Basic information

2001/0028(CNS) CNS - Consultation procedure Regulation	Procedure completed
EC officials: termination of service for officials of the Commission (amend. Regulation (EEC) No 549/69) **Subject** 8.40.03 European Commission 8.40.09 European officials, EU servants, staff regulations	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs and Internal Market	GARGANI Giuseppe (PPE-DE)	25/04/2002

Former committee for opinion	Former rapporteur for opinion	Appointed
BUDG Budgets	GUY-QUINT Catherine (PSE)	24/01/2001

Council of the European Union

Council configuration	Meetings	Date
General Affairs	2449	2002-09-30

European Commission

Commission DG	Commissioner
Human Resources and Security	

Key events

Date	Event	Reference	Summary
31/01/2001	Legislative proposal published	COM(2001)0050	Summary
15/02/2001	Committee referral announced in Parliament		
29/05/2001	Vote in committee		
29/05/2001	Committee report tabled for plenary, 1st reading/single reading	A5-0194/2001	
12/06/2001	Debate in Parliament		

13/06/2001	Decision by Parliament	T5-0328/2001	Summary
20/03/2002	Amended legislative proposal for reconsultation published	COM(2002)0136	Summary
05/04/2002	Formal reconsultation of Parliament		
10/09/2002	Vote in committee		
10/09/2002	Committee report tabled for plenary, reconsultation	A5-0302/2002	
24/09/2002	Decision by Parliament	T5-0417/2002	Summary
30/09/2002	Act adopted by Council after consultation of Parliament		
30/09/2002	End of procedure in Parliament		
02/10/2002	Final act published in Official Journal		

Technical information

Procedure reference	2001/0028(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	EC Treaty (after Amsterdam) EC 283 Rules of Procedure EP 52-p1
Stage reached in procedure	Procedure completed

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0194/2001	29/05/2001	
Text adopted by Parliament, 1st reading/single reading		T5-0328/2001 OJ C 053 28.02.2002, p. 0135-0226 E	13/06/2001	Summary
Committee final report tabled for plenary, reconsultation		A5-0302/2002	10/09/2002	
Text adopted by Parliament after reconsultation		T5-0417/2002 OJ C 273 14.11.2003, p. 0020-0068 E	24/09/2002	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2001)0050	31/01/2001	Summary
Amended legislative proposal for reconsultation	COM(2002)0136	20/03/2002	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofA	Document attached to the procedure	RCC0003/2001 OJ C 162 05.06.2001, p. 0098	05/04/2001	Summary
CofA	Document attached to the procedure	RCC0004/2001 OJ C 162 05.06.2001, p. 0100	05/04/2001	Summary
CofA	Court of Auditors: opinion, report	RCC0005/2002 OJ C 236 01.10.2002, p. 0001-0003	17/07/2002	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 2002/1749
OJ L 264 02.10.2002, p. 0013-0014 Summary

EC officials: termination of service for officials of the Commission (amend. Regulation (EEC) No 549/69)

2001/0028(CNS) - 24/09/2002 - Text adopted by Parliament after reconsultation

The European Parliament adopted the resolution drafted by Giuseppe GARGANI (EPP-ED, Italy) and approved the Commission's proposal without amendment.

EC officials: termination of service for officials of the Commission (amend. Regulation (EEC) No 549/69)

2001/0028(CNS) - 13/06/2001 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the report by Mr Bill MILLER (PES, UK).

EC officials: termination of service for officials of the Commission (amend. Regulation (EEC) No 549/69)

2001/0028(CNS) - 05/04/2001 - Document attached to the procedure

By a letter dated 13 February 2001, the Council invited the Court of Auditors to present an opinion on the proposal for a Council Regulation amending Regulation 549/69/EEC, ECSC, Euratom determining the categories of officials and other servants of the European Union to whom the provisions of Article 12, the second paragraph of Article Article 13 and Article 14 of the Protocol on the Priviledges and Immunities of the Community apply (purpose: taxation of those entitled to the allowance provided for in the event of the termination of service). The Court of Auditors adopted its opinion on 5 April 2001 (Opinion 4/2001) which stipulates that the proposal calls for no comments from the Court.

EC officials: termination of service for officials of the Commission (amend. Regulation (EEC) No 549/69)

2001/0028(CNS) - 20/03/2002 - Amended legislative proposal for reconsultation

The amended proposal for a regulation is designed to ensure that the officials covered by the special and temporary measures relating to final termination of service (the establishment cuts resulting from the Peer Group review) are not immune from Community taxation.

