

EUROPEAN PARLIAMENT

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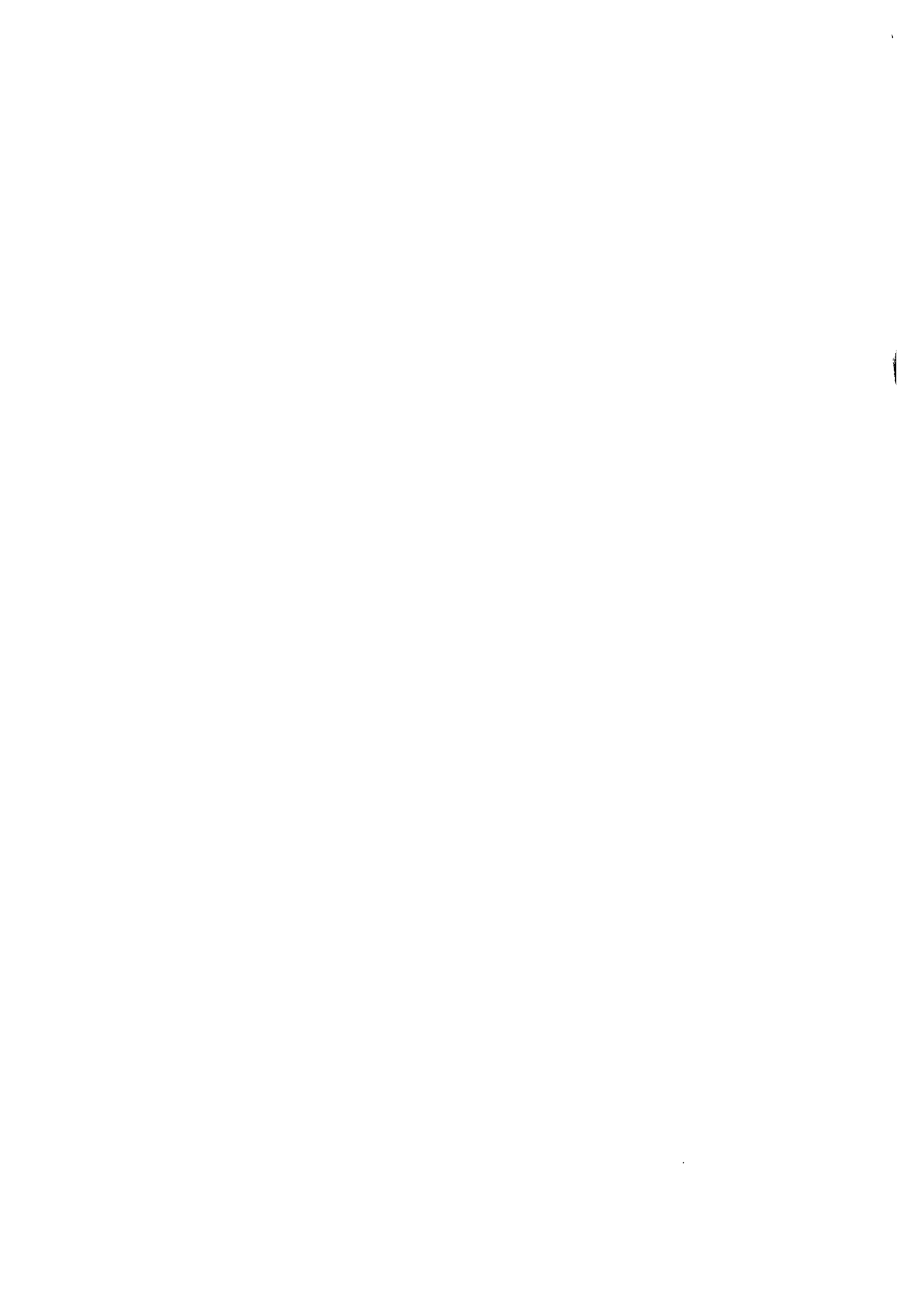
Report

drawn up on behalf of the Committee on Budgets
on the proposals from the Commission of the
European Communities to the Council for :

- I. a Regulation introducing special and temporary measures applicable to the recruitment of officials of the European Communities in consequence of the accession of the Hellenic Republic (Doc. 1-637/80)
- II. a Regulation introducing special and temporary measures to terminate the service of officials of the European Communities in consequence of the occasion of new Member States (Doc. 1-369/80)

RAPPORTEUR: Mr S. LEGA

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By letter of 25 November 1980 and 9 September 1980 the President of the Council of the European Communities requested the European Parliament to deliver an opinion on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation introducing special and temporary measures applicable to the recruitment of officials of the European Communities in consequence of the accession of the Hellenic Republic (Doc. 1-637/80)
- II. a Regulation introducing special and temporary measures to terminate the service of officials of the European Communities in consequence of the accession of new Member States (Doc. 1-369/80).

