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(Acts whose publication is obligatory)

COUNCIL REGULATION (ECSC, EC, EURATOM) No 3161/94

of 19 December 1994

adjusting, with effect from 1 July 1994, the remuneration and pensions of officials and other servants of the European Communities and the weightings applied thereto

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the Protocol on the Privileges and Immunities of the European Communities, and in particular Article 13 thereof,

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, EC) No 3608/93 (2), and in particular Articles 63, 64, 65, 65a and 82 of the Staff Regulations, Annex XI to the Staff Regulations, and the first paragraph of Article 20 and Article 64 of the Conditions of Employment,

Having regard to the proposal from the Commission,

Whereas a review of the remuneration of officials and other servants carried out on the basis of a report by the Commission has shown that the remuneration and pensions of officials and other servants of the European Communities should be adjusted under the 1994 annual review;

Whereas, in view of the accession on 1 January 1995 of the new Member States, the weightings applicable to the remuneration and pensions of officials and other servants of the European Communities must be calculated in accordance with Annex XI to the Staff Regulations for Austria, Finland and Sweden;

Whereas, in accordance with Annex XI to the Staff Regulations, the annual adjustment in respect of 1995 will entail the establishment before 31 December 1995 of new weightings with retroactive effect from 1 July 1995;

Whereas these new weightings could lead to retroactive adjustments to remuneration and pensions (positive or negative) in respect of a period of the 1995 financial year for which payment has already been made on the basis of this Regulation;

Whereas provision should therefore be made for the payment of arrears in the event of an upward adjustment as a result of these weightings or for the recovery of sums overpaid in the event of a downward adjustment for the period between the effective date and the date of the Council decision on the annual adjustment in respect of the 1995 financial year;

(1) OJ No L 56, 4. 3. 1968, p. 1.
(2) OJ No L 328, 29. 12. 1993, p. 1.

Whereas provision should be made for the effects of any such recovery to be spread over a period of not more than 12 months from the date of the Council decision on the annual adjustment in respect of the 1995 financial year,

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 1 July 1994:

(a) the table of basic monthly salaries in Article 66 of the Staff Regulations is hereby replaced by the following:

Grade	Step							
	1	2	3	4	5	6	7	8
A 1	414 118	436 117	458 116	480 115	502 114	524 113		
A 2	367 496	388 488	409 480	430 472	451 464	472 456		
A 3/LA 3	304 356	322 717	341 078	359 439	377 800	396 161	414 522	432 883
A 4/LA 4	255 689	270 021	284 353	298 685	313 017	327 349	341 681	356 013
A 5/LA 5	210 806	223 294	235 782	248 270	260 758	273 246	285 734	298 222
A 6/LA 6	182 172	192 112	202 052	211 992	221 932	231 872	241 812	251 752
A 7/LA 7	156 813	164 616	172 419	180 222	188 025	195 828		
A 8/LA 8	138 689	144 282						
B 1	182 172	192 112	202 052	211 992	221 932	231 872	241 812	251 752
B 2	157 838	165 238	172 638	180 038	187 438	194 838	202 238	209 638
B 3	132 395	138 548	144 701	150 854	157 007	163 160	169 313	175 466
B 4	114 509	119 845	125 181	130 517	135 853	141 189	146 525	151 861
B 5	102 357	106 675	110 993	115 311				
C 1	116 797	121 506	126 215	130 924	135 633	140 342	145 051	149 760
C 2	101 585	105 902	110 219	114 536	118 853	123 170	127 487	131 804
C 3	94 762	98 460	102 158	105 856	109 554	113 252	116 950	120 648
C 4	85 623	89 092	92 561	96 030	99 499	102 968	106 437	109 906
C 5	78 952	82 187	85 422	88 657				
D 1	89 226	93 127	97 028	100 929	104 830	108 731	112 632	116 533
D 2	81 355	84 820	88 285	91 750	95 215	98 680	102 145	105 610
D 3	75 721	78 962	82 203	85 444	88 685	91 926	95 167	98 408
D 4	71 396	74 325	77 254	80 183				

(b) — Bfrs 6 236 shall be replaced by Bfrs 6 267 in Article 1 (1) of Annex VII to the Staff Regulations,

— Bfrs 8 031 shall be replaced by Bfrs 8 071 in Article 2 (1) of Annex VII to the Staff Regulations,

— Bfrs 14 347 shall be replaced by Bfrs 14 419 in the second sentence of Article 69 of the Staff Regulations and in the second subparagraph of Article 4 (1) of Annex VII thereto,

— Bfrs 7 177 shall be replaced by Bfrs 7 213 in the first subparagraph of Article 3 of Annex VII to the Staff Regulations.

