			
	Type of business or sector				
	Job title or position held				
	Main activities and responsibilities				

	Organisation – name (including city and country)	% of full time	Period of employment		Calculated length
			Start date (DD/MM/YYYY)	End date (DD/MM/YYYY)	
15.b		%			
	Type of business or sector				
	Job title or position held				
	Main activities and responsibilities				

	Organisation – name (including city and country)	% of full time	Period of employment		Calculated length
			Start date (DD/MM/YYYY)	End date (DD/MM/YYYY)	
15.c		%			
	Type of business or sector				
	Job title or position held				
	Main activities and responsibilities				

	Organisation – name (including city and country)	% of full time	Period of employment		Calculated length
			Start date (DD/MM/YYYY)	End date (DD/MM/YYYY)	
15.d		%			
	Type of business or sector				
	Job title or position held				
	Main activities and responsibilities				

	Organisation – name (including city and country)	% of full time	Period of employment		Calculated length
			Start date (DD/MM/YYYY)	End date (DD/MM/YYYY)	
15.e		%			
	Type of business or sector				
	Job title or position held				
	Main activities and responsibilities				

	Organisation – name (including city and country)	% of full time	Period of employment		Calculated length
			Start date (DD/MM/YYYY)	End date (DD/MM/YYYY)	
15.f		%			
	Type of business or sector				
	Job title or position held				
	Main activities and responsibilities				

MEETING THE PROFESSIONAL SELECTION CRITERIA

This section provides you with an opportunity to clearly explain how well you meet or exceed professional requirements (selection criteria published in the Call for SNEs). Use real examples / tasks you have performed / goals achieved and quantification wherever possible. These statements are mainly used to assess your suitability for the post / position. You should be concise – the space for your input is limited by the size of the text boxes below.

16.	Experience and knowledge of EU law, or EU affairs, or Public International Law or International Affairs Explain in more detail how you meet or exceed this professional requirement (max. 850 characters):	
16.	Professional experience acquired in a Home Affairs, or Justice, or Defence or Foreign Affairs' national institution Explain in more detail how you meet or exceed this professional requirement (max. 850 characters):	
16.	Excellent level of English, including the ability to perform legal drafting in that language Explain in more detail how you meet or exceed this professional requirement (max. 850 characters):	

16.	Previous experience in providing legal advice to national public authorities Explain in more detail how you meet or exceed this professional requirement (max. 850 characters):	
16.	Experience or knowledge of EU institutions/bodies or international organisations Explain in more detail how you meet or exceed this professional requirement (max. 850 characters):	
16.	Expert knowledge in at least one of these fields; - Home Affairs, or Justice, or Defence, or Foreign Affairs - Fundamental Rights Law; - Schengen acquis; - Integrated Border Management - Administrative Law, Contract Law and Financial Law - Privileges and immunities - International maritime law Explain in more detail how you meet or exceed this professional requirement (max. 850 characters):	

16.	Ability to explain legal issues to non-experts in a service-oriented manner, focusing on problem solving Explain in more detail how you meet or exceed this professional requirement (max. 850 characters):	
16.	Excellent organisation and prioritisation skills and the ability to handle a large volume of work in an efficient and timely manner Explain in more detail how you meet or exceed this professional requirement (max. 850 characters):	

16.	Exposure to advising on the coast guard functions, 'returns', the use of force, and/or capacity building projects related to the rule of law	
	Explain in more detail how you meet or exceed this professional requirement (max. 850 characters):	

REFERENCES

This section gives you an opportunity to provide us with the names and contact details of up to three most recent professional-reference persons - not relatives, preferably your direct superiors - who may be later on contacted by Frontex to provide professional reference on you and / or to confirm statements made by you.

17. Persons to provide professional reference on my skills, competences, achievements and conduct		
a	Name and surname	
	Relation / position	
	E-mail contact	
	Phone number	
b	Name and surname	
	Relation / position	
	E-mail contact	
	Phone number	

18. MOTIVATION LETTER*

This page provides you with an opportunity to explain your application (why do you think you fit the post / position) by any additional information not mentioned in previous sections. The space for your input is limited by the size of the text box below (and by about 6000 characters).

19.	My availability date (or the notice period required by my employer)
20.	Have you ever applied for any other Frontex post? If yes, please indicate for which one.
21.	Have you ever been security cleared for an access to classified information? If yes, please indicate when, to which level and the validity of the clearance.

Please do not submit your application to Frontex unless you have fully read and understood the information contained in the Call for SNEs and you have assured that the data you have entered in this application are correct.

ONCE YOU COMPLETE AND VERIFY YOUR APPLICATION DO NOT SIGN OR SCAN THIS APPLICATION FORM – INSTEAD, SAVE IT IN A PDF FILE (INDICATING YOUR SURNAME IN THE NAME OF THE FILE). Your application should be submitted to Frontex via Permanent Representation of your Members State following the appropriate national procedure (in line with applicable Frontex SNE rules).

BY SUBMITTING YOUR APPLICATION YOU ARE DEEMED TO HAVE MADE THE FOLLOWING DECLARATIONS

22.	I declare that all the information provided above and in Annexes I and II by me are, to the best of my knowledge, true, correct and complete on the date of the submission of my application. I further declare that: • I am currently a national of a member state of the European Union or a Schengen Associated Country. • I am aware that my application must be supported by my national authorities in a form of an Employer Authorisation (Form 1A). • I undertake to submit, as soon as requested by Frontex, any documents in support of the above statements and declarations. • I am fully aware that any false or incorrect statement or omission, even if unintended on my part, may lead to my lower scoring during the evaluation, refusal or non-eligibility of my application or may render my employment with Frontex liable to a termination. • I am aware that candidates put in a reserve list may, eventually, be offered a secondment of a similar profile.
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ANNEX I**Additional information on my relevant studies or education****I have completed post-secondary education attested by a diploma as follows**

23.

Diploma type		Diploma awarded on	
Name of the school / university, city			
From an EU Member State		From another country	

Diploma type		Diploma awarded on	
Name of the school / university, city			
From an EU Member State		From another country	

I have completed university studies attested by a diploma as follows

24.

