# EC Staff Regulations: Conditions of Employment of Other Servants (CEOS); parliamentary assistants (amend. Regulation (EEC, Euratom, ECSC) No 259/68)

2008/0224(CNS) - 11/12/2008 - Court of Auditors: opinion, report

**OPINION NO 5/2008 OF THE COURT OF AUDITORS of the European Communities on a proposal for a Council Regulation amending the conditions of employment of other servants of the European Communities**.

The purpose of the Commission proposal is to amend the Conditions of Employment of Other Servants of the European Communities (CEOS) in order to include a new category of servants called **'parliamentary assistants'**, to be chosen by MEPs and to be engaged under contract by Parliament to work within its premises in Strasbourg, Brussels and Luxembourg.

The Court welcomes the proposal, which aims at ensuring **transparency, non-discrimination and legal certainty** through common rules for parliamentary assistants. The proposal is in line with the Court's Opinion No 6/98 on a previous proposal on the same subject (see CNS/1998/0176), in which the Court suggested that parliamentary assistants could constitute a completely new category of staff employed on the basis of contracts with the Communities and provided with their own regulation. The proposal also addresses certain aspects of criticism expressed on several occasions by the Court, which pointed out weaknesses in the applicable regulatory framework, highlighting in particular the need to adopt rules that ensure the proper justification and documentation of the services delivered.

The Court notes that the Commission proposal provides for the adoption, by internal decisions of Parliament, of provisions governing the employment of parliamentary assistants, and of practical implementing measures for the application by analogy of Articles 11 to 26a of the Staff Regulations, which will determine the **assistants' rights and obligations**. For the adoption of such internal decisions, it should be borne in mind that implementing rules may lay down criteria capable of guiding the administration in the exercise of its discretionary power or explain more fully the scope of provisions of the Staff Regulations which are not wholly clear. However, they cannot reduce the scope of the Staff Regulations by further explaining a clear term of those regulations.

The system proposed, if adopted, will generate an **increased workload** for the Parliament's services within a short period of time. This generates risks which may negatively impact on the legality and regularity of the operations undertaken and the reliability of management and financial information. The Court therefore recommends that the relevant services of the Parliament take the appropriate measures to ensure that **reliable and effective procedures and systems** are designed, tested and implemented in a timely manner and that the resources necessary to the timely, reliable and efficient management of the new scheme are made available.