



Council of the
European Union

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**STAT 7
FIN 38**

NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	DRAFT COUNCIL DECISION amending Council Decision of 27 April 2009 on certain administrative bodies provided for in Article 9 of the Staff Regulations

Delegations will find in Annex the draft Council Decision amending Council Decision of 27 April 2009 on certain administrative bodies provided for in Article 9 of the Staff Regulations as it stands before its linguistic review. The text will be translated into all EU official languages and lawyer-linguists will be involved in its editing in view of the COREPER meeting on 10 February 2021.

DRAFT
COUNCIL DECISION

of...

amending Council Decision of 27 April 2009 on certain administrative bodies provided for in
Article 9 of the Staff Regulations

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Staff Regulations of officials of the European Communities and the Conditions of employment of other servants of the Communities, laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68, and in particular Article 9 of the Staff Regulations,

Whereas :

- (1) By Decision of 27 April 2009, the Council determined the composition and procedure of certain administrative bodies provided for in Article 9 of the Staff Regulations, including notably of the Staff Committee. That Decision provides in particular that the Staff Committee shall have at least two representatives from each of the function groups AD and AST, and that the Staff Committee's term of office shall be two years instead of three years as provided for by the general rule of Article 1 of Annex II to the Staff Regulations.
- (2) Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013 introduced a third function group, namely the function group AST/SC. It is therefore appropriate to ensure that the function group AST/SC is also represented in the Staff Committee.

- (3) In order to allow the Staff Committee to function more effectively and to achieve savings due to the fact that the organisational and financial means necessary to organise elections must be deployed only every three years, instead of every two years, it is appropriate to go back to the general rule provided for by Article 1, first paragraph, of Annex II to the Staff Regulations according to which the term of office of the Staff Committee shall be three years.
- (4) This Decision should apply after the expiry of the current term of office of the Staff Committee elected before the day of its entry into force.

HAS DECIDED AS FOLLOWS:

Article 1

Council Decision of 27 April 2009 on certain administrative bodies provided for in Article 9 of the Staff Regulations is amended as follows:

- (1) Article 1 is replaced by the following:

"Article 1
Purpose

The purpose of this Decision is to determine the composition and procedures of some of the bodies referred to in Article 9(1) of the Staff Regulations."

(2) Article 2(2) is replaced by the following:

"2. The conditions of election, to be laid down by the general meeting of officials and servants, or by referendum, in accordance with Article 1 of Annex II to the Staff Regulations, shall necessarily include provisions ensuring that the Staff Committee has at least two representatives from each of the function groups AD, AST and AST/SC and at least one representative of the other servants of the General Secretariat of the Council, within the meaning of the Conditions of Employment of other servants (CEOS), employed for more than one year or for an indefinite period."

(3) The first sentence of the second subparagraph of Article 2(3) is deleted.

Article 2

This Decision shall enter into force on the day of its adoption. It shall apply after the expiry of the term of office of the Staff Committee elected before that day.