

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(94) 496 final
Brussels, 16.11.1994

94/0259 (CNS)

Proposal for a

COUNCIL REGULATION (EC)

introducing special and temporary measures applicable to the recruitment of officials of the European Communities as a result of the accession of Austria, Finland, Norway and Sweden

(presented by the Commission)

EXPLANATORY MEMORANDUM

With an eye to the accession of Austria, Finland, Norway and Sweden, administrative measures will have to be taken for the rapid, effective recruitment of their nationals.

As in the case of previous enlargements, temporary derogations from the Staff Regulations will be needed.

This is the purpose of the Commission's proposal. The proposed derogations from the Staff Regulations are subject to three limitations:

- (a) they will apply solely to posts earmarked for enlargement by the budgetary authority;
- (b) only a limited number of provisions will be affected, namely:
 - the second and third paragraphs of Article 4 (notification of vacant posts);
 - Article 5(3) (identical conditions of recruitment);
 - Article 7(1) (appointment without regard to nationality);
 - the third paragraph of Article 27 (ban on posts being reserved for nationals of any specific Member State);
 - Article 29(1)(a), (b) and (c) (the various stages of the recruitment procedure and in particular the order to be respected);
 - Article 31 (appointment to starting grades);
- (c) they will be limited in time (valid until 31 December 1999).

Uniform arrangements may be adopted for competitions, namely competitions based on qualifications and/or tests (written and/or oral), in line with Annex III to the Staff Regulations.

- (d) Vacant posts will be adequately advertised both inside and outside the Community institutions.



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introducing special and temporary measures applicable to the recruitment of officials of the European Communities as a result of the accession of Austria, Finland, Norway and Sweden

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing a single Council and a single Commission of the European Communities, and in particular Article 24 thereof,

Having regard to the proposal from the Commission, made after consulting the Staff Regulations Committee,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Court of Justice,

Having regard to the opinion of the Court of Auditors,

Whereas, as a result of the accession of Austria, Finland, Norway and Sweden, special measures derogating from the Staff Regulations of Officials of the European Communities should be adopted on a temporary basis,

HAS ADOPTED THIS REGULATION:

Article 1

1. Notwithstanding the second and third paragraphs of Article 4, Article 5(3), Article 7(1), the third paragraph of Article 27, Article 29(1)(a), (b) and (c) and Article 31 of the Staff Regulations of Officials of the European Communities, provision may be made until 31 December 1999 for vacant posts to be filled by Austrian, Finnish, Norwegian and Swedish nationals up to the limits set in the context of budgetary discussions within the institutions responsible.

2. Appointments to grades A3, A4, A5, LA3, LA4, LA5, B1, B2, B3 and C1 shall be made after a competition based on qualifications and/or tests, organized in accordance with Annex III to the Staff Regulations.

Appointments to grades A6, A7, A8, LA6, LA7, LA8, B4, B5 C2 to C5 and D1 to D4 shall be made after a competition based on qualifications and/or tests, organized in accordance with Annex III to the Staff Regulations.

3. Vacant posts shall be adequately advertised both inside and outside the Community institutions.

Article 2

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This Regulation shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

**For the Council
The President**

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DOCUMENTS

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