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(Acts whose publication is obligatory)

**COUNCIL REGULATION (ECSC, EEC, EURATOM) No 2175/88
of 18 July 1988
laying down the weightings applicable in third countries**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing a Single Council and a Single Commission of the European Communities,

Having regard to the Staff Regulations of officials and the Conditions of Employment of other servants of the European Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68⁽¹⁾, as last amended by Regulation (Euratom, ECSC, EEC) No 3784/87⁽²⁾, and in particular Article 13 of Annex X thereto,

Having regard to the proposal from the Commission,

Whereas following the adoption of Council Regulation (Euratom, ECSC, EEC) No 3019/87 of 5 October 1987 laying down special and exceptional provisions applicable to officials of the European Communities serving in a third country⁽³⁾, it is appropriate to lay down the weightings referred to in Articles 12 and 13 of Annex X to the Staff Regulations applicable to the proportion of remuneration payable in the currency of the country of employment at the official's request;

Whereas these weightings, designed to ensure as far as possible that officials enjoy equivalent purchasing power, irrespective of their place of employment, deal solely with the situation of officials serving in third countries to whom Annex X to the Staff Regulations applies;

Whereas the adoption of these weightings calls for the repeal of previous rules laying down the weightings applicable in third countries to remunerations, pensions, allowances under Article 50 of the Staff Regulations and Regulations (ECSC, EEC, Euratom) No 2150/82⁽⁴⁾, (ECSC, EEC, Euratom) No 1679/85⁽⁵⁾, (ECSC, EEC, Euratom) No 3518/85⁽⁶⁾ and (Euratom, ECSC, EEC) No

2274/87⁽⁷⁾, and to family allowances payable to officials and former officials in respect of dependent children;

Whereas, principally because of the new provisions governing the weightings which apply specifically and exclusively to the remuneration of staff serving in third countries in so far as they are payable in local currency, these weightings, which are applied by way of derogation, cannot apply to the pecuniary rights of persons living in third countries who are not in active employment;

Whereas provisions should be made for transitional measures to ensure that the amounts payable to such persons prior to the entry into force of this Regulation are not reduced in the future,

HAS ADOPTED THIS REGULATION:

Article 1

1. For the purposes of Article 13 of Annex X to the Staff Regulations the weightings to be applied to remuneration paid in the currency of the country of employment shall be as laid down in the Annex hereto.
2. The exchange rates for the payment of such remuneration shall be those used for implementation of the budget of the European Communities during the month preceding the date of implementation of this Regulation.

Article 2

The provisions of Articles 5 and 14 of Regulation (Euratom, ECSC, EEC) No 3784/87 in so far as they concern the weightings applicable in third countries are hereby repealed.

⁽¹⁾ OJ No L 56, 4. 3. 1968, p. 1.

⁽²⁾ OJ No L 356, 18. 12. 1987, p. 1.

⁽³⁾ OJ No L 286, 9. 10. 1987, p. 3.

⁽⁴⁾ OJ No L 228, 4. 8. 1982, p. 1.

⁽⁵⁾ OJ No L 162, 21. 6. 1985, p. 1.

⁽⁶⁾ OJ No L 335, 13. 12. 1985, p. 56.

⁽⁷⁾ OJ No L 209, 31. 7. 1987, p. 1.

Article 3

In accordance with the third subparagraph of Article 82 (1) of the Staff Regulations, the weighting to be applied to a pension where the recipient has established his residence in a third country shall be 100.

Article 4

In accordance with the seventh subparagraph of Article 41 (3) and Article 50 of the Staff Regulations, the weightings applicable to an allowance payable to a former official who has been retired and who has established his residence in a third country shall be 100.

Article 5

In accordance with the second subparagraph of Article 2 (3) of Regulation (ECSC, EEC, Euratom) No 2150/82, the weighting applicable to the allowance payable to a former official whose service has been terminated under that Regulation and who has established his residence in a third country shall be 100.

Article 6

In accordance with the second subparagraph of Article 3 (3) of Regulation (ECSC, EEC, Euratom) No 1679/85, the weighting applicable to the allowance payable to a former official whose service has been terminated under that Regulation and who has established his residence in a third country shall be 100.

