2024/2176

28.8.2024

COUNCIL DECISION (EU) 2024/2176

of 8 December 2023

on the position to be taken on behalf of the European Union within the Regional Steering Committee of the Transport Community as regards the introduction of a common set of rules on the reimbursement of expenses incurred by persons from outside the Permanent Secretariat of the Transport Community who are invited to participate in meetings of the Transport Community

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91 and Article 100(2), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

(1) The Treaty establishing the Transport Community ([1]) ('TCT') was approved on behalf of the Union by means of Council Decision (EU) 2019/392 ([2]) and entered into force on 1 May 2019.

(2) The Regional Steering Committee of the Transport Community ('the Steering Committee'), established by the TCT, is responsible for the administration of the TCT and ensures its proper implementation. Pursuant to Article 35 TCT, the Steering Committee is to adopt decisions specifying the procedure for the implementation of the budget.

(3) The Steering Committee is expected to adopt a decision on the introduction of a common set of rules on the reimbursement of expenses incurred by persons from outside the Permanent Secretariat of the Transport Community who are invited to participate in meetings of the Transport Community ('the envisaged decision'). The rules set out in the envisaged decision will replace the rules adopted pursuant to Decisions No 2020/05 ([3]) and No 2021/02 ([4]) of the Steering Committee.

(4) The envisaged decision is necessary for the good functioning of the Permanent Secretariat and the bodies of the Transport Community. As the envisaged decision will be binding on the Union, it is appropriate to establish the position to be taken on behalf of the Union within the Steering Committee with regard to its adoption.

(5) The position of the Union within the Steering Committee should therefore be based on the attached draft Decision,

HAS ADOPTED THIS DECISION:

Article 1

1. The position to be taken on behalf of the Union within the Regional Steering Committee of the Transport Community ('the Steering Committee') as regards the introduction of a common set of rules on the reimbursement of expenses incurred by persons from outside the Permanent Secretariat of the Transport Community who are invited to participate in meetings of the Transport Community, which will replace the rules adopted pursuant to Decisions No 2020/05 and No 2021/02 of the Steering Committee, shall be based on the draft Decision of the Steering Committee attached to this Decision.

2. Minor changes to the draft Decision may be agreed to by the representatives of the Union in the Steering Committee without further decision by the Council.

([1]) OJ L 278, 27.10.2017, p. 3.
([2]) Council Decision (EU) 2019/392 of 4 March 2019 on the conclusion, on behalf of the European Union, of the Treaty establishing the Transport Community (OJ L 71, 13.3.2019, p. 1).
([3]) Decision No 2020/05 of the Regional Steering Committee of the Transport Community of 29 July 2020 on the rules on the reimbursement of expenses incurred by persons from outside the Permanent Secretariat of the Transport Community who are invited to attend meetings in an expert capacity (OJ L 73, 10.3.2023, p. 40).
([4]) Decision No 2021/02 of the Regional Steering Committee of the Transport Community of 7 June 2021 on the rules on the reimbursement of expenses incurred by persons from outside the Permanent Secretariat of the Transport Community who are invited to participate in meetings of the Transport Community (OJ L 73, 10.3.2023, p. 48).

Article 2

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 8 December 2023.

For the Council
The President
N. CALVIÑO SANTAMARÍA

DRAFT

DECISION No 202X/

OF THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT COMMUNITY

on the introduction of a common set of rules on the reimbursement of expenses incurred by persons from outside the Permanent Secretariat of the Transport Community who are invited to participate in meetings of the Transport Community

THE REGIONAL STEERING COMMITTEE OF THE TRANSPORT COMMUNITY,

Having regard to the Treaty establishing the Transport Community, and in particular Article 24(1) and Article 35 thereof,

HAS ADOPTED THIS DECISION:

Article 1

The common set of rules on the reimbursement of expenses incurred by persons from outside the Permanent Secretariat of the Transport Community who are invited to participate in meetings of the Transport Community, set out in the Annex, is hereby adopted.

The common set of rules adopted pursuant to this Decision replaces the rules adopted pursuant to Decision No. 2020/5 and to Decision No. 2021/02 of the Regional Steering Committee.

Upon their adoption, the Permanent Secretariat of the Transport Community shall publish the rules on the website of the Transport Community.

Article 2

This Decision shall enter into force on the date of its adoption.

