

Procedure file

Basic information		
BUD - Budgetary procedure	2005/2159(BUD)	Procedure completed
Amending budget 7/2005: section IV Court of Justice, establishment of the Civil Service Tribunal		
Subject		
8.40.04 Court of Justice, Court of First Instance		
8.70.60 Previous annual budgets		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	BUDG Budgets		20/09/2004
		ALDE JENSEN Anne E.	
	Former committee responsible		
	BUDG Budgets		20/09/2004
		ALDE JENSEN Anne E.	
	Committee for opinion	Rapporteur for opinion	Appointed
	JURI Legal Affairs	The committee decided not to give an opinion.	
	Former committee for opinion		
	JURI Legal Affairs	The committee decided not to give an opinion.	
Council of the European Union European Commission	Commission DG Budget	Commissioner	

Key events			
05/09/2005	Commission preliminary draft budget published	COM(2005)0419	Summary
03/10/2005	Council draft budget published	12180/2005	Summary
12/10/2005	Committee referral announced in Parliament		
13/10/2005	Vote in committee		Summary
17/10/2005	Budgetary report tabled for plenary	A6-0306/2005	
25/10/2005	Decision by Parliament	T6-0392/2005	Summary
25/10/2005	Decision by Parliament	T6-0391/2005	Summary

21/11/2005	Amended budget adopted by Council		
21/11/2005	Council amended draft budget published	N6-0028/2005	Summary
23/11/2005	Vote in committee, 2nd reading		Summary
25/11/2005	Budgetary report tabled for plenary, 2nd reading	A6-0336/2005	
30/11/2005	Committee referral announced in Parliament, 2nd reading		
01/12/2005	Results of vote in Parliament		
01/12/2005	Decision by Parliament, 2nd reading	T6-0452/2005	Summary
01/12/2005	Decision by Parliament, 2nd reading	T6-0451/2005	Summary
01/12/2005	End of procedure in Parliament		
13/01/2006	Final act published in Official Journal		

Technical information

Procedure reference	2005/2159(BUD)
Procedure type	BUD - Budgetary procedure
Procedure subtype	Budget
Stage reached in procedure	Procedure completed
Committee dossier	BUDG/6/32115

Documentation gateway

Commission preliminary draft budget	COM(2005)0419	05/09/2005	EC	Summary
Council draft budget	12180/2005	03/10/2005	CSL	Summary
Budgetary report tabled for plenary, 1st reading	A6-0306/2005	17/10/2005	EP	
Budgetary text adopted by Parliament	T6-0391/2005 OJ C 272 09.11.2006, p. 0015-0057 E	25/10/2005	EP	Summary
Parliament's opinion on budgetary estimates/guidelines	T6-0392/2005 OJ C 272 09.11.2006, p. 0015-0058 E	25/10/2005	EP	Summary
Council amended draft budget	N6-0028/2005	21/11/2005	CSL	Summary
Budgetary report tabled for plenary, 2nd reading	A6-0336/2005	25/11/2005	EP	
Budgetary text adopted by Parliament	T6-0452/2005	01/12/2005	EP	Summary
Final budget adopted by Parliament	T6-0451/2005	01/12/2005	EP	Summary
Commission response to text adopted in plenary	SP(2005)5015	15/12/2005	EC	

Final act

[Budget 2006/4](#)
[OJ L 009 13.01.2006, p. 0027-0072](#) Summary

Amending budget 7/2005: section IV Court of Justice, establishment of the Civil Service Tribunal

PURPOSE: Presentation of the Preliminary Draft Budget for the Financial Year 2005 (Section IV ? Court of Justice)

CONTENT: In 2004, the Council established a Civil Service Tribunal, or the ?CST?, which is made up of seven judges. Requests for the creation of posts and operating appropriations necessary for the setting up of the new Tribunal had been incorporated in the Court of Justice?s preliminary draft budget for 2006. The Tribunal was established on the assumption that it would not take up its duties until the beginning of 2006. When drawing up suitable candidates to work on the Tribunal, the Council appointed seven judges in July 2005 with the intention that they would begin work as of 1 October 2005. Given that the Tribunal will begin work three months earlier than foreseen a request must now be made to amend the 2005 budget.

Thus the purpose of this amendment is to first and foremost allow for the creation of 26 new posts deemed necessary for the proper functioning of the CST. The 26 posts being created includes staff for the Judges, such as a legal secretary, an assistant attached to each Judge, a reader of judgments and an assistant to work in the President?s cabinet. It also includes staff directly attached to the Registry. The posts in question refer only to staff working directly with the Judges and staff for the registry. (Specifically speaking that translates into 16 temporary staff, employed at grade 2 A*14, 2 A*12, 3 A*11, 1 A*10, 1 B*5 et 7 B*3 and 10 permanent staff employed at grade 1 A*5, 5 B*3 et 4 C*1). For the rest, the CST is expected to use the various services of the Court of Justice ? as in interpreters, translators etc.

Concerning the question of appropriations, the amending draft budget covers the wages for the seven new Judges of the Tribunal, its Registrar and the 26 new posts outlined above. The appropriations required for that purpose are entered under various headings in Chapters 10 and 11.

