



**DECISION OF THE EUROPEAN CENTRAL BANK**

**of 23 July 2019**

**amending the European Central Bank Staff Rules and the Rules for Short-term Employment as regards selection and appointment, and amending Administrative Circular 2/2011 on promotion (ECB/2019/NP21)**

THE EXECUTIVE BOARD OF THE EUROPEAN CENTRAL BANK,

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

Having regard to the Statute of the European System of Central Banks and of the European Central Bank, and in particular Articles 11.6 and 36.1 thereof,

Having regard to Decision ECB/2004/2 of the European Central Bank of 19 February 2004 adopting the Rules of Procedure of the European Central Bank<sup>1</sup>, and in particular Articles 11.2 and 21.3 thereof,

Having regard to the Conditions of Employment for Staff of the European Central Bank, in particular Article 9(a) thereof,

Having regard to the opinion of the Staff Committee,

Whereas:

- (1) It is considered appropriate to make adjustments to the rules on selection and appointment in the light of the experience gained in recruitment since the last selection rules were adopted.
- (2) Selection procedures should ensure that recruitment of candidates is based on an assessment of the comparative merits of candidates (qualifications, experience, skills and competencies) against the requirements for the position as set out in the vacancy notice.
- (3) Selection procedures should be conducted by selection committees whose advisory role in the process should be further specified.
- (4) The rules on the composition of selection committees should be simplified to facilitate the recruitment of members of staff at any salary band by way of a selection procedure, and in particular staff at higher salary bands, as well as to allow for necessary flexibility in exceptional and duly motivated circumstances.

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<sup>1</sup> OJ L 80, 18.3.2004, p. 33.

- (5) It is appropriate to clarify the application of the conflict of interest rule in the context of selection procedures.
- (6) While there is no entitlement nor legitimate expectation for any individual placed on a list of candidates deemed suitable for a position to be appointed, the conditions for establishing such lists as a result of a selection procedure should be clarified.
- (7) In the exercise of its own competence pursuant to Article 11.6 of the Statute of the European System of Central Banks and of the European Central Bank, the Executive Board should determine the internal authority responsible for deciding on the appointment of candidates, and certain other steps in the selection and appointment procedures.
- (8) Before deciding to conduct an external selection procedure to fill a position, the internal authority responsible for such decision should give due consideration to the availability of internal talent.
- (9) The rules on the competence to manage the European Central Bank (ECB) position plan and decide on the positions to which any appointed member of staff is, or may be, assigned should be clarified.
- (10) Appointments of Counsellors to members of the Executive Board and to the Chair and Vice-Chair of the Supervisory Board, as well as to ECB representatives to the Supervisory Board, require a special relationship of trust between any of the latter and the respective Counsellor. This justifies the appointment of a Counsellor without a prior selection procedure where the respective member of the Executive Board, the Chair or Vice-Chair of the Supervisory Board, or the respective ECB representative to the Supervisory Board so requests.
- (11) It may be necessary in exceptional circumstances to fill a position of Head of Business Area by direct appointment of a member of staff who was not at the level of the position, notably when the position needs to be filled urgently. It is appropriate to ensure that such appointment can be adequately justified on the basis of the past performance of the member of staff.
- (12) The duration of non-convertible fixed-term contracts issued against a position of Counsellor to a member of the Executive Board, the Chair or Vice-Chair of the Supervisory Board, or an ECB representative to the Supervisory Board should be determined in accordance with the specific characteristics of the tasks of Counsellors.
- (13) The duration of non-convertible fixed-term contracts issued against a position of ECB data protection officer must be determined in accordance with the requirements set out in the Union legislation on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data.
- (14) Therefore, the European Central Bank Staff Rules (hereinafter the 'Staff Rules') and the Rules for Short-term Employment should be amended accordingly.
- (15) To take account of the amendments to the Staff Rules, Administrative Circular 2/2011 of 19 July 2011 on promotion should also be amended,

HAS ADOPTED THIS DECISION:

*Article 1*

**Amendments to the Staff Rules**

The Staff Rules are amended as follows:

