

**Proposal for a Council Regulation amending Regulation (EEC, Euratom, ECSC) No 259/68 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities**

(2001/C 213 E/18)

COM(2001) 253 final — 2001/0104(CNS)

(Submitted by the Commission on 17 May 2001)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 283 thereof,

Having regard to Regulation (EEC, Euratom, ECSC) No 259/68 laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Communities<sup>(1)</sup>, as last amended by Regulation (EC, ECSC, Euratom) No 2805/2000<sup>(2)</sup>, and in particular Article 52 of the Conditions of Employment of Other Servants of the European Communities,

Having regard to the proposal from the Commission, presented following consultations with 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:

- (1) In all the institutions auxiliary staff are an indispensable tool providing rapid access to human resources, particularly to replace staff temporarily unable to carry out their duties (Article 3(b) of the CEOS). They may also perform specific short-term tasks in accordance with the high standards laid down in the Staff Regulations. Auxiliary staff complement permanent officials in highly specialised areas where the expertise needed is not otherwise available.
- (2) The possibility of extending the duration of an auxiliary contract constitutes a useful element of flexibility in the use of the institutions' human resources.

(3) The possibility of extending the duration of an auxiliary contract beyond one year is justified in order to allow the institutions to respond, when the interests of the service so require, to the need to ensure a certain continuity of service and/or benefit fully from the qualifications and training of the staff member concerned.

(4) The Conditions of Employment of Other Servants (Article 52) should therefore be amended in order to extend the maximum duration of contracts for auxiliary staff to three years,

HAS ADOPTED THIS REGULATION:

*Article 1*

The Conditions of Employment of Other Servants of the European Communities are hereby amended as follows:

Article 52(b) is replaced by the following: 'three years, in all other cases'.

*Article 2*

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

It shall apply from the date of entry into force.

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

<sup>(1)</sup> OJ L 56, 4.3.1968, p. 1.

<sup>(2)</sup> OJ L 326, 22.12.2000, p. 7.