



EUROPEAN PARLIAMENT

2014 - 2019

Committee on Legal Affairs

JURI_PV(2015)0323_1

MINUTES

Meeting of 23 March 2015, 15.00-18.30,
and 24 March 2015, 9.00-12.30 and 15.00-18.30
BRUSSELS

The meeting opened at 15.17 on Monday, 23 March 2015, with Pavel Svoboda (Chair) presiding.

1. Adoption of agenda JURI(2015)0223_1

The following spoke: Jean-Marie Cavada, Evelyn Regner, Pavel Svoboda.

The agenda was adopted, as amended below.

2. Chair's announcements

The Chair informed the committee of the Joint Hearing on "Towards a high degree of accountability, transparency and integrity in the EU Institutions" to be held on 26 March 2015 from 9.00 – 12.30 in JAN (József Antall) 4Q2.

3. Approval of minutes of meeting of:

23-24 February 2015 PV – PE549.441v01-00

The minutes were approved.

4. Exchange of views on the proposal for a regulation of the European Parliament and of the Council amending the Statute of the Court of Justice of the European Union by increasing the number of judges at the General Court
JURI/8/01093

2011/0901B(COD)

The following spoke: António Marinho e Pinto, Heidi Hautala, Tadeusz Zwiefka, Evelyn Regner, Mady Delvaux, Jean-Marie Cavada, Kostas Chrysogonos, Pavel

Svoboda

5. **Consideration of a draft report on the protection of undisclosed know-how and business information (trade secrets) against their unlawful acquisition, use and disclosure**

JURI/8/00273

***I 2013/0402(COD) COM(2013)0813 – C7-0431/2013

The following spoke: Constance Le Grip, Sergio Gaetano Cofferati, Julia Reda, Emil Radev, António Marinho e Pinto, Jean Bergevin (European Commission).

The deadline for amendments was set as Thursday, 26 March at noon

6. **Consideration of a draft opinion on recommendations to the European Commission on the negotiations for the Transatlantic Trade and Investment Partnership (TTIP)**

JURI/8/02368

2014/2228(INI)

The following spoke: Pavel Svoboda, Axel Voss, Dietmar Köster, Heidi Hautala, Max Andersson, Ignacio Garcia Bercero (European Commission).

The deadline for amendments was set as Thursday, 26 March, at 17:00.

7. **Consideration of a draft report on the Regulatory Fitness and Performance Programme (REFIT): State of Play and Outlook**

JURI/8/01740

2014/2150(INI) COM(2014)0368

The following spoke: Sylvia-Yvonne Kaufmann, Heidi Hautala, Jytte Guteland, Angelika Niebler, Evelyn Regner, Mary Honeyball, Jonathon Stoddley (European Commission).

The deadline for amendments was set as 30 April, at 12:00

8. **Consideration of a draft report on Towards a renewed consensus on the enforcement of Intellectual Property Rights: An EU Action Plan**

JURI/8/01745

2014/2151(INI) COM(2014)0392

The following spoke: Pavel Svoboda, Constance Le Grip, Dietmar Köster, Mady Delvaux, Max Andersson, Jean Bergevin (European Commission).

The deadline for tabling amendments was set as 26 March 2015, 17.00

9. **Exchange of views on a Statute for a European Foundation (FE)**

JURI/8/00106

The following spoke: Dietmar Köster.

The meeting was suspended at 18:29 and resumed in camera at 18:31.

10. Verification of credentials (Rule 3)

The following spoke: Pavel Svoboda.

The Committee unanimously verified the credentials of Mr Miguel URBÁN CRESPO (to replace Ms Teresa RODRIGUEZ-RUBIO as from 5 March 2015).

11. Disputes involving Parliament (Rule 141)

The following spoke: Jean-Marie Cavada.

