



The Authority

The European Banking Authority (“EBA”) is an independent EU Authority established on 1 January 2011 by Regulation (EC) No. 1093/2010 of the European Parliament and of the Council of 24 November 2010, and published in the Official Journal of the European Union (L 331/12) on 15 December, 2010 as amended by Regulation (EU) No 122/2013 of the European Parliament and of the Council of 23 October 2013 regarding the conferral of specific tasks on the European Central Bank pursuant to Council Regulation (EU) No 1024/2013 and published in the Official Journal of the European Union (L 287/6) on 29 October 2013.

The Mission

With a view to improving the functioning of the EU internal market, the EBA contributes to ensuring a high quality, effective and consistent level of regulation and supervision in its areas of competence. It also promotes public values such as the stability of the financial system, the transparency of markets and financial products, and the protection of depositors and investors.

It works to prevent regulatory arbitrage and guarantee a level playing field, strengthens international supervisory coordination, promotes supervisory convergence and provides advice to the Union institutions in the areas of banking, payments and e-money regulation and supervision, and related corporate governance, auditing and financial reporting issues.

As an integral part of the ESFS, the EBA works closely together with her sister authorities, EIOPA and ESMA, as well as the Joint Committee and the ESRB.

The EBA is currently inviting applications for a position as a Head of Legal Unit at its offices in London, United Kingdom.

Further information on the EBA is available on the EBA website: www.eba.europa.eu.

HEAD OF LEGAL UNIT

<h3>Job description</h3>

The European Banking Authority is seeking a suitable candidate for the position of the Head of Legal Unit, who, under the overall responsibility of the Executive Director, will lead the team of legal experts in providing legal support to the governing bodies, to the management and to the core policy

and operational functions of the EBA, and will act as the Legal Counsel to ensure that the EBA operates according to its Founding Regulation and within all other applicable EU and national law.

Main purpose

Ensuring a sound legal environment for the EBA's overall functioning, identification and prevention of incurring legal risks, proposal and development of solutions. Management and coordination of the EBA's legal work, formulation of the ultimate legal position of the EBA on matters relating to the functioning of the Authority.

Main responsibilities:

- Assessing the strategic needs of EBA in general and of the Unit in particular and translating them into short-term strategies, annual work and development plans;
- Implementing the unit's strategy and work programme in alignment with EBA mission, objectives, EU legislation;
- Acting as the Legal Counsel of the EBA;
- Coordinating and liaising with relevant EU institutions, bodies and other EU agencies and with the host state;
- Representing or coordinating representation of the EBA in legal disputes before the ESA Joint Board of Appeal, the European Civil Service Tribunal, and the General Court of the European Union and the Court of Justice;
- Representing or coordinating representation of the EBA before, and liaising with the European Ombudsman's Office, the European Data Protection Supervisor's Office, and the European Anti-Fraud Office.

Managing the activities and leading the team of lawyers in the provision of but not limited to:

- Legal support to the governing bodies and management of the EBA;
- Legal analysis and support to the regulatory activities in drafting binding technical standards, guidelines, recommendations and opinions and legal analysis of proposed technical standards, guidelines, recommendations;
- Legal support to the oversight activities in producing supervisory recommendations and in dispute resolution;
- Legal advice to operational and support functions in drafting and vetting contracts, procurement activities, interpretation of Staff Regulations and CEOS, and issues related to requests for public access to documents;
- Legal advice related to the EBA founding Regulation and, other applicable EU and national law, and on all institutional matters;
- Drafting and interpretation of implementing rules, rules of procedure, agreements and other undertakings, together with the drafting of decisions taken by the Board of Supervisors, the Management Board, the Chairperson, the Executive Director in order for the authority to fulfil its duties as intended in its founding Regulation;
- Legal advisory function to the EBA Mediation Panel and secretarial support function for the mediation process;

- Legal advice, assistance in litigation cases at both, administrative and judicial levels and provide advice on issues which potentially give rise to litigation;
- Legal advice and dealing with complaints received directly from the public, or lodged before the European Ombudsman;
- Developing competencies and skills of the staff in the Unit and ensuring their performance.

Requirements

1. Eligibility Criteria

Candidates will be considered eligible for selection on the basis of the following criteria to be fulfilled by the deadline for applications:

1.1 General

- Thorough knowledge of one of the languages of the European Union and a satisfactory knowledge of another language of the European Union;
- Be a national of a Member State of the European Union, Iceland, Liechtenstein, Norway;
- Be entitled to his/her full rights as a citizen;
- Have fulfilled any obligations imposed by the applicable laws on military service;
- Be physically fit to perform the duties linked to the post.

Prior to the appointment, the successful candidate will be asked to provide a certificate confirming the absence of any criminal record and shall be medically examined in order to fulfil the requirements of Article 12 (2)(d) of the Conditions of Employment of Other Servants of the European Communities.