1. Article 0.2.1.4 is replaced by the following:

‘Prior to a candidate’s appointment, the appointing authority, as defined in point (a) of Article 1a.1.1, shall in accordance with the rules on selection and appointment assess whether there may be a conflict of interest resulting from the candidate’s previous occupational activities or their close personal relationship to members of staff, members of the Executive Board or members of other internal bodies of the ECB. The appointing authority shall seek the advice of the Compliance and Governance Office if they identify a conflict of interest.’;

2. PART 1A of the Staff Rules is replaced by the following:

**‘PART 1A SELECTION AND APPOINTMENT**

The provisions of Article 8a of the Conditions of Employment are applied as follows:

**1a.1 General provisions**

**1a.1.1 Definitions**

For the purpose of these Staff Rules:

- (a) “appointing authority” means the internal authority competent to take the relevant decision, to be determined with regard to the applicable decision in accordance with Annex VII unless otherwise provided in these Rules;
- (b) “selection procedure” means a competitive recruitment procedure conducted by a selection committee, with a view to assessing the merits of candidates for an advertised position within the ECB and to providing the appointing authority with a list of candidates that may be deemed suitable as well as, as the case may be, a recommendation as to the candidate to select for the position to be filled.

**1a.1.2 General eligibility criteria**

Candidates shall be eligible for appointment if:

- (a) they are a national of a Member State of the European Union or an acceding country, unless an exception is authorised by the appointing authority;
- (b) they enjoy their full rights as a citizen;

- (c) they have a thorough knowledge of English and a satisfactory knowledge of at least a second official Union language, unless an exception is authorised prior to the publication of the vacancy notice by the appointing authority;
- (d) they are medically fit to perform their duties;
- (e) there is no objection, from a security perspective, to them performing their duties;
- (f) there is no conflict of interest resulting from their previous occupational activities during the last two years prior to the date of application with respect to the duties to be performed in the position for which they are applying, or the appointing authority considers that the conflict of interest can be mitigated by appropriate measures.

Close relatives, spouses, recognised partners of, or persons with a close personal relationship to, members of staff or members of the Executive Board or of other internal bodies of the ECB shall not be appointed in the same reporting line.

#### **1a.1.3 Additional specific eligibility criterion for internal selection procedures**

The following are eligible to apply for internal selection procedures: members of staff on an indefinite or a fixed-term contract, and graduate programme participants, who have in each case successfully completed their probationary period at the closing date for applications.

This eligibility criterion for internal selection procedures does not prevent members of staff and graduate programme participants who have not completed their probationary period from applying for external selection procedures.

#### **1a.2 Selection procedures**

1a.2.1 The selection of members of staff shall be based upon a comparison of the merits of the candidates against the requirements set out in the vacancy notice.

If two or more candidates have equal merits against those requirements, the diversity of gender and/or nationality may be used as an additional selection criterion.

#### **1a.2.2 Decisions on the selection procedure**

1a.2.2.1 The decision to fill a position by means of a selection procedure lies with the appointing authority.

Positions shall be filled by means of a selection procedure, unless the appointing authority decides to fill the position by means of horizontal mobility, or promotion, or from a valid list of suitable candidates resulting from a previous selection procedure in accordance with these Rules.

1a.2.2.2 The decision to fill a position by means of an external selection procedure without a prior internal selection procedure shall in particular be justified, based on (a) the

specific requirements of the position to be filled, (b) the availability of the required qualifications, experience, skills and competencies within the ECB, and (c) diversity aspects.

- 1a.2.2.3 The appointing authority may decide to conduct one single selection procedure in order to fill several positions with different position titles and different responsibilities, provided that the positions are at the same salary band and that the same qualifications and/or experience, skills and competencies are required for such positions.

**1a.2.3 Vacancy notice**

Following the decision(s) referred to under Article 1a.2.2, a vacancy notice shall be approved by the appointing authority and published on the ECB's website.