The committee voted en bloc on the following issues:

- Cases F-7/15, Dumitrescu and others v European Commission, F-8/15, Perez Asinari and Cumbo Nachelí Vallejillo v European Commission, F-10/15, Filion, Lefebvre and Gomez v European Commission, F-11/15, Tsilikas v European Commission, F-12/15, McGillivray v European Commission, F-13/15, Alvarez y Bejarano and others v European Commission, F-14/15, Aycinena and others v European Commission, F-15/15, Schaffrin v European Commission, F-27/15, Ardalic and others v Council - Objection of illegality of Article 8 of Annex VII to the Staff Regulations
- Case F-21/15, Wanègue v. Committee of the Regions - Objection of illegality of Article 3 of Annex VI and Article 31, paragraph 5, of Annex XIII of the Staff Regulations
- Cases F-31/15, Carpenito v Council of the European Union and F-32/15, Dumont du Voitel and others v Council of the European Union - Objection of illegality of Regulation (EU) No 422/2014 and of Regulation (EU) No 423/2014

The committee decided unanimously, by 12 votes in favour, to recommend to the President that Parliament should intervene before the Civil Service Tribunal in order to defend the validity of the provisions in question.

The meeting closed at 18:36 on 23 March and resumed at 9:56 on 24 March.

12. Chair's announcements concerning coordinators' decisions

- The coordinators appointed Heidi Hautala as rapporteur for opinion on protecting against the effects of the extra-territorial application of legislation adopted by a third country and actions based thereon or resulting therefrom;
- The coordinators appointed the Chair as the rapporteur for opinion on the authorisation for Austria, Belgium and Poland to ratify, or to accede to, the Budapest Convention on the Contract for the Carriage of Goods by Inland Waterways (CMNI);
- The coordinators appointed Mr. Dzhambazki as the rapporteur for opinion on Towards a Connected Digital Single Market Act;
- The coordinators approved the programmes of hearings for the second half of 2015 as follows:

- Review of the interinstitutional agreement on better law-making;
 - Review of the Brussels II Regulation.
- The coordinators agreed to the draft calendar of committee visits for the second half of 2015;
- The coordinators took note of the motion for resolution on setting up a register of fake Italian agri-food products sold in the EU and third countries;
- The Chair was appointed rapporteur for the 2016 Budget ;
- The coordinators agreed that an extraordinary meeting could be held on 27 April 2015 in order to help clear to backlog of immunity cases;
- The coordinators agreed on inviting the Luxembourg Presidency to the JURI committee meeting in Brussels in July ;
- The coordinators agreed to invite the Legal Service to present its work on monitoring EC proposals for legislative acts as regards quality of drafting legislation and better law-making;
- The coordinators appointed Ms Hautala, as standing rapporteur, the committee's representative on the Inter-committee network on the implementation of the UN Convention on the Rights of Persons with Disabilities;
- The coordinators agreed to invite Mrs Farida Shaheed, the UN Special Rapporteur on Copyright Policy and the Right to Science and Culture to address the Committee by videolink on 6 or 7 May 2015.
- The coordinators instructed the Secretariat to get the agenda of future meetings of the Commission's expert group with Member States on IPR enforcement and ensure a Member of the Secretariat attends future meetings and report back to coordinators.
- An informal meeting with the Council, the Commission and the Court of Justice cannot be held during the next Strasbourg session but it will be scheduled as soon as possible after the shadows meeting in Strasbourg, as the next steps to be taken will be decided at the shadows' meeting (in consultation with the Coordinators).

13. Adoption of a draft report on the European Convention on the legal protection of services based on, or consisting of, conditional access
JURI/8/00060
*** 2010/0361(NLE) 05651/2012 – C7-0069/2012

The draft report was adopted by 22 votes in favour, 2 against and no abstentions.

The result of the roll-call vote is annexed to these minutes.

- 14. Adoption of a draft report on the European Small Claims Procedure and European order for payment procedure**
JURI/8/00263
***I 2013/0403(COD) COM(2013)0794 – C7-0414/2013

This item was postponed.

- 15. Adoption of a draft opinion on Strengthening of certain aspects of the presumption of innocence and of the right to be present at trial in criminal proceedings**
JURI/8/00268
***I 2013/0407(COD) COM(2013)0821 – C7-0427/2013

The draft opinion was adopted by 23 votes in favour, 2 against and no abstentions.

- 16. Adoption of a draft opinion in letter form on petition 0502/2014 on access to the legal profession in Spain**
JURI/8/03026

The draft opinion was adopted unanimously with 25 votes in favour.

- 17. Adoption of draft opinion in letter form on maximum permitted levels of radioactive contamination of food and feed following a nuclear accident or any other case of radiological emergency**
JURI/8/03013
* 2013/0451(NLE) COM(2013)0943 – C7-0045/2014

The following spoke: Heidi Hautala, Axel Voss.