Article 2

With effect from 1 July 1994, the table of basic monthly salaries in Article 63 of the Conditions of Employment of Other Servants shall be replaced by the following:

Category	Group	Step			
		1	2	3	4
A	I	194 430	218 514	242 598	266 682
	II	141 113	154 863	168 613	182 363
	III	118 584	123 867	129 150	134 433
B	IV	113 918	125 069	136 220	147 371
	V	89 478	95 377	101 276	107 175
C	VI	85 099	90 110	95 121	100 132
	VII	76 168	78 759	81 350	83 941
D	VIII	68 845	72 899	76 953	81 007
	IX	66 299	67 223	68 147	69 071

Article 3

With effect from 1 July 1994, the fixed allowance referred to in Article 4a of Annex VII to the Staff Regulations shall be:

— Bfrs 3 762 per month for officials in Grade C 4 or C 5,

— Bfrs 5 767 per month for officials in Grade C 1, C 2 or C 3.

Article 4

Pensions for which entitlement has accrued by 1 July 1994 shall be calculated from that date by reference to the table of basic monthly salaries laid down in Article 66 of the Staff Regulations, as amended by Article 1 (a) of this Regulation.

Article 5

With effect from 1 July 1994, '1 July 1993' in the second subparagraph of Article 63 of the Staff Regulations shall be replaced by '1 July 1994'.

Article 6

1. With effect from 1 July 1994, the weightings applicable to the remuneration of officials and other servants employed in the countries and places listed below shall be as follows:

Belgium	100,0
Denmark	120,3
Germany	111,4
except: Bonn	101,6
Karlsruhe	99,8
Munich	110,3
Greece	80,2
Spain	88,0
France	113,2
Ireland	92,1
Italy	94,2
except Varese	90,3
Luxembourg	100,0
Netherlands	103,0
Portugal	80,5
United Kingdom	106,7
except Culham	91,1.

2. With effect from 1 January 1995, the weightings applicable to the remuneration of officials and other servants employed in the countries listed shall be as follows:

Finland	100 (1)
Austria	100 (1)
Sweden	100 (1).

3. In accordance with Annex XI to the Staff Regulations, these weightings could be adjusted before 31 December 1995 by a Council regulation establishing new weightings with effect from 1 July 1995. In this event, the institutions shall make the corresponding positive or negative adjustment to the remuneration and pensions of the officials, former officials and other persons concerned with retroactive effect for the period between the effective date and the adoption date of the decision on the 1995 adjustment.

If this retroactive adjustment necessitates the recovery of sums overpaid, such recovery may be spread over a period of not more than 12 months from the date of the decision on the 1995 annual adjustment.

4. The weightings applicable to pensions shall be determined in accordance with Article 82 (1) of the Staff Regulations. Articles 3 to 10 of Regulation (ECSC, EEC, Euratom) No 2175/88 (2) shall remain in force.

(1) Provisional figure.
(2) OJ No L 191, 22. 7. 1988, p. 1.

Article 7

With effect from 1 July 1994, the table in Article 10 (1) of Annex VII to the Staff Regulations shall be replaced by the following:

	Entitled to household allowance		Not entitled to household allowance	
	1st to 15th day	from 16th day	1st to 15th day	from 16th day
	Bfrs per calendar year			
A 1 to A 3 and LA 3	2 444	1 152	1 679	963
A 4 to A 8 and LA 4 to LA 8 and category B	2 372	1 075	1 610	840
Other grades	2 152	1 002	1 385	692

Article 8

With effect from 1 July 1994, the allowances for shiftwork laid down in Article 1 of Regulation (ECSC, EEC, Euratom) No 300/76 (1) shall be Bfrs 10 903, Bfrs 16 456, Bfrs 17 993 and Bfrs 24 531 respectively.

Article 9

With effect from 1 July 1994, the amounts in Article 4 of Regulation (EEC, Euratom, ECSC) No 260/68 (2) shall be subject to a weighting of 3,901609.

Article 10

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, 19 December 1994.

For the Council

The President

K. KINKEL

(1) OJ No L 38, 13. 2. 1976, p. 1. Regulation as supplemented by Regulation (Euratom, ECSC, EEC) No 1307/87 (OJ No L 124, 13. 5. 1987, p. 6) and last amended by Regulation (Euratom, ECSC, EC) No 3608/93 (OJ No L 328, 29. 12. 1993, p. 1).

(2) OJ No L 56, 4. 3. 1968, p. 8. Regulation as last amended by Regulation (Euratom, ECSC, EC) No 3608/93 (OJ No L 328, 29. 12. 1993, p. 10).