



Brussels, 17.11.2016  
C(2016) 7270 final

**COMMISSION DECISION**

**of 17.11.2016**

**amending Decision C(2013) 8985 laying down general provisions for implementing Article 43 of the Staff Regulations and implementing the first paragraph of Article 44 of the Staff Regulations**

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### **amending Decision C(2013) 8985 laying down general provisions for implementing Article 43 of the Staff Regulations and implementing the first paragraph of Article 44 of the Staff Regulations**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to the Staff Regulations of Officials of the European Union and the Conditions of Employment of Other Servants of the European Union, laid down by Council Regulation (EEC, Euratom, ECSC) No 259/68<sup>1</sup>, and in particular Articles 43 and 110 of the Staff Regulations and Article 15(2) of the Conditions of Employment of Other Servants,

After consulting the Staff Committee,

After consulting the Staff Regulations Committee,

Whereas:

- (1) Commission Decision C(2013) 8985<sup>2</sup> applies to all officials and members of the temporary staff, with the exception of senior managers. It covers thus both non-managers and middle managers (heads of unit).
- (2) Commission Decision C(2016) 3288<sup>3</sup> modernises the middle management policy and clarifies managerial expectations towards the Commission's middle management staff.
- (3) In view of the specific duties carried out by heads of unit, the report to be established for them under Article 43 of the Staff Regulations should include an appraisal of the managerial performance. Decision C(2013) 8985 should be amended to include this requirement,

HAS DECIDED AS FOLLOWS:

#### *Sole Article*

In Article 2 of Decision C(2013) 8985, the following paragraph is inserted:

'(3a) For a jobholder occupying a function of head of unit, the report shall, in addition, include a conclusion on whether the jobholder's managerial performance has been satisfactory. The conclusion that the jobholder's managerial performance has been unsatisfactory shall be based on factual elements.'

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

<sup>2</sup> Commission Decision C(2013) 8985 of 16. December 2013 laying down general provisions for implementing Article 43 of the Staff Regulations and implementing the first paragraph of Article 44 of the Staff Regulations, Administrative Notice No 54-2013.

<sup>3</sup> Commission Decision C(2016) 3288 of 15 June 2016 on middle management staff

This Decision shall take effect on 1 January 2017.

Done at Brussels, 17.11.2016

*For the Commission*  
*Kristalina GEORGIEVA*  
*Vice-President*