The draft opinion was adopted by 21 votes in favour, 2 against and 2 abstentions.

The meeting was suspended at 10:26 and resumed at 10:28 in camera.

- 18. Adoption of a draft report on the request for the waiver of the parliamentary immunity of Viktor Uspaskich**
JURI/8/01174
2014/2095(IMM)

The following spoke: Evelyn Regner, António Marinho e Pinto.

The draft report was adopted by 14 votes in favour, 4 against, and 4 abstentions.

- 19. Adoption of a draft report on the request for the waiver of the parliamentary immunity of António Marinho e Pinto**
JURI/8/02022
2014/2191(IMM)

The following spoke: Kostas Chrysogonos.

The draft report was adopted unanimously with 22 votes in favour.

- 20. Adoption of a draft report on the request for waiver of immunity of Ivan Jakovčic**
JURI/8/01867
2014/2169(Imm)

The draft report was adopted by 19 votes in favour, 2 against, and 1 abstention.

- 21. Adoption of a draft report on the request for the defence of the parliamentary immunity of Gabriele Albertini**
JURI/8/01240
2014/2096(Imm)

The following spoke: Andrzej Duda.

The draft report was adopted by 19 votes in favour, 4 against, and no abstentions.

- 22. Hearing and exchange of views on the request for the waiver of the parliamentary immunity of Sotirios Zarianopoulos**
JURI/8/02601
2015/2015(Imm)

This item was postponed.

- 23. Exchange of views on the request for the waiver of the parliamentary immunity of Viktor Uspaskich**
JURI/8/02105
2014/2203(Imm)

The following spoke: Laura Ferrara, Victor Uspaskich, António Marinho e Pinto, Gilles Lebreton, Kostas Chrysogonos, Laura Ferrara, Tadeusz Zwiefka.

This item was partly discussed after item 24.

The meeting was suspended at 10:44 and resumed at 11:04 still in camera.

- 24. Hearing and exchange of views on the request for the waiver of the parliamentary immunity of Jérôme Lavrilleux**
JURI/8/02600
2015/2014(Imm)

The following spoke: Jérôme Lavrilleux, António Marinho e Pinto, Heidi Hautala, Virginie Rozière, Pascal Durand, Gilles Lebreton, Tadeusz Zwiefka.

The meeting was suspended at 11:57 and resumed at 15:08

- 25. Consideration of amendments on the implementation of Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society**
JURI/8/02354
2014/2256(INI)

The following spoke: Julia Reda, Jean-Marie Cavada, Mary Honeyball, Therese Comodini Cachia, Lidia Joanna Geringer de Oedenberg, Dietmar Köster, Marco Giorello (European Commission).

- 26. Commission presentation on the 2015 EU Justice Scoreboard**

The following spoke: Emmanuel Crabit (European Commission), Emil Radev.

- 27. Exchange of views on promoting the free movement of citizens and businesses by simplifying the acceptance of certain public documents in the EU**
JURI/8/01096

This item was postponed.

- 28. Public hearing on "Time to revisit summer time?"**

The following spoke: Pavel Svoboda, Victoria Gil Casado (European Commission), Brian Lawton (Transport safety consultant, Transport Research Laboratory), Angelika Niebler, Herbert Reul, Tomáš Zdechovský, Heinz K. Becker, Peter Liese, Heidi Hautala, Sylvia-Yvonne Kaufmann, Michaela Šojdrová, Prof. Martha Merrow (München Institute of Medical Psychology), Dr. Werner Vandenbruwaene (University of Antwerp), Gilles Lebreton, Dr. Michael Wunnerlich (Director of BDEW Representation to the EU), Peter Šilar (Czech Senator).

- 29. Next meeting**

16 April 2015, 9.00 – 12.30 and 15.00 – 18.30 (Brussels)

The meeting closed at 17:54.