Article 7

In accordance with the second subparagraph of Article 4 (3) of Regulation (ECSC, EEC, Euratom) No 3518/85, the weighting applicable to the allowance payable to a former official whose service has been terminated under that Regulation and who has established his residence in a third country shall be 100.

Article 8

In accordance with the second subparagraph of Article 4 (3) of Regulation (ECSC, EEC, Euratom) No 2274/87, the weighting applicable to the allowance payable to a former member of the temporary staff whose service has been terminated under that Regulation and who has established his residence in a third country shall be 100.

Article 9

The weighting applicable to family allowances paid to a person other than the official, member of the temporary

staff, former official or former member of the temporary staff under the Staff Regulations, the Conditions of Employment of other servants, or the Regulations referred to in Articles 5 to 8, where that person has established his residence in a third country, shall be 100.

Article 10

1. If the adoption of this Regulation results in the reduction of pecuniary rights, a compensatory allowance equal to the difference between the net amount received prior to the date of entry into force of this Regulation and the net amount due on that date shall be paid each month to:

- the person entitled on that date to a pension under Annex VIII to the Staff Regulations,
- the person entitled on that date to one of the allowances referred to in Articles 4 to 8,
- the person to whom the family allowances referred to in Article 9 and payable on that date as long as that person retains entitlement to such allowances.

2. A person entitled to one of the allowances referred to in Articles 4 to 8 shall continue to benefit from the compensatory allowance referred to in paragraph 1 when he qualifies for a pension. The allowance shall then be adjusted in proportion to the pension.

3. In the event of the death of a person entitled to a compensatory allowance provided for under paragraph 1, the allowance shall be payable to those entitled under him in proportion to the pension.

4. The allowances provided for under paragraph 1 may be adjusted in the light of changes in the pecuniary rights of the beneficiaries.

5. This Article shall remain applicable for as long as the person entitled retains his residence in a third country.

6. This Article shall apply by analogy to members of the temporary staff.

Article 11

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

It shall apply with effect from 10 October 1987.

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

Done at Brussels, 18 July 1988.

For the Council
The President
 Y. POTTAKIS

ANNEX

Weightings applicable with effect from 10 October 1987

Country of employment	Weighting	Country of employment	Weighting
Algeria	130,66	Lesotho	52,93
Angola	94,03	Liberia	83,64
Antigua	87,62	Madagascar	36,53
Australia	86,89	Malawi	51,03
Austria	111,96	Mali	99,18
Bahamas	100,42	Mauritania	117,36
Bangladesh	48,00	Mauritius	54,83
Barbados	87,70	Mexico	37,66
Belize	81,85	Morocco	69,04
Benin	93,03	Mozambique	27,54
Botswana	55,88	Netherlands Antilles	101,80
Brazil	60,21	Niger	111,35
Burkina Faso	89,57	Nigeria	80,29
Burundi	93,32	Norway	138,59
Cameroon	106,55	Pakistan	43,27
Canada	80,01	Papua New Guinea	90,86
Cape Verde	84,40	Rwanda	107,98
Central African Republic	139,40	Samoa	65,45
Chad	141,75	São Tomé	(¹)
Chile	46,12	Senegal	115,16
China	51,36	Seychelles	162,35
Comoros	129,39	Sierra Leone	120,35
Congo	120,88	Solomon Islands	81,91
Costa Rica	64,60	Somalia	38,13
Côte d'Ivoire	128,08	Sudan	98,05
Djibouti	147,55	Suriname	111,50
Egypt	49,97	Swaziland	47,06
Equatorial Guinea	112,97	Switzerland	144,15
Ethiopia	75,32	Syria	198,65
Fiji	58,13	Tanzania	39,67
Gabon	146,28	Thailand	53,86
Gambia	57,72	Togo	105,24
Ghana	44,62	Tonga	105,13
Grenada	84,37	Trinidad and Tobago	79,23
Guinea	44,46	Tunisia	51,29
Guinea Bissau	83,93	Turkey	44,78
Guyana	42,64	Uganda	74,57
Haiti	78,96	United States	88,00
India	39,90	Vanuatu	82,50
Indonesia	59,64	Venezuela	26,82
Israel	83,10	Yugoslavia	48,09
Jamaica	66,90	Zaire	99,87
Japan	160,21	Zambia	45,75
Jordan	84,88	Zimbabwe	57,12
Kenya	62,22		
Lebanon	29,27		

(¹) Figure not available.