Studied from		Final date of diploma	
Standard length of studies		Studied full/ part time	
Diploma type			
Diploma title (in English)			
Principal subjects			
Name of the school / university, city			
From an EU Member State		From another country	

Studied from		Final date of diploma	
Standard length of studies		Studied full/ part time	
Diploma type			
Diploma title (in English)			
Principal subjects			
Name of the school / university, city			
From an EU Member State		From another country	

Studied from		Final date of diploma	
Standard length of studies		Studied full/ part time	
Diploma type			
Diploma title (in English)			
Principal subjects			
Name of the school / university, city			
From an EU Member State		From another country	

ANNEX II (optional) - additional information on my other working experience

	Organisation – name (including city and country)	% of full time	Period of employment		Calculated length
			Start date (DD/MM/YYYY)	End date (DD/MM/YYYY)	
25.a					
	Type of business or sector				
	Job title or position held				
	Main activities and responsibilities				
25.b					
	Type of business or sector				
	Job title or position held				
	Main activities and responsibilities				
25.c					
	Type of business or sector				
	Job title or position held				
	Main activities and responsibilities				
25.d					
	Type of business or sector				
	Job title or position held				
	Main activities and responsibilities				

SNE.FORM 1a

EMPLOYER AUTHORIZATION
FOR SECONDED NATIONAL EXPERT CANDIDATE

Name of the Employer _____

Address _____

Telephone number _____ e-mail address: _____

Fax: _____

Contact person details:

Name and surname of contact person _____ Position: _____

Telephone number: _____ e-mail address: _____

Fax: _____

I, the undersigned, approve that Ms./Mr. _____

employed as (position) _____ is allowed to take part in the Seconded National Experts selection process of Frontex. I hereby declare that I'm fully aware that in case of positive selection the Employer will be obliged to fulfil all the provisions in accordance with the Decision of the Frontex Management Board of 30 March 2017 laying down rules on the secondment of Nationals Experts to Frontex.

Duly authorized by:

Name and surname: _____

Position: _____

Decision of the Executive Director

No R-ED-2016-131

on the levels for security clearance for Frontex posts

of 30/11/2016

THE EXECUTIVE DIRECTOR,

Having regard to the European Border and Coast Guard Regulation¹, and in particular Article 68(3)(b) thereof,

Whereas:

- 1) Pursuant to the Decision of the Executive Director No 2015/81 of 19 October 2015 on Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission and Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (EUCI) as adopted by the Commission, apply by analogy in Frontex.
- 2) The required security screening level depends on the access rights of an individual to the premises, to information and/or to information systems and shall be determined on a case-by-case basis.
- 3) Access to classified information at CONFIDENTIEL UE/EU CONFIDENTIAL level, or above requires an authorisation issued by Frontex based on a Personnel Security Clearance.
- 4) A Security Clearance is to be obtained from the competent Member State authority in accordance with Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (EUCI).
- 5) A Security Clearance for Seconded National Experts (SNE) is to be obtained in accordance with the Frontex Management Board Decision 22/2009, of 25 of June 2009, laying down rules on the secondment of National Experts to the Agency.

HAS DECIDED AS FOLLOWS:

Article 1

A criminal record, or equivalent certificate, not older than six months, shall be provided to the Frontex Human Resources and Security Unit by the Temporary Agents, Contract Agents and by the trainees and the contractors prior to commencing work at Frontex and upon renewal of the contract or agreement. The certificate must be obtained from the relevant authorities of the home country of the person or from the country in which the person has resided for the last six months. Annex I provides equivalence table of

¹ Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC (OJ L 251, 16.9.2016, p. 1).

certificates issued by the authorities of the Member States of the European Union and the Schengen Associated Countries.

Article 2

Before taking up their functions, future Frontex Temporary Agents and Contract Agents must initiate the procedure for applying for a security clearance at the required level for their post. This has to be repeated for the purposes of the renewal of the security clearance, if the individual's need for access to classified material continues to justify it.

Article 3

Seconded National Expert's (SNE) seconding authority shall provide a Personnel Security Clearance Certificate (PSCC) to Frontex, prior to the start date of the SNE's secondment.

Article 4

All Frontex Temporary Agents, Contract Agents and SNEs currently employed, who do not have the security clearance at the required level must initiate the respective procedure immediately upon entry into force of this decision.

Article 5

The different levels of security clearance required for the posts in Frontex are listed in the Annex II to this decision, which will be yearly updated.

Article 6

The Human Resources and Security Unit shall include the level of security clearance required for each open post in each Vacancy Notice, as defined in Annex II to this Decision. In case of new posts not included in this decision, the respective Director shall propose a level of security clearance, to be confirmed by the Frontex Security Authority and approved by the Appointing Authority.

Article 7

The Security Officer shall maintain updated information on the current security clearance status of Frontex. That information shall be available to the Executive Management, the respective Directors and Heads of Units.

Article 8

Contractors cannot carry out a sensitive activity unless they have a security clearance at least at the level of CONFIDENTIEL UE/EU CONFIDENTIAL.

Article 9

For the purpose of this decision, a sensitive activity is defined as one relating to:

- access to operational information; or
- access to information systems processing operational information; or
- access to information imperative for the security of information systems processing operational information.

Article 10

In case a security clearance is not provided at the required level, Temporary and Contract Staff, SNEs and Contractors shall be excluded from access to information and to systems containing EU classified information, as defined in Article 8, as well as from access to secure and limited access areas where such access is possible or where he/she might endanger security information systems. Other measures may be considered, as necessary.

Article 11

The security clearance compliance of Frontex Temporary Agents, Contract Agents and SNEs shall be taken into account in probationary, appraisal, contract renewal and administrative inquiries / disciplinary procedures.

Article 12

Contractors shall be subject to contract conditions. Classified contracts shall include Security Aspect Letters, containing the following standard clauses:

The Agency shall be entitled to refuse access to its premises to any contractor or sub-contractor personnel, as deemed necessary for security reasons.

Any failure to comply with the Agency's security rules and instructions may result in access to the premises being denied or the personnel being expelled from Frontex premises.

Article 13

The Frontex Security Authority shall define instructions to staff on the implementations of this decision.

Article 14

This Decision enters into force on 2016 and repeals the Decision/2013/09, of 12 March 2013 of the Deputy Executive Director on the levels of security clearance for Frontex posts.

Done in Warsaw, on 30/11/2016

Fabrice Leggeri
Executive Director

Annex I-Equivalence table of certificates issued by the European Union Member States and Schengen Associated Countries

Annex II-Levels of Security Clearance Required for posts in Frontex

Annex I-Equivalence of certificates issued by Member States

Member State	Certificate
Austria	Certificate of the Penal Registry (Strafregisterbescheinigung)
Belgium	Extract from Judicial Record Extrait du casier judiciaire [French] Uittreksel uit het Strafregister [Flemish])
Bulgaria	Conviction Status Certificate Svidetelstvo za Sudimost Свидетелство за съдимост
Croatia	Certificate of No Convictions Potvrda o Nekaznjavanju
Republic of Cyprus	Police Clearance
Czech Republic	Police Clearance Certificate Zadost o vypis z rejstriku trestu
Denmark	Crime Certificate Straffeattest
Estonia	Criminal Record Check
Finland	Extract from Criminal Recordc Rikosrekisteriote
France	Extract from Police records Extrait du Casier Judiciaire Bulletin n° 3
Germany	Police Good Conduct Certificate Polizeiliches Führungszeugnis
Greece	Penal Certificate for General Use
Hungary	Police Penal Certificate Hatósági Erkölcsi Bizonyítvány
Ireland	Police Certificate of Character
Italy	General Penal Certificate Certificato Generale del Casellario Giudiziale