ANNEX
Result of roll-call votes*

13. European Convention on the legal protection of services based on, or consisting of, conditional access– 2010/0361(NLE) – Pavel Svoboda

22	+
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ALDE: Cavada, Marinho e Pinto
ECR: Duda, Dzhambazki
EFDD: Bergeron, Ferrara
GUE: Chrysogonos, Mastálka
PPE: Buda, Comodini, Radev, Svoboda, Voss, Zwiefka
S&D: Delvaux, Gasbarra, Geringer de Oedenberg, Guteland, Köster, Regner
Verts/ALE: Durand, Reda

2	-
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NI: Boutonnet, Lebreton

0	0
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* Key to symbols: + (in favour), - (against), 0 (abstention).

**ПРИСЪСТВЕН ЛИСТ/LISTA DE ASISTENCIA/PREZENČNÍ LISTINA/DELTAGERLISTE/
ANWESENHEITSLISTE/KOHALOLIJATE NIMEKIRI/KATASTAŞH PARONTΩN/RECORD OF ATTENDANCE/
LISTE DE PRÉSENCE/POPIS NAZOČNIH/ELENCO DI PRESENZA/APMEKLĒJUMU REĢISTRS/DALVIU SĀRAŠS/
JELENLÉTI ÍV/REĢISTRU TA' ATTENDENZA/PRESENTIELIJST/LISTA OBECNOŚCI/LISTA DE PRESENÇAS/
LISTÁ DE PREZENTĀ/PREZENČNÁ LISTINA/SEZNAM NAVZOČIH/LÄSNÄOLOLISTA/DELTAGARLISTA**

Бюро/Меса/Председништво/Formandskabet/Vorstand/Juhatus/Проеџрејо/Bureau/Predsjedništvo/Ufficio di presidenza/Prezidijs/Biuras/Elnökség/Prezydium/Birou/Predsedníctvo/Puheenjohtajisto/Presidiet (*)
Jean-Marie Cavada, Mady Delvaux, Lidia Joanna Geringer de Oedenberg, Pavel Svoboda, Axel Voss
Членове/Diputados/Poslanci/Medlemmer/Mitglieder/Parlamendiliikmed/Мέλη/Members/Députés/Zastupnici/Deputati/Deputāti/Nariai/Képviselők/Membri/Leden/Posłowie/Deputados/Deputati/Jäsenet/Ledamöter
Max Andersson, Joëlle Bergeron, Marie-Christine Boutonnet, Kostas Chrysogonos, Therese Comodini Cachia, Andrzej Duda (2), Rosa Estaràs Ferragut (2), Laura Ferrara (2), Enrico Gasbarra, Mary Honeyball, Dietmar Köster, Gilles Lebreton (2), António Marinho e Pinto, Jiří Mašálek (2), Emil Radev, Julia Reda, Evelyn Regner, Tadeusz Zwiefka
Заместници/Suplentes/Náhradníci/Stedfortrædere/Stellvertreter/Asendusliikmed/Αναπληρωτές/Substitutes/Suppléants/Zamjenici/Supplenti/Aizstājēji/Pavaduojantys mariai/Póttagok/Sostituti/Plaatsvervangers/Zastępcy/Membros suplentes/Supleantí/Náhradníci/Namestniki/Varajäsenet/Suppleanter
Mario Borghezio (2), Daniel Buda, Sergio Gaetano Cofferati (1), Pascal Durand, Angel Dzhambazki (2), Jytte Guteland, Heidi Hautala, Sylvia-Yvonne Kaufmann, Constance Le Grip, Victor Negrescu (2), Angelika Niebler, Virginie Rozière (2), Giovanni Toti (2), Viktor Uspaskich (2)

200 (2)	
206 (3)	
Daniela Aiuto (2), Heinz K. Becker (2), Ivo Belet (2), Lorenzo Cesa (2), Giovanni La Via (2), Jérôme Lavrilleux (2), Peter Liese (2), Herbert Reul (2), Paul Rübig (2), Claudia Schmidt (2), Tomáš Zdechovský (2), Michaela Šojdrová (2), Dubravka Šuica (2)	
53 (6) (Точка от дневния ред/Punto del orden del día/Bod pořadu jednání (OJ)/Punkt på dagsordenen/Tagesordnungspunkt/Päevakorra punkt/Hμερήσια Διάταξη Σημείο/Agenda item/Point OJ/Točka dnevnog reda/Punto all'ordine del giorno/Darba kārtības punkts/Darbotvarkēs punktas/Napirendi pont/Punt Agenda/Agendapunt/Punkt porządku dziennego/Ponto OD/Punct de pe ordinea de zi/Bod programu schôdze/Točka UL/Eesityslistan kohta/Föredragningslista punkt)	