1.2 Specific

1.2.1 Qualifications

To be eligible, a candidate must have

- a) A level of education which corresponds to completed university studies in Law attested by a diploma and appropriate professional experience of at least one year when the normal period of university education is at least three years, or
- b) A level of education which corresponds to completed university studies in Law attested by a diploma when the normal period of university education is four years or more.

Only qualifications awarded by EU Member State authorities or EEA authorities or qualifications recognised as equivalent by the relevant EU or EEA Member State authorities will be taken into

consideration. If the main studies took place outside the European Union, the candidate's qualification must have been recognised by a body delegated officially for the purpose by one of the European Union Members States (such as a national Ministry of Education) and a document attesting so must be submitted with the application by the closing date.

1.2.2 Professional experience

To qualify for the position a candidate must have, in addition to the above, at least 13 years (on the basis of 1.2.1 a), or at least 12 years (on the basis of 1.2.1 b) of relevant proven fulltime professional experience in the fields covered by the job description after completing the education as mentioned above.

The work experience for eligibility purposes is counted from the award of diploma up to the closing date of applications.

1.2.3 Knowledge of languages

For working purposes, an excellent knowledge of the English language, both written and spoken, is required.

Native English speakers will be tested to prove their second language skills.

Knowledge of other official languages of the European Union will be taken into account.

2. Selection criteria

In addition to the above, the candidate must:

- Proven knowledge of EU banking regulation and EU administrative law;
- Proven knowledge of legislative instruments related to banking supervision;
- Proven experience in providing legal advice to senior management;
- Proven experience in legal analysis of financial and supervisory proposals;
- Proven experience in drafting legislative proposals;
- Have proven experience in working in a legal department/unit/team dealing with legal issues on financial regulatory and supervisory proposals/legislation;
- Have at least five years of experience in comparable position (as a manager or a team leader).

For this position the candidates are expected to fulfil the following competencies:

- Ability to analyse complex information from a wide range of sources, consider options and propose/implement solutions/recommendations;
- Ability to provide presentations to senior management on relevant developments;

- Ability to set and revise objectives for the unit within the overall strategic framework of the EBA and monitor and evaluate the progress made towards achieving the objectives set in cooperation with the members of the team;
- Ability to choose and motivate members of the team to the efficient pursuit of the objectives;
- Ability to empower members of the team while ensuring that they understand what is expected of them and how their work contributes to the unit's objectives
- Strong sense of responsibility, commitment and co-operation;
- Ability to respect confidentiality of work related issues;
- Flexibility to take over tasks in view of a dynamic and evolving institutional environment;
- Proactive attitude;
- Ability to work efficiently under time pressure.

3. Equal opportunities

As a European Union agency, the EBA will apply a policy of equal opportunities and will take care to avoid any form of discrimination in its recruitment procedures.

4. Selection procedure

The selection procedure will include the following:

4.1. The selection committee will be established.

4.2. The selection committee will analyse application documents (CV, motivations letter, and eligibility criteria grid) of applicants with reference to the eligibility and selection criteria and will establish a shortlist. Short listed candidates may be invited to sit written tests and interviews.

Written tests will be done in English and will be related to the job and designed to test the ability to communicate in written English, knowledge and competencies related to the job, and drafting skills. Total mark for written test: 10. The minimum score to pass: 6.

The interview will aim to assess the suitability of the candidate to perform the duties, professional knowledge and motivation. The interview will be held in English. Total mark for interview: 10. The minimum score to pass: 6.

Successful candidates will be listed in order of merit. Suitable candidates who obtain the best score will be recruited and the candidates with the total score equal to and above 12 will be placed on the reserve list, which will be valid until 31/12/2014. Inclusion in the reserve list does not guarantee recruitment.

Please note that the selection committee's work and deliberations are strictly confidential and that any contact with its members is strictly forbidden.

5. Appointment and conditions of employment

5.1 Contract type, duration and starting date:

The successful candidate can be offered a temporary agent fixed-term contract of three years with a probation period of nine months and the possibility of extension.

The expected starting date is 1 March 2014.

The selected candidate may be invited to take up the position at a short notice.

5.2 Function group and grade:

The successful candidates shall be recruited at grade AD 10. The estimated monthly basic salary is from € 8,064.86.

5.3 Summary of the conditions of employment

- Salaries are exempted from national tax; instead a Community tax at source is paid;
- The correction coefficient (currently on the date of publication of the vacancy notice: 39.2%) applicable to the remuneration of officials and other servants under Article 64 of the Staff Regulations for the United Kingdom shall apply;
- Depending on the individual family situation and the place of origin, staff members may be entitled to the following: expatriation allowance, household allowance, dependent child allowance, education allowance, installation allowance and reimbursement of removal costs, initial temporary daily subsistence allowance, and other benefits;
- Annual leave entitlement - two days per calendar month plus additional days for age, grade, and distance from the place of origin;
- EU Pension Scheme (after 10 years of service);
- EU Joint Sickness and Insurance Scheme, accident and occupational disease insurance coverage, unemployment and invalidity allowance; and
- Travel insurance when travelling on missions.

