



Council of the
European Union

**Brussels, 3 February 2021
(OR. en)**

5318/21

**STAT 5
FIN 33**

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION amending Decision of 27 April 2009 on certain administrative bodies provided for in Article 9 of the Staff Regulations

COUNCIL DECISION

of ...

**amending 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 Union and the Conditions of Employment of Other Servants of the European Union, laid down in Council Regulation (EEC, Euratom, ECSC) No 259/68¹, and in particular Article 9 of the Staff Regulations,

¹ OJ L 56, 4.3.1968, p. 1.

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 in particular of the Staff Committee. That Decision provides, inter alia, that the Staff Committee is to have at least two representatives from each of the function groups AD and AST, and that the Staff Committee's term of office is to 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 Council¹ 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 in light of the fact that the organisational and financial means necessary to organise elections have to be deployed only every three years, instead of every two years, it is appropriate to revert to the general rule provided for by Article 1, first paragraph, of Annex II to the Staff Regulations pursuant to which the term of office of the Staff Committee is three years.

¹ Regulation (EU, Euratom) No 1023/2013 of the European Parliament and of the Council of 22 October 2013 amending the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union (OJ L 287, 29.10.2013, p. 15).

- (4) This Decision should apply after the expiry of the term of office of the Staff Committee that was elected before the date of entry into force of this Decision,

HAS ADOPTED THIS DECISION:

Article 1

The Decision of 27 April 2009 on certain administrative bodies provided for in Article 9 of the Staff Regulations is hereby 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 certain administrative bodies referred to in Article 9(1) of the Staff Regulations.';

- (2) in Article 2, paragraph 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 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, whose contract is for more than one year or for an indefinite period.';

- (3) in Article 2(3), second subparagraph, the first sentence 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 that was elected before the date of entry into force of this Decision.

Done at ...,

For the Council
The President