Присъствал на/Presente el/Přítomný dne/Til stede den/Anwesend am/Viibis(id) kohal/Παρόν στις/Present on/Présent le/Nazoční dana/Presente il/Piedalījās/ Dalyvauja/Jelen volt/Prezentē fi/Aanwezig op/Obecny dnia/Presente em/Prezent/Přítomný dňa/Navzočí dne/Läsnä/Närvarande den:

- (1) 23.3.2015
(2) 24.3.2015

Наблюдатели/Observadores/Pozorovatelé/Observatører/Beobachter/Vaattlejad/Парастретэс/Observers/Observateurs/Promatrači/
Osservatori/Nověrotáji/Stebétojai/Megfigyelök/Osservaturi/Waarnemers/Obserwatorzy/Observadores/Observatori/Pozorovatelia/
Opazovalci/Tarkkailijat/Observatörer

По покана на председателя/Por invitación del presidente/Na pozvání předsedy/Efter indbydelse fra formanden/Auf Einladung des
Vorsitzenden/Esimehe kutsel/Με πρόσκληση του Προέδρου/At the invitation of the Chair(wo)man/Sur l'invitation du président/
Na poziv predsjednika/Su invito del presidente/Pēc priekšsēdētāja uzaicinājuma/Pirmininkui pakvietus/Az elnök meghívására/
Fuq stedina tać-'Chairman'/Op uitnodiging van de voorzitter/Na zaproszenie Przewodniczącego/A convite do Presidente/La invitacija
președintelui/Na pozvanie predsedu/Na povabilo predsednika/Puheenjohtajan kutsusta/På ordförandens inbjudan

Съвет/Consejo/Rada/Rådet/Rat/Nõukogu/Συμβούλιο/Council/Conseil/Vijeće/Consiglio/Padome/Taryba/Tanács/Kunsill/Raad/
Conselho/Consiliu/Svet/Neuvosto/Rådet (*)

Комисия/Comisión/Komise/Komissionen/Kommission/Euroopa Komisjon/Επιτροπή/Commission/Komisija/Commissione/Bizottság/
Kummissjoni/Commissie/Komisja/Comissão/Comisie/Komisia/Komissio/Kommissionen (*)

Други институции/Otras instituciones/Ostatní orgány a instituce/Andre institutioner/Andere Organe/Muud institutsioonid/
Аллаа өтсмикä орγана/Other institutions/Autres institutions/Druge institucije/Altre istituzioni/Citas iestādes/Kitos institucijos/
Más intézmények/Istituzzjonijiet ohra/Andere instellingen/Inne instytucje/Outras Instituições/Alte instituições/Iné inštitúcie/Muut
toimielimet/Andra institutioner/organ

Други участници/Otros participantes/Ostatní účastníci/Endvidere deltog/Andere Teilnehmer/Muud osalejad/Επίσης Παρόντες/Other
participants/Autres participants/Drugi sudionici/Altri partecipanti/Citi klátesošie/Kiti dalyviai/Más résztvevők/Partecipanti ohra/Andere
aanwezigen/Inni uczestnicy/Outros participantes/Alți participanți/Ini účastníci/Drugi udeleženci/Muut osallistujat/Övriga deltagare

Секретариат на политическите групи/Secretaría de los Grupos políticos/Sekretariát politických skupin/Gruppernes sekretariat/Sekretariat der Fraktionen/Fraktsioonide sekretariaat/Γραμματεία των Πολιτικών Ομάδων/Secretariats of political groups/Secrétaire des groupes politiques/Tajništvo klubova zastupnika/Segreteria gruppi politici/Politisko grupu sekretariāts/Frakciju sekretorija/Képviselőcsoportok titkársága/Segretarjat gruppi političi/Fractiesecretariaten/Sekretariat Grup Politycznych/Secr. dos grupos políticos/Secretariate grupuri politice/Sekretariát politických skupín/Sekretariat političnih skupin/Poliittisten ryhmien sihteeristöt/Gruppernes sekretariat

