Transfer to the General Court of jurisdiction at first instance in disputes between the EU and its servants

2015/0906(COD) - 09/06/2016 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 456 votes to 99, with 61 abstentions, a legislative resolution on the draft regulation of the European Parliament and of the Council on the transfer to the General Court of the European Union of jurisdiction at first instance in disputes between the Union and its servants.

The European Parliament’s position, adopted at first reading following the ordinary legislative procedure, amended the Court of Justice’s draft as follows:

- the correct legal basis shall be Article 256(1), the first and second paragraphs of Article 257, and the second paragraph of Article 281 of the Treaty on the Functioning of the European Union (TFEU) and Article 106a(1) of the Treaty establishing the European Atomic Energy Community;
- Council Decision 2004/752/EC, Euratom and Regulation (EU, Euratom) No 979/2012 of the European Parliament and of the Council shall be repealed and Protocol No 3 shall be amended;
- the increase of 7 Judges of the General Court (40 to 47) as from 1 September 2016 should be accompanied by the transfer to the General Court of jurisdiction at first instance in disputes between the Union and its servants under Article 270 of the Treaty on the Functioning of the European Union (TFEU). This transfer of jurisdiction presupposes, in accordance with Article 256(1) TFEU, the dissolution of the European Union Civil Service Tribunal ("Civil Service Tribunal");
- the General Court should try European Union civil service cases taking into account the specific features of disputes in that field, including by examining the possibilities for amicable settlement at all stages of the procedure;
- appropriate transitional arrangements concerning the transfer to the General Court of European Union civil service cases;
- the Regulation shall enter into force on the first day of the month following that of its publication in the Official Journal of the European Union. It shall apply from 1 September 2016.