



**DECISION
OF THE EXECUTIVE DIRECTOR OF THE EUROPEAN ASYLUM SUPPORT OFFICE**

detailing the rules on the costs incurred by persons invited to meetings organised by EASO

THE EXECUTIVE DIRECTOR,

HAVING REGARD to Regulation (EU) No 439/2010 of the European Parliament and of the Council establishing a European Asylum Support Office (hereinafter referred to as the EASO Regulation), in particular Article 31 (6) (a), (b) and (c) thereof,

HAVING REGARD to the Management Board Decision n° 9 of 19 June 2012 on the Rules of Procedure of the EASO Management Board, in particular Article 12 thereof,

WHEREAS

(1) In order to fulfil its duties and objectives, EASO needs to organise meetings with the participation of representatives of Member States, Associated Countries, Third Countries and other entities and organisations, as well as private experts, both inside and outside the territory of the European Union.

(2) The persons invited to meetings organised by EASO support the Agency in its functioning and/or operational activities. As the participants contribute to the work of EASO under its mandate and given that they may incur in extraordinary expenditure in case they have to undergo cross-border travel from their usual place of residence or work, certain expenses incurred in connection with their participation in meetings organised by EASO should be reimbursed or, in specific cases, directly covered by EASO.

(3) Pursuant to the principle of sound financial management, clear rules and efficient procedures for reimbursement or coverage of expenses incurred by experts participating in EASO's meetings should be established.

(4) Building on the operational and administrative experience gathered in previous years and in line with the good practice to regularly review the system related to costs of experts invited to participate in EASO activities, adjustments are required with regard to the scope, the eligible costs and the possibility of pre-financing contained in the Decision of the Executive Director of 8 February 2013 detailing the rules concerning the reimbursement of the costs incurred by persons invited to meetings organised by EASO in support of its functioning or operational activities.

HAS ADOPTED THIS DECISION:

CHAPTER I PURPOSE AND SCOPE

Article 1 Purpose

This Decision lays down the rules on reimbursement and direct coverage of expenses incurred by persons invited to meetings organised by EASO in support of its functioning or operational activities.

Article 2 Scope

1. EASO shall only reimburse or, in specific cases, cover the eligible costs incurred by persons invited to meetings organised by EASO inside and outside the territory of the European Union within the scope, conditions and procedures set by this Decision.
2. The costs incurred by representatives from the European Union institutions, bodies, offices and agencies shall not be reimbursed by EASO.
3. This Decision shall not apply to the reimbursement of costs incurred by Member States when making their experts available for deployment to asylum support teams, which is governed by its own rules, in accordance with Article 23 of the EASO Regulation and the relevant Management Board Decision.
4. This Decision shall not apply to the reimbursement of costs incurred by representatives of organisations or entities, with which EASO has concluded specific arrangements on reimbursement of costs, unless decided otherwise.

CHAPTER II PERSONS INVITED TO EASO MEETINGS

Article 3 Category A Participants

1. Category A participants comprises persons invited to meetings organised by EASO in order to perform a specific duty, such as chairing, delivering a presentation or a speech, developing EASO documents and materials or delivering training sessions.
2. The travel related costs and the subsistence costs of Category A participants are eligible for reimbursement or coverage by EASO, in accordance with Articles 7 and 8 of this Decision.

Article 4 Category B Participants

1. Category B participants comprises persons invited to meetings organised by EASO, who are not explicitly requested by EASO to perform a specific duty, but who contribute in general terms with their knowledge and expertise to the outcome of the meeting.
2. The travel related costs of Category B participants are eligible for reimbursement or coverage by EASO, in accordance with Article 7 of this Decision.

Article 5
Category C Participants

1. Category C participants comprises persons invited to meetings organised by EASO who do not fall into Categories A and B.
2. The costs of Category C participants are not eligible for reimbursement or coverage by EASO, except in cases where this is foreseen in a specific prior Decision of the Executive Director.

CHAPTER III
ELIGIBLE COSTS

Article 6
Eligible Costs

1. Under the conditions laid down in this Decision, the following costs incurred by organisations or by private experts invited to meetings organised by EASO are eligible for reimbursement or coverage by EASO:
 - (a) cross-border travelling from the usual place of residence or work to the location of the meeting organised by EASO, and back to the place of departure, as well as visa issuance and other administrative costs directly related to the entry and stay in the country where the EASO meeting is organised;
 - (b) daily subsistence allowance, including , accommodation and local transport.
2. In case of unforeseen events leading to the impossibility to participate in the meeting, EASO shall only reimburse or cover the real costs related to cross-border travelling and accommodation, provided that no other means to reimburse or cover those costs are available.
3. No other expenses shall be borne by EASO.