5.4 Place of employment

EBA offices in London, United Kingdom.

6. Submission of Applications

Applications including a **curriculum vitae in the Europass format, motivation letter, and eligibility criteria grid** should be submitted in English to the following address: vacancies@eba.europa.eu by **31 January 2014 at 12:00 noon London time.**

EBA will disregard any application received after deadline. Applicants are strongly advised not to wait until the last day to submit their applications, since heavy internet traffic or fault with the internet connection could lead to difficulties in submission. The EBA cannot be held responsible for any delay due to such difficulties.

Only complete applications will be accepted and considered. In order for the application to be considered complete candidates must send all documents: a curriculum vitae in the Europass format, motivation letter, and eligibility criteria grid before the deadline.

Candidates should assess and check before submitting their application whether they fulfil all the requirements as specified in the vacancy notice, particularly in terms of qualifications and relevant professional experience.

Professional experience indicated in the curriculum vitae are counted only from the time the candidate obtained the certificate or diploma required for the position and if it is on paid basis (including study grants or internship grants). PhD s may be counted as professional experience if the candidates received a study grant or salary during the time of PhD studies. The maximum duration counted for PhD is three years provided that the PhD has been successfully concluded by the closing date for applications of the selection procedure.

Start and end dates of all previous positions and whether full time or part time work should be indicated in the curriculum vitae. Freelance or self-employed candidates must provide either a copy of the entry in the relevant trade register, or any official document (for example a tax revenue) showing clearly the length of the relevant professional experience. Details of any professional experience, training, research or studies must be given on the application form. Candidates must be able to provide photocopies of supporting documents clearly showing duration and nature of experience upon request.

The address indicated in the CV will be used as the location from which the candidates invited to interviews travel.

At this stage, please do not send supporting documents (copies of ID cards, passports, diplomas, etc.)

7. Data protection

EBA will ensure that candidates' personal data are processed as required by Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to processing of personal data by the Community institutions and bodies and on the free movement of such data. This applies in particular to the confidentiality and security of such data.

8. Appeal Procedure

If a candidate considers that he/she has been adversely affected by a particular decision, he/she can lodge a complaint under Article 90(2) of the Staff Regulations of Officials of the European Communities and Conditions of employment of other servants of the European Communities, at the following address:

The Executive Director
European Banking Authority
Selection procedure: Ref. **LEG TA 02/2014**
Floor 18 Tower 42
London EC2N 1HQ
United Kingdom

The complaint must be lodged within 3 months. The time limit for initiating this type of procedure (see Staff Regulations as modified by Council Regulation No 723/2004 of 22 March 2004 published in the Official Journal of the European Union L 124 of 27 April 2004 – <http://europa.eu/eur-lex>) starts to run from the time the candidate is notified of the act adversely affecting him/her.

You can submit a judicial appeal under Article 270 of the Treaty on the Functioning of the EU (ex Art. 236 TEC) and Article 91 of the Staff Regulations of Officials of the European Communities to the:

European Union Civil Service Tribunal
Boulevard Konrad Adenauer
Luxembourg 2925

Please note that the appointing authority does not have the power to amend the decisions of a selection board. The Civil Service Tribunal has consistently held that the wide discretion enjoyed by selection boards is not subject to review by the Civil Service Tribunal unless rules which govern the proceedings of selection boards have been infringed.

For details of how to submit an appeal, please consult the website of the European Union Civil Service Tribunal: <http://curia.europa.eu>. The time limits for initiating these two types of procedure (see Staff Regulations as amended by Council Regulation (EC) No 723/2004 of 22 March 2004, published in Official Journal of the European Union L 124 of 27 April 2004 — <http://eur-lex.europa.eu>) start to run from the time you are notified of the act allegedly prejudicing your interests.

It is also possible to complain to the European Ombudsman pursuant to Article 195(1) of the Treaty establishing the European Community and in accordance with the conditions laid down in the Decision of the European Parliament of 9 March 1994 on the Staff Regulations and the general conditions governing the performance of the Ombudsman's duties, published in Official Journal of the European Union L 113 of 4 May 1994:

European Ombudsman

1 Avenue du Président Robert Schuman
CS 30403
67001 Strasbourg Cedex
France
<http://www.ombudsman.europa.eu>

Complaints made to the Ombudsman have no suspense effect on the period laid down in Articles 90(2) and 91 of the Staff Regulations for lodging, respectively, a complaint or an appeal with the European Union Civil Service Tribunal under Article 270 of the Treaty on the Functioning of the EU (ex Art. 236 TEC). Furthermore under Article 2(4) of the general conditions governing the performance of the Ombudsman's duties, any complaint lodged with the Ombudsman must be preceded by the appropriate administrative approaches to the institutions and bodies concerned.