Done in ……, on ……

For the Regional Steering Committee

The President

ANNEX

RULES ON THE REIMBURSEMENT OF EXPENSES INCURRED BY PERSONS FROM OUTSIDE THE PERMANENT SECRETARIAT OF THE TRANSPORT COMMUNITY WHO ARE INVITED TO PARTICIPATE IN MEETINGS OF THE TRANSPORT COMMUNITY

1. Scope

1.1. These rules shall apply to persons from outside the Permanent Secretariat of the Transport Community ('Permanent Secretariat') who are invited to participate in any of the meetings or events of the Transport Community listed in point 1.3.

1.2. These rules shall apply to the following persons, who are invited to participate in any of the meetings of the Transport Community described in paragraph 1.3:

(a) Members of relevant Transport Community bodies, including, but not limited to the Ministerial Council, Regional Steering Committee, Technical Committees, the Social Forum, and the Budget Committee;

(b) Other participants, who are formally invited to participate in any of the meetings of the Transport Community listed in point 1.3, where the invitation letter clearly states that the Transport Community is covering the cost for their participation.

(c) External experts (private, government or non-government sector individuals of the Contracting Parties of the Transport Community or of an EU Member State) invited to give a specific professional opinion at any of the meetings organised by Transport Community, who are not members of the Transport Community bodies, task forces, coordination groups and other working bodies of the Transport community;

(d) Any person responsible for accompanying a disabled person falling under points (a), (b) or (c).

1.3. The meetings which are covered by these rules shall be meetings of the following configurations, committees and other fora of the Transport Community:

(a) the Ministerial Council, the Regional Steering Committee, technical committees and the Social Forum;

(b) the Budget Committee;

(c) task forces, coordination groups and other working bodies established by decisions or conclusions of the Ministerial Council or of the Regional Steering Committee;

(d) conferences, workshops and other fora organised by the Permanent Secretariat relating to the work program of the Transport Community;

(e) other meetings organised within the scope of the implementation of the Transport Community Treaty (high level debates, workshops, etc.);

(f) selection procedures for posts published by the Transport Community (selection panel members); and

(g) selection procedures for posts published by the Transport Community (applicants).

1.4. (a) For the meetings of the bodies established under the Transport Community Treaty, up to one officially nominated representative per ministry, regulatory authority, agency, entity or other beneficiary party shall be entitled to reimbursement of expenses for the meeting in question under these rules.

(b) For capacity building initiatives such as workshops, trainings, study visits, or conferences, up to two representatives per ministry, regulatory authority, agency, entity or other beneficiary party shall be entitled to reimbursement of expenses for the event in question under these rules.

(c) In case the events listed under (a) and (b) are either organised back-to-back or the nominating institution is having wider authority on different transport issues, the Director of the Permanent Secretariat (the 'Director') may depart from this rule by a reasoned decision.

(d) The number of the participants entitled to reimbursement shall be decided on a case-by-case basis and subject to availability of funding.

1.5. These rules shall cover the reimbursement of travel expenditure and daily subsistence allowances (DSA).

1.6. The maximum number of external experts invited per meeting, whether entitled or not to reimbursement of expenses, shall be of one per Contracting Party of the Transport Community and of one per EU Member State. The number of private sector or non-government experts shall not exceed the number of governmental experts per event.

2. Travel expenses

2.1. All participants shall be entitled to the reimbursement of their travel expenses from the place specified in their invitation (work or home address) to the place of the meeting, by the most appropriate means of transport given the distance involved. In general, this shall be second class rail travel for journeys of less than 400 km (one way, according to official distance by rail), and economy class air travel for distances of 400 km or more.

2.2. The Director shall endeavour to ensure that meetings are organised in such a way as to enable participants to benefit from the most economical travel rates.

2.3. Travel expenses shall be reimbursed only on presentation of supporting documents.

2.4. When air or rail transport is not available or is not cost-effective, travel by bus or car shall be authorised.

2.5. The cost of travel by private vehicle shall be reimbursed at the rate of EUR 0,28 per km.

2.6. Travel costs shall be reimbursed up to EUR 700.

3. Daily Subsistence Allowance ('DSA')

3.1. The DSA shall include the cost of accommodation, local transfers, meals, gratuities and other incidentals.

3.2. DSA rates applicable to EU funded external aid contracts shall apply at their most recent scale.

The DSA rate applicable shall be that of the place where the invited participant spends the night. A full DSA shall be paid for the day when the trip starts; however, no DSA shall be paid for the day when the trip is concluded, meaning DSA is calculated on the number of nights spend away.

DSA shall be payable only when the meeting times are incompatible with the times of flights or trains.

The number of overnight stays shall not exceed the number of meeting days + 1.