Article 7
Travel related costs

1. For each meeting or in case of a combination of meetings, the cost of cross-border travelling within the territory of the EU and of the Associated Countries, of visa issuance and of other administrative costs directly related to the entry and stay in the country where the meeting is organised, shall be calculated on the basis of an all-inclusive flat rate. The amount of the flat rate is set at 500 EUR.
2. For each meeting or in case of a combination of meetings, the cost of cross-border travel to or from a country outside of the EU or the Associated Countries, of visa issuance and of other administrative costs directly related to the entry and stay in the country where the meeting is organised, shall be calculated on the basis of the real costs incurred by the expert while respecting the rules on transport included in the applicable guide to missions of the European Commission.
3. In specific cases, when duly justified, inter alia, by the nature and venue of the meeting, the type of participants or the existence of specific operational needs, EASO may exceptionally decide to facilitate the travel arrangements and cover directly the real cross-border travelling costs. In these cases, EASO shall reimburse the visa issuance and other administrative costs directly related to the entry and stay in the country where the meeting is organised, on the basis of the real costs incurred by the expert.

Article 8
Subsistence costs

1. For each meeting or in case of a combination of meetings, a daily subsistence allowance, including accommodation and local transport, will be covered by an all-inclusive flat rate in accordance with the duration of the meeting and the duration of the travel. The duration of the travel within the territory of the EU or of the Associated Countries is fixed at one day regardless of the actual total travelling time. The duration of the travel from and to countries outside of the EU or the Associated Countries is fixed at two days regardless of the actual total travelling time.
2. The flat rate for the daily subsistence allowance, accommodation and local transport, shall be calculated on the basis of the place where EASO organises the meeting, applying the relevant ceilings for the daily subsistence allowance and for accommodation laid down in the applicable guide to missions of the European Commission.
3. In specific cases, when duly justified, inter alia, by the nature and venue of the meeting, the type of participants or the existence of specific operational needs, EASO may exceptionally decide to facilitate the accommodation arrangements and cover directly the real accommodation costs which shall not exceed the ceiling referred to in paragraph 2. In these cases, EASO shall reimburse the daily subsistence allowance, including accommodation and local transport, in accordance with the applicable guide to missions of the European Commission.

CHAPTER IV
INVITATION TO MEETINGS

Article 9
Letters of invitation

1. A letter of invitation, signed by the Executive Director acting as authorising officer or a Head of Unit/Centre acting as authorising officer by delegation, shall be sent to the persons invited to meetings organised by EASO.
2. The letter of invitation shall contain a reference to the concrete category of participant under which a person is invited to a meeting organised by EASO. In case of participants under category A, the letter of invitation shall explicitly state which specific duty is assigned to the participant under this category.
3. The letter of invitation shall also mention the duration and the location of the meeting. The meetings shall take place at the EASO headquarters, unless otherwise decided on a case by case basis.

CHAPTER V
PRE-FINANCING AND REIMBURSEMENT

Article 10
Request for pre-financing

1. The organisation employing the participant or the private expert himself or herself may submit to EASO a request for pre-financing for an amount equal to 50% of the estimated total amount due in application of Articles 7 and 8 of this Decision provided that the this estimated amount is 2,000 EUR or higher.
2. The request for pre-financing shall be submitted to EASO no later than three weeks before the start of the meeting.

3. The request for pre-financing shall contain the following documents:
 - (a) the duly completed form of the request for pre-financing signed by the organisation employing the participant or by the private expert;
 - (b) the duly completed registration form;
 - (c) a copy of the invitation letter.
4. After the end of the meeting, the organisation employing the participant or the private expert shall submit a request for reimbursement of the remaining amount in accordance with Article 11 of this Decision.

Article 11 **Request for Reimbursement**

1. The organisation employing the participant or the private expert himself or herself shall submit to EASO a request for reimbursement of the costs referred to in Articles 7 and 8 of this Decision.
2. The request for reimbursement shall be submitted no later than thirty calendar days after the end of meeting.
3. The request for reimbursement shall include the originals of the following supporting documents:
 - (a) a copy of the letter of invitation referred to in Article 9;
 - (b) the final attendance list of the meeting or a certificate of attendance by the invited person signed by the EASO staff member responsible for the organisation of the meeting;
 - (c) an electronic declaration of the organisation or the private expert confirming that the reimbursement will be destined to cover the cost incurred by the person invited to the meeting organised by EASO and that no other source will cover the expenses incurred in connection with the participation in the meeting;
 - (d) in case of a first request for reimbursement, a duly completed and signed Legal Entity File of the organisation employing the invited person or of the private expert, together with the required supporting documents;
 - (e) in case of a first request for reimbursement, a fully completed and duly signed Financial Identification Form of the organisation employing the participant or the private expert, together with the required supporting documents;
 - (f) in case it is not a first request for reimbursement, a confirmation of the bank account;
 - (g) in case of travel-related costs incurred under Article 7 (2) and (3) of this Decision, the supporting documents required by the applicable guide to missions of the European Commission;

Article 12 **Payment of reimbursable costs**

1. Payment shall be made to the organisation or to private expert by EASO by means of a bank transfer in Euros, applying, where necessary, the European Union official exchange rate.

