## Basic information

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|---|---|
| **1998/0235(CNS)**<br><br>CNS - Consultation procedure<br>Regulation | Procedure completed |
| EC staff regulation: weighting to payments (amending Regul. 259/68 /EEC/Euratom/ECSC)<br><br>**Subject**<br><br>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 | The committee decided not to give an opinion. | 01/09/1998 |

**Council of the European Union**

## Key events

| Date | Event | Reference | Summary |
|---|---|---|---|
| 08/07/1998 | Legislative proposal published | COM(1998)0421 | Summary |
| 03/09/1998 | Vote in committee | | |
| 14/09/1998 | Committee referral announced in Parliament | | |
| 27/11/1998 | Act adopted by Council after consultation of Parliament | | |
| 27/11/1998 | End of procedure in Parliament | | |
| 03/12/1998 | Final act published in Official Journal | | |

## Technical information

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|---|---|
| **Procedure reference** | 1998/0235(CNS) |
| **Procedure type** | CNS - Consultation procedure |
| **Procedure subtype** | Legislation |
| **Legislative instrument** | Regulation |

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| **Legal basis** | Rules of Procedure EP 52-p1<br>EC Treaty (before Amsterdam) E 024 |
| **Stage reached in procedure** | Procedure completed |
| **Committee dossier** | JURI/4/10392 |

| Documentation gateway | | | | |
|---|---|---|---|---|
| **European Parliament** | | | | |
| **Document type** | **Committee** | **Reference** | **Date** | **Summary** |
| Text adopted by Parliament, 1st reading/single reading | | T4-0478/1998<br>OJ C 313 12.10.1998, p. 0050-0069 | 16/09/1998 | Summary |
| **European Commission** | | | | |
| **Document type** | | **Reference** | **Date** | **Summary** |
| Legislative proposal | | COM(1998)0421<br>OJ C 266 25.08.1998, p. 0013 | 08/07/1998 | Summary |

| Additional information | | |
|---|---|---|
| **Source** | **Document** | **Date** |
| European Commission | EUR-Lex | |

| Final act | |
|---|---|
| Regulation 1998/2594<br>OJ L 325 03.12.1998, p. 0001 | Summary |

# EC staff regulation: weighting to payments (amending Regul. 259/68/EEC /Euratom/ECSC)

1998/0235(CNS) - 16/09/1998 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the proposal for a Regulation amending the status of officials (procedure without report).

# EC staff regulation: weighting to payments (amending Regul. 259/68/EEC /Euratom/ECSC)

1998/0235(CNS) - 08/07/1998 - Legislative proposal

OBJECTIVE: to set at 100 the weighting to be applied to the pensions of Community officials living outside the EU in order to remedy the conflict of norms highlighted by the Court of First Instance ruling of 14 December 1995 in Case T-285/94. SUBSTANCE: pursuant to Council Regulation (ECSC /EEC/Euratom) 2175/88, a weighting of 100 is applied to payments made under the Community pension scheme and allowances paid pursuant to

Article 50 of the Staff Regulations to recipients who have established their residence in a non-member country, and to family allowances paid for dependent children of officials and former officials or to other persons residing in a non-member country. In its judgment of 14 December 1995 in Case T- 285/94, the Court of First Instance found that Article 3 of the above regulation was unlawful because it conflicted with the provisions of the Staff Regulations, which provide that pensions are weighted at the rate fixed for the country where the recipient resides, whether inside or outside the Communities. By virtue of the principle of the hierarchy of norms, the Court ruled that a regulation such as the one under review (adopted without following the procedure laid down for the revision of the Staff Regulations) could not amend a specific provision of the Staff Regulations. It was therefore necessary to remedy the conflict of norms highlighted by the Court. Since the situation of former officials differs from that of serving staff, in particular with regard to the choice of place of residence, there are grounds for maintaining the distinction introduced by Regulation 2175/88 limiting the application of weightings exclusively to the remuneration of staff serving in non-member countries. This proposal therefore aims to make these various changes to the Staff Regulations by applying the procedure laid down for the purpose.

# EC staff regulation: weighting to payments (amending Regul. 259/68/EEC /Euratom/ECSC)

1998/0235(CNS) - 27/11/1998 - Final act

OBJECTIVE: to set at 100 the weighting to be applied to the pensions of Community officials living outside the EU. COMMUNITY MEASURE: Council Regulation (EC, ECSC, EURATOM) no. 2594/98 amending Regulation (EEC, EURATOM, ECSC) no. 259/68 laying down the Staff Regulations of Officials of the European Communities and the Conditions of Employment of Other Servants of the Communities. CONTENTS: pursuant to Council Regulation (ECSC, EEC, EURATOM) no. 2175/88, a weighting of 100 is applied to payments made under the Community pension scheme and allowances paid pursuant to Article 50 of the Staff Regulations to recipients who have established their residence in a non-member country, and to family allowances paid for dependent children of officials and former officials to other persons residing in a non-member country. A weighting is a tool to correct salaries in order to ensure that officials have equal purchasing power in the various countries in which they are required to take up residence. In its judgement of 14 December 1995 in Case T-285/94, the Court of First Instance found that Article 3 of the above regulation was unlawful because it conflicted with the provisions of the Staff Regulations, which provide that pensions are weighted at the rate fixed for the country where the recipient resides, whether inside or outside the Communities. By virtue of the principle of the hierarchy of norms, the Court ruled that this regulation could not amend a specific provision of the Staff Regulations. It has therefore been necessary in this Regulation to make the necessary amendments to remedy the conflict of norms. In addition, since the situation of former officials differs from that of serving staff, in particular with regard to the choice of place of residence, the Regulation maintains the distinction introduced by Regulation 2175/88 limiting the application of weightings exclusively to the remuneration of staff serving in non-member countries. ENTRY INTO FORCE: 3 December 1998.