	Solicitor General's Certificate of Pending Charges Certificato dei Carichi Pendenti della Procura
Latvia	Certificate on Conviction of an Individual Izziņa par fiziskas personas sodāmību
Lithuania	Criminal Record Check
Luxembourg	Penal Certificate Bulletin No. 3 Extrait du Casier Judiciaire
Malta	Conduct Certificate Certifikat Ta'Kondotta
Netherlands	Certificate of Good Conduct Verklaring Omtrent het Gedrag (VOG).
Poland	Request for a criminal record- Request for information about a person Zapytanie o Karalnosc - Zapytanie o udzielenie Informacji o Osobie
Portugal	Criminal Record Certificate certificado do registo criminal
Romania	Certificate of Police Clearance Certificat de Cazier Judiciar
Slovakia	Police Certificate Vypis z registra trestov
Slovenia	Certificate of No Convictions Potrdilo o nekaznovanju
Spain	Criminal record certificate Certificado de Antecedentes Penales'
Sweden	Extract from the Criminal Records Registry for purposes in another country utdrag ur, belastnings registret
UK	ACPO Police Certificate

Equivalence of certificates issued by Schengen Associated Countries

Schengen Associated Country	Certificate
Iceland	Criminal Certificate for Private Use Einkavottord
Liechtenstein	Criminal Records Excerpt Stafergisterauszug
Norway	Criminal Record Certificate Politiattest
Switzerland	Criminal Records Extract Stafergisterauszug

Annex II-Levels of security clearance for posts in Frontex

Function	Level of Security Clearance
Executive Director	SECRET UE/EU SECRET
Deputy Executive Director	SECRET UE/EU SECRET
Cabinet	
Senior Strategic Advisor	SECRET UE/EU SECRET
Executive Advisor	SECRET UE/EU SECRET
Head of Cabinet	SECRET UE/EU SECRET
Strategic Policy Advisor	SECRET UE/EU SECRET
Liaison Officer to Turkey	SECRET UE/EU SECRET
Executive Assistant	SECRET UE/EU SECRET
Assistant	SECRET UE/EU SECRET
Security Guard/Driver	SECRET UE/EU SECRET
Security Guard/Driver	SECRET UE/EU SECRET
Data Protection Office	
Data Protection Officer	SECRET UE/EU SECRET
Assistant to Data Protection Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Frontex Liaison Officer in Brussels	
Liaison Officer	SECRET UE/EU SECRET

Assistant to Liaison Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
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Press Office

Public Relations Officer / Spokesperson	SECRET UE/EU SECRET
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Press Office Team Leader/ Spokesperson	SECRET UE/EU SECRET
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Editor	CONFIDENTIEL UE/EU CONFIDENTIAL
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Senior Assistant to Press Office	CONFIDENTIEL UE/EU CONFIDENTIAL
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Fundamental Rights Office

Fundamental Rights Officer	SECRET UE/EU SECRET
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Associate Fundamental Rights Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
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Assistant to FRO	CONFIDENTIEL UE/EU CONFIDENTIAL
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Assistant to the Secretariat of Consultative Forum	CONFIDENTIEL UE/EU CONFIDENTIAL
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OPERATIONS DIVISION

Director of Operations Division	SECRET UE/EU SECRET
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Head of FLO	SECRET UE/EU SECRET
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Product and Change Manager to the DOPD	SECRET UE/EU SECRET
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Liaison Officer	SECRET UE/EU SECRET
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Anti-Trafficking Coordinator	SECRET UE/EU SECRET
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Assistant to the DOPD	CONFIDENTIEL UE/CONFIDENTIAL
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Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
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Joint Operations Unit

Head of Joint Operations Unit	SECRET UE/EU SECRET
Operational Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Coordinating Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Project Support Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Administrative Assistant in the Joint Operations Unit	CONFIDENTIEL UE/EU CONFIDENTIAL
Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL

Air Borders Sector

Head of Sector ABS	SECRET UE/EU SECRET
Operational Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Coordinating Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Operational Support Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Project Support Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Project Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL

Land Border Sector

Head of Sector / LBS	SECRET UE/EU SECRET
Operational Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Coordinating Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Project Support Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Operational Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL

Project Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
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Sea Borders Sector

Head of SBS	SECRET UE/EU SECRET
Operational Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Frontex Coordinating Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Coordinating Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Project Support Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Operational Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
Project Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL

Return Support Unit

Head of RSU	SECRET UE/EU SECRET
Head of ROS	SECRET UE/EU SECRET
Operational Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Return Operation Coordinating Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Service Manager for chartering flights	CONFIDENTIEL UE/EU CONFIDENTIAL
Junior Return Operation Coordinating Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Project Support Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Project Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL

Risk Analysis Unit

Head of Unit RAU	SECRET UE/EU SECRET
Analytical Coordinator	CONFIDENTIEL UE/EU CONFIDENTIAL
Senior Project Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
Project Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL

Strategic Analysis

Head of Strategic Analysis Sector	SECRET UE/EU SECRET
Senior Analyst	SECRET UE/EU SECRET
Strategic Analyst ²	SECRET UE/EU SECRET or CONFIDENTIEL UE/EU CONFIDENTIAL
Analyst	CONFIDENTIEL UE/EU CONFIDENTIAL
Junior Analyst	CONFIDENTIEL UE/EU CONFIDENTIAL
Analytical Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL

Operational Analysis

Head of Operational Analysis & Evaluation Sector	SECRET UE/EU SECRET
Senior Analyst	SECRET UE/EU SECRET
Personal Data Analyst	SECRET UE/ EU SECRET
Analyst	CONFIDENTIEL UE/EU CONFIDENTIAL
Operational Analyst	CONFIDENTIEL UE/EU CONFIDENTIAL

² The security clearance requirement for Strategic Analyst will need to be decided on case by case basis. Generally it would be CONFIDENTIEL however for staff whose tasks include participation in meetings related to counter-terrorism, security clearance at SECRET level is required.

