

Legal Expert

(SRB/AD/2023/005)

Type of contract	Temporary agent
Function group and grade	AD6 ¹
Duration of contract	3 years (renewable)
Area	SRB Legal Service
Place of employment	Brussels, Belgium
Estimated monthly basic salary	€ 6 169.72
Deadline for applications	11/09/2023 at 12:00, Brussels time
Reserve list valid until	31/12/2024
Probation period	9 months

The SRB

The Single Resolution Board (SRB) is the central resolution authority within the Banking Union (BU). Together with the National Resolution Authorities (NRAs) of participating Member States (MS), it forms the Single Resolution Mechanism (SRM). The SRB works closely with the NRAs, the European Commission (EC), the European Central Bank (ECB), the European Banking Authority (EBA) and National Competent Authorities (NCAs). It contributes to safeguarding financial stability.

Its mission is to ensure an orderly resolution of failing banks with minimum impact on the real economy and on public finances of the participating Member States and beyond. Therefore, the SRB is granted with specific tasks and responsibilities to prepare for, and carry out, the resolution of banks that are failing or likely to fail.

The SRB is also responsible for managing the Single Resolution Fund, as established by the SRM Regulation, to ensure that medium-term funding support is available while a bank is being restructured and/or resolved.

The SRB is a self-financed agency of the European Union.

¹ AD5 – AD7 for inter-agency mobility

The job

The SRB is organising a call for expressions of interest with a view to establishing a reserve list of Temporary Agents for the position of *Legal Expert*.

1. Profile

The Legal Expert will contribute to the successful completion of the work of a multidisciplinary and multinational legal team headed by the General Counsel and coordinated by the Team Leaders of the respective teams.

The Legal Expert will actively participate in the representation of the SRB as an agent in high-profile litigation proceedings (including proceedings before the Court of Justice of the European Union (CJEU) and the SRB Appeal Panel). He/she will contribute to the preparation of all relevant documentation for litigation proceedings and will conduct extensive legal research, in particular as regards relevant case law (e.g. from the CJEU). Where appropriate, he/she will work closely together with legal experts outside the Legal Unit or with external legal advisors.

The Legal Expert will be providing legal advice including in crisis management situations and will be tasked with analysing legal questions of a wide-ranging and often novel nature and with preparing legal opinions. He/She will review internal and external documents, and assist in the preparation of draft decisions for the SRB's decision-making bodies. The Legal Expert may be requested to contribute to handling of requests for access to documents under the SRB's public access regime and assist in preparing legal advice on matters related to the HR and procurement files.

The Legal Expert will be expected to take initiative, speak and write excellent English, pay attention to detail and be solution-driven, as well as have the ability to work well in a dynamic environment. The Legal Expert will have a proactive approach and be capable of collaborating and communicating with numerous internal and external stakeholders.

1.1 Tasks

In particular, the jobholder will be asked to perform the following tasks:

Legal analysis, advice and assistance

- Providing legal advice and assistance to support the legal soundness of SRB decisions and policies;
- Reviewing legal acts and various SRB documents, in particular SRB policies on resolution matters, and/or actively participating in their development – such as preparing SRB decision templates;
- Preparing legal opinions on request;
- Providing legal assistance to SRB services and functions, in particular on matters related to:
 - resolution planning and other decision-making processes in interaction with the SRB Resolution Policy, Processes and Methodology Unit; Resolution Planning Office, the SRB Secretariat and/or directly with Resolution Units;
 - potential crisis cases in interaction with the Crisis Preparedness and Management Unit and/or directly with Resolution Units;
 - the Single Resolution Fund, providing comprehensive legal guidance on all aspects of resolution financing matters from various perspectives;
 - horizontal functions and services i.e. procurement and finance, human resources, ICT, governance issues;
- Providing legal advice and assistance on any developments of institutional agreements and governance documentation/decisions, such as Cooperation Framework Agreements, Memoranda of Understanding, Written Arrangements, Cooperation Agreements with third country authorities;
- When requested, supporting and participating in various internal working groups and work-streams;

- Representing the SRB Legal Service in meetings with external stakeholders;
- Contributing to the preparation and review of internal policies and other documents in relation to the access to documents regime. Drafting confirmatory responses for public access to documents requests;
- Representing the SRB as an agent in litigation cases before the CJEU, in particular preparing submissions to the CJEU, liaising with other parties in the procedure (in particular EU institutions as interveners) and external counsel and representing the SRB in oral hearings, drafting submission in cost recovery procedures;
- Representing the SRB as an agent in appeals before the Appeal Panel, in particular preparing submission and discussing litigation strategies with the hierarchy and representing the SRB in oral hearings and contributing to a potential implementation of Appeal Panel decisions;
- Carrying out any other tasks requested by line management in the interest of the service.

