



Council of the  
European Union

Brussels, 8 December 2016  
(OR. en)

15402/16

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**NOTE**

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From:	General Secretariat of the Council
To:	Delegations
Subject:	Draft COUNCIL DECISION (EU) 2016/... of ... determining, for the General Secretariat of the Council, the appointing authority and the authority empowered to conclude contracts of employment and repealing Decision 2013/811/EU

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Delegations will find in Annex a draft Council Decision, which is proposed by the Secretary-General of the Council, determining, for the General Secretariat of the Council, the appointing authority and the authority empowered to conclude contracts of employment, thereby repealing Council Decision 2013/811/EU.

The draft will be presented during the Working Party on the Staff Regulations meeting on 12 December 2016 in view of its envisaged adoption by the Council in January 2017.

**COUNCIL DECISION (EU) 2016/...**

**of ...**

**determining, for the General Secretariat of the Council, the appointing authority and the authority empowered to conclude contracts of employment and repealing Decision**

**2013/811/EU**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union, as laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68<sup>(1)</sup>, and in particular Article 2 of those Staff Regulations and Article 6 of those Conditions of Employment,

Whereas:

- (1) Under the first subparagraph of Article 240(2) of the Treaty on the Functioning of the European Union, the General Secretariat of the Council comes under the responsibility of a Secretary-General.
- (2) To promote administrative simplification and effective management of personnel the Secretary-General should have broader scope to delegate his powers as regards the application of the Staff Regulations of Officials of the European Union ('the Staff Regulations') and of the Conditions of Employment of Other Servants of the European Union ('the Conditions of Employment') to the Director-General of Administration. Moreover, the Secretary-General should be authorised to delegate to all Directors-General the power to decide on internal reassignments and transfers according to staffing needs within their Directorates-General.

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<sup>(1)</sup> Council Regulation (EEC, Euratom, ECSC) No 259/68 of 29 February 1968 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities (OJ L 56, 4.3.1968, p. 1).

(3) Council Decision 2013/811/EU<sup>(2)</sup> should be repealed,

HAS ADOPTED THIS DECISION:

#### Article 1

The powers conferred by the Staff Regulations on the appointing authority, and by the Conditions of Employment on the authority competent to conclude contracts of employment shall, as regards the General Secretariat of the Council, be exercised:

(a) by the Council for the Secretary-General;

(b) by the Council, on a proposal from the Secretary-General, for the application to Directors-General of Articles 1a, 30, 34, 41, 49, 50 and 51 of the Staff Regulations;

(c) by the Secretary-General in other cases.

The Secretary-General is authorised to delegate, in whole or in part, to the Director-General of Administration any or all of his powers as regards the application of the Staff Regulations and of the Conditions of Employment.

The Secretary-General is authorised to delegate to all Directors-General the power regarding reassignments and transfers in the interest of the service within their respective Directorates-General in accordance with the first subparagraph of Article 7(1) of the Staff Regulations.

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<sup>(2)</sup> Council Decision 2013/811/EU of 17 December 2013 determining for the General Secretariat of the Council the appointing authority and the authority empowered to conclude contracts of employment and repealing Decision 2011/444/EU (OJ L 355, 31.12.2013, p. 91).

Article 2

Decision 2013/811/EU is hereby repealed.

Article 3

This Decision enters into force on ... .

Done at ..., ...

*For the Council*

*The President*

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