

II

(Non-legislative acts)

DECISIONS

DECISION (EU) 2021/2321 OF THE EUROPEAN CENTRAL BANK

of 10 December 2021

on the delegation of decisions on the issuing of Union *laissez-passer* for applicants falling under the authority of the European Central Bank (ECB/2021/55)

THE PRESIDENT OF THE EUROPEAN CENTRAL BANK,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Protocol (No 7) on Privileges and Immunities of the European Union, and in particular Article 6 thereof,

Whereas:

- (1) The European Central Bank (ECB) authorises the issuance of Union *laissez-passer* for members of staff of the ECB, short-term contract employees of the ECB and their family members. The Union *laissez-passer* should be recognised by the Member States as a valid travel document.
- (2) As the power to issue Union *laissez-passer* is conferred on the Presidents of Union institutions, this means that in the ECB's case the President of the ECB has this power.
- (3) Council Regulation (EU) No 1417/2013 ⁽¹⁾ establishes a common form for the issuing of Union *laissez-passer*. Since 2015, Union *laissez-passer* are issued as e-travel documents under a centralised procedure, with the Commission acting as a central point for other Union institutions in accordance with service level agreements implementing the Union *laissez-passer* scheme.
- (4) Given the volume of requests to issue Union *laissez-passer* for members of staff of the ECB, short-term contract employees of the ECB and their family members, the power to issue them should be delegated to the Chief Services Officer, with the possibility to sub-delegate it to the operational level of the ECB,

HAS ADOPTED THIS DECISION:

Article 1

Definitions

For the purposes of this Decision, the following definitions shall apply:

- (1) 'Union *laissez-passer*' means a secure travel document as provided for in Article 6 of Protocol (No 7) on Privileges and Immunities of the European Union;

⁽¹⁾ Council Regulation (EU) No 1417/2013 of 17 December 2013 laying down the form of the *laissez-passer* issued by the European Union (OJ L 353, 28.12.2013, p. 26).

- (2) 'ECB applicant' means: (a) a member of staff of the ECB as defined in Article 1 of the Conditions of Employment; (b) a short-term contract employee of the ECB as defined in Article 1 of the Conditions of Short-Term Employment; and (c) a respective family member of such member of staff or short-term contract employee.

Article 2

Delegation and sub-delegation

1. The President hereby delegates to the Chief Services Officer (CSO) the power to issue Union *laissez-passer* to ECB applicants.
2. The President hereby authorises the CSO to sub-delegate to the Director-General Corporate Services and, in the case of his or her unavailability, to the Director Administration the power to issue Union *laissez-passer* to ECB applicants.
3. A decision on the issuing of a Union *laissez-passer* to an ECB applicant shall be adopted on a delegated or sub-delegated basis only if the criteria for doing so set out in Article 3 are fulfilled.
4. Directorate-General Corporate Services shall inform the President annually of the decisions adopted on the basis of the delegation provided for in this Article.

Article 3

Criteria for the adoption of Union *laissez-passer* decisions on a delegated or sub-delegated basis

1. A decision on the issuing of a Union *laissez-passer* to an ECB applicant shall only be taken on a delegated or sub-delegated basis where the issuing of the Union *laissez-passer* is justified as being in the interest of the service for a good business reason, in particular frequent business travel, a regular workplace outside Frankfurt am Main or in the case of external mobility.
2. The issue of a Union *laissez-passer* to a family member of a staff member of the ECB or of a short-term contract employee of the ECB shall only be possible in exceptional circumstances and solely if it is in the interest of the Union. In the case of a long stay outside the Union, including long-term posting, the Union *laissez-passer* shall be granted for the sole purpose of the safe and correct running of the service, when exceptional circumstances and the impossibility to use national passports or travel documents justify it, in particular if it is required for the purpose of travel and proper notification and residency in a third country. The duration of validity of the Union *laissez-passer* held by a family member shall never exceed the duration of the validity of the Union *laissez-passer* held by the staff member or short-term contract employee.

Article 4

Entry into force

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Done at Frankfurt am Main, 10 December 2021.

The President of the ECB
Christine LAGARDE
