

# Procedure file

| Basic information   |                                |                     |
|---|--------------------------------|---------------------|
| CNS - Consultation procedure<br>Regulation  | <a href="#">2002/0069(CNS)</a> | Procedure completed |
| Council of the Union: termination-of-service for officials of the General Secretariat                 |                                |                     |
| Subject<br>8.40.02 Council of the Union<br>8.40.09 European officials, EU servants, staff regulations |                                |                     |

| Key players                   |   |   |            |
|-------------------------------|---|---|------------|
| European Parliament           | Committee responsible                         | Rapporteur                                    | Appointed  |
|                               | <b>JURI</b> Legal Affairs and Internal Market |   | 25/04/2002 |
|                               |   | PPE-DE <a href="#">GARGANI Giuseppe</a>       |            |
|                               | Committee for opinion                         | Rapporteur for opinion                        | Appointed  |
|                               | <b>BUDG</b> Budgets                           | The committee decided not to give an opinion. |            |
| Council of the European Union | Council configuration                         | Meeting                                       | Date       |
|                               | <a href="#">General Affairs</a>               | <a href="#">2449</a>                          | 30/09/2002 |
| European Commission           | Commission DG                                 | Commissioner                                  |            |
|                               | <a href="#">Human Resources and Security</a>  |   |            |

| Key events |   |                               |         |
|------------|---|-------------------------------|---------|
| 29/05/2001 | Vote in committee                                       |                               |         |
| 20/03/2002 | Legislative proposal published                          | <a href="#">COM(2002)0136</a> | Summary |
| 11/04/2002 | Committee referral announced in Parliament              |                               |         |
| 10/09/2002 | Vote in committee                                       |                               | Summary |
| 10/09/2002 | Committee report tabled for plenary, reconsultation     | <a href="#">A5-0302/2002</a>  |         |
| 24/09/2002 | Decision by Parliament                                  | <a href="#">T5-0415/2002</a>  | 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        | 2002/0069(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                                     |  |   |            |      |         |
|---|--|---|------------|------|---------|
| Legislative proposal                                      |  | <a href="#">COM(2002)0136</a>   | 20/03/2002 | EC   | Summary |
| Court of Auditors: opinion, report                        |  | RCC0006/2002<br><a href="#">OJ C 236 01.10.2002, p. 0004-0006</a>                   | 17/07/2002 | CofA | Summary |
| Committee final report tabled for plenary, reconsultation |  | <a href="#">A5-0302/2002</a>  | 10/09/2002 | EP   |         |
| Text adopted by Parliament after reconsultation           |  | <a href="#">T5-0415/2002</a><br><a href="#">OJ C 273 14.11.2003, p. 0020-0067 E</a> | 24/09/2002 | EP   | Summary |

| Additional information |                         |
|------------------------|-------------------------|
| European Commission    | <a href="#">EUR-Lex</a> |

| Final act   |
|---|
| <a href="#">Regulation 2002/1747</a><br><a href="#">OJ L 264 02.10.2002, p. 0005-0008</a> Summary |

## Council of the Union: termination-of-service for officials of the General Secretariat

AIM: To enable officials who are affected by the redeployment of human resources in the Secretariat-General of the Council to take early retirement. CONTENT: The Secretariat-General of the Council considers it necessary to terminate the service of some officials, as suggested in a Commission proposal relating to the various departments of the Council administration, a proposal that is currently under examination by the executive bodies of the Council. The proposal in question is intended to authorise the release of 94 officials from the Secretariat-General of the Council (12 at category A, 22 at LA, 8 at B, 44 at C and 8 at D) between 2002 and 2004. Provided that the operation has no net budgetary impact, the savings from these staff cuts (the difference between the cost of full remuneration and that of the redundancy packages) should pay for the recruitment of some 46 new officials. Overall, this amounts to a recovery by the budgetary authority of 48 posts (the difference between 94 redundancies and 46 recruitments). The eventual cost saving will be felt from 2006 onwards. In fact, between 2006 and 2012 the amount of termination allowance payable will tail off as the former officials gradually become eligible to draw their occupational retirement pensions. By about 2012, the savings generated will correspond to the cost of 48 posts recovered by the budgetary authority. ?

## Council of the Union: termination-of-service for officials of the General Secretariat

On 20 March 2002 the Commission presented a proposal for a Council Regulation introducing special measures to terminate the service of officials of the General Secretariat of the Council of the European Union. In a letter received at the Court on 11 April 2002, the Council requested the Court's opinion on this proposal. The purpose of the proposal is to authorise a termination-of-service scheme for 94 officials of the General Secretariat of the Council between 2002 and 2004 in order to take account of the need to renew professional skills. The Court has examined the proposal and issued the present opinion: - the increase in future pension costs due to the appointment of the new officials seems not to have been taken into consideration. - the proposal should define which budgetary mechanisms will be used to ensure that the savings will actually be safeguarded in the long term. - 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. - 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. ?

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

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**PURPOSE** : to enable officials who are affected by the redeployment of human resources in the Secretariat-General of the Council to take early retirement. **COMMUNITY MEASURE** : Council Regulation 1747/2002/EC, Euratom introducing, in the context of the modernisation of the institution, special measures to terminate the service of officials of the European Communities appointed to an established post in the Council of the European Union. **CONTENT** : the Treaty on European Union has extended the scope of the Council's activities and has in consequence increased the role and tasks of its General Secretariat. The General Secretariat of the Council meets a significant part of its needs through internal rationalisation and redeployment. The General Secretariat of the Council is taking the necessary steps, mainly through training, to help redeployed staff to adjust in the most satisfactory and effective way possible. However, the skills of a section of officials, who have reached the age of 55 and who have completed at least 15 years of service, are deemed to be too far removed from the duties to be performed. The General Secretariat of the Council needs new skill profiles and a rebalancing of its establishment plan, but the number of officials retiring in the normal way will not be sufficient to allow the necessary skills to be acquired through recruiting new officials within a satisfactory timescale. Special measures should accordingly be adopted with regard to termination of service together with internal administrative arrangements for effective monitoring of the implementation of this Regulation. These measures must be applied as far as possible with due regard for geographical balance, in compliance with the provisions of this Regulation. These measures must be budget-neutral. To this end a monitoring mechanism should be set up by the budgetary authority. This is the aim of the present Regulation. This Regulation authorises the General Secretariat of the Council, in the interests of the service and in order to take account of the need to renew skills arising from the refocusing of the use of its resources on priority activities, to adopt measures up to 31 December 2004 for terminating the service of officials who have reached the age of 55 and have completed at least 15 years service, with the exception of those in Grades A 1 and A 2, under the conditions specified in this Regulation. The total number of officials to be covered by the measures shall be 94 (12 As, 22 LAs, 8 Bs, 44 Cs, and 8 Ds). Respect for budgetary neutrality shall be monitored during the annual budget procedure. To this end, the Appointing Authority shall, taking into account the link between the number of officials whose service was terminated and the number of officials recruited, report to the budgetary authority at the appropriate time, certifying that the condition of budgetary neutrality is met. **ENTRY INTO FORCE** : 3 October 2002. The measures shall apply until 31 December 2004.?