3.3. Subject to the prior approval of the Director, participants may exceptionally be entitled to additional DSA related to an additional night at the place where the meeting is held if, by prolonging the stay, the participant is able to obtain a reduction in the cost of transport worth more than the amount of DSA related to the additional night.

3.4. Participants shall not be entitled to the reimbursement of other expenditure related to the stay at the hotel, such as internet, telephone, photocopying, minibar or non-included breakfast.

3.5. Participants coming from the place that is up to 50km far from the location of the meeting shall not be entitled to a DSA.

3.6. Reduced DSA rates shall be applied in the following cases:

(a) when travel for participating at the meeting does not involve an overnight stay:

(i) for travel of 8 hours or more, 50 % of the DSA of the respective destination shall be paid;

(ii) for travel of less than 8 hours and more than 5 hours, 35 % of the DSA shall be paid;

(iii) for travel up to and including 5 hours, 20 % of the DSA shall be paid;

(b) when free meals such as lunch or dinner are provided, 10 % of the DSA rate shall be deducted for each free meal.

A free meal provided shall be considered as such in all cases where the meeting or event agenda includes a lunch or dinner.

4. Purchase of tickets and accommodation

4.1. The participants invited to a meeting listed in paragraph 1.3, points (a) to (e), shall book their own tickets and accommodation. The bookings shall be made as early as possible so that the most economical fare or rate can be obtained. The Permanent Secretariat shall book travel on behalf of participants or make advanced payments for expenditure only in exceptional cases, and subject to the conditions laid down in rule 6.

4.2. For participants invited to a meeting listed in rule 1.3, points (f) and (g), the travel and accommodation arrangements shall be made by the Permanent Secretariat.

5. Reimbursement procedure

5.1. To obtain reimbursement of travel expenses and payment of DSA, participants shall submit a request for the reimbursement of expenses ('reimbursement request'). The reimbursement request shall be:

(a) made using the form set out in Appendix 1;

(b) submitted in electronic format to the Permanent Secretariat at the latest 15 calendar days after the date of the meeting in question; and

(c) accompanied by a complete set of original supporting documents, such as tickets and invoices or, in the case of online bookings, the printout of the electronic reservation and boarding cards for the outward journey, as evidence of the costs incurred and showing the class of travel used, the time of travel and the amount paid.

5.2. Correspondence regarding reimbursements shall be sent to the Permanent Secretariat at finance@transport-community.org.

5.3. Reimbursement shall be made in euro. The rate of exchange that applies to the reimbursement shall be that applicable on the date of the meeting.

5.4. Reimbursement shall be made via bank transfer to the bank account of the institution or organisation designating the participant, using the bank account details submitted in accordance with rule 5.5. However, reimbursement may be made to a private bank account of the participant if that institution or organisation so requests in writing.

5.5. The bank account details to be submitted for the purposes of rule 5.4 shall contain the following information relating to the beneficiary: name and address of the account holder, name of the bank, bank account number (IBAN) and SWIFT code (BIC).

6. Advanced payment of travel and accommodation expenses

6.1. In exceptional cases, a designating institution or organisation may submit a request to the Permanent Secretariat for the advanced payment of travel costs relating to a participant invited to a meeting listed in points (a) to (e) of rule 1.3. Such a proceeding shall include the booking of travel by the Permanent Secretariat.

6.2. Rule 6.1 shall not apply to participants invited under rule 1.2, point (c).

6.3. Requests for advanced payment shall be made using the form set out in Appendix 2, and sent at least 21 calendar days before the date of the meeting to the Permanent Secretariat, at finance@transport-community.org.

6.4. The Director shall adopt the decision granting or refusing a request submitted in accordance with rule 6.3.

6.5. Following the granting of a request under rule 6.4, and having regard to the draft agenda for the meeting, the Permanent Secretariat shall book the travel arrangements for the participant in question. The Permanent Secretariat shall send the booking confirmations for the ticket to the participant by email.

6.6. By requesting advanced payment of travel expenses, the participant commits to attend the meeting.

6.7. Where a participant to which advanced payment of travel costs was granted is unable to attend the meeting for reasons which are not directly attributable to the Transport Community, the designating institution or organisation shall indemnify the Permanent Secretariat for the costs incurred in relation to the organisation of the trip (e.g. costs of tickets booked including cancellation fees).

7. Administrative and final provisions

7.1. The Director is responsible for the proper implementation of these rules.

7.2. The Permanent Secretariat shall retain, for a period of five years, the records, documents and evidence related to reimbursements under these rules, including documents related to exceptional treatment.

