



## European Food Safety Authority

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### **Note to the Management Board (for information)**

#### **Subject: Implications to EFSA of the protocol on privileges and immunities of the European Communities**

Article 46.2 of Regulation 178/2002 states that the protocol on privileges and immunities of the European Communities shall apply to the Authority.

On that basis, the Authority has approached Belgian Authorities in order to ensure their recognition of EFSA for the duration of its presence in Belgium as its provisional host State and claim the benefits from the protocol on privileges and immunities of the European Communities.

The Belgian Authorities have agreed to provide to EFSA a regime similar to that granted to European Institutions or bodies established in Belgium. Official notification has been addressed to the Protocol Division of the Belgian Ministry of Foreign Affairs, which will in turn notify other national administrations concerned, in particular the Ministry of Finance. The main benefit of the scheme is that EFSA may claim VAT exemption for all its official purchases.

Following the request to clarify the status of Management Board members in this context, the Belgian Authorities have made clear that only staff members subject to the rules and regulations applicable to officials and other staff of the European Communities may benefit from the scheme. This is in line with Regulation (Euratom, ECSC, EEC) No 549/69 of the Council of 25 March 1969 determining the categories of officials and other servants of the European Communities to whom the provisions of Article 12, the second paragraph of Article 13 and Article 14 of the Protocol on the Privileges and Immunities of the Communities apply (Official Journal L 74, 27/03/1969, p.1).