PPE
S&D
ALDE
ECR
Verts/ALE
GUE/NGL
EFDD
NI

Кабинет на председателя/Gabinete del Presidente/Kancelář předsedy/Formandens Kabinet/Kabinett des Präsidenten/Presidendi kantselei/Γραφείο Προέδρου/President's Office/Cabinet du Président/Ured predsjednika/Gabinetto del Presidente/Priekšsēdētāja kabinets/Pirmininko kabinetas/Elnöki hivatal/Kabinet tal-President/Kabinet van de Voorzitter/Gabinet Przewodniczącego/Gabinete do Presidente/Cabinet Președinte/Kancelária predsedu/Urad predsednika/Puhemiehen kabinetti/Talmannens kansli

Kabinet na generálnia sekretára/Gabinete del Secretario General/Kancelář generálního tajemníka/Generalsekretærens Kabinet/Kabinett des Generalsekretärs/Peasekretäribüro/Γραφείο Γενικού Γραμματέα/Secretary-General's Office/Cabinet du Secrétaire général/Ured glavnog tajnika/Gabinetto del Segretario generale/Generalsekretära kabinets/Generalinio sekretoriaus kabinetas/Főtitkári hivatal/Kabinet tas-Segretarju Generali/Kabinet van de secretaris-generaal/Gabinet Sekretarza Generalnego/Gabinete do Secretário-Geral/Cabinet Secretar General/Kancelária generálneho tajomníka/Urad generalného sekretárja/Pääsihteerin kabinetti/Generalsekretærarens kansli

Генерална дирекция/Dirección General/Generální ředitelství/Generaldirektorat/Generaldirektion/Peadirektoraat/Γενική Διεύθυνση/Directorate-General/Direction générale/Glavna uprava/Direzione generale/Generaldirektorāts/Generalinis direktoratas/Főigazgatóság/Direktorat Generali/Directorate-general/Dyrekcja Generalna/Direcção-Geral/Direcții Generale/Generálne riaditeľstvo/Generalni direktorat/Pääosasto/Generaldirektorat

DG PRES
DG IPOL
DG EXPO
DG EPRS
DG COMM
DG PERS
DG INLO
DG TRAD
DG INTE
DG FINS
DG ITEC
DG SAFE

Правна служба/Servicio Jurídico/Právni služba/Juridisk Tjeneste/Juristischer Dienst/Öigusteenistus/Νομική Υπηρεσία/Legal Service/Service juridique/Pravna služba/Servizio giuridico/Juridiskais dienests/Teisēs taryba/Jogi szolgálat/Servizz legali/Juridische Dienst/Wydział prawny/Serviço Jurídico/Serviciu Juridic/Právny servis/Oikeudellinen yksikkö/Rättsjänsten
Секретариат на комисията/Secretaría de la comisión/Sekretariát výboru/Udvalgssekretariatet/Ausschussekretariat/Komisjoni sekretariaat/Γραμματεία επιτροπής/Committee secretariat/Secrétaireat de la commission/Tajništvo odbora/Segreteria della commissione/ Komitejas sekretariāts/Komiteto sekretoriatas/A bizottság titkársága/Segretarjat tal-kumitat/Commissie secretariaat/Sekretariat komisi/ Secretariado da comissão/Secretariat comisie/Sekretariat odbora/Valiokunnan sihteeristö/Utställssekretariatet
Robert Bray, Alexander Keys, Magnus Nordanskog, Kjell Sevon, Andrea Scrimali, Carine Piaguet, Leticia Zuleta de Reales Ansaldo

- * (P) = Президател/Presidente/Předseda/Formand/Vorsitzender/Esimees/Πρόεδρος/Chair(wo)man/Président/Predsjednik/Priekšsēdētājs/Pirmininkas/Elnök/Chairman'/Voorzitter/Przewodniczący/Președinte/Predsedna/Puheenjohtaja/Ordförande
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- (F) = Должностно лице/Funcionario/Úředník/Tjenestemand/Beamter/Ametnik/Yπάλληλος/Official/Fonctionnaire/Dužnosnik/Funcionario/Ierēdnis/Pareigūnas/Tisztviselő/Ufficjal/Ambtenaar/Urzednik/Funcionário/Funcționar/Úradník/Uradnik/Virkamies/Tjänstemän