Editor	CONFIDENTIEL UE/EU CONFIDENTIAL
Officer/FISO	CONFIDENTIEL UE/EU CONFIDENTIAL
Debriefing Advisor	CONFIDENTIEL UE/EU CONFIDENTIAL
Intelligence Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Analytical Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL

Analytics Sector

Head of Sector-Analytics in RAU	SECRET UE/EU SECRET
Business Intelligence Analyst	CONFIDENTIEL UE/EU CONFIDENTIAL
Data Analyst	CONFIDENTIEL UE/EU CONFIDENTIAL
GIS Analyst	CONFIDENTIEL UE/EU CONFIDENTIAL
Analysis Layer Service Manager	CONFIDENTIEL UE/EU CONFIDENTIAL

Frontex Situation Centre

Head of Frontex Situation Centre	SECRET UE/EU SECRET
Information Management Officer/Coordinator of the FSC Operations Business Area	SECRET UE/EU SECRET
Service Implementation Team Leader	SECRET UE/EU SECRET
Information Management Officer/GIS Service Manager	CONFIDENTIEL UE/EU CONFIDENTIAL
Information Management Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Planning Expert	CONFIDENTIEL UE/EU CONFIDENTIAL
Situation and Crisis Monitoring Team Leader	CONFIDENTIEL UE/EU CONFIDENTIAL

Service Manager/Hot Spot Information Manager	CONFIDENTIEL UE/EU CONFIDENTIAL
Information Management Support Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Service Manager	CONFIDENTIEL UE/EU CONFIDENTIAL
Senior Duty Officer	SECRET UE/EU SECRET
Duty Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Planning Expert	CONFIDENTIEL UE/EU CONFIDENTIAL
Information Management Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
Assistant in FSC	CONFIDENTIEL UE/EU CONFIDENTIAL
Senior Assistant Copernicus	CONFIDENTIEL UE/EU CONFIDENTIAL
Operational Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Horizontal Coordination Support Officer	SECRET UE/EU SECRET
Information Management Support Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Information Management Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
Information Management Assistant (Correspondance Management)	SECRET UE/EU SECRET

CAPACITY BUILDING DIVISION

Director of Capacity Building Division	SECRET UE/EU SECRET
Strategic Advisor	SECRET UE/EU SECRET
Coordinating Officer	SECRET UE/EU SECRET
Assistant to the Director of Capacity Building Division	SECRET UE/EU SECRET

Pooled Resources

Head of Pooled Resources Unit	SECRET UE/EU SECRET
Planning & Logistic Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
PRU Project Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Coordinating Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Pooled Resources Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Logistics Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Operational Resources Support Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Project Support Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Support Officer-logistical support for hot spots	CONFIDENTIEL UE/EU CONFIDENTIAL
Senior Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
Operational Resources Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Operational Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Logistics Support Officer	CONFIDENTIEL UE/EU CONFIDENTIAL

Training Unit

Head of Training Unit	SECRET UE/EU SECRET
Senior Training Project Officer	SECRET UE/EU SECRET
Training Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Training Project Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Project Support Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL

Research & Development Unit

Head of R & D Unit	SECRET UE/EU SECRET
Principal Research Officer	SECRET UE/EU SECRET
Senior Research Officer	SECRET UE/EU SECRET
Administrator	CONFIDENTIEL UE/EU CONFIDENTIAL
Research Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Junior Research Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Systems Analyst	CONFIDENTIEL UE/EU CONFIDENTIAL
Project Support Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Administrative Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL

International and European Cooperation Unit

Head of IEC	SECRET UE/EU SECRET
Senior External Relations Officer	SECRET UE/EU SECRET
External Relations Officer	SECRET UE/EU SECRET
Project Manager for TC/Candidate Countries	SECRET UE/EU SECRET
Assistant to IEC	CONFIDENTIEL UE/EU CONFIDENTIAL
Assistant to the HoIEC	CONFIDENTIEL UE/EU CONFIDENTIAL
Senior Assistant - Project Management	CONFIDENTIEL UE/EU CONFIDENTIAL
External Relations Officer	SECRET UE/EU SECRET
Customs Advisor	CONFIDENTIEL UE/EU CONFIDENTIAL

Project Coordinator	CONFIDENTIEL UE/EU CONFIDENTIAL
Administrative Assistant in IEC	CONFIDENTIEL UE/EU CONFIDENTIAL
Project Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
Project Assistant IPA	CONFIDENTIEL UE/EU CONFIDENTIAL
Return Specialist IPA	CONFIDENTIEL UE/EU CONFIDENTIAL
Project Coordinator IPA	CONFIDENTIEL UE/EU CONFIDENTIAL
Migration Specialist IPA	CONFIDENTIEL UE/EU CONFIDENTIAL
Project Assistant EIP	CONFIDENTIEL UE/EU CONFIDENTIAL
Senior External Relations Officer/International Organisations	SECRET UE/EU SECRET

CORPORATE GOVERNANCE

Director of Corporate Governance	SECRET UE/EU SECRET
Corporate Planning and Evaluation Administrator (Controller)	SECRET UE/EU SECRET
Management Coordinator in the Corporate Governance	SECRET UE/EU SECRET
Quality Manager	SECRET UE/EU SECRET
Accounting Officer	SECRET UE/EU SECRET
Management Board Secretariat Coordinator	SECRET UE/EU SECRET
Assistant to the MB Secretariat	SECRET UE/EU SECRET
Accounting Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
Assistant to Internal Auditor/QM/Controller	CONFIDENTIEL UE/EU CONFIDENTIAL
Senior Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL

Legal Affairs Unit

Head of Legal Affairs Unit	SECRET UE/EU SECRET
Senior Legal Officer	SECRET UE/EU SECRET
Legal Officer	SECRET UE/EU SECRET
Junior Legal Officer	SECRET UE/EU SECRET
Legal Assistant	SECRET UE/EU SECRET

Financial & Corporate Services

Head of Finance and Corporate Services Unit	SECRET UE/EU SECRET
Financial Management Coordinator	SECRET UE/EU SECRET
Procurement Coordinator	SECRET UE/EU SECRET
Finance Officer	SECRET UE/EU SECRET
Procurement Support Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Senior Procurement Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
Financial Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
Assistant to FCS	CONFIDENTIEL UE/EU CONFIDENTIAL
Project Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
Financial Assistant - Cooperate Travel Services	CONFIDENTIEL UE/EU CONFIDENTIAL
Data Entry Agent	CONFIDENTIEL UE/EU CONFIDENTIAL
Procurement Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
Senior Assistant Copernicus	CONFIDENTIEL UE/EU CONFIDENTIAL

Corporate Services Sector

Agency Master - Head of Agency Services Sector

SECRET UE/EU SECRET

Document Management Officer

SECRET UE/EU SECRET

Project Support Officer

SECRET UE/EU SECRET

Facility Management Coordinator

CONFIDENTIEL UE/EU CONFIDENTIAL

Digital Communications Support Officer

CONFIDENTIEL UE/EU CONFIDENTIAL

Inventory Management Officer

CONFIDENTIEL UE/EU CONFIDENTIAL

Expatriate Legal Officer

CONFIDENTIEL UE/EU CONFIDENTIAL

Facility Management Senior Assistant

CONFIDENTIEL UE/EU CONFIDENTIAL

Corporate Services Project Assistant

CONFIDENTIEL UE/EU CONFIDENTIAL

Finance Assistant

CONFIDENTIEL UE/EU CONFIDENTIAL

Meetings and Events Assistant

CONFIDENTIEL UE/EU CONFIDENTIAL

Administrative Clerk

CONFIDENTIEL UE/EU CONFIDENTIAL

Administrative Project Assistant

CONFIDENTIEL UE/EU CONFIDENTIAL

Document Management
Assistant/Archivist

CONFIDENTIEL UE/EU CONFIDENTIAL

Human Resources & Security Unit

Head of Human Resources and Security Unit

SECRET UE/EU SECRET

Assistant

CONFIDENTIEL UE/EU CONFIDENTIAL

Communication Team

Senior Communications Officer

SECRET UE/EU SECRET

Internal Communication Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Cross-media Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
Assistant to the Communications Team	CONFIDENTIEL UE/EU CONFIDENTIAL