Qualifications and Other requirements

2. Eligibility criteria

Only complete applications registered via EU CV ONLINE and before the deadline for applications as mentioned in this document will be considered. Applications must include a motivation letter and a CV, both submitted in English to be considered; applications received in other languages than English will not be considered eligible.

2.1 General conditions

By the closing date of this call, candidates must:

- be nationals of a Member State of the European Union;
- enjoy their full rights as citizens²;
- have fulfilled any obligations imposed by national laws concerning military service;
- meet the character requirements for the duties involved;
- be physically fit to perform their duties³.

2.2 Education

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

Candidates must indicate in their applications the official graduation dates for all the diplomas they have obtained.

Only study titles that have been awarded in EU Member States or that are subject to the equivalence certificates issued by the authorities in the said Member States shall be taken into consideration. In case of qualifications issued by authorities outside EU Member States, the proof of recognition of equivalence by the relevant EU Member State authorities must be specifically mentioned in the online application form under *'Additional information'*.

² Prior to the appointment, the successful candidate will be asked to provide a certificate of good conduct, confirming the absence of any criminal record.

³ Before taking up his/her duties, the successful candidate will undergo a medical examination by one of the institutions' medical officers.

2.3 Experience

Candidates must have, at the closing date for applications, professional experience of at least three (3) years⁴ (acquired after the education referred to in Section 2.2 Education) in a field relevant to this position.

2.4 Language skills

As the predominant working language of the SRB is English, candidates must have an excellent command of spoken and written English (note: native English speakers will be required to demonstrate the ability to work in a second EU language at interview stage). Candidates must also have a satisfactory knowledge of another official language of the European Union⁵ to the extent necessary for the performance of his/her duties.

3. Selection criteria

Essential

3.1 Specific criteria

- Suitability to perform the tasks described in Section 1.1;
- After obtaining the qualifications mentioned in Section 2.2 specified above, out of the three (3) years of professional experience indicated in Section 2.3, candidates must have acquired at least two (2) years of professional experience in the area of
 - Litigation matters, at national or international level; and/or
 - Legal advice related to banking, supervisory and/or financial law;
- Good knowledge of EU law in general, including of its institutional dimensions (candidates should include examples of publications, training courses/programmes, examples from own professional experience, etc.).

3.2 General competences

- Excellent analytical and problem-solving skills and ability to think creatively;
- Very good organisational skills;
- Ability to work in a team as well as independently;
- Very good drafting and communication skills.

Advantageous

- Experience of working in multicultural organisations;
- A master's degree or other post-graduate qualification in law relevant to the job, in particular EU law, banking law, supervisory and/or financial law;
- Professional experience related to banking and financial law, in particular the Banking Union framework, the resolution framework (Regulation (EU) 806/2014 and Directive 2014/59/EU), bank prudential requirements (Regulation (EU) 575/2013 and Directive 2013/36/EU) and deposit guarantee scheme (Directive 2014/49/EU) in the private and/or public sector;
- Professional experience related to competition/state aid law (in the private and/or public sector);
- Professional experience related to litigation before the CJEU;

⁴ Professional experience will be counted from the date on which the applicant acquired the minimum qualification for access to the profile in question. Only duly documented professional activity (i.e. remunerated employment or self-employment) is taken into account. Part-time work will be considered in proportion to the percentage of full-time hours worked. Periods of education or training and unremunerated traineeships are not taken into account. Fellowships, grants and PhDs can be counted as professional experience up to a maximum of 3 years. Any given time period can be counted only once (e.g. if the applicant had a full-time job and did freelance consultancy work in the evenings and weekends, the days spent on the latter will not be added to the period of the former).