7.3. These Rules shall be made public through the website of the Transport Community upon their adoption.

Appendix 1

TRAVEL REIMBURSEMENT REQUEST

<table>
<tr><td colspan="3">1. MEETING DETAILS
Description of the meeting:</td><td>Place:</td></tr>
<tr><td colspan="3">Date: No. of days:</td><td></td></tr>
<tr><td colspan="4">2. PARTICIPANT
FAMILY NAME: FIRST NAME:
INSTITUTION/ORGANISATION: TITLE:
COUNTRY:
E-MAIL: TEL:</td></tr>
<tr><td colspan="4">3. BANK DETAILS — please provide full IBAN and SWIFT code (BIC)</td></tr>
<tr><td colspan="4">NAME AND ADDRESS OF ACCOUNT HOLDER (INSTITUTION): (please indicate the name of owner/beneficiary of the bank account in this field)</td></tr>
<tr><td colspan="4">BANK NAME</td></tr>
<tr><td colspan="4">Account number</td></tr>
<tr><td colspan="4">IBAN</td></tr>
<tr><td colspan="4">SWIFT (BIC)</td></tr>
<tr><td colspan="2">4. Daily Subsistence Allowances (DSA)</td><td>From:</td><td>To:</td></tr>
<tr><td colspan="2">Dates of stay</td><td></td><td></td></tr>
<tr><td colspan="2">Number of meals provided</td><td colspan="2"></td></tr>
<tr><td colspan="2">Total number of DSA’s</td><td colspan="2"></td></tr>
</table>

5. TRAVEL EXPENSES

Airplane, train, long distance bus, local public transport, etc.	FROM	TO	CLASS	AMOUNT	CURRENCY	In EUR
Itinerary						

Continue on a separate sheet if required. Please attach a copy of the available receipts/invoices, including boarding passes for flights/train/bus

CAR	From:	To:	To: (Return)
Proof of distance attached (copy of the route, to be submitted in PDF or JPG format)			KM both ways:
			Total EUR:

TAXI (if local public transport was not available) — receipts required; additional justification necessary	Amount	Currency	In EUR

TOTAL AMOUNT CLAIMED in EURO:

Other remarks:

I certify that this travel reimbursement request is a true statement of travel expenses incurred by me. I have not been and will not be reimbursed for these expenses from any other source nor have I included any expenses paid or to be paid directly from another source.

Date: PARTICIPANT SIGNATURE:

Appendix 2

REQUEST FOR ADVANCED PAYMENT OF TRAVEL EXPENSES

1. Traveller's details - please fill in ALL fields marked with {* }		
Last name *		
First name*		
Name of the organisation/ institution*.		
Function:		
Passport number* (required for booking purposes):		
Contact phone No.*:		
E-mail*:		
Title and place of meeting*:		
Dates of the meeting*:	From:	
Travel route*:	Departing from:	Arriving to:

2. IMPORTANT NOTES FOR PARTICIPANTS	
This form serves as a basis for the travel arrangements made by the Permanent Secretariat of the Transport Community on behalf of the traveller. It shall be approved in advance by the traveller's direct superior and submitted in a scanned form to the Permanent Secretariat's mailbox: finance@transport-community.org The traveller is solely responsible for the correctness of the submitted details and bears full responsibility for incomplete or erroneous data that might result in cancellation, impossibility to travel, change of booking details or additional related charges. All extra costs (use of mini-bar in the hotel, parking fees, additional nights etc.) shall not be reimbursed. The traveller is obliged to keep all boarding passes and travel tickets as proof of travel and upon return he/she is asked to send the scanned copies to the email specified above. The Permanent Secretariat shall make travel arrangements within the available travel and accommodation offers on the market that match the Reimbursement Rules limits and rates. The undersigned confirms that he/she is aware of the refunding clause laid down in rule 6.6 of the Reimbursement Rules: Where the participant is unable to attend the meeting for reasons which are not directly attributable to the Transport Community, the designating institution or organisation shall indemnify the Permanent Secretariat for the costs incurred in relation to the organisation of the trip (e.g. costs of tickets booked including cancellation fees).	
Signature: _____Date: _____	Head of designating institution/organisation approval:_____Date: _____

3. FOR TRANSPORT COMMUNITY PERMANENT SECRETARIAT INTERNAL USE		
Estimated costs (in EUR)		Budget Availability
Flight ticket / Train ticket/ bus ticket / Car		YES/NO Financial & Accounting Officer:
DSA costs		
TOTAL:		DIRECTOR'S APPROVAL: Approved/Not approved
Budgetary commitment No. :		