EC officials: termination of service for officials of the Commission (amend. Regulation (EEC) No 549/69)

2001/0028(CNS) - 30/09/2002 - Final act

PURPOSE : to determine the categories of officials and staff to whom termination-of-service arrangements apply. COMMUNITY MEASURE : Council Regulation (EC, Euratom) No 1749/2002 of 30 September 2002 amending Regulation (Euratom, ECSC, EEC) No 549/69 determining the categories of officials and other servants of the European Communities to whom the provisions of Article 12, the second subparagraph of Article 13 and Article 14 of the Protocol on the Privileges and Immunities of the Communities apply. CONTENT : Concurrently with the adoption of Regulations 1746/2002, 1747 /2002 and 1748/2002/EC, Euratom on the early retirement of officials (please see CNS/2001/0027 and CNS/2002/0069 and CNS/2002/0070), the Council has adopted a Regulation to the effect that the officials covered by the special and temporary measures relating to final termination of service are not immune from Community taxation. ENTRY INTO FORCE : 03/10/02. It will apply with regard to each of the points added from the respective dates of entry into force of Regulations 1746, 1747 and 1748/2002 referred to above.

EC officials: termination of service for officials of the Commission (amend. Regulation (EEC) No 549/69)

2001/0028(CNS) - 17/07/2002 - Court of Auditors: opinion, report

On 11 April 2002 the Court received a request for an opinion on the Commission's amended proposal on the special measures to terminate the service of officials of the Commission of the European Communities. As the Court has already stated in its opinion No 3/2001, the increase in future pension costs due to the appointment of the new officials seems not to have been taken into consideration in the Commission's proposals (for the Court, the Commission underestimates by 25% the total long term cost of this measure). It is for this reason that the Court suggests that the proposal should define which budgetary mechanism will be used to ensure the savings will actually be safeguarded in the long term. The Court also believes that the preamble to the proposed regulation should explain the coherence of the scheme with the European employment policy objective of increasing the employment rate of older workers through flexible and gradual retirement formulas. The Court takes note of the fact that no appropriate and clear selection criteria are established. The implementation of the scheme should ensure that staff who are able to update their skills are fairly treated. Lastly, the Court is of the opinion that an early retirement system such as the one proposed should only be a one-off solution. In the future the focus should be on improvement of staff development policy.

EC officials: termination of service for officials of the Commission (amend. Regulation (EEC) No 549/69)

2001/0028(CNS) - 31/01/2001 - Legislative proposal

PURPOSE: to present a proposal for a Council Regulation amending Regulation (Euratom, ECSE, EEC) 549/69 determining the categories of officials and other servants of the European Communities to whom the provisions of Article 12, the second paragraph of Article 13 and Article 14 of the Protocol on the Privileges and Immunities of the Communities apply. CONTENT: In its White Paper of March 2000, the Commission announced its intention to undertake a reallocation of human resources across its deparmtents with a view to concentrating on its core policy objectives. On 26 July 2000, it adopted the conclusions of the review by the Peer Group charged with carrying out a comprehensive assessment of the Commission's current activties and putting forward an action plan. These conclusions clearly indicate that, over and above the rationalisation carried out already in 1999 and 2000, the staff numbers assigned to priority activities continue to be insufficient, with the shortfall being estimated at 1 254 posts. Two thirds of these requirements can be met from further rationalisaton (discontinuation or scaling back of activities, productivity gains) or by internal redeployment. Targeted and effective accompanying measures are to be designed to allow redeployed staff to perform other, higher priority, activities. In addition to these accompanying measures, termination-of-service arrangements are to be available under which the Commission would be able to offer reasonable severance conditions to officials whose skills are deemed not to be in line with the duties to be performed. Legally, the scheme will take the form of a Council Regulation. Implementing procedures will be laid down later. Against this background, the proposal for a Regulation amending Regulation EC/549/69 seeks to determine the categories of officials and other services of the European Commission to whom the provisions of Article 13, in particular, of the Protocol on the Privileges and Immunities of the Communities apply.

EC officials: termination of service for officials of the Commission (amend. Regulation (EEC) No 549/69)

2001/0028(CNS) - 05/04/2001 - Document attached to the procedure

On 9 February 2001, the Court received a request for an opinion on the proposal for a Council Regulation introducing special measures to terminate the service of officials of the Commission of the European Communities as part of the reform of the Commission. In its explanatory memorandum, the Commission stated that the termination-of-service scheme for 600 Commission officials would make it possible for 258 new officials to be recruited, with a neutral impact on the budget, as the savings generated by the scheme would make it possible to balance the cost of the 258 new recruitments. In the analysis, the Court questions the principle of budget neutrality, the Court states that no allowance is made for the real costs of the pension rights earned by the newly recruited officials. This implies the long-run full cost (but not the immediate cash cost) of the newly recruited officials would be some 25 % higher than shown in the Commission's calculation. However, overall, the net effect in the long run should be a significant reduction in Commission staff costs, essentially reflecting the lower numbers employed than would otherwise have been the position. Given that the Commission's proposal involves a derogation from the normal arrangements whereby the Staff Regulation applies to all the institutions, the Commission should have sought their views on whether they face a comparable situation before putting forward this draft Regulation.