Human Resources Sector

Head of HR Sector	SECRET UE/EU SECRET
Senior HR Officer	SECRET UE/EU SECRET
Staff Development Coordinator	CONFIDENTIEL UE/EU CONFIDENTIAL
Training Coordinator	CONFIDENTIEL UE/EU CONFIDENTIAL
HR Officer	CONFIDENTIEL UE/EU CONFIDENTIAL
HR Recruitment Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
Administrative Assistant / HR	CONFIDENTIEL UE/EU CONFIDENTIAL
Human Resources Coordinating Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
Staff Development and Training Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
Personnel Administration Assistant	CONFIDENTIEL UE/EU CONFIDENTIAL
Administrative Clerk	CONFIDENTIEL UE/EU CONFIDENTIAL

Security Sector

Security Officer	SECRET UE/EU SECRET
Senior Security Guard	SECRET UE/EU SECRET
Security Guard	SECRET UE/EU SECRET

ICT Unit

Head of ICT Unit	SECRET UE/EU SECRET
ICT Administrative Assistant	SECRET UE/EU SECRET
ICT Support Analyst	SECRET UE/EU SECRET

IT Operations and Security Sector

ICT Project Manager	SECRET UE/EU SECRET
Senior Applications and Database Expert in Microsoft	SECRET UE/EU SECRET
Team Leader Network	SECRET UE/EU SECRET
Team Leader Servers and Storage	SECRET UE/EU SECRET
Senior Software Developer	SECRET UE/EU SECRET
Security Specialist	SECRET UE/EU SECRET
IT Security Specialist	SECRET UE/EU SECRET
System Administrator	SECRET UE/EU SECRET
Junior System Administrator	SECRET UE/EU SECRET
Senior IP Network Expert	SECRET UE/EU SECRET
ICT Solutions Developer	SECRET UE/EU SECRET
IT Security Officer	SECRET UE/EU SECRET
Team Leader ICT Service Centre and Service Management	SECRET UE/EU SECRET
IT Specialist / Systems Engineer	SECRET UE/EU SECRET
ICT Helpdesk Team Leader	SECRET UE/EU SECRET
IT Specialist	SECRET UE/EU SECRET

Systems Administrator	SECRET UE/EU SECRET
ICT Solutions Coordinator	SECRET UE/EU SECRET
ICT Assistant	SECRET UE/EU SECRET
IT Projects and Contracts Sector	
Head of ICT Projects and Contract Sector	SECRET UE/EU SECRET
ICT Solution Coordinator	SECRET UE/EU SECRET
Contract Manager	SECRET UE/EU SECRET
Application Specialist	SECRET UE/EU SECRET

MANAGEMENT BOARD DECISION 12/2017 of 30 March 2017

on secondment of national experts to Frontex

THE MANAGEMENT BOARD

Having regard to the European Border and Coast Guard Regulation¹, in particular Article 62(2)(o) thereof,

Whereas:

- (1) National experts seconded to Frontex enable the Agency to benefit from the high level of their professional knowledge and experience, in particular in areas where such expertise is not readily available by the staff of the Agency.
- (2) It is highly desirable to foster the exchange of professional experience in, and knowledge of, European policies relating to the management of EU external borders by temporarily assigning experts from the EU Member States to the Agency. For the same reason, steps have to be taken to allow for engagement of experts from Schengen Associated Countries (SACs), candidate countries, and public intergovernmental organisations (IGOs).
- (3) National experts seconded from EU Member States, SACs, candidate countries, and IGOs to Frontex Headquarters (or to any of the places of employment of Frontex staff) are commonly referred to as Frontex Seconded National Experts (SNEs) and the maximum number of SNEs serving in Frontex Headquarters (and at any of the places of employment of Frontex staff) is established annually by a decision of the Management Board. Rules applicable to secondment of border guards or other relevant staff as national experts for deployment to European Border and Coast Guard teams are governed by specific provisions².
- (4) In order to ensure that Frontex' independence is not compromised by private interests, it should be stipulated that SNEs must come from a national, regional or local public administration or an IGO. The secondment of a SNE by an employer other than a national, regional or local public administration or an IGO has to be authorised only on a case-by-case basis, once it has been ascertained that the SNE's employer is part of the public sector or is an independent university or research organisation that does not seek to make profit for redistribution.
- (5) In order to avoid any conflict of interest, the rights and obligations of SNEs, as set out in this Decision, should ensure that they carry out their duties solely in the interest of Frontex.

¹ Regulation (EU) 2016/1624 of the European Parliament and of the Council of 14 September 2016 on the European Border and Coast Guard and amending Regulation (EU) 2016/399 of the European Parliament and of the Council and repealing Regulation (EC) No 863/2007 of the European Parliament and of the Council, Council Regulation (EC) No 2007/2004 and Council Decision 2005/267/EC (OJ L 251, 16.9.2016, p. 1).

² Management Board Decision No 25 of 28 November 2012 laying down rules on the secondment of national experts with the tasks and powers of the guest officers to Frontex.

- (6) In view of their special status, it should be stipulated that SNEs acting alone will not exercise any of the responsibilities that belong to Frontex by virtue of the powers conferred upon it, unless specially empowered to do so in writing by Frontex Executive Director.
- (7) In view of the new tasks of the Agency and of the foreseen significant increase of SNEs in Frontex, it is desirable to update the existing Rules applicable to SNEs namely in the areas of periods of secondment and to enable assignment of SNEs to shift work or standby duty work arrangements.

Frontex Staff Committee was consulted on the proposal on 15 March 2017.

HAS DECIDED AS FOLLOWS:

Chapter I General Provisions

Article 1 Scope and definitions

1. These Rules are applicable to national experts seconded to Frontex Headquarters or any of the places of employment of Frontex staff (hereinafter referred to as Seconded National Experts or SNEs).

Seconded National Experts are persons employed by a national, regional or local public administration or an IGO, who are seconded to Frontex so that it can use their expertise in particular fields.

For the purposes of this Decision, the public administration means all state administrative services at central, federal and regional level, comprising ministries, governmental and parliament services, courts, central banks, and administrative services of local authorities, as well as decentralised administrative services of a state and of its authorities.

The persons covered by these Rules must have worked for their employer on a permanent or contractual basis for at least 12 months before their secondment and must remain in the service of that employer throughout the period of secondment.