The vacancy notice shall set out in particular:

- (a) the title of the position(s) in accordance with the ECB list of generic job titles and the salary band to which the position(s) is/are allocated;
- (b) the functional title(s), where relevant, and the main responsibilities of the position(s);
- (c) the requirements for the position(s), including:
  - (i) the academic degrees, other qualifications and/or experience required or desired for the position(s);
  - (ii) the skills and competencies required or desired for the position(s);
- (d) the nature and duration of the contract(s);
- (e) the envisaged steps and selection tools of the selection procedure;
- (f) the closing date and submission channel for applications.

Before the closing date for applications and where considered appropriate in order to allow more candidates to apply, the appointing authority may approve the extension of the closing date.

Furthermore, the appointing authority may decide to republish the vacancy notice shortly after the closing date for applications, without amending any of its content except for setting out a new closing date for additional applications. Such republishing is only admissible if the initial publication has resulted in an insufficient number of candidates, in order to ensure genuine competition throughout the selection procedure. Following expiry of the new closing date, all candidates having applied to either the initial vacancy notice or the republished one shall be assessed as set out in these Rules.

The appointing authority may, at any time prior to an appointment being made, withdraw the vacancy notice, if there are objective reasons for doing so.

**1a.2.4 Applications**

- 1a.2.4.1 Candidates shall submit their complete applications via the ECB's electronic recruitment system. The system shall acknowledge the receipt of applications. Applications submitted after the closing date for applications shall not be considered, unless the delay is caused by the unavailability of the ECB's recruitment system.
- 1a.2.4.2 Candidates shall provide information about any actual or potential conflict of interest that may arise from previous occupational activities during the last two years prior to the date of application with respect to the duties to be performed in the position for which they are applying.
- 1a.2.4.3 The candidates must meet the requirements set out in the vacancy notice by the closing date for applications.

**1a.2.5 Eligibility of candidates**

- 1a.2.5.1 After the closing date for applications, the selection committee, as established under Section 1a.2.6, shall assess whether candidates meet the eligibility criteria provided for in Articles 1a.1.2(a) and (c), and 1a.1.3. .

By derogation from the first paragraph, and provided that a candidate provides evidence in their application that their naturalisation in a Member State of the European Union or an acceding country has been requested and is imminent, compliance with the eligibility criterion provided for in Article 1a.1.2 (a) shall be assessed if and when the candidate is proposed to be placed on a list of suitable candidates.

Compliance with criteria provided for in Article 1a.1.2 (b), (d), (e) and (f), shall be assessed if and when a candidate is proposed for appointment.

**1a.2.6 Selection committees**

- 1a.2.6.1 A selection committee shall be established by the appointing authority. The selection committee shall consist of three or five members, including:
- (a) one or several members representing the interests of the recruiting business area(s);
  - (b) one member from the Directorate General Human Resources; and,
  - (c) one or several members from other business areas of the ECB.

A Chair shall be appointed from among the members referred to under (a) who are either (i) at a salary band that is at least one salary band higher than that of the position(s) to be filled, or (ii) are referred to under the third paragraph of Article 1a.2.6.2.

Due consideration shall be given to a balanced composition of the selection committee.

The member from the Directorate General Human Resources shall oversee the sound and consistent application of the selection rules and, where necessary, give instructions to ensure compliance.

All members of the selection committee assess the merits of candidates for the position(s) to be filled against the requirements set out in the vacancy notice. In doing so, they shall act in the interest of the ECB. They shall act in their personal capacity and shall be independent in the performance of their duties.

All members of the selection committee shall each have the same voting rights. The selection committee shall deliberate by simple majority.

1a.2.6.2 Members of staff in the selection committee shall be at a salary band that is at least one salary band higher than the position(s) to be filled, except:

- (a) the member from the Directorate General Human Resources, as referred to in point (b) of Article 1a.2.6.1, who may also be at the same salary band as, or a lower salary band than, that of the position(s) to be filled;
- (b) at most one other member, if that member enhances the diversity of the selection committee and is at the same salary band as that of the position(s) to be filled. The Executive Board may decide otherwise in specific cases where the position(s) to be filled are at salary band(s) K to M.

