



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.

LEGAL OFFICER

Job description

The European Banking Authority is seeking a suitable candidate for the position of Legal Officer in the Legal Unit of the EBA. Under the overall responsibility of the Head of the Legal Unit, the Legal Officer will play an important role in providing legal advice and legal support to the governing bodies and panels, to the management and to the core policy and operational functions of the EBA.

In particular, under the overall management of the Head of the Legal Unit, the Legal Expert will contribute to ensuring a sound legal environment for the EBA's overall functioning, identification and prevention of legal risks, proposal and development of solutions, in particular by providing legal analysis and support to the regulatory, oversight and consumer protection and financial innovation functions of the EBA.

Main responsibilities:

- Providing legal support for the EBA's regulatory, oversight and consumer protection and financial innovation activities, including advising on and drafting technical standards, guidelines, recommendations and opinions; advising on the interpretation and application of existing and proposed sectoral legislation;
- Advising on the EBA's tasks and powers under the EBA Regulation and sectoral legislation, including investigation of breaches of Union law, settlement of disputes between competent authorities, action in emergency situations and restrictions of financial activities;
- Providing legal support on the EBA's operations, including on matters such as data protection, access to documents, human resources and procurement, internal governance and institutional matters;
- Drafting and interpretation of internal implementing rules, rules of procedure and decisions in order for the EBA to carry out its tasks and exercise its powers effectively;
- Legal advice and assistance in relation to appeals to the Board of Appeal and to the CJEU and in relation to complaints received from the public or lodged with the European Ombudsman;
- Participating in EBA working groups and representing the EBA at technical level and cooperating effectively in his/her areas of responsibility with the other ESAs, EU institutions, bodies and agencies, and with competent authorities;
- Executing other related tasks as sought by the Head of the Legal Unit.

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 level of education which corresponds to completed university studies of at least three years in law attested by a diploma.

Applications of candidates with completed university studies in another area attested by a diploma and further studies and training enabling the candidates to practice as a lawyer (as defined in Article 1(2)(a) of Directive 98/5/EC) in an EU or EEA Member State will be considered.

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 3 years of relevant proven fulltime professional experience in a legal function 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:

- Have proven experience of giving legal advice in areas relevant to the EBA's tasks (as set out under 'Main responsibilities' above) whether in a national or EU context;
- Have proven knowledge of EU law and of the EU institutional framework;
- Have proven experience of drafting on legal matters in English, the EBA's working language;

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

- Be able to investigate and analyse complex information from a wide range of sources, consider options and propose and implement effective solutions to challenging legal and practical issues;
- Be able to present to policy and operational colleagues on legal developments;
- Strong sense of responsibility, commitment and cooperation;
- Flexibility to take on new tasks in a dynamic and evolving institutional environment;
- Proactive attitude;
- Ability to work efficiently under 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 31/12/2015. 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 December 2014**.

5.2 Function group and grade:

The successful candidates shall be recruited at grade AD 6. The estimated monthly basic salary is from € 4960.64.

The details of the whole remuneration package are provided in Articles 62 – 70 and Annex VII to the Staff Regulations.

<http://www.eba.europa.eu/documents/10180/15754/Staff+Regulations+2014+EN.pdf/91448fea-1359-4417-af44-caf7be013cbb>

<http://www.eba.europa.eu/documents/10180/15751/The+different+parts+of+your+pay+-+overview+of+the+remuneration+package.pdf/7afda831-d9f1-4444-a1e9-368835d770f1>

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 2.5 days of supplementary home leave granted to staff entitled to the expatriation allowance or foreign residence allowance;
- 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 **24 October 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. LEGAL TA 34/2014**
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.