The President of the European Parliament referred these proposals to the Committee on Budgets as the committee responsible on 15 December 1980 and 15 September 1980 and to the Legal Affairs Committee for its opinion.

On 24 September 1980 the Committee on Budgets appointed Mr Lega rapporteur.

It considered these proposals at its meetings of 4 and 10 December 1980 and 25 March 1981.

At the latter meeting the committee unanimously adopted the motion for a resolution.

Present: Mr Lange, chairman; Mr Notenboom and Mr Dankert, vice-chairmen; Mr Lega, rapporteur; Mr Adonnino, Mr Aigner, Mr Brok (deputizing for Mr Pfennig), Mr Dimopoulos, Mr Fich, Mr Forth, Mr Gouthier, Mrs Hoff, Mr Habsbourg (deputizing for Mr Barbi), Mr Jackson, Mr Newton Dunn, Mr Orlandi, Mr Tuckman and Mr Vié (deputizing for Mr Ansquer).

The explanatory statement will be presented orally.

The opinion of the Legal Affairs Committee will be published separately.

The Committee on Budgets hereby submits to the European Parliament the following motion for a resolution:

MOTION FOR A RESOLUTION

on the proposals from the Commission of the European Communities to the Council for :

- I. a Regulation introducing special and temporary measures applicable to the recruitment of officials of the European Communities in consequence of the accession of the Hellenic Republic,
- II. a Regulation introducing special and temporary measures to terminate the service of officials of the European Communities in consequence of the accession of new Member States

The European Parliament,

- having regard to the proposals from the Commission of the European Communities to the Council (COM(80) 706 and COM(80) 283),
- having been consulted by the Council (Docs. 1-637/80 and 1-369/80),
- having regard to the motion for a resolution tabled by Mr Glinne and others on the recruitment procedure in the institutions of the European Communities, particularly in relation to the Greek candidates (Doc. 1-714/80),
- having regard to the report of the Committee on Budgets and the opinion of the Legal Affairs Committee (Doc. 1-87/81 and annex),

As regards proposal No 1

- (a) whereas this proposal merely provides, within the scope of the Staff Regulations, for Greek nationals to be appointed as officials following the accession of Greece to the Communities,
 - (b) whereas this proposal is valid only until 31 December 1982,
 - (c) whereas, following decisions already taken by the Budgetary Authority in the context of the 1981 budget for the creation of posts reserved for Greek nationals, the proposal for a regulation should no longer result in general-purpose posts on the establishment plan being allocated to Greek nationals,
1. Approves the proposal for a regulation concerning the recruitment of Greek officials.

As regards proposal No 2

- (a) whereas in order to ensure that the establishment plan is fairly managed, it is absolutely necessary that the measures to terminate

the services of officials proposed by the Commission of the European Communities in order to cope with the requirements created by the accession to the European Communities of Greece should be limited to A 3 grades and to 25 posts at the most,

- (b) whereas these measures to terminate the service of officials must not be applied beyond 31 December 1982, which is also the date provided for in the proposal concerning special and temporary measures for the recruitment of Greek officials,
 - (c) whereas the second objective put forward in the Commission proposal, namely the improvement of career profiles, should not operate to the disadvantage of officials encouraged to leave the European public service permanently and whereas this objective should not therefore be pursued under this proposal for a regulation,
1. Hereby amends the proposal for a regulation, calling on the Commission to adopt these amendments as attached and hence to alter the text of the proposal which has been submitted to the Council pursuant to Article 149(2) of the Treaty;
 2. Limits the proposal to :
 - 31 December 1982,
 - a restricted number of A 3 (Head of Division) posts, not exceeding 25 in the case of the Commission;
 3. Strongly urges that the measures to terminate the service of officials should be carried out as far as possible on a voluntary basis;
 4. Considers that the improvement of career profiles - current progress on which is seriously at risk, especially in the Commission of the European Communities - must be effected by means of a series of coordinated and rational measures which it will shortly put forward for discussion with the Council and the Commission on the basis of the full range of proposals for revising the Staff Regulations now before the Budgetary Authority, and of those staff policy measures which are necessary to ensure the proper management and development of the European public service;
 5. Affirms that it will consider the proposal for a regulation amending the Staff Regulations of Officials in the light of the Spierenburg and Ortoli reports only in this new context.

