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REPORT

on the Draft amending budget No 4 of the European Union for the financial
year 2004 - Revision of the Staff Regulations
(0000/2004 – C5-0000/2004 – 2004/2022(BUD))

Committee on Budgets

Rapporteur: Jan Mulder and Neena Gill

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PROCEDURAL PAGE

For the budgetary procedure for the financial year 2004, the Committee on Budgets appointed Jan Mulder and Neena Gill rapporteurs at its meeting of 2 December 2002.

On 9 March 2004, the Commission presented the Preliminary draft amending budget No 4/2004 of the European Union for the financial year 2004 and forwarded it to Parliament (SEC(2004) 277).

On 2004 the Council established the Draft amending budget No 4/2004 of the European Union for the financial year 2004 and forwarded it to Parliament by letter of2004.

At the sitting of..... 2004 the President announced that he had referred Draft amending budget No 4 to the Committee on Budgets as the committee responsible and to all the committees concerned for their opinions (C5-0000/2004 – 2004/2022(BUD)).

The Committee on Budget considered the Draft amending budget No 4/2004 and the draft report at its meetings of 9 March 2004 and 16 March 2004.

At the last meeting the committee adopted the motion for a resolution unanimously with 1 abstention, on the condition that Council adopts the Preliminary Draft amending budget No 4/2004 without modification.

The following were present for the vote: Terence Wynn (chairman), Anne Elisabet Jensen (vice-chairwoman), Neena Gill (rapporteur), Kathalijne Maria Buitenweg, Den Dover, Bárbara Dührkop Dührkop, Salvador Garriga Polledo, Catherine Guy-Quint, Jutta D. Haug, Jan Mulder, Per Stenmarck, Kyösti Tapio Virrankoski and Ralf Walter .

The report was tabled on 18 March 2004.

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the Draft amending budget No 4/2004 of the European Union for the financial year 2004

(0000/2004 – C5–0000/2004 – 2004/2022(BUD))

The European Parliament,

- having regard to Article 272 of the EC Treaty and Article 177 of the Euratom Treaty,
 - having regard to the Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 applicable to the general budget of the European Communities and in particular Articles 37 and 38 thereof¹,
 - having regard to the general budget of the European Union for the financial year 2004, as finally adopted on 18 December 2003²,
 - having regard to the Interinstitutional Agreement of 6 May 1999 between the European Parliament, the Council and the Commission on budgetary discipline and improvement of the budgetary procedure³,
 - having regard to the Preliminary Draft amending budget No 4/2004 of the European Union for the financial year 2004, which the Commission presented on 9 March 2004 (SEC(2004) 277),
 - having regard to the Draft amending budget No 4/2004 of the European Union for the financial year 2004, which the Council established on(0000/2004 – C5–0000/2004),
 - having regard to Rule 92 of and Annex IV to its Rules of Procedure,
 - having regard to the report of the Committee on Budgets (A5-0175/2004),
- A. whereas the purpose of the amending budget is to adapt all the sections of the 2004 budget to the changes made by the revision of the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities,
- B. whereas this amending budget relates mainly to the establishment plans, which have to be changed for the entry into force of the reform of the Staff Regulations scheduled for 1 May 2004,
- C. whereas these changes to the budget will enter into force at the same time as the new Staff Regulations,
1. Underlines that all institutions should adapt their establishment plans to the new staff regulations in the same way;
 2. Welcomes the agreement reached at the triologue meeting of 16 March 2004 on the rules relating to recruitment in 2004 prior and after the entry into force of the new Staff Regulations, as outlined in the attached Joint Declaration of the Budgetary Authority;

¹ OJ L 248, 16.9.2002.

⁵ OJ L 53, 23.2.2004.

³ OJ C 172, 18.6.1999, p. 1. Agreement as amended by Decision 2003/429/EC (OJ L 147, 14.6.2003, p. 25).

3. Considers that each institution should have clear rules on setting-up new units; points out that the Budgetary Authority should be kept informed about the creation of new units, as these will have a budgetary implication, and that each Institution should include a list of units in their estimates;
4. Approves the Draft amending budget No 4/2004 unamended;
5. Instructs its President to forward this resolution to the Council, and Commission, and the other institutions and bodies concerned.

Joint Declaration of the Budgetary Authority on Amending Budget 4/2004

In adopting the amending budget 4/2004 on the revised establishment plans, the European Parliament and Council have approved the following declaration:

“The recruitment of staff is regulated by the relevant provisions of the Staff Regulations. Accordingly, all institutions will apply the following rules in 2004:

- All officials recruited before the 1st of May 2004 will be classified in accordance with article 2 of annex XIII of the new Staff Regulations.
- All officials recruited after the 1st of May 2004 will be classified in accordance with the new Staff Regulations, in particular articles 5, 12 and 13 of annex XIII, whether they are recruited to new posts, or to vacant posts.

During the preparation of the first reading of the 2005 budget and in time for decisions to be agreed at the Budget conciliation in July, each institution, office or agency will be required to report to the Budgetary Authority, on the implementation of the revised staff grade structure and the effects on their establishment plan. If needed in respect of 2004, each institution, office or agency will propose an adjustment of its establishment plan in so far as the actual occupancy of posts diverges from the conversion of the establishment plan as approved in April 2004. Such proposals will take into consideration the requirements mentioned above and the need for vacant posts at every grade in the establishment plan for normal recruitment and promotion purposes in accordance with the Staff Regulation.”

EXPLANATORY STATEMENT

The current Staff Regulations of officials and the conditions of employment of other servants of the European Communities have been applicable from 5 March 1968¹, and have been amended several times since then. The proposal for the new Staff Regulations is scheduled to enter into force on 1 May 2004.

The amending budget adapts technically the establishment plans of the institutions to the changes introduced by the new Staff Regulations. This consists of transforming the posts in the establishment plan to comply with the new transitional career structure. A new budget item is also created to cover expenditure relating to contract staff. It also updates a number of budget remarks and references to the legal bases.

¹ Council Regulation (EEC, Euratom, ECSC) No 259/68 of 29 February 1968 (Official Journal of the European Communities L 56, 4.3.1968 - Special Edition 1968, 1 December 1972).