

# COMMISSION OF THE EUROPEAN COMMUNITIES

UNIV. OF Fribourg  
COM(81) 460 final

Brussels, 29th July 1981

GIFT & EXCHANGE

## PROPOSAL FOR A COUNCIL REGULATION (EEC)

amending the staff regulations of officials and the conditions  
of employment of other servants of the European Communities

(presented by the Commission to the Council)

COM(81) 460 final



EXPLANATORY MEMORANDUM

The attached proposal for a Council Regulation amending the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities is a follow-up to the Council Resolution of 23 June 1981 on staff remuneration, and in particular to points 4 and 5 thereof. It makes provision for incorporation of a new Article 66a introducing a special crisis levy.

② COUNCIL REGULATION ( ) No  
amending the Staff Regulations of Officials and the Conditions  
of Employment of Other Servants of the European Communities

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THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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 from the Commission presented after consulting the Staff Regulations Committee,

Having regard to the Opinion of Parliament,

Having regard to the Opinion of the Court of Justice,

After consultation with the trade unions and staff associations representing the staff of the Communities;

Whereas the specific difficulties of the economic and social situation necessitate the introduction of a special crisis levy on salaries, pensions and termination-of-service allowances paid by the Communities, assessed in the light of objective data provided for this purpose by the Commission;

Whereas this Regulation should enter into force at the same time as the Council Decision amending the method for adjusting the remuneration of officials and other servants of the Communities,

HAS ADOPTED THIS REGULATION:

CHAPTER 1

Amendments to the Staff Regulations of Officials of the European Communities

Article 1

The following Article 66a is inserted after Article 66 of the Staff Regulations:

"Article 66a

1. A special temporary crisis levy shall be applied for a period expiring not later than 1 July 1991 to salaries, pensions and termination-of-service allowances; it shall be based on economic data reflecting the average gaps recorded in the Member States between the trend in real per capita wages and salaries and the trend in:

- total productivity (GDP in volume terms per person employed);
- productivity available for distribution, i.e. productivity corrected for the terms of trade;
- productivity per member of the active population, i.e. including persons in employment and the unemployed.

2.(a) During the first five years the levy rates shall progress as follows:

- 2.54% of the basis during the first year;
- 5.08% of the basis during the second year;
- 7.62% of the basis during the third year;
- 10.16% of the basis during the fourth year; and
- 12.7% of the basis during the fifth year.

(b) The rate of 12.7% for the fifth year shall continue to apply during subsequent years unless the Council, acting on a proposal from the Commission by the qualified majority referred to in Article 65(3), decides otherwise.

The Commission proposal referred to in the foregoing subparagraph, which shall be presented six months before the end of the fifth year, shall be based on developments in the economic data referred to in paragraph 1.

3.(a) For officials in active employment, on secondment or on leave for military service the basis of the levy shall be the basic salary for the grade and step used to calculate remuneration, minus:

social security and pension contributions and the tax payable by an unmarried official in the same grade and step; and

the basic salary of an official in Grade D 4, step 1.

(b) For pensioners and persons in receipt of an allowance under Articles 41 and 50 of the Staff Regulations, Article 3 of Regulation (Euratom, ECSC, EEC) No 2530/72 or Regulation (ECSC, EEC, Euratom) No 1543/73, the basis of the levy shall be the amount of the pension or allowance, minus:

social security and pension contributions and the tax payable by an unmarried person in the same situation; and

twice the basic salary of an official in Grade D 4, step 1.

(c) The components used to determine the basis of the levy shall be expressed in Belgian francs and weighted at 100.

4. The levy shall not be applied at each of the above rates if it would bring salaries, termination-of-service allowances or pensions below the net amounts paid prior to its application.

The portion of the levy not applied during a given year as a result of the foregoing provision shall be added to the rate for the following year.

5. Where a payment subject to levy relates to a period of less than one month, the levy shall be calculated pro rata temporis.

Where a payment relates to a period of more than one month, the levy shall be calculated as if the payment had been evenly distributed over the months to which it relates.

Notwithstanding the provisions of paragraph 6 below concerning the rate of levy applicable to certain arrears of remuneration, corrective payments which do not relate to the month in which they are made shall be subject to the levy applicable on the due date.

6. Each new rate of levy shall not be introduced unless a Council decision is taken in conjunction with the decision on the annual adjustment of remuneration pursuant to Council Decision ..... on the method; it shall be applied to arrears resulting from the adjustment.

7. The levy, expressed in Belgian francs, shall be deducted monthly at source and the proceeds entered as revenue in the Community budget;

CHAPTER 2

Amendments to the Conditions of Employment of Other Servants of the European Communities

Article 2

1. The following subparagraph is inserted between the second and third subparagraphs of Article 20 of the Conditions of Employment:

"Article 66a of the Staff Regulations relating to the special crisis levy shall apply by analogy to temporary staff, to former members of temporary staff in receipt of a pension, and to dependants in receipt of a survivor's pension."

2. The following Article 63a is inserted after Article 63 of the Conditions of Employment:

"Article 66a of the Staff Regulations shall apply by analogy."

CHAPTER 3

Final provisions

Article 3

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

It shall take effect on entry into force of Council Decision ..... amending the method for adjusting the remuneration of officials and other servants of the Communities.

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

Done at Brussels,

For the Council  
The President