PROPOSAL FOR A REGULATION

INTRODUCING SPECIAL AND TEMPORARY
MEASURES TO TERMINATE THE SERVICE OF
OFFICIALS OF THE EUROPEAN COMMUNITIES
IN CONSEQUENCE OF THE ACCESSION OF
NEW MEMBER STATES

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establi-
shing 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 made 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;

Whereas, in consequence inter alia
of the accession of new Member
States and the need to establish a
more balanced career profile for
A officials, special termination of
service measures should be adopted
for a limited period;

HAS ADOPTED THIS REGULATION

PROPOSAL FOR A REGULATION

INTRODUCING SPECIAL AND TEMPORARY
MEASURES TO TERMINATE THE SERVICE OF
OFFICIALS OF THE EUROPEAN COMMUNITIES
IN CONSEQUENCE OF THE ACCESSION OF
GREECE

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

unchanged

unchanged

unchanged

unchanged

Whereas, in consequence of the acces-
sion of Greece, special termination of
service measures applicable up to
31 December 1982 should be adopted;

HAS ADOPTED THIS REGULATION

Article 1

1. In the interests of the service and in order to meet requirements resulting from the accession to the European Communities of new Member States and to help to establish a more balanced career profile the institutions of the European Communities are authorized until 31 December 1986 to adopt for officials in grades A3 and A4 who have been in the highest step in their grade for at least two years and are over 55 years of age measures terminating their service within the meaning of Article 47 of the Staff Regulations under the conditions set out hereinafter.
2. The number of officials to whom the measures provided for in paragraph 1 may be applied shall be fixed annually by the budgetary authorities.

3. The institution, after consulting the Joint Committee, shall draw up a list of the officials to be affected by such measures taking into account the official's ability, efficiency, conduct in the service, family circumstances and seniority.

An official whose name appears on such a list may opt for termination of service as provided for in paragraph 1 or for non-active status. If the latter, Article 41 (3), (4) and (5) of the Staff Regulations shall apply.

Article 1

1. In the interests of the service and in order to meet requirements resulting from the accession to the European Communities of Greece, the institutions of the European Communities are authorized until 31 December 1982 to adopt for officials in grade A3 who have been in the highest step in their grade for at least two years and are over 55 years of age measures terminating their service within the meaning of Article 47 of the Staff Regulations or assigning them non-active status under the conditions set out hereinafter.
2. Unchanged
3. The Budgetary Authority is hereby requested to limit as far as possible the number of officials to whom this regulation is applied and, as far as the Commission is concerned, to fix this number at a maximum of 25 A3 grade officials for the 1981 and 1982 financial years.
4. The institution shall give priority to requests from officials seeking termination of their service pursuant to paragraph 2, if the interests of the service so permit.
5. Should the number of the requests referred to in the previous paragraph be less than the figure mentioned in paragraph 3, the institution, after consulting the Joint Committee, shall draw up a list of the officials to be affected by such measures taking into account the official's age, family circumstances and seniority.

An official whose name appears on such a list may opt for termination of service or for non-active status. If the latter, Article 41(3), (4) and (5) of the Staff Regulations shall apply.

An official who proposes to opt for non-active status shall declare his choice within two months from the date on which he was informed that he was to be allowed to benefit from the measures provided for in paragraph 1; in default, he shall forgo the right to opt.

unchanged

4. If the interests of the service permit, the institution shall give priority to officials who request that their service be terminated under paragraph 1.

This text, unchanged, has been inserted above.

5. The measures provided for in the preceding paragraphs are in no way disciplinary.

6. unchanged

6. Until 31 December 1986, but without prejudice to paragraph 3, the institution shall take no decision placing the officials referred to in paragraph 1 on non-active status under the conditions set out in Article 41 of the Staff Regulations.

7. **Until 31 December 1982**, but without prejudice to paragraph 3, the institution shall take no decision placing the officials referred to in paragraph 1 on non-active status under the conditions set out in Article 41 of the Staff Regulations.