Notwithstanding the determination of the appointing authority in Annex VII, when a member of the selection committee would also be the appointing authority competent to decide on the appointment in accordance with Annex VII, the appointment decision shall be taken at the next higher level of appointing authority to the one indicated under “responsible authority” in Annex VII. Where a member of the selection committee would be a superior in the reporting line to the appointing authority competent to decide on the appointment in accordance with Annex VII, the appointment decision shall be taken by the appointing authority at the next higher hierarchical level to this member of the selection committee, or the Executive Board.

For the purposes of Article 1a.2.6.1(a) and (c), members of the selection committee may also be members of the Executive Board, the Chair of the Supervisory Board, the Vice-Chair of the Supervisory Board, or ECB representatives to the Supervisory Board.

Exceptionally, other individuals who are not members of staff may also be appointed as members of a selection committee.

1a.2.6.3 The Chair of the selection committee may invite persons who are not members of the selection committee to participate as observers in the selection procedure, without any voting rights. Observers may also be externals.

1a.2.6.4 In exceptional and duly motivated circumstances, the Executive Board may decide to establish selection committees in derogation from Articles 1a.2.6.1 to 1a.2.6.3.

**1a.2.7 Conduct of the selection procedure**

1a.2.7.1 The selection committee shall conduct the selection procedure ensuring the objectivity and impartiality of the procedure.

If a member of the selection committee becomes aware of any factual circumstances likely to impact their objectivity and impartiality, they shall inform the Chair of the selection committee in a timely manner. The Chair shall take any necessary measures to safeguard the procedure.

1a.2.7.2 The selection procedure shall consist of a pre-selection phase followed by a selection phase.

Prior to the closing date for applications and within the framework of the vacancy notice, the appointing authority shall define the tools and parameters on the basis of which the comparative assessment of the merits of the candidates in the subsequent pre-selection phase and selection phase will be carried out.

1a.2.7.3 *Pre-selection phase*

During the pre-selection phase, the selection committee shall assess the comparative merits of the candidates, on the basis of the applications they submitted and of the outcome of additional pre-selection tools, if any, as decided by the appointing authority in accordance with Article 1a.2.7.2, with a view to identifying a sufficient number of candidates who best meet the requirements for the position(s) to be filled.

The candidates who best meet the requirements shall be shortlisted and invited to participate in the selection phase.

Candidates who best meet the requirements but to a lesser extent than the shortlisted candidates may be placed on hold. Candidates placed on hold may at a later stage be invited to participate in the subsequent selection phase, if shortlisted candidates withdraw from the procedure, or if the selection committee considers that there are no, or not enough, candidates among the shortlisted candidates that may be deemed suitable.

1a.2.7.4 *Selection phase*

During the selection phase, the selection committee shall assess the comparative merits of the candidates invited to participate in the selection phase, on the basis of the outcome of the selection tools, such as interviews, written assessments, on-line tests, or other tools as decided by the appointing authority in accordance with Article 1a.2.7.2, with a view to identifying candidates that may be deemed suitable for the position(s) to be filled.

The selection phase of selection procedures for managerial positions allocated to salary band I and above shall include an assessment by an external assessor of leadership competencies specified in the vacancy notice. A valid positive assessment



made in the context of a previous selection procedure for a managerial position at the same salary band may be used, provided the required leadership competencies for the two positions are considered comparable by the selection committee. The Director General Human Resources or their deputy shall decide on the period of time for which assessments shall remain valid.

1a.2.7.5 The selection committee may be assisted by one or more internal or external assessors serving in an advisory capacity with regard to any pre-selection or selection tools. The selection committee shall provide assessors with appropriate instructions to perform their assessment.

1a.2.7.6 Upon receipt of an invitation, candidates shall respond and make themselves available for pre-selection tools within at least two working days, and for selection tools within one week. The selection committee shall decide whether to accommodate requests from candidates unable to make themselves available for the selection procedure in due time.

Candidates with disabilities shall be reasonably accommodated.

Travel expenses incurred by candidates shall be borne by the ECB within the limits and under the conditions further specified by the Director General Human Resources or their Deputy.

