



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 3 August 2012

13068/12

**INST 493
COUR 52
JUR 443
BUDGET 30**

NOTE

from: Presidency
to Working Party on the Court of Justice
Subject: Letter from the Registrar of the Court of Justice

1. Delegates' attention is drawn to the enclosed letter to the Presidency from the Registrar of the Court of Justice forwarding a draft Regulation amending Regulation 422/67/EEC 5/67/Euratom in order to make provision for the remuneration of the new posts of the Vice President of the Court of Justice and the Vice President of the General Court.
2. As this is a direct consequence of the amendment of the Statute of the Court of Justice of the European Union, and in view of the urgency, the Presidency intends to discuss the proposed amendment in a short meeting of the Working Party of the Court of Justice to be held on 7 September immediately before the scheduled meeting of the Friends of the Presidency Group (Reform of the Court of Justice of the European Union). It will then be submitted to Coreper with a view to its adoption by the Council.

Luxembourg, 2 August 2012

*Mr Constantinos Lycourgos
Presidency of the Council of the European Union
175 Rue de la Loi
B - 1048 Brussels*

Dear President,

As you know, the Regulation of the European Parliament and the Council amending the Protocol on the Statute of the Court of Justice of the European Union and Annex I thereto, has established, in the Court of Justice and in the General Court, the office of Vice-President.

As was mentioned in the financial statement forwarded by the Court in April 2011, following the sending of those draft amendments to the Statute and to Annex I thereto, those amendments make it necessary to alter Regulation No 422/67/EEC, 5/67/Euratom of the Council of 25 July 1967 determining the emoluments of the President and Members of the Commission, of the President, Judges, Advocates-General and Registrar of the Court of Justice, of the President, Members and Registrar of the Court of First Instance and of the President, Members and Registrar of the European Union Civil Service Tribunal.

You will, consequently, find enclosed herewith a draft Council Regulation amending that latter regulation along the lines set out in the financial statement mentioned above. This draft is attached in all the official languages.

Yours faithfully.

A. Calot Escobar

DRAFT COUNCIL REGULATION
AMENDING REGULATION No 422/67/EEC, 5/67/EURATOM

Council Regulation (EU, Euratom) No .../2012

of ... 2012

amending Regulation No 422/67/EEC, No 5/67/Euratom determining the emoluments of the President and Members of the Commission, of the President, Judges, Advocates General and Registrar of the Court of Justice, of the President, Members and Registrar of the Court of First Instance and of the President, Members and Registrar of the European Union Civil Service Tribunal

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 243 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 106a thereof,

Having regard to Regulation (EU, Euratom) No .../2012 of the European Parliament and the Council of 24 July 2012, amending the Protocol on the Statute of the Court of Justice of the European Union and Annex I thereto,¹

Whereas:

- (1) Regulation (EU, Euratom) No .../2012 provides for the creation, within both the Court of Justice and the General Court, of the office of Vice-President, responsible for assisting the President in the performance of his duties.
- (2) It is necessary to determine the salaries, pensions and allowances of the two Vice-Presidents.
- (3) Council Regulation No 422/67/EEC, No 5/67/Euratom² must accordingly be amended.
- (4) Furthermore, it is necessary to make formal amendments, linked to the change of name of the Court of First Instance as a result of the entry into force of the Treaty of Lisbon on 1 December 2009, to the title of that regulation, and to some of its articles.

¹ OJ L ... of ... 2012, p. ...

² OJ, English Special Edition 1967, p. 222. Regulation last amended by Regulation (EC, Euratom) No 202/2005 (OJ L 33 of 5 February 2005, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

Regulation No 422/67/EEC, No 5/67/Euratom is hereby amended as follows:

(1) The title shall be replaced by the following:

‘Regulation No 422/67/EEC, 5/67/Euratom of the Council of 25 July 1967 determining the emoluments of the President and Members of the Commission, of the President, Judges, Advocates General and Registrar of the Court of Justice, of the President, Members and Registrar of the General Court and of the President, Members and Registrar of the European Union Civil Service Tribunal.’

(2) In Article 2(2), the following line shall be inserted after the line ‘President: 138%’:

‘Vice-President: 125%,’.

(3) In Article 4(3), the following line shall be inserted after the line ‘President: EUR 1 418.07’:

‘Vice-President: EUR 911.38’.

(4) In Article 4b, the words ‘Court of First Instance’ shall be replaced by the words ‘General Court’.

(5) In Article 19a, the words ‘Court of First Instance’ shall be replaced by the words ‘General Court’.

(6) In Article 21a(1), the words ‘Court of First Instance’ shall be replaced by the words ‘General Court’.

(7) Article 21a(2) shall be replaced by the following:

‘The basic monthly salary of the President, Vice-President, Members and Registrar of the General Court shall be equal to the amount resulting from application of the following percentages to the basic salary of an official of the European Communities on the third step of grade 16:

- President:	112.5%,
- Vice-President:	108%,
- Members:	104%,
- Registrar:	95%.’

(8) In Article 21a(3), the following line shall be inserted after the line ‘President: EUR 607.71’:

‘Vice-President: EUR 573.98’.

(9) In Article 21b(1), the words ‘Court of First Instance’ shall be replaced by the words ‘General Court’.

(10) In Article 21c(1), the words ‘Court of First Instance’ shall be replaced by the words ‘General Court’.

Article 2

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

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

Done at Brussels, ...

For the Council

The President