
EUROPEAN PARLIAMENT

Working Documents

1979 - 1980

5 November 1979

DOCUMENT 1-455/79

REPORT

drawn up on behalf of the Committee on Budgets

on/Section IV - Court of Justice - of the draft general
budget of the European Communities for the financial year 1980

Rapporteur : Mr. Robert JACKSON

121

On 6 September 1979 the Committee on Budgets appointed Mr JACKSON rapporteur on Section IV (Court of Justice).

At its meeting of 18 October 1979 the Committee on Budgets examined the draft resolution drawn up by the rapporteur and adopted the motion for a resolution unanimously.

The amendment adopted by the Committee on Budgets at the same meeting is annexed to this report.

Present: Mr Lange, Chairman; Mr Notenboom, first Vice-Chairman; Mr Spinelli, second Vice-Chairman; Mr Jackson, rapporteur; Mr Cohen (deputizing for Mrs Gaspard), Mr Colla, Mr Coppieters (deputizing for Mr Bonde), Mr Gouthier, Mrs Gredal, Mrs Hoff, Mr Hord, Mr Langes, Mr Nord, Mrs Pruvot (deputizing for Mr Rossi), Mr Konrad Schön and Mr Simonnet.

C O N T E N T S

Page

A. MOTION FOR A RESOLUTION	5.
B. EXPLANATORY STATEMENT	7

Annex : Amendment No. 378/322

The Committee on Budgets hereby submits to the European Parliament the following motion for a resolution, together with explanatory statement:

MOTION FOR A RESOLUTION

on Section IV - Court of Justice - of the draft general budget of the European Communities for the financial year 1980

The European Parliament,

- having regard to the draft general budget for the 1980 financial year drawn up by the Council (Section IV - Court of Justice) and its explanatory memorandum (doc.1-378/79),
 - having regard to the report of the Committee on Budgets (doc.1-455/79),
1. Notes that the Court of Justice sought 85 new posts for 1980, with a further 23 upgradings and that the Council has accorded 21 non-linguistic posts with 16 further posts for the translation service and two temporary C posts;
 2. Deplores the fact that the Council provided only the most general reasons for its rejection of part of the requests of the Court;
 3. Notes that the Court, while accepting Council's decision as regards the total of 39 posts accorded, intends to introduce its requests for the remaining posts in the 1981 budgetary procedure;
 4. Requests that the Court transmit all the detailed justifications of posts to both parts of the Budgetary Authority at the same time;
 5. Recognises, in view of the increased number of Court hearings and in view of the increased number of European Parliament meetings, that it is no longer possible for the Court to rely on Parliament's interpretation service;

6. Therefore creates, by way of an amendment, an independent interpretation service for the Court of Justice;
 7. With this amendment, approves Section IV of the draft budget relating to the revenue and expenditure of the Court of Justice.
-

EXPLANATORY STATEMENTIntroduction

1. In its introductory note attached to Volume V of the preliminary draft budget for 1980 the Court of Justice sets out its requests for staff for 1980. These are broken down as follows:

(a) Creation of posts

Category A	:	10
Category B	:	14
Category C	:	29
Category D	:	6
Category LA	:	26
		—
Total		85

(b) Regrading of posts

Category A	:	1
Category B	:	8
Category C	:	14
		—
Total		23

2. In drawing up the draft, the Council of Ministers decided to accord the Court the following extra posts:

6 A
6 B
6 C
3 D
2 C temporary

and 12 LA and 4 C for the translation service,
with 2 regradings C 2 to C 1.

Examination of the Court's requests in Council

3. The note drawn up by the Court points to the increased work-load affecting it as a result of an increase in the number of cases each year. This has a general effect on the functioning of the institution and led the Court to propose a major increase for 1980 of 85 new posts (taking the establishment plan from 311 to 396 posts). It further suggested that linguists and secretaries be recruited with a view to Greek accession.

4. The Council, in its deliberations of 11 September, drastically reduced these posts to 21 new posts with 2 regradings. Nonetheless, it did accept that the translation service should be strengthened with 12 new LA and 14 C staff to be appointed.

5. The Court provided two documents justifying the increase in the establishment plan: a general document, pointing to the increased volume of work, which was annexed to the Preliminary Draft Budget and a "General Explanatory Memorandum" which contains a detailed justification of the Court's requests post by post, which was not forwarded to Parliament.

This document alone permits the Budgetary Authority to assess the real needs of the institution in terms of posts for the next financial year. In future, the Court should provide this document to both parts of the Budgetary Authority at the same time.

6. Council is not carrying out its duties as a Budgetary Authority in failing to provide an explanation either for the acceptance or for the refusal of the posts required.

7. Your rapporteur notes that the Court, as expressed in the letter from its President to the President-in-Office of Council on 18 September 1979, accepts the reduced number of extra posts accorded by Council in the Draft Budget. In future, it would be more appropriate to leave the discussion open until such a time as the other part of the Budgetary Authority, the European Parliament, which enjoys the last word on all non-compulsory expenditure (including all general administrative and staff expenditure) has had an opportunity to examine the request of the Court.

8. Your rapporteur believes that the 1980 budgetary procedure has already proved useful in clarifying the appropriate procedures for examining the budgets of all the institutions. The guiding principles should be one of equality of information for the two parts of the Budgetary Authority, and no commitment with one or the other side of the Authority prior to observations being made by the other side.