1a.2.7.7 Candidates for recruitment by the ECB must show the highest level of integrity. Fraud or attempted fraud will lead to exclusion. In particular, the selection committee may decide to disqualify candidates from the selection procedure if they:

- (a) have disclosed any content of selection tools before completion of the selection procedure;
- (b) have cheated during the tests, revealed their identity during an anonymous selection tool, made false declarations or declarations unsupported by the appropriate documents;
- (c) have failed to inform the ECB of a possible conflict of interest with a member of the selection committee;
- (d) contact or attempt to contact a member of the selection committee in an undue manner.

The Chair of the selection committee, on behalf of the selection committee, shall immediately inform the Directorate General Human Resources of such decision. The Director General Human Resources or their Deputy may, after having heard the candidate, take appropriate measures to block the candidate from applying in future procedures for a defined period of time.

1a.2.7.8 The selection committee may contact referees from the candidates' current or past educational or employment sphere with a view to verifying the candidates'

competencies as set out in the vacancy notice. Members of the selection committee or the appointing authority competent to take the appointment decision in accordance with Annex VII, who are indicated as referees by candidates shall not be contacted to provide references

1a.2.7.9 *Completion of the selection procedure by the selection committee*

Upon completion of its proceedings, the selection committee shall deliver to the appointing authority:

- (a) the complete applications of all candidates as well as the selection committee's assessment of the eligibility of candidates carried out in accordance with Article 1a.2.5.1;
- (b) a selection report comprising the selection committee's assessment of the comparative merits of the candidates during the pre-selection phase, the selection committee's assessment of the comparative merits of the candidates who were invited to participate in the selection phase, and the reasoned assessment as regards the candidates' suitability for the position(s) to be filled;
- (c) a list of candidates that may be deemed suitable; and
- (d) a recommendation as to the candidate(s) to select for the position(s) to be filled, as the case may be.

1a.2.7.10 *Decisions by the appointing authority*

Based on the documents provided by the selection committee in accordance with Article 1a.2.7.9, the appointing authority shall draw up the list of suitable candidates. Candidates who are not placed on the list of suitable candidates shall be rejected by the appointing authority.

The list of suitable candidates shall be valid for a period of one year from the date it is drawn up by the appointing authority.

1a. 2.7.11 *Closure of the selection procedure*

The ECB shall inform the candidates of the outcome of the selection procedure.

The proceedings of the selection committee are and remain confidential. Notwithstanding the confidentiality of the selection procedure, candidates shall be entitled to have access to their respective submissions in the selection procedure and the parts of the assessment relating to them including any reference information.

The selection committee and all persons involved in the selection procedure shall ensure the protection of candidates' personal data.

With the exception of security clearance documents, the Directorate General Human Resources shall keep all relevant selection related personal data for a period of two years from the closing date for applications.

### 1a.3 Appointment

1a.3.1 The appointing authority shall decide on the appointment of staff to positions within the organisational structure of the ECB in accordance with the ECB position plan.

A position is a budgetary post reflected in the ECB position plan managed by the Directorate General Human Resources in compliance with the budgetary limits set by the Governing Council, and approved by the Executive Board from time to time.

Temporary appointments may be extended or made permanent, subject to organisational needs and budgetary constraints, provided that such decision to extend or make permanent a temporary appointment is taken prior to the expiry of the appointment. This shall not result in making permanent a temporary appointment to another position at a higher salary band without a prior selection procedure.

1a.3.2 Where a selection procedure has been conducted to fill (a) position(s), the appointing authority may appoint the candidate(s) which they consider best suited for the position(s) from the list of suitable candidates drawn up for that selection procedure, taking into account the selection report and the recommendation of the selection committee as referred to in Article 1a.2.7.9. Due consideration shall also be given to the diversity of gender and/or nationality in accordance with Article 1a.2.1.

1a.3.3 During the period of validity of a list of suitable candidates as a result of a previous selection procedure, the appointing authority may appoint a candidate placed on that list, in order to fill an identical position or a similar position. Before taking the appointment decision with respect to a similar position, the appointing authority may decide that additional interviews are necessary.