The SNE's employer thus undertakes to continue to pay his salary, to maintain his employment and/or administrative status throughout the period of secondment and to inform Frontex of any change in the SNE's situation in this regard. The SNE's employer also continues to be responsible for all his social rights, particularly social security and pension. A termination of or a change in the SNE's employment and/or administrative status may lead to a termination of his secondment by Frontex, without notice, in accordance with Article 10(2)(c).

2. Notwithstanding the second subparagraph of paragraph 1, the Executive Director may, on a case-by-case basis, authorise the secondment of a SNE from an employer other than state public administration or an IGO if justified by the interests of Frontex in bringing in specific expertise as statutory measure, provided that the SNE's employer:

- is an independent university or research organisation which does not set out to make profits for redistribution; or
- is in fact part of the public sector.

For the purposes of this Decision, to qualify as being part of the public sector, the SNE's employer must meet all the following conditions:

- it must be attached to a public administration, as defined in paragraph 1, and specifically it must have been created by national legislation or regulation;
- its financial resources must come primarily from public funding;
- any activities in which it competes against other private or public entities on the market must represent less than half of its activities.

The Executive Director clarifies, if necessary, the arrangements for implementing the different criteria and communicates them to the Permanent Representations of EU Member States, SACs and the IGOs concerned.

3. Except where the Executive Director grants a derogation by a reasoned decision, a SNE must be national of an EU Member State or of a SAC.
4. Frontex strives to ensure geographical and gender balance and compliance with principles of equal treatment and opportunities, in accordance with the principles set out in Article 1d and Article 27 of the Staff Regulations.
5. Any reference in these Rules to a person of the male sex is deemed also to constitute a reference to a person of the female sex, and vice-versa, unless the context clearly indicates otherwise.

Article 2

Cost-free Seconded National Experts

1. For the purposes of this Decision, “cost-free SNEs” mean SNEs to whom, by virtue of a bi-lateral agreement with their employer, Frontex is not liable to pay any of the allowances provided for in Chapter III of this Decision and does not cover any of the expenses provided for in this Decision, other than those related to the performance of SNE’s duties during their secondment.
2. Cost-free SNEs may be seconded from a public administration, as defined in Article 1(1), of EU Member States, of SACs or of a country with which the EU has entered into accession negotiations and which has concluded a specific working arrangement with Frontex on secondment of staff, or from IGO, as part of an arrangement and/or exchange programme with Frontex.
3. The Executive Director may authorise the secondment of cost-free SNEs on a case-by-case basis, taking into consideration their place of origin, the geographical balance and the work to be carried out.
4. Cost-free SNEs are to be taken into account in the maximum number of SNEs indicated annually in the establishment plan of Frontex adopted by the Management Board.

Article 3

Selection Procedure

1. SNEs are selected according to an open and transparent procedure, the practical details of which are decided by the Executive Director³.
2. Applications shall be forwarded by Permanent Representations of Members States, by SAC competent authorities and, where provided for in an Open call for Seconded National Experts, the diplomatic missions of the non-EU member countries whose nationals are eligible for the secondment and the administrations of the IGOs.
3. The secondment shall be authorised by the Executive Director and effected by an exchange of letters between Frontex and the Permanent Representation of the Member State concerned or, as may be the case, the SAC competent authorities, diplomatic missions of the non-EU member countries whose nationals are eligible for the secondment and the IGOs.

³ Decision of the Executive Director No 2015/68 of 26 September 2015 establishing the procedure applicable to the selection and extension of the period of secondment of Seconded National Experts at Frontex.

Article 4
Period of secondment

1. The initial period of secondment may not be less than three months or more than three years. Secondment may be subsequently renewed up to a total period not exceeding five years. Exceptionally, at the request of the respective Director of Division and where the interests of service warrant it, the Executive Director may authorise one or more extensions of the secondment for maximum of three more years at the end of the five-year period.
2. The initial duration of secondment is specified in the exchange of letters referred to in Article 3(3). Any renewal, extension or change of the period of secondment are subject to an agreement of the respective national authorities confirmed by a new exchange of letters.
3. A SNE, who has already been seconded to Frontex, may be seconded to Frontex another time subject to the following conditions:
 - a. the SNE must continue to meet the conditions for secondment;
 - b. a period of at least three years must have elapsed between the end of the previous period of secondment and a new secondment; if at the end of the first secondment, the SNE has signed an employment contract with Frontex, the duration of that contract is taken into account when calculating the three-year period referred to above.

The minimum period of three years referred to in point (b) does not need to be respected if the previous secondment lasted for less than five years, but in that case the new secondment may not exceed the unexpired part of the five-year period, without prejudice to the possibility of extending it by up to the additional three years, as provided for in the last sentence of paragraph 1.

Article 5
Place of secondment

SNEs may be seconded to any place of employment of Frontex staff members.

Article 6
Tasks

1. Tasks and duties of a SNEs are described in the respective Open call. Any significant changes in the tasks, duties or in place of work of a SNE are subject to an agreement of the respective national authorities. SNEs may not perform middle or senior management duties nor deputise for their immediate superior.
2. A SNE may take a part in missions or external meetings only as part of a delegation led by Frontex statutory staff members or, if on his own, as an observer or for information purposes.
3. In all other cases, by way of derogation from paragraph 2, the Executive Director may give a specific mandate to the SNE to participate on his own in one or more missions or external meetings, after having ensured that there is no potential conflict of interest.

In such cases the Executive Director provides the SNE with clear and specific instructions for the missions or meetings in question. The Executive Director may delegate this power to the Division's Director concerned.

Under no circumstances may a SNE on his own represent Frontex with a view of entering into commitments, whether financial or otherwise, or negotiating on behalf of Frontex.

A SNE may, however, represent Frontex in legal proceedings as co-agent together with a statutory staff member.

4. Frontex remains solely responsible for approving the results of any tasks performed by a SNE and for signing any official documents arising from them.
5. The SNE's employer and the SNE must (together with respective Frontex entity) ensure that there is no conflict of interest in relation to the SNE's duties while seconded to Frontex.

For this purpose Frontex informs the SNE and his employer before the start of the secondment about the intended duties and asks the SNE and his employer to confirm in writing that they are not aware of any reason why the SNE may not be assigned to those duties.

The employer and the SNE have to inform Frontex of any changes of circumstances during the secondment which could give a rise to any such conflict.

Frontex keeps a copy of all such exchanges of correspondence in its records as part of a personal file of the SNE.

6. Failure on the part of a SNE to comply with his obligations arising from this Decision entitles Frontex to terminate the secondment of the SNE pursuant to Article 10(2)(c).