It should be noted that no extra burden will be placed on the Community budget given that any new provisions must be ?self-financed? by using the funds available in the two Chapters concerned. Funds have become available, thanks in part, to the lower costs for retirement pensions and expenditure provided for in respect of the renewal of the members and because new posts have been filled less swiftly than had previously been provided for.

Finally, from October 2005 until the end of the year, the Court?s administration plans to secure the functioning of the Tribunal by using the budgetary resources available. As such, the budgetary authority has already been informed in connection with the budgetary procedure for 2006 that the CST will not be renting its new accommodation until January 2006. That is why the amending budget contains no request for appropriations to reinforce Title II of the budget.

Amending budget 7/2005: section IV Court of Justice, establishment of the Civil Service Tribunal

On 6 September 2005, the Commission forwarded to the Council Preliminary Draft Amending budget (PDAB) No 7 for the financial year 2005; it concerns the general statement of revenue and expenditure of Section IV: Court of Justice.

The Commission proposal may be summarised as follows:

- entry of 26 new posts in the establishment plan of Section IV required for the creation of the Civil Service Tribunal, which has been established and set up by the Council decisions 2004/752/EC and 2005/151/EC;
- entry of appropriations in the budget lines in Section IV of the 2005 budget to finance these 26 posts, i.e. EUR 1 598 000, by using funds available in items 1030, 1091 and 1191;
- adjustment of the respective revenue items on the basis of the decisions taken regarding the creation of 26 new posts, i.e. an increase of EUR 206 000.

On 3 October 2005 the Council established draft amending budget No. 6 for the financial year 2005.

The Council recalled that, on 16 July 2005 when establishing the draft budget for the financial year 2006 it was not able to accept the request for 2 B*3, 2 C*1 and 4 B*3 (temporary) posts for the creation of the Civil Service Tribunal.

Therefore, the Council agreed to maintain the Council's position taken in July 2005 by not accepting the creation of these 8 posts in 2005.

The draft amending budget No 6 for the financial year 2005 is established as set out in the Annex.

Amending budget 7/2005: section IV Court of Justice, establishment of the Civil Service Tribunal

The committee adopted the report by Anne Elisabeth JENSEN (ADLE, DK) approving Draft Amending Budget (DAB) No. 6/2005. The committee decided to create all posts that had been requested for the Civil Service Tribunal in preliminary draft amending budget (PDAB) No. 7/2005 and to adjust the appropriations in DAB No. 6 accordingly. PDAB No. 7 would therefore become DAB No. 6.

Amending budget 7/2005: section IV Court of Justice, establishment of the Civil Service Tribunal

The European Parliament adopted the report by Anne Elisabeth JENSEN (ADLE, DK) and fully supported the Committee?s position thus approving Draft amending budget No 6/2005 Section IV - Court of Justice - Establishment of the Civil Service Tribunal ? as proposed by the Commission. It amended the Council?s draft budget and reinstated the posts requested by the Commission for the establishment of the Civil Service Tribunal:

- 2 permanent B*3 posts,
- 2 permanent C*1 posts, and

- 4 temporary B*3 posts.

It also reinstated the figures contained in the Commission's preliminary draft budget.

Amending budget 7/2005: section IV Court of Justice, establishment of the Civil Service Tribunal

It is recalled that at its plenary session on 25 October 2005, the European Parliament made one amendment to the Draft Amending Budget No 6/2005, and decided to create all posts that had been requested for the Civil Service Tribunal in preliminary draft amending budget (PDAB) No. 7/2005. It therefore adjusted the appropriations in DAB No. 6 accordingly. PDAB No. 7 would therefore become DAB No. 6.

The Council recalled that, in July, when establishing the draft budget for the financial year 2006 it was not able to accept the request for 2 B*3, 2 C*1 and 4 B*3 (temporary) posts for the creation of the Civil Service Tribunal. Therefore, the Council agreed to maintain the Council's position taken in July 2005 by not accepting the creation of these 8 posts in 2005.

Amending budget 7/2005: section IV Court of Justice, establishment of the Civil Service Tribunal

The committee adopted the report by Anne Elisabeth JENSEN (ADLE, DK) confirming Parliament's first reading amendment, which consisted of creating all posts requested by the Court of Justice in Preliminary draft amending budget No 7/2005 and adjusting the appropriations in Draft amending budget 6/2005 accordingly.

Amending budget 7/2005: section IV Court of Justice, establishment of the Civil Service Tribunal

PURPOSE : to adopt amending budget 7/2005.

LEGISLATIVE ACT : 2006/4/EC, Euratom.

CONTENT : the European Parliament has finally adopted amending budget No 7 of the European Union for the financial year 2005 in accordance with its resolution dated 1 December 2005 (please refer to the summary of the resolution). This amending budget concerns the establishment of the Civil Service Tribunal and its staff.

Amending budget 7/2005: section IV Court of Justice, establishment of the Civil Service Tribunal

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Amending budget 7/2005: section IV Court of Justice, establishment of the Civil Service Tribunal

The European Parliament adopted a resolution drafted by Anne Elisabeth JENSEN (ADLE, DK) taking note of Council's second reading, and confirming its decision taken at first reading. It instructs its President to declare that Amending budget No 6/2005 has been finally adopted.