For the purposes of this provision, the following definitions apply:

(a) "identical position" means a position at the same salary band and with the same responsibilities and requirements as those set out in the vacancy notice relating to the selection procedure as a result of which the list of suitable candidates was drawn up;

(b) "similar position" means a position at the same salary band and which, despite some differences in the responsibilities, requires similar qualifications and/or experience, skills and competencies, to those set out in the vacancy notice relating to the selection procedure as a result of which the list of suitable candidates was drawn up.

1a.3.4 A member of staff may be appointed to another position at the same salary band in the context of horizontal mobility, in accordance with Part 2A.

1a.3.5 A member of staff may be appointed to another position at a higher salary band as a result of a promotion, in accordance with the rules on promotion.

- 1a.3.6 Individuals may be appointed directly to positions of Counsellors to a member of the Executive Board or Counsellors to the Chair or Vice-Chair of the Supervisory Board, or to an ECB representative to the Supervisory Board, upon a proposal of the member of the Executive Board or the Chair or Vice-Chair of the Supervisory Board, or ECB representative to the Supervisory Board concerned. The direct appointment shall be limited in time and shall not extend beyond the term of office of the member of the Executive Board or the Chair or Vice-Chair of the Supervisory Board, or ECB representative to the Supervisory Board, as the case may be. This time limitation may be exceptionally extended by the appointing authority for transitional reasons.
- 1a.3.7 A position of Head of Business Area may be filled by a member of staff by means of a direct appointment where all the following conditions are met:
- (a) the position cannot suitably be filled by way of horizontal mobility in accordance with Article 2a.7;
  - (b) the member of staff has outstanding qualifications and the highest merit, including very good management performance required for the position;
  - (c) the member of staff currently holds a position allocated to salary band J for an appointment to a position allocated to salary band K, or currently holds a position allocated to salary band K for an appointment to a position allocated to salary band L.
- 1a.3.8 Any appointment to managerial positions, outside of a selection procedure, shall require an assessment of leadership skills by an external provider, unless:
- (a) the appointment is for a period of three months or less; or
  - (b) the appointee has a documented positive track record of managerial performance at the same level as the appointment.
- 1a.3.9
- (a) Any appointment of a member of staff to a managerial position at a higher salary band shall be subject to a confirmation period. The same shall apply in case of a first appointment in a managerial position at the same salary band.
  - (b) The confirmation period shall be six months. Where the member of staff is prevented by illness, accident, maternity or, in exceptional circumstances, special leave from performing his/her duties for a period of more than one month, the appointing authority may extend the confirmation period accordingly.
  - (c) During the confirmation period, the appointing authority may decide not to confirm the appointment of the member of staff to the managerial position (hereinafter, the 'decision of non-confirmation'). Such decision shall be taken following careful review of a report concerning the performance of the member of staff in their managerial position, in particular in terms of the competencies and skills required for the position. Such report shall be prepared by the responsible Executive Board member for positions of Head of Business Area

(salary band L and K) and at salary band M. It shall be prepared by the direct line manager and endorsed by the Head of the Business Area for positions at salary bands I to K (other than Head of Business Area).

- (d) The decision of non-confirmation shall be duly substantiated, taking account of any observations which the member of staff has made.
- (e) As a result of a decision of non-confirmation, the member of staff shall be reassigned to a position corresponding to his/her level prior to the non-confirmed appointment. Where the non-confirmation relates to a first appointment in a managerial position at the same salary band, the reassignment shall be to a non-managerial position at that level.';

3. in Article 2.0a, the following paragraphs are added:

'The provisions of Article 10(f) of the Conditions of Employment are applied as follows:

Non-convertible fixed-term contracts may be issued against a position of Counsellor to a member of the Executive Board or Counsellor to the Chair or Vice-Chair of the Supervisory Board, or to an ECB representative to the Supervisory Board. These contracts shall be for the duration of the term of office of the member of the Executive Board, or Chair or Vice-Chair of the Supervisory Board, or ECB representative to the Supervisory Board and may only be exceptionally extended for transitional purposes and for a maximum of two years.

