

▼B*ANNEX V***Leave****CONTENTS**

Section 1:	Annual leave 1-5
Section 2:	Special leave 6
Section 3:	Travelling time 7

Section 1**ANNUAL LEAVE***Article 1*

In the year in which an official enters or leaves the service, he shall be entitled to two working days' leave per complete month of service, to two working days for an incomplete month consisting of more than fifteen days and to one working day for an incomplete month of fifteen days or less.

Article 2

Annual leave may be taken all at once or in several periods as desired by the official and according to the requirements of the service. It must, however, include at least one period of two consecutive weeks. An official entering the service shall be granted annual leave only after completing three months' duty; leave may be approved earlier than this in exceptional cases for reasons duly substantiated.

Article 3

If, during annual leave, an official contracts an illness which would have prevented him from attending for duty if he had not been on leave, his annual leave shall be extended by the duration of his incapacity, subject to production of a medical certificate.

Article 4

Where an official, for reasons other than the requirements of the service, has not used up all his annual leave before the end of the current calendar year, the amount of leave which may be carried over to the following year shall not exceed twelve days.

Where an official at the time of leaving the service has not used up all his annual leave, he shall be paid compensation equal to one-thirtieth of his monthly remuneration at the time of leaving the service for each day's leave due to him.

A sum calculated in the manner provided for in the preceding paragraph shall be deducted from payment due to an official who at the time of leaving the service has drawn annual leave in excess of his entitlement up to that date.

Article 5

Where an official is recalled to duty for service reasons while on annual leave or has had his leave cancelled, any costs incurred by him shall be reimbursed, subject to production of appropriate evidence, and travelling time shall be granted afresh.

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Section 2
SPECIAL LEAVE

▼M131*Article 6*

In addition to annual leave, an official may, on application, be granted special leave. In particular, in the following cases special leave shall be granted as shown:

- marriage of the official: four days;
- change of residence of the official: up to two days;
- serious illness of spouse: up to three days;
- death of spouse: four days;
- serious illness of a relative in the ascending line: up to two days;
- death of a relative in the ascending line: two days;
- marriage of a child: two days;
- birth of a child: 10 days, to be taken during the 14 weeks following birth;
- birth of a disabled or seriously ill child: 20 days, to be taken during the 14 weeks following the birth;
- death of the wife during maternity leave: a number of days corresponding to the remaining maternity leave; if the deceased wife is not an official, the remaining maternity leave is determined by applying the provisions of Article 58 of the Staff Regulations, by analogy;
- serious illness of a child: up to two days;
- very serious illness of a child, as certified by a doctor, or hospitalisation of a child aged 12 or under: up to five days;
- death of a child: four days;
- adoption of a child: 20 weeks, rising to 24 weeks in the case of the adoption of a disabled child:

Every adopted child shall confer entitlement to only one period of special leave, which may be shared between the adoptive parents if both are officials. It shall be granted only if the official's spouse engages in a gainful activity at least half-time. If the spouse works outside the institutions of the Union and benefits from comparable leave, a corresponding number of days shall be deducted from the official's entitlement.

The appointing authority may, in cases of necessity, grant additional special leave where the national legislation of the country in which the adoption procedure takes place and which is not the country of employment of the adopting official requires a stay of one or both adoptive parents.

Special leave of 10 days shall be granted if the official does not benefit from the full special leave of 20 or 24 weeks by reason of the first sentence of this indent; that additional special leave shall be granted only once for each adopted child.

The institution may also grant special leave in the case of further training and instruction, within the limits laid down in the further training and instruction programme drawn up by the institution pursuant to Article 24a of the Staff Regulations.

▼ M131

Special leave may furthermore be granted to officials on an exceptional basis in the case of exceptional work which goes beyond an official's normal obligations. Such special leave shall be granted at the latest three months after the appointing authority has taken a decision on the exceptional character of the work of the official.

For the purposes of this Article, the unmarried partner of an official shall be treated as the spouse where the first three conditions in point (c) of Article 1(2) of Annex VII are met.

Where special leave is granted pursuant to this section, any travelling time shall be fixed by special decision taking into account particular needs.

▼ B**Section 3****TRAVELLING TIME****▼ M131***Article 7*

Officials who are entitled to the expatriation or foreign residence allowance shall be entitled to two and a half days of supplementary leave every year, for the purpose of visiting their home country.

The first paragraph shall apply to officials whose place of employment is within the territories of the Member States. If the place of employment is outside those territories, the duration of the home leave shall be fixed by special decision taking into account particular needs.