



## 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.

## 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 Legal Officer at its offices in London, United Kingdom.

Further information on the EBA is available on the EBA website: [www.eba.europa.eu](http://www.eba.europa.eu).

## Legal Officer

<h3>Job description</h3>
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The European Banking Authority is seeking a suitable candidate for the position of Legal Officer. Under the overall responsibility of the Legal Expert, the Legal Officer will play an important role in providing legal advice and expertise to the Authority with the aim to ensure the regularity and legality of all Authority measures, in line with the EBA’s needs and objectives.

### Main purpose

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Contributing to the provision of legal assistance pertaining to fields across the EBA. Supporting the drafting of the Authority's legal framework and identifying and assessing legal risks ensuing from the Authority's activities, whilst providing solutions for them.

#### **Main responsibilities:**

- Ensuring the proper interpretation and implementation of primary and secondary legislation applicable or pertaining to the EBA's activities and providing the related advice orally and in writing;
- Drafting/presenting legal opinions, briefs, reports and correspondence on any legal issue referred for consideration;
- Providing support to the EBA's Mediation Panel;
- Providing support on data protection, and matters arising in virtue of the requirements of Regulation (EU) 45/2001;
- Drafting of internal corporate rules and internal administrative guidelines including legal and good governance considerations;
- Providing support on transparency and access to documents requests in virtue of Regulation (EU) 1049/2001;
- Undertaking, as appropriate, consultation with external resources, including within the European Supervisory Authorities, the EU Institutions and bodies;
- Litigation: supporting legal proceedings involving or relating to the EBA's mission or activities, and assisting in the Authority's position before the ESA Joint Board of Appeal and the Union's judicature;
- Presenting and explaining interpretation of the law or legal positions at internal or external meetings;
- Institutional matters: legal matters arising in connection with the Authority's institutional relations with EU Institutions and bodies, EU Member States, EU accession or candidate countries, third countries, international organisations and the Authority's host State;
- Administrative issues: provision of legal advice pertaining to the application of the Staff Regulations of officials and conditions of employment of other servants of the European Communities;
- Legislative issues: follow up of legislative initiatives pertaining or impacting on the Authority and co-ordination on these matters with EBA colleagues;
- Other related tasks.

## 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

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- 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 of 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 of law attested by a diploma when the normal period of university education is four years or more.

Only qualifications issued by EU Member State authorities or EEA authorities and qualifications recognised as equivalent by the relevant EU or EEA Member State authorities will be accepted.

### 1.2.2 Professional experience

To qualify for the position a candidate must have, in addition to the above, at least 7 years (on the basis of 1.2.1 a), or at least 6 years (on the basis of 1.2.2 b) of relevant proven fulltime professional experience in some or all the fields covered by the job description after completing the education as mentioned above, in the field of financial regulation or supervision.

### 1.2.3 Knowledge of languages

For working purposes an excellent knowledge of English language (written and spoken) is required. 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:

- Have good knowledge of EU law, banking supervision and regulation, as obtained through studies and/or work experience;
- Have proven strong legal drafting skills and experience in drafting legal briefs, opinions and/or legal submissions independently;
- Have some experience in mediation and/or arbitration proceedings;

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- Be capable, at short notice, of drafting thorough replies to correspondence received by senior management;
  - Be familiar with data protection legislation;
  - Be familiar with transparency and access to document legislation;
  - Be able to contribute to the drafting of defences in proceedings involving the Authority;
  - Be able to draft, within tight deadlines, rules of procedure, implementing rules, guidelines, decisions and other legal instruments;
  - Have experience in an EU/multicultural/international working environment;

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

- Strong analytical skills and the ability to describe and find solutions to complex legal issues;
- Have a highly developed sense of responsibility;
- Strong interpersonal and communication skills;
- Be able to manage own workload and work without close supervision;
- Be able to work within tight deadlines;
- Be proactive, independent and able to work efficiently under time pressure.
- Be a good team-player with strong inter-personal skills;

### 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.

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

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 31/12/2013. 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 six months and the possibility of extension.

The expected starting date is **1 July 2013**.

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 7. The estimated monthly basic salary is from € 5,568.11.

### 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: 34.4%) 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.

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## 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](mailto:vacancies@eba.europa.eu) **by 10 May 2013 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. 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.

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

A candidate who feels to have been treated incorrectly may ask to have his/her application reconsidered by sending, within 20 calendar days of the date postmarked on the letter of notification, a request for review, quoting the number of the selection procedure concerned to the Chairman of the

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Selection Committee at the following address: European Banking Authority, Floor 18 Tower 42, London EC2N 1HQ, United Kingdom.

The Selection Committee will reconsider the application and notify the candidate of its decision within 45 calendar days of receipt of the letter.

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. EBA TA 23/2013**  
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/en/instit/txtdocfr/index\\_tfp.htm](http://curia.europa.eu/en/instit/txtdocfr/index_tfp.htm). 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

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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 suspensive 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.