The provisions of Article 10(g) of the Conditions of Employment are applied as follows:

Non-convertible fixed-term contracts may be issued against the position of ECB Data Protection Officer. Such contracts shall be of a duration of three to five years and may be extended within the overall limit of ten years laid down in the Conditions of Employment.';

4. in Article 2a.7.2, the first paragraph is replaced by the following:

'Horizontal mobility is excluded for members of staff who have been appointed directly to positions of Counsellors to a member of the Executive Board or Counsellors to the Chair or Vice-Chair of the Supervisory Board, or to an ECB representative to the Supervisory Board.';

5. The Annex to this Decision on the determination of the appointing authority is added as Annex VII.

## *Article 2*

### **Amendments to the Rules for Short-Term Employment**

The following PART 1A of the Rules for Short-Term Employment is added:

#### **'PART 1A THE SELECTION AND APPOINTMENT OF CANDIDATES**

The provisions of Article 13a of the Conditions of Short-Term Employment are applied as follows:

- 1a.1 Short-term contract employees shall be selected and appointed in accordance with the provisions on the selection and appointment of candidates as laid down in the Staff Rules, subject to the provisions of Article 1a.2 to 1a.4.
- 1a.2 The appointing authority may decide to fill a position for short-term employment by direct appointment without any prior selection procedure. The decision shall be made by the same appointing authority as determined in Annex VII to the Staff Rules to appoint as a result of a selection procedure.
- 1a.3 Where an external selection procedure is conducted to fill (a) position(s) for short-term employment, the selection committee shall be composed of at least two members representing the recruiting business area, with one of them taking the role of the Chair.
- 1a.4 Members of staff who have been appointed to their current position in order to fill a position for short-term employment in accordance with the rules for short term employment may be transferred horizontally only for the duration of such short-term employment.’.

*Article 3*

**Amendment to Administrative Circular 2/2011**

Articles 1(4) and 1(5), Article 2, and Articles 4(2) and 4(3) of Administrative Circular 2/2011 of 19 July 2011 on promotion are deleted.

*Article 4*

**Transitional provision**

This Decision shall apply to all selection procedures that commence after the entry into force date, and to all selection procedures that have already commenced but for which a selection committee has not yet been established at the date of entry into force.

*Article 5*

**Entry into force**

This Decision shall enter into force on the third day following the date of adoption.

Done at Frankfurt am Main, 23 July 2019.



*The President of the ECB*

Mario DRAGHI

ECB-PUBLIC

The following Annex VII is added to the Staff Rules:

**'European Central Bank Staff Rules**

**Annex VII**

**Determination of the appointing authority**

The appointing authority is as determined in the following table, unless otherwise provided in the Staff Rules, or unless otherwise decided by the Executive Board in exceptional and duly motivated circumstances:

SUBJECT	DECISION	LEVEL OF POSITION	ARTICLES OF THE ECB STAFF RULES	RESPONSIBLE AUTHORITY
<b>Eligibility for appointment</b>	<b>Authorisation of exceptions to nationality and language requirements</b>	For positions at salary bands A to I	Article 1a.1.2 (a) and (c)	Chief Services Officer, on behalf of the Executive Board
		For positions at salary bands J to M		Executive Board
	<b>Decision on existence of a conflict of interest or appropriate mitigation measures, on the basis of the advice of the Compliance and Governance Office</b>	For positions at salary bands A to H	Article 0.2.1.4 and Article 1a.1.2 (f)	Head of Division, Deputy Head of Division or Head of Section in Directorate General Human Resources
		For positions at salary band I		Director General of Human Resources or their Deputy
		For positions at salary band J		Chief Services Officer, on behalf of the Executive Board
		For positions at salary bands K to M		Executive Board



