

DECISION OF THE COLLEGE OF THE  
EUROPEAN PUBLIC PROSECUTOR'S OFFICE  
OF 20 MAY 2026

ON THE REQUEST FOR THE COMMISSION'S AGREEMENT FOR  
DEROGATION FROM IMPLEMENTING RULES TO THE STAFF  
REGULATIONS

The College of the European Public Prosecutor's Office ('the EPPO');

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

Having regard to the Staff Regulations of Officials of the European Union (hereinafter 'Staff Regulations') and the Conditions of Employment of Other Servants of the European Union (hereinafter 'CEOS'), laid down by Council Regulation (EEC, EURATOM, ECSC) No 259/68<sup>1</sup> as last amended, and in particular to Article 110(2), third subparagraph of the Staff Regulations;

Having regard to the Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('EPPO') (hereinafter referred to as 'the EPPO Regulation'), and in particular Article 96(4) thereof;

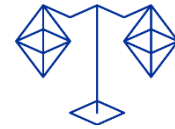
Having regard to Communication C(2014)6543 final of 26 September 2014 from Vice-President Šefčovič to the Commission on the guidelines on the implementation of Article 110(2) of the Staff Regulations with regard to the implementing rules applicable in the agencies, and in particular Point 3.3. B) thereof;

Having regard to the Decision 018/2026 of the College of the EPPO of 10 April 2026 regarding the extension of the probationary period of the Administrative Director and the temporary occupation of the management post of Administrative Director<sup>2</sup>, and in particular Article 2 thereof;

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<sup>1</sup> OJ L 56, 4.3.1968, p. 1, OJ L 287, 29.10.2013, p.15.

<sup>2</sup> Ref. Ares(2026)3851142 – 10 April 2026.

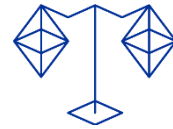


After consulting the Staff Committee,

Whereas:

1. According to Article 96(4) of the EPPO Regulation, notwithstanding its status as an independent body of the Union, the EPPO is bound by Article 110(2) of the Staff Regulations. Pursuant Article 110(2) of the Staff Regulations, implementing rules adopted by the Commission to give effect to the Staff Regulations shall apply by analogy to the EPPO and to that end, the Commission informs the EPPO of any such implementing rule without delay after adoption.
2. On 18 November 2025 the Commission informed the EPPO on the adoption of Commission Decision C(2025)7357 of 6 November 2025 on the general provisions for implementing Article 27 of the Staff Regulations of Officials of the European Union and Article 12(1) of the Conditions of Employment of Other Servants of the European Union.
3. This communication triggered the nine-month deadline for the EPPO to decide if it will apply the rules by analogy or request a derogation;
4. The EPPO considers that Commission Decision C(2025)7357 is not suitable to apply by analogy to the Office, mainly because of its different characteristics of the establishment plan, namely with regard to the number of staff;
5. Therefore, it is appropriate to request a derogation not to apply these rules by analogy and to adopt different rules;
6. The Agencies Standing Working Party (SWP) has informed that in coordination with the Commission, a specific model decision will be developed and which will better suit the needs of other entities;
7. Pursuant to Article 110(2) of the Staff Regulations and the guidelines on the implementation of Article 110(2) of the Staff Regulations with regard to the implementing rules applicable in the agencies, the College of the EPPO should empower Ms Ursula SCHMUDERMAYER, acting Administrative Director of the EPPO, to request the Commission's agreement for derogation.

Has adopted this decision:



#### Article 1

With a view to adopting different rules and pending the finalisation of a model decision on this matter, the acting Administrative Director of the EPPO is hereby empowered to request the Commission's agreement on the derogation from Commission Decision C(2025)7357 of 6 November 2025 on the general provisions for implementing Article 27 of the Staff Regulations of Officials of the European Union and Article 12(1) of the Conditions of Employment of Other Servants of the European Union.

#### Article 2

This decision shall take effect on the day following that of its adoption.

Done at Luxembourg on the day of its adoption.

**On behalf of the College,**

**Laura Codruța KÖVESI**

**European Chief Prosecutor**

**Annex:** Commission Decision C(2025) 7357 of 6 November 2025 on the general provisions for implementing Article 27 of the Staff Regulations of Officials of the European Union and Article 12(1) of the Conditions of Employment of Other Servants of the European Union, and its Annex.