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REPORT

on the proposal for a Council regulation concerning transitional measures for the reform of the Staff Regulations, in particular with regard to pay and pension

(COM(2003)612 – C5-0492/2003 – 2003/0241(CNS))

Committee on Legal Affairs and the Internal Market

Rapporteurs: Manuel Medina Ortega and Malcolm Harbour

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

CONTENTS

	Page
PROCEDURAL PAGE	4
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION	5

PROCEDURAL PAGE

By letter of 20 October 2003 the Council consulted Parliament, pursuant to Article 283 of the EC Treaty, on the proposal for a Council regulation concerning transitional measures for the reform of the Staff Regulations, in particular with regard to pay and pension (COM(2003)612 – 2003/0241(CNS)).

At the sitting of 20 October 2003 the President of Parliament announced that he had referred the proposal to the Committee on Legal Affairs and the Internal Market as the committee responsible and the Committee on Budgets for its opinion (C5-0492/2003).

The Committee on Legal Affairs and the Internal Market appointed Manuel Medina Ortega and Malcolm Harbour rapporteurs at its meeting of 6 November 2003.

The committee considered the Commission proposal and the draft report at its meetings of 17 November and 2 December 2003.

At the latter meeting it adopted the draft legislative resolution unanimously.

The following were present for the vote: Willi Rothley (chairman), Ioannis Koukiadis (vice-chairman), Bill Miller (vice-chairman), Manuel Medina Ortega and Malcolm Harbour (rapporteurs), Uma Maija Aaltonen, Paolo Bartolozzi, Maria Berger, Christos Folias, Janelly Fourtou, Marie-Françoise Garaud, Evelyne Gebhardt, Fiorella Ghilardotti, José María Gil-Robles Gil-Delgado, Lord Inglewood, Sir Neil MacCormick, Toine Manders, Xaver Mayer (for Kurt Lechner), Angelika Niebler (for Klaus-Heiner Lehne), Marcelino Oreja Arburúa (for Rainer Wieland), José Ribeiro e Castro (for Brian Crowley pursuant to Rule 153(2)), Anne-Marie Schaffner, Jürgen Schröder, The Earl of Stockton, Astrid Thors (for Diana Wallis), Marianne L.P. Thyssen, Ian Twinn (for Joachim Wuermeling) and Stefano Zappalà.

(The Committee on Budgets decided on 25 November 2003 not to deliver an opinion.)

The report was tabled on 2 December 2003.

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a Council regulation concerning transitional measures for the reform of the Staff Regulations, in particular with regard to pay and pension (COM(2003)612 – C5-0492/2003 – 2003/0241(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the Commission proposal to the Council (COM(2003)612)¹,
 - having regard to Article 283 of the EC Treaty, pursuant to which the Council consulted Parliament (C5-0492/2003),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Legal Affairs and the Internal Market (A5-0453/2003),
1. Approves the Commission proposal;
 2. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 3. Calls for initiation of the conciliation procedure under the Joint Declaration of 4 March 1975 if the Council intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to amend the Commission proposal substantially;
 5. Instructs its President to forward its position to the Council and Commission.

¹ Not yet published in OJ.