⁵ Bulgarian, Croatian, Czech, Danish, Dutch, English, Estonian, Finnish, French, Irish, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovenian, Spanish, Swedish.

- Professional experience related to IT, Digitalisation and/or Legal Tech (please provide concrete examples to prove your experience in this area);
- Very good knowledge of French (please provide information on how you acquired your proficiency level in French).

The selection process

4. How to apply

Candidates must apply through the EU CV Online system⁶ via this link:

https://ec.europa.eu/dgs/personnel_administration/open_applications/CV_Cand/index.cfm?fuseaction=premierAcces&langue=EN

Before applying, candidates should carefully check whether they meet all the eligibility criteria.

To be able to apply online via the EU CV online database, candidates must first create an account or sign in to an existing account. If not done already, candidates must first fill in the electronic CV, write the motivation letter and apply to the call for expressions of interest.

Applications shall be made in English to be considered.

It is the sole responsibility of each applicant to complete ALL relevant fields of his/her online application and to submit it before the deadline for submission. All technical questions concerning EU CV online must be sent through the Contact page of EU CV online.

It is strongly advised not to wait until the last few days before the deadline for applying, since heavy internet traffic or connection difficulties could lead to problems.

Once the deadline has passed, candidates will no longer be able to register.

Deadline for applications: 11/09/2023 at midday (12:00 Brussels time).

No supporting documents are required at this stage – these will be required at a later stage.

On completion of the online registration, candidates will receive on screen a registration number, which they must note. This will be the reference number of the candidate in all matters concerning his/her application. **If the candidate does not receive a number, the application has not been registered.**

After a correct submission of an application, candidates will receive an automated acknowledgement of receipt of their application to the email account indicated in their application. It is the candidate's responsibility to verify that he/she provided the correct e-mail address.

Candidates are invited to indicate any special arrangements that may be required if invited to attend the assessment.

If the candidate requires more information, he/she will have to send an e-mail to SRB-RECRUITMENT@srb.europa.eu.

5. Steps of the selection procedure

⁶ EU CV Online is the tool used by the European Commission for recruitment of staff on temporary basis.

5.1 Admission to the selection procedure

After the deadline for online registration, the Selection Panel will verify the submitted applications against the eligibility criteria described in Section 2 “**Eligibility criteria**”. Applications satisfying these conditions will then be assessed against the “**Selection criteria**” under Section 3.

5.2 Assessment of the eligible applications

The Selection Panel will analyse the motivation letters and CVs of eligible applicants with reference to:

- The **Selection Criteria** (“**Essential**” and “**Advantageous**”)
- The overall assessment of the quality & suitability of the application based on the requirements of the post.

Upon completion of the assessment, the Selection Panel will establish a shortlist of candidates, best matching the needs of the Agency for the functions and duties mentioned in this vacancy notice and non-retained candidates will be notified of the status of their application.

5.3 Invitation to assessment phase

Following the evaluation of the applications, the most suitable candidates for the post will be invited to an assessment, which will be held in Brussels or remotely.

Details of the time, date and address of the assessment will be communicated to candidates in due time.

5.4 The assessment phase

An interview and a written test, and/or other tests with the Selection Panel will enable it to carry out an assessment of the candidate according to the “**Selection criteria**” described in Section 3.

The assessment phase will be conducted in English.

5.5 Verification of documents and scrutiny

The candidates' applications will be checked against supporting documents provided in order to confirm the accuracy and eligibility of the application.

The candidate will be disqualified from the selection process if at any stage of the procedure it is established that the information provided in the application has been knowingly falsified or incorrect.

You will also be disqualified if you:

- do not meet all the eligibility criteria;
- do not provide all the required supporting documents.

5.6 Reserve list

The Selection Panel will place the most suitable eligible candidates on a draft reserve list. This draft will be submitted to the Chair of the SRB for approval. The adopted reserve list will be valid until 31/12/2024. The validity of the reserve list may be extended by decision of the Chair of the Board.

Candidates should note that inclusion on a reserve list does not imply any entitlement to employment in the SRB.

Prior to being offered a post, candidates on a reserve list may be required to undergo further evaluation by the SRB (e.g. including a further interview).

Other important information

6. General information

6.1 Equal opportunities

The SRB applies a policy of equal opportunities and accepts applications without discrimination on the ground of sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.

