Basic information

1998/0176(CNS) CNS - Consultation procedure Regulation	Procedure lapsed or withdrawn
EC staff regulation: EP Members' assistance statute **Subject** 8.40.09 European officials, EU servants, staff regulations	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs, Citizens' Rights		

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	LAIGNEL André (PSE)	25/06/1998
REGL Rules of Procedure, Verification of Credentials and Immunities	MANZELLA Andrea (PSE)	08/09/1998

Council of the European Union

Council configuration	Meetings	Date
General Affairs	2264	2000-05-22
General Affairs	2168	1999-03-21

European Commission

Commission DG	Commissioner
Human Resources and Security	KALLAS Siim

Key events

Date	Event	Reference	Summary
15/05/1998	Legislative proposal published	COM(1998)0312	Summary
19/06/1998	Committee referral announced in Parliament		
23/09/1998	Additional information		Summary
23/02/1999	Vote in committee		Summary

23/02/1999	Committee report tabled for plenary, 1st reading/single reading	A4-0098/1999	
10/03/1999	Debate in Parliament		
21/03/1999	Debate in Council		
22/05/2000	Resolution/conclusions adopted by Council		Summary

Technical information	
Procedure reference	1998/0176(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Treaty on the Functioning of the European Union TFEU 336
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	JURI/4/10194

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0098/1999 OJ C 175 21.06.1999, p. 0005	23/02/1999	
Text adopted by Parliament, 1st reading/single reading		T4-0174/1999 OJ C 175 21.06.1999, p. 0183-0249	11/03/1999	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1998)0312 OJ C 179 11.06.1998, p. 0016	15/05/1998	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

EC staff regulation: EP Members' assistance statute

1998/0176(CNS) - 15/05/1998 - Legislative proposal

OBJECTIVE: establish specific rules for parliamentary assistants recruited by members of the European Parliament. SUBSTANCE: according to the rules governing the expenses and allowances of Members (Article 14) each member is entitled to recruit one or more parliamentary assistants at a rate not exceeding the secretarial allowance specified in the budget of the European Union. It is for each MEP to decide on the number of assistants he/she requires and the amount of their remuneration. In the light of the legislation applicable by virtue of the contracts, as an employer the MEP is responsible for affiliating his/her assistant(s) to a social security scheme and declaring them for income tax under the scheme applicable to the contract. The effect of enlargement of the Union, of the expanding powers of the European Parliament and the rising number of MEPs and their assistants (there are now more than 1500) is that the current rules on parliamentary assistance are becoming more and more complex and differences in treatment are widening as 15 sets of legislation apply. It is therefore necessary to harmonize the terms of recruitment and employment of assistants, particularly since those concerned work within a European Institution in virtually identical conditions. It is for this reason that the Commission proposed that parliamentary assistants should be covered by the conditions of employment of other servants as auxiliary staff. However, in order to preserve the independence and autonomy of MEPs and to determine the remuneration (still subject to the maximum corresponding to the secretarial allowance) and the grading of the assistants in the light of their specific functions (which are difficult to classify within the remuneration scales currently provided for by the conditions of employment of other servants), an exceptional provision should be made as regards the conditions and duration of recruitment and the level of remuneration of parliamentary assistance which will be determined by internal rules of the European Parliament.

EC staff regulation: EP Members' assistance statute

1998/0176(CNS) - 22/05/2000

The Council adopted the following conclusions concerning the proposal for a Council regulation on terms and conditions of employment of parliamentary assistants :

The Council undertook a detailed examination of the proposal, in particular in the light of the amendments suggested by the European Parliament and the comments made by the Court of Auditors in their Opinions delivered on 11 March 1999and 23 September 1998respectively. In that context, it appears that none of the delegations within the Council is able at this stage to approve the proposal as submitted by the Commission on 19 May 1998. Consequently, the Council considers that the Commission could discuss the possibility of re-examining its proposal with due regard for the Opinions delivered by the other institutions on examination of the initial proposal.

The Council is fully aware of the need to regulate the conditions of employment of parliamentary assistants and to improve their current situation. To that end, the Council would point out that on 26 April 1999, when examining the draft Statute for Members of the European Parliament, it adopted principles which it regards as essential in that regard:

-direct payment of assistants by Parliament, under the responsibility and in accordance with the personal instructions of the MEP concerned;

-the existence of a written contract registered with the European Parliament;

-compliance with the applicable provisions relating to taxation and social security.

Having regard to the above factors and pending a new proposal from the Commission, the Council supports the initiatives which the European Parliament has taken in that connection. In particular, it welcomes the measures adopted by Parliament's Bureau on 10 April 2000, which are due to come into force by 1 January 2001.

The Council therefore encourages the European Parliament to proceed with this temporary solution, which will help to improve the situation of parliamentary assistants even though it does not definitively regulate all aspects of that situation.

EC staff regulation: EP Members' assistance statute

1998/0176(CNS) - 11/03/1999 - Text adopted by Parliament, 1st reading/single reading

The Parliament approved the text of the Commission's proposal subject to some amendments. Parliament's rapporteur was Mr. Klau-Heiner LEHNE (EPP, D). One of the amendments deals with general implementing provisions governing in particular : - general working conditions, including recruitment and dismissal, - remuneration, - conditions of affiliation to social security and pension schemes, - place of work, - confidentiality, - the prohibition of outside activities, including lobbying, - the prohibition of discrimination against citizens of countries that do not belong to the EU, - disputes between employers and employees and the exclusion of the European Parliament's liability for the employment relationship. Another amendment states that the annual allowance for assistants is intended for the remuneration of assistants and other staff, their salaries being paid directly by the Parliament on the instructions of the Member. A further article was added by the Parliament. This governs the details that should be included in the contract of employment.