



EUROPEAN  
COMMISSION

Brussels, 16.12.2013  
C(2013) 8971 final

**COMMISSION DECISION**

**of 16.12.2013**

**on general implementing provisions on granting the education allowance (Article 3 of  
Annex VII to the Staff Regulations)**

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### on general implementing provisions on granting the education allowance (Article 3 of Annex VII to the Staff Regulations)

THE EUROPEAN COMMISSION,

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

Having regard to the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union, laid down by Council Regulation (EEC, EURATOM, ECSC) No 259/68<sup>1</sup>, and in particular Article 67(1)(c) of the Staff Regulations and Article 3 of Annex VII thereto,

Having consulted the Staff Regulations Committee,

After consulting the Staff Committee,

Whereas:

- (1) Commission Decision of 7 April 2004 laying down general implementing provisions for granting the education allowance (C(2004) 1313 final/210) should be adapted following the amendment to Article 3 of Annex VII to the Staff Regulations entering into force on 1 January 2014. For the sake of clarity and legal certainty that Decision should be replaced by this Decision.
- (2) Officials assigned to a third country shall qualify for special provisions as regards the education allowance under Annex X to the Staff Regulations.

HAS DECIDED AS FOLLOWS:

#### *Article 1*

1. An official shall receive a flat-rate education allowance, hereinafter called education allowance A, for each dependent child, within the meaning of Article 2(2) of Annex VII to the Staff Regulations, who is less than five years old or is not yet in regular full-time attendance at a primary school.
2. Upon application an official shall receive an education allowance, hereinafter called education allowance B, for each dependent child, within the meaning of Article 2(2) of Annex VII to the Staff Regulations, who is at least five years old and in regular full-time attendance at a primary or secondary school that charges fees (registration and attendance fees) or at an establishment of higher education. However, the requirement of attendance at a school that charges fees shall not apply to the reimbursement of the cost of transport to and from school.

Temporary attendance at educational or training courses shall not be considered to be regular full-time attendance at an educational establishment within the meaning of this Decision.

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

## *Article 2*

1. Entitlement to education allowance A shall commence on the first day of the month in which the child is considered for the purposes of the Staff Regulations to be dependent on the official and shall cease at the end of the month preceding the month in which the child satisfies the following two conditions:
  - is at least five years old and
  - is in regular full-time attendance at a primary school.

Entitlement to education allowance A shall cease in any case not later than the end of the month in which the child reaches the age of eight.
2. Entitlement to education allowance B shall commence on the first day of the month in which the child satisfies the conditions referred to in Article 1(2) and shall cease at the end of the month in which the conditions giving such entitlement are no longer met and not later than the end of the month in which the child finishes its education or at the end of the month in which the child reaches the age of 26, whatever is the earliest.
3. An official who is not entitled to remuneration in respect of a whole month shall receive, for the relevant part of the month, an education allowance A or B divided into thirtieths in accordance with the method of calculation laid down in Article 16(2) of Annex VII to the Staff Regulations of officials.
4. Where the factual circumstances by virtue of which education allowance B is granted change, the amount of that allowance shall be fixed anew with effect from the first day of the month in which that change occurs.

## *Article 3*

Subject to the maximum amounts prescribed in the first and third subparagraphs of Article 3(1) of Annex VII to the Staff Regulations, without prejudice to the special provisions applicable to staff covered by Annex X to the Staff Regulations, education allowance B shall cover:

- (a) registration and attendance fees at educational establishments
- (b) transport costs

excluding all other costs, and in particular:

- compulsory expenditure such as for the purchase of books, school equipment, sports equipment, school insurance and medical expenses cover, examination fees, costs of joint extra-curricular activities (school excursions, visits and trips, sports courses, etc.), and other expenses connected with following the curriculum of the educational establishment attended;
- costs incurred as a result of the child's participation in organised trips to winter, seaside and countryside resorts and similar activities.

## *Article 4 (Primary and secondary schools)*

1.
  - (a) The costs specified in Article 3 shall be reimbursed on presentation of supporting documents.

These costs shall be reimbursed by the payment of monthly sums each corresponding to one-twelfth of the total of the costs incurred.

- (b) Where the dependent child does not use public transport or a special school service, reimbursement shall be on the basis of the cost of:
- a season ticket for the public means of transport, or
  - the special transport serving the school
- taking into account that which is the less expensive of the two and which follows the shortest route between home and school.

2. Where a special school transport service is organised for a European School by its parents' association, the cost per pupil of transport to be reimbursed pursuant to Article 3(b) shall be deemed to be the sum of the actual cost charged to the association by transport undertakings, the cost of any staff employed by the association and the association's administrative expenses, in connection with the provision of the transport service, and an allowance, where the association considers this necessary, of up to 2% for contingencies, divided by the number of persons using the service.
3. The costs specified in Article 3 shall be reimbursed by payment of a flat-rate monthly allowance corresponding to the amount referred to in the first subparagraph of Article 3(1) of Annex VII to the Staff Regulations, for each child attending a primary or secondary school or equivalent educational establishment at a place away from the family home and paying for accommodation at that place.
4. On presentation of supporting documents, the official shall be entitled to receive up to twice the amount set out in the first subparagraph of Article 3(1) of Annex VII of the Staff Regulations by way of reimbursement of the costs specified in Article 3, provided his/her place of employment is at least 50 km either from a European School or from a school teaching in his/her mother tongue and the child must attend such a school for imperative educational reasons, adequate proof of which must be provided.

#### *Article 5 (Establishment of higher education)*

1. The costs specified in Article 3 shall be reimbursed by payment of a flat-rate monthly allowance equal to that specified in the first subparagraph of Article 3(1) of Annex VII of the Staff Regulations for each child attending an establishment of higher education.
2. An official whose place of employment is at least 50 km from an establishment of higher education in the country of which he/she is a national and working in his/her language shall be entitled to reimbursement of the costs specified in Article 3 by payment of up to twice the amount specified in the first subparagraph of Article 3(1) of Annex VII to the Staff Regulations for every child actually attending an establishment of higher education at least 50 km from the place of employment, provided the official is entitled to expatriation allowance; the latter condition shall not apply if there is no such establishment in the country of which the official is a national or if the child attends a higher education establishment in a country other than that of the official's place of employment.

#### *Article 6*

The flat-rate allowance provided for in Articles 4 and 5 above shall also be granted during the school holidays. Where a child does not continue his/her studies after the end of a given academic year, the flat-rate allowance shall be paid up to the end of the month in which the child completes his/her studies.

*Article 7*

The official shall declare any similar allowances received from another source and shall notify any change of circumstance which could give rise to the cessation or reduction of education allowance A or B.

*Article 8*

This decision shall apply mutatis mutandis to temporary and contract staff.

*Article 9*

Commission Decision of 7 April 2004 laying down general implementing provisions for granting the education allowance (C(2004) 1313 final/210) is repealed.

This Decision shall take effect on 1 January 2014.

Done at Brussels, 16.12.2013

*For the Commission*  
*Maroš ŠEFČOVIČ*  
*Vice-President*