EUROPOL

DECISION OF THE DIRECTOR OF EUROPOL

of 29 March 2016

implementing the Decision of the Europol Management Board of 16 November 1999 agreeing to the conditions and procedures laid down by Europol regarding taxes applicable to salaries and emoluments paid to Europol staff members for the benefit of Europol

(2016/C 282/03)

THE DIRECTOR OF EUROPOL,

Having regard to the Council Decision establishing the European Police Office ('Europol') of 6 April 2009 ([1]) (hereafter 'Europol Decision') and in particular Article 57(5), Article 62 and Article 63 thereof;

Having regard to the Protocol