6.2 Selection Panel

A Selection Panel will be appointed for this selection procedure and will be composed of at least 3 members (and alternates), including a member designated by the Staff Committee of the SRB.

The names of the Selection Panel members will be communicated to the shortlisted candidates in the invitation letter to their assessment.

Under no circumstances should candidates approach the Selection Panel, either directly or indirectly, concerning the selection procedure. The Selection Panel's internal proceedings are strictly confidential and any contact with its members is strictly forbidden. The Chair of the SRB reserves the right to disqualify any candidate who disregards these instructions.

6.3 Approximate timetable

The selection process may take some months to be completed; no information will be released during this period.

6.4 Appointment and conditions of employment

On the basis of the reserve list, successful candidates may be offered a contract as a Temporary Agent, AD6, in accordance with the SRB's Implementing Provisions on the employment of Temporary staff under Article 2f of the Conditions of employment of other servants of the European Union for an initial period of 3 years (including a probationary period of **nine** months).

The contract may be renewed for a further period of three years. After the second period, the contract may be renewed for an indefinite period.

The place of employment is Brussels (Belgium), where the SRB has its premises.

Temporary Agents will be required to demonstrate before their first promotion the ability to work in a third official language of the EU.

6.5 Remuneration

Successful candidates who are offered a contract of employment will, on entry into service, be placed in step 1 or step 2 of the relevant grade, according to the length of their professional experience. The basic monthly salaries for grade AD6, as at 1 January 2023 in Brussels, are:

- Step 1: € 6 169.72
- Step 2: € 6 429.00

In addition to the basic salary, staff members may be entitled to various allowances depending on their personal situation, such as expatriation allowance, household allowance, dependent child allowance, education allowance, etc. The salary is subject to a Community tax deducted at source and staff members are exempt of national taxation.

6.6 Protection of personal data

The purpose of processing the data submitted by candidates is to evaluate applications in view of possible recruitment at the SRB. The personal information requested by the SRB from candidates will be processed as required by Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free

movement of such data (Official Journal of the European Union, L 295 of 21 November 2018). This applies in particular to the confidentiality and security of such data. In this regard, please see the [Privacy statement](#).

6.7 Appeal procedure

If, at any stage of the selection procedure, an applicant considers that his/her interests have been prejudiced by a particular decision, s/he can take the following actions:

6.7.1 Request for review

Any candidate may send a request for review stating his/her reasons, within 10 calendar days from the date when the letter/e-mail notifying him/her of the decision was sent to him/her. Candidates can request the review by sending an email to: SRB-RECRUITMENT@srb.europa.eu.

6.7.2 Administrative complaint under Article 90(2) of the Staff Regulations of Officials of the European Union

Pursuant to Article 90(2) of the Staff Regulations of Officials of the European Union, any candidate may submit to the SRB a complaint against an act adversely affecting him/her. Any such complaint should be made to:

SRB Single Resolution Board

For the attention of the Chair of the SRB
Selection procedure: Ref. SRB/AD/2023/005
Treurenberg 22
B-1049 Brussels
BELGIUM

The complaint must be lodged within 3 months from the date on which the candidate is notified of the act adversely affecting him/her.

Should the complaint be rejected, the candidate may request judicial review of the act adversely affecting him/her pursuant to Article 270 of the Treaty on the Functioning of the European Union and Article 91 of the Staff Regulations, before:

The General Court

Rue du Fort Niedergrünewald
L-2925 Luxembourg
LUXEMBOURG
http://curia.europa.eu/jcms/jcms/Jo1_6308/

Any citizen of the European Union or any natural or legal person residing in a Member State may direct a complaint concerning instances of maladministration to the European Ombudsman pursuant to Article 228(1) of the Treaty on the Functioning of the European Union:

The European Ombudsman

1 avenue du Président Robert Schuman
CS 30403
F-67001 Strasbourg Cedex
FRANCE
<http://www.ombudsman.europa.eu/start.faces>

Please note that complaints to the European Ombudsman do not have the effect of suspending the period mentioned in Articles 90 and 91 of the Staff Regulations for lodging complaints or submitting an appeal before the General Court according to Article 270 of the Treaty on the Functioning of the European Union.