Article 7 Rights and obligations

1. A Personnel Security Clearance Certificate of a SNE must be presented to Frontex prior to the start of a secondment⁴.

2. During the period of secondment:

- a. The SNE must carry out his duties and conduct himself solely with the interests of Frontex in mind. He neither seeks nor takes instructions from any government, authority, organisation or person outside Frontex. He carries out the duties assigned to him objectively, impartially and in keeping with his duties of loyalty to Frontex.
- b. A SNE wishing to engage in an outside activity, whether paid or unpaid, or to carry out any assignment outside Frontex must seek for a prior authorisation according to respective Frontex rules on prior authorisation for statutory staff members. Before Frontex issues such an authorisation the SNE's employer has to be consulted.
- c. The SNE refrains from any action or behaviour which might reflect adversely upon his position and refrains from any form of psychological or sexual harassment.
- d. The SNE may not, in the performance of his duties, deal with a matter in which, directly or indirectly, he has any personal interests such as to impair his independence, and, in particular, family and financial interests. If he has occasion, in the performance of his duties, to deal with such matter, he has to inform immediately his Head of Unit, who takes any appropriate measure, and who may, in particular, relieve the SNE of responsibility in this matter.

The SNE may neither keep nor acquire, either directly or indirectly, in undertakings which are subject to the authority of Frontex or which have dealings with Frontex, any interests of such kind or magnitude as might impair his independence in the performance of his duties.

The SNE declares any gainful activity performed in a professional capacity by his spouse, as defined by the Staff Regulations and CEOS.

- e. The SNE refrains from any unauthorised disclosure of information received in the line of duty, unless that information has already been made public or is accessible to the public.
- f. The SNE has the right to freedom of expression, with due regard for the principles of loyalty and impartiality.

⁴ In accordance with Frontex Security Notice No R-SN-2017-1 of 27 February 2017.

The SNE who intends to publish, whether alone or with others, any text on a matter relating to the work of Frontex informs his Head of Unit in advance. Where the Head of Unit is able to demonstrate that the publication is liable seriously to prejudice the legitimate interests of the European Union or Frontex, he informs the SNE of his decision in writing within 30 working days of receipt of the information. If no such decision is notified within the specified period, Frontex is deemed to have had no objections.

- g. All rights in any work done by the SNE in the performance of his duties are deemed to be the property of Frontex.
 - h. The SNE resides at the place of secondment or at no greater distance therefrom as is compatible with the proper performance of his activities.
 - i. Based on his professional knowledge and experience, the SNE assists and tenders advice to the superiors in Frontex to whom he is assigned and is responsible to his superiors for performance of the tasks entrusted to him.
- 3. Failure to comply with any of the provisions of paragraphs 1 during the period of secondment entitles Frontex to terminate the secondment pursuant to Article 10(2)(c).
 - 4. At the end of the secondment the SNE continues to have a duty of loyalty to Frontex and is to be bound by the obligation to act with integrity and discretion in the exercise of new duties assigned to him and in accepting certain posts or advantages.

Article 8

Professional experience and knowledge of languages

- 1. To qualify for secondment to Frontex a national expert must have at least three years' experience of administrative, legal, scientific, technical, advisory or supervisory functions which can be regarded as equivalent to those of statutory staff of Frontex.
- 2. The SNE must produce evidence of a thorough knowledge of one of the EU languages and a satisfactory knowledge of another EU language to the extent necessary for the performance of his duties. A SNE from a non-EU member country must produce evidence of a thorough knowledge of one EU language necessary for the performance of his duties.

Article 9

Suspension of secondment

- 1. At the written request of Frontex, the SNE or his employer, and with the latter's agreement, Frontex may authorise a suspension of secondment and specify the terms applicable. During such suspensions:
 - a. the subsistence allowances referred to in Article 17 are not be payable;
 - b. the travel expenses referred to in Articles 19 are payable only if the suspension is at Frontex' request.
- 2. The period of the suspension is not counted in the period of secondments as defined in Article 4.

Article 10

Termination of periods of secondment

- 1. Subject to paragraph 2, the SNE's secondment may be terminated at the request of Frontex or the SNE's employer, subject to three months' notice, or at the SNE's request, subject to the same period of notice and with the agreement of Frontex and the SNE's employer.
- 2. In exceptional circumstances the secondment may be terminated without notice:
 - a. by the SNE's employer, if the employer's essential interests so require;

- b. by Frontex and the employer acting jointly, at the request of the SNE addressed to both parties, if the SNE's personal or professional interests so require;
- c. by Frontex in the event of a failure by the SNE or his employer to respect their obligations under this Decision; Frontex immediately informs the SNE and his employer accordingly.

Chapter II

Working conditions

Article 11

Social security

1. Before the start of a secondment, the respective national public administration or IGO from which the SNE is to be seconded certifies that the SNE remains throughout the whole period of secondment subject to the social security legislation applicable to the public administration that employs him and is responsible for expenses incurred abroad. To this end the SNE's employer provides Frontex with the certificate referred to in Article 11(1) of Council Regulation (EEC) No 574/72.
2. From the day on which their secondment starts, SNEs are covered by Frontex against the risk of accident. Frontex provides them with a copy of the terms of this cover on the day on which they complete the administrative formalities related to secondment.
3. A SNE who cannot be covered by a public sickness insurance scheme may apply to have this risk insured by Frontex. In this case the SNE is responsible for one half of the relevant insurance premium and his contribution is to be deducted monthly from the subsistence allowances referred to in Article 17.

Article 12

Working time arrangements

1. The working time arrangements for SNEs are the same as those in force at Frontex.
2. The SNE serves on a full-time basis throughout the period of secondment. Following a duly justified request from a SNE, the Executive Director may allow the SNE to work part time, provided that the SNE's employer agrees to it and the arrangement is compatible with the interests of Frontex.
3. With the consent of the SNE's employer a SNEs may be assigned, because of the exigencies of the service or safety rules, to work regularly at night, on Saturdays, Sundays or public holidays or to remain on standby duty. The respective working time arrangements applicable to statutory staff apply by analogy to these SNEs.

Article 13

Sick leave

1. The rules in force at Frontex on absence due to sickness or accident apply to SNEs.
2. Where the period of sick leave exceeds three months or the length of time worked by the SNE, whichever is longer, the payment of subsistence allowances referred to in Article 17 is automatically suspended.

Sick leave may not extend beyond the duration of the secondment of the SNE.
3. SNEs who are victims of a work-related injury which occurred during the secondment will continue to receive the subsistence allowance in full throughout the period during which they are unfit for work. These allowances may not, however, be paid beyond the end of the period of secondment.

Article 14
Annual and special leave

1. With the exception of the provisions relating to grade, the rules in force at Frontex on annual and special leave applicable to statutory staff, apply to SNEs.
2. A leave of a SNE is subject to a prior authorisation by his immediate superior. In the event of an unauthorised absence within the meaning of Article 60 of the Staff Regulations, subsistence allowances are not to be paid to the concerned SNE for the duration of such an absence.
3. Upon a duly justified request from the SNE's employer, the SNE may be granted up to two days of special leave in a 12-months period to visit his employer.
4. Days of annual leave not taken by the SNE by the end of the period of the secondment shall be forfeited.