9. The Committee on Budgets notes that the Court's priorities for the allocation of the extra 'A' grade posts approved by Council are as follows :

- (i) Legal Secretaries: 1 A/3, 3 A/5's - the Court sought the assignment of a second Legal Secretary to each of the Chambers of the Members of the Court;
- (ii) 1 A/7 and 1 A/6 for the library and documentation directorate which has acquired a new responsibility for compiling a source-index of Community case law in accordance with the regulation of the Council on 9/10

October 1978. Originally the Court had sought three extra posts for this department.

10. The Committee on Budgets approves this ordering of priorities and reserves judgement on the balance of posts to be requested by the Court during the 1981 budgetary procedure.

The interpretation service

11. The one point of the agreement with the Council not accepted by the Court was the Court's proposal to create a separate interpretation service with full interpretation into the six languages which was refused by the Council. At the moment, the Court relies on the interpretation services of the other institutions (notably Parliament) for interpreting facilities at its hearings. In view of Parliament's increased work-load, it will not be possible for this arrangement to continue.

Your rapporteur, therefore, looks favourably on the idea of creating an independent interpretation service at the Court with 13 interpreters to be recruited (2 per language with 1 to assume the responsibility of the management of the team).

These posts should be granted by way of Parliamentary amendment, on the clear understanding that the Court's interpretation service would not be extended in the future. Furthermore, reciprocal arrangements should be made with the Parliament so that these interpreters could be placed at Parliament's disposal at times when they were not required by the Court. In this way this service could be of general assistance in the functioning of the institutions.

Administrative appropriations

12. The Court, in its preliminary draft, proposed increasing appropriations from 19,576,220 EUA in 1979 to 23,917,810 EUA in 1980 (1978 expenditure: 14,826,078.17 EUA).

13. The Council has reduced the increase, the new total expenditure for 1980 to amount to 21,627,470 EUA - i.e. an increase of just over 10% on 1979.

14. The Council has applied to the Court the flat rate reductions for Chapters 11 and 12 and for other Chapters, Articles and Items, parallel to the reductions it imposed on its own estimates and in view of the actual outturn of expenditure in 1978.

Your rapporteur approves this approach and welcomes its extension to all the institutions.

15. In the Court's case, it is recognised that a certain increase in expenditure is necessary as a result of the preparations for enlargement. However, appropriations for the translation into Greek of previous case-law have not been included in the 1980 Budget, given the length of time necessary for its preparation.

Conclusion

16. Your rapporteur suggests practical improvements in the budgetary procedure for the future which would permit the European Parliament to exercise in full its responsibilities over the administrative budgets of the other institutions. In particular he suggests that these institutions supply to Parliament directly all the information containing detailed job descriptions for new posts, made available to Council, and at the same time. Furthermore he recommends that these institutions make no individual agreements with Council on reduced numbers of posts until such a time as they have had an opportunity to consult directly with the European Parliament, the other part of the Budgetary Authority.

17. Your rapporteur suggests tabling ~~an~~ amendment containing a separate interpretation service for the Court.

EUROPEAN PARLIAMENT

30 October 1979
.....Doc. 378 322
.../...

DRAFT
GENERAL BUDGET OF THE EUROPEAN COMMUNITIES
FOR THE FINANCIAL YEAR 1980

DRAFT AMENDMENT No. 322

tabled by Mr. R. JACKSON, on behalf of the Committee on Budgets
SECTION IV - COURT OF JUSTICE

ESTABLISHMENT PLANCreate 13 permanent posts in the LA category (interpreters):

- 1 LA3, 2 LA4, 2 LA5, 4 LA6 and 4 LA7

A - ExpenditureIncrease expenditure by 389,160 EUA¹B - CompensationDecrease by 326,090 EUA the expenditure on the 'Joint interpreting service' (Item 2391)C - RevenueIncrease revenue by 8,370 EUA²

REMARKS: "These posts are created to form an interpreting service for the Court."

Justification

1. At present the Court has only two full-time interpreters (both LA4), placed at its disposal by Parliament.

2. In addition, the Court has recourse to 7 freelance interpreters (on annual contracts) who have specialized in legal terminology.

3. Largely as a result of the increase in the Court's hearings (160 in 1978, 227 from January to September 1979) the present system has two basic disadvantages: if the contracts of freelance interpreters are not extended, the Court loses its specialized interpreters, who are difficult to replace. This would be a serious obstacle to the Court's work.

4. Established interpreters would form the nucleus of a group of interpreters to ensure simultaneous interpretation out of and into the six languages. In view of the language combinations it would of course be necessary also to use individual freelance interpreters.

¹ As broken down in the Remarks

² In addition, an amount of 71,440 EUA is to be entered in Chapters 40 and 41.

5. These permanent posts are created on the understanding that the Court of Justice will make the staff concerned available to Parliament for interpreting work as required and if they are not needed by the Court at the same time.

6. It is also understood that the Court of Justice will not regard the expansion of the interpreting service as grounds for requesting further posts next year in order to expand its own interpreting service.

o

o o

The overall appropriation is broken down as follows: (calculation for 6 months, for 2 existing interpreters for 12 months)

Item 1100	295,720
1101	25,280
1102	45,240
1130	8,870
1131	1,980
Art. 119	12,070
<hr/>	
Subtotal	389,160
<hr/>	
Chapter 40	51,480
41	19,960
<hr/>	
Subtotal	71,440
<hr/>	
Grand total	317,720
<hr/>	