<b>Selection procedures</b>	<b>Decision to fill a position by means of an (internal or external) selection procedure</b>	For positions at salary bands A to H	Article 1a.2.2	Principal Expert in Directorate General Human Resources
	<b>Approval (and withdrawal) of a vacancy notice, Determination of pre-selection and selection tools and parameters</b>	For positions at salary band I	Article 1a.2.3, first and fifth paragraphs	Chief Services Officer, on behalf of the Executive Board
		For positions at salary band J	Article 1a.2.7.2 Article 1a.2.6.1	Executive Board member, or Chief Service Officer as the case may be, responsible for the business area filling the position
		Establishment of selection committee	For positions at salary bands K to M	Executive Board
		<b>Approval of external person as member of a selection committee</b>	For positions at salary bands A to M	Article 1a.2.6.2, fourth paragraph
	<b>Approval of extensions of a vacancy notice, approval of republishing of a vacancy notice</b>	For positions at salary bands A to J	Article 1a.2.3, third and fourth paragraphs	Head of Division or Deputy Head of Division or Head of Section in Directorate General Human Resources

		For positions at salary bands K to M		Executive Board member, or Chief Service Officer as the case may be, responsible for the business area filling the position
	<b>List of suitable candidates, Rejection of candidates</b>	To positions at salary bands A to H	Article 1a.2.7.10	Subject to Article 1a.2.6.2, paragraph 2, Head of Division, Deputy Head of Division or Head of Section in Directorate General Human Resources
		To positions at salary band I		Subject to Article 1a.2.6.2, paragraph 2, Director General of Human Resources or their Deputy
	<b>List of suitable candidates, Rejection of candidates</b>	To positions at salary bands J to M	Article 1a.2.7.10	Executive Board

<b>Appointment, extension of temporary appointment, including to permanent appointment</b>	<b>Appointment (and related extension) as a result of a selection procedure, from a list of suitable candidates resulting from a previous selection procedure, as a result of a promotion to a higher salary band (except for <i>ad personam</i> promotion), or as a result of horizontal mobility across business area</b>	To positions at salary bands A to H	Articles 1a.3.1 to 1a.3.5	Subject to Article 1a.2.6.2, paragraph 2, Head of Division, Deputy Head of Division or Head of Section in Directorate General Human Resources
		To positions at salary band I		Subject to Article 1a.2.6.2, paragraph 2, Director General of Human Resources or their Deputy
	<b>Appointment as a result of a selection procedure, from a list of suitable candidates resulting from a previous selection procedure, as a result of a promotion to a higher salary band (except for <i>ad personam</i> promotion), or as a result of horizontal mobility across business area</b>	To positions at salary bands J to M		Executive Board

	<p><b>Extension of appointment as a result of a selection procedure, from a list of suitable candidates resulting from a previous selection procedure, as a result of a promotion to a higher salary band (except for <i>ad personam</i> promotion), or as a result of horizontal mobility across business area</b></p>	<p>To positions at salary band J</p>		<p>Director General of Human Resources or their Deputy, after approval of the Executive Board member, or of the Chief Service Officer as the case may be, responsible for the business area filling the position</p>
		<p>To positions at salary bands K to M</p>		<p>Executive Board</p>
	<p><b>Appointment (and related extension) as a result of horizontal mobility within the same business area</b></p>	<p>To positions at salary bands A to I</p>	<p>Article 1a.3.4</p>	<p>Head of Business Area</p>
<p>To positions at salary bands J to M</p>	<p>Executive Board</p>			
	<p><b>Direct appointment ( and related exceptional extension) to a position of Counsellor to a member of the Executive Board, the Chair or Vice-Chair of the Supervisory Board, or an ECB representative to the Supervisory Board</b></p>		<p>Article 1a.3.6</p>	<p>Executive Board</p>

	<b>Direct appointment to a position of Head of Business Area</b>		Article 1a.3.7	Executive Board
	<b>Ad personam promotion</b>		Administrative Circular 1/2011 on Additional Salary Advancements	Chief Services Officer, on behalf of the Executive Board
<b>Non-confirmation of appointment of a member of staff to a managerial position</b>	<b>Decision to extend confirmation period, Decision of non-confirmation</b>	For positions of Head of Business Area (salary bands K and L) and at salary band M	Article 1a.3.9	Executive Board
		For positions at salary bands I to K (other than Head of Business Area)		Chief Services Officer, on behalf of the Executive Board

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