Article 15
Maternity leave

1. The rules in force at Frontex on maternity leave apply to SNEs. While on maternity leave, the SNE receives the subsistence allowances referred to in Article 17.
2. Where the rules that are binding upon the SNE's employer provide for a period of maternity leave longer than that granted by Frontex, the secondment may, at SNE's request, be interrupted for the period by which that leave exceeds the leave granted by Frontex. A period equivalent to the length of interruption of the secondment may be added to the end of the secondment if the interests of Frontex warrant it. Alternatively, a SNE may apply for a suspension of her secondment to cover the periods allowed for maternity leave. In that case, the provisions of Article 9 apply by analogy.

Article 16
Management and control

Day-to-day administrative and financial management, such as calculation and payment of allowances, are the responsibility of Frontex.

Chapter III
Allowances and Expenses

Article 17
Subsistence allowances

1. A SNE is entitled, throughout the period of the secondment, to a daily subsistence allowance and to a monthly subsistence allowance. Where the distance between the place of origin as determined in accordance with Article 18 and the place of secondment is more than 150 km, the daily subsistence allowance shall be 136.10 EUR; where the distance is 150 km or less, SNE receives 25 % of the daily subsistence allowance, which is 34.03 EUR.
2. The monthly subsistence allowance is paid as shown in the table below:

Distance between the place of origin and the place of secondment (km)	Amount in EUR
0 - 150	0
> 150	87.48
> 300	155.52
> 500	252.75
> 800	408.29

> 1300	641.60
> 2000	768.00

3. In a case of cost-free SNEs, the exchange of letters referred to in Article 3(4), stipulates that the allowances referred to in paragraphs 1 and 2 above are not to be paid by Frontex.
4. Subsistence allowances are intended to cover SNE's living expenses in the place of secondment on a flat-rate basis and shall be paid in the currency of the place of secondment. The allowances shall in no circumstances be constructed and understood as a remuneration paid by Frontex.

Before secondment, the SNE's employer certifies to Frontex that during the secondment it will maintain the level of remuneration the SNE was receiving at the time preceding his secondment.

The SNE informs Frontex of any allowance similar to the subsistence allowances paid by Frontex which he has received from other sources. This amount is to be deducted from the subsistence allowances paid by Frontex. Following duly justified request from the employer, Frontex may decide not to make this deduction.
5. Daily subsistence allowances are payable for every day of the week, including during periods of mission, annual leave, special leave and holidays granted by Frontex.
6. When a SNE starts his secondment, the first 75 days of the subsistence allowances to which he is entitled will be advanced in the form of a lump sum and the allowances are not to be paid during the corresponding period. This lump sum is paid by the 25th day of the month for SNEs starting on the first day of the same month. For SNEs starting on the 16th day of the month, this lump sum shall be paid by the 10th day of the following month. If the secondment is ended during the first 75 days, the SNE is obliged to return the amount of allowances corresponding to the remainder of that period.
7. Subsistence allowances shall be paid no later than on the 25th day of each month.
8. The amount of subsistence allowances shall be reviewed annually in line with the provision set for annual update of remuneration of statutory staff in Article 65 of the Staff Regulations. The update to subsistence allowances is to take place in the month following the publication of the update in the Official Journal of the EU. Corporate Governance shall be responsible for implementing this provision and new rates for subsistence allowances shall be published in an Administrative Notice by the Director of Corporate Governance.

Article 18 Place of origin

1. For the purposes of this Decision, a "place of origin" means the place where the SNE performed his duties for his employer immediately prior to the secondment. The place of secondment and the place of origin are defined in the exchange of letters mentioned in Article 3(4).
2. If, six months before his secondment to Frontex as a SNE, the SNE already has his main residence in a place other than that defined in paragraph 1, the place of origin is deemed to be whichever of the places is closer to the place of secondment.
3. Circumstances arising from work done by the SNE at the place of secondment for an administration other than that of the place of secondment, or for an international organisation, shall not be taken into account for the purpose of this Article.

Article 19 Travel expenses

1. SNEs other than cost-free SNEs, are entitled to a reimbursement of the costs of their travel between their place of origin and the place of secondment, as defined in Article 18, at the beginning and at the end of their secondment.

2. Travel expenses are reimbursed in accordance with relevant rules and condition in force at Frontex.
3. By way of derogation from paragraph 1, a SNE who proves that he will be assigned to a place other than his place of origin at the end of the secondment is entitled to a reimbursement of travel expenses to that new place under the conditions laid down in paragraph 2. However, this reimbursement may not be more than the amount that would have been paid had the SNE returned to his place of origin.
4. Frontex does not reimburse any expenses referred to in the preceding paragraphs if they have been met by the employer or any other third party. The Permanent Representation concerned or, as the case may be, the SAC competent authority, IGOs or diplomatic missions of the non-EU member countries concerned inform Frontex to this effect.

Article 20

Missions and mission expenses

1. A SNEs may be sent on mission subject to Article 6.
2. Mission expenses are reimbursed in accordance with the relevant rules and conditions in force at Frontex.

Article 21

Training

SNEs are entitled to attend training courses organised by Frontex if the interests of Frontex warrant it. The interests of the SNE in attending, in particular with view to his reinstatement into his original administration after the secondment, may be considered when a decision is taken on whether to allow him to attend a training course.

Article 22

Administrative provisions

1. SNEs report to the Human Resources and Security Unit of Frontex on their first day of secondment to complete the required administrative formalities. SNEs take up duty on either the first or the sixteenth day of a month.
2. SNEs not seconded to Warsaw report to the appropriate Unit of Frontex.

Chapter IV

Complaints

Article 23

1. Without prejudice to the possibilities for instituting proceedings after taking up his position, under the condition and time limits laid down in Article 263 of the Treaty on the Functioning of the European Union, a SNE may submit a complaint to the Executive Director about an act adopted by Frontex under this Decision which adversely affects him, with the exception of decisions which are direct consequences of decisions taken by his employer.
2. The complaint must be lodged within two months. The period starts to run on the date of notification of the decision to the person concerned, but in no case later than on the date on which the latter received such notification. The Executive Director notifies the person concerned of his reasoned decision within four months from the date on which the complaint was lodged. If at the end of that

period no reply to the complaint has been received, this deems to constitute an implied decision rejecting it.

Chapter V

Final Provisions

Article 24

1. This decision enters into force on the day following the date of its adoption.
2. This Decision repeals and replaces Management Board Decision No 22/2009 of 25 June 2009 laying down rules on the Secondment of National Experts to Frontex as amended by Management Board Decision No 24/2013.

Done in Warsaw, 30 March 2017

For the Management Board



Marko Gašperlin
Chairperson