2. Payment shall be made within thirty calendar days from the date of receipt of the request for reimbursement, including all the necessary documentation, as listed in Article 10 (3) of this Decision.
3. Payment by EASO shall be deemed to be effected on the date when it is debited to EASO's account.

Article 13

Suspension of payment

1. EASO may suspend the period for payment at any time if an organisation or private expert is required to produce additional supporting documents or additional checks need to be conducted by EASO in order to verify whether the expenses in the request for reimbursement are not eligible.
2. EASO may suspend the period for payment at any time if an organisation or private expert is found or presumed to have infringed the provisions of this Decision, in particular as a result of audits and checks provided for in Article 15 of this Decision.
3. EASO shall inform the organisation of a suspension on the basis of paragraphs 1 and 2 of this Article. Suspension shall take effect on the date when notice is sent by EASO. The remaining reimbursement period shall start to run again from the date when a properly constituted request for reimbursement is registered, when the supporting documents requested are received, or at the end of the suspension period as notified by EASO. The suspension of reimbursement by EASO may not be considered as late payment.

Article 14

Recovery

1. If any amount is unduly paid to an organisation or private expert or if recovery is justified, the organisation or the private expert concerned shall undertake to repay EASO the sum in question on whatever terms and by whatever date EASO may specify.
2. If an organisation or private expert fails to repay by the due date, the sum due shall bear interest at the rate applied by the European Central Bank to its principal refinancing operations, as published in the C series of the Official Journal of the European Union on the first day of the month in which payment was due, increased by three and a half percentage points. The interest shall be payable for the period elapsing from the day following expiry of the time limit for payment up to the day of payment. Any partial payment shall first cover the interest.
3. Amounts to be repaid to EASO may be offset against amounts of any kind due to the organisation or the private expert after informing them accordingly. The organisation's or the private expert's prior consent is not required.
4. Bank charges incurred by the repayment of amounts due to EASO shall be borne entirely by the organisation or the private expert.

Article 15

Checks and Audits

1. The organisation and the private expert undertake to provide any detailed information requested by EASO or by any other outside body authorised by EASO to check that this Decision is properly implemented.

2. The organisation and the private expert shall keep at the EASO's disposal all original documents, especially accounting and tax records, or, in exceptional and duly justified cases, certified copies of original documents relating to requests for reimbursements for a period of five years from the date of reimbursement of costs incurred for the purpose of the activity.
3. The organisation and the private expert agree that EASO may have an audit in relation to requests for reimbursement carried out either directly by its own staff or by any other outside body authorised to do so, on its behalf. Such audits may be carried out throughout the duration of the activity and for a period of five years from the date of reimbursement of costs incurred for the purpose of the activity. Where appropriate, the audit findings may lead to recovery decisions by EASO.
4. The organisation and the private expert undertake to allow the staff of EASO and outside personnel authorised by EASO the appropriate right of access to relevant sites and premises where necessary and to all the information, including information in electronic format, needed in order to conduct such audits.
5. By virtue of Council Regulation (Euratom, EC) No 2185/96 and Regulation (EU, EURATOM) No 883/2013 of the European Parliament and the Council, the European Anti-fraud Office (OLAF) may also carry out on-the-spot checks and inspections in accordance with the procedures laid down by Union law for the protection of the financial interests of the European Union against fraud and other irregularities. Where appropriate, the inspection findings may lead to recovery decisions by EASO.

CHAPTER VI OTHER PROVISIONS

Article 16 Liability

EASO shall not be liable for any material, non-material or physical damage suffered by invited participants in the course of their journey to or stay in the place where the meeting is held, including invited participants who use their own means of transport.

CHAPTER VII FINAL PROVISIONS

Article 17 Derogations and review

1. The Executive Director may derogate the provisions laid down in this Decision in exceptional cases when duly justified, inter alia, by the nature and venue of the meeting, the type of participants or the existence of specific operational needs.
2. This Decision shall be subject to review at least every two years.

Article 18 Repeal

The Decision of the Executive Director of EASO of 8 February 2013 detailing the rules concerning the reimbursement of the costs incurred by persons invited to meetings organised by EASO in support of its functioning or operational activities is hereby repealed.

Article 19
Entry into force

This Decision shall enter into force on the day of its signature.

Done at Valletta Harbour, on 14 November 2014

SIGNED 14-11-2014

Dr. Robert K. Visser
Executive Director