



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 21.04.1997
COM(97) 163 final

97/ 0123 (CNS)

Proposal for a

COUNCIL REGULATION (ECSC, EC, Euratom)

amending the Staff Regulations of Officials of the European Communities

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. Article 1 (Section 1) of Annex II to the Staff Regulations establishes the term of office of the Staff Committee.

At present the term is two years. The institution may, however, decide to fix a shorter term of office, which may not be less than one year.

2. It has emerged in practice that the term of office is reduced, especially in the Commission, where the Staff Committee is organized in local sections in accordance with the third paragraph of Article 1, since on completion of elections for the local sections, a further procedure is needed to appoint members of the Central Committee. In some cases this procedure can take a long time, particularly where in one or more places the quorum laid down in the Staff Regulations is not attained. The result is that in practice the term of office of the elected members is insufficient to implement the staff representation policy decided for the relevant period.
3. In addition, the large number of buildings occupied by the institution in Brussels means that the organization of elections requires large-scale deployment of human and logistical resources, which is costly for the institution and for the trade unions and staff associations.
4. The institution and the Central Staff Committee have responded to all these constraints - those derived from the legislation, the size of the institution, and particularly the scattered location of departments in Brussels - by considering whether the term of office of members of the Staff Committee currently laid down in the Staff Regulations ought to be reviewed.

They have concluded that it would be advisable to provide for a longer term of office for the Staff Committee, subject to detailed arrangements to be determined by each institution.

5. The technique would be to amend Annex II by replacing "two years" by "three years", the rest of the text remaining unchanged. This would make it possible to fix a term of office ranging from one to three years.

**PROPOSAL FOR A COUNCIL REGULATION (ECSC, EC, Euratom) No ...of ...
amending the Staff Regulations of Officials of the European Communities**

THE COUNCIL OF THE EUROPEAN UNION

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities, and in particular Article 24 thereof,

Having regard to the proposal presented by the Commission after consulting the Staff Regulations Committee,

Having regard to the Opinion of the European Parliament,

Having regard to the Opinion of the Court of Justice,

Having regard to the Opinion of the Court of Auditors

Whereas Article 1 of Annex II to Regulation (EEC, Euratom, ECSC) No 259/68, as last amended by Regulation (ECSC, EC, Euratom) No of, lays down the term of office of the members and alternates if any, of the Staff Committee,

Whereas that term of office, which is currently fixed at a maximum of two years, should be replaced by a term of three years to permit fuller implementation of the staff representatives' mandate;

Whereas it is unnecessary to amend the minimum term of office of members of the Staff Committee and their alternates,

HAS ADOPTED THIS REGULATION:

Article 1

The first subparagraph of Article 1 (Section I) of Annex II to the Staff Regulations is replaced by the following:

“The Staff Committee shall comprise the members thereof, together with their alternates if any, whose term of office shall be three years. The institution may, however, decide to fix a shorter term of office, which may not be less than one year. Every official of the institution shall be entitled to vote and stand for election.”

Article 2

This Regulation shall enter into force on the day following its publication in the Official Journal of the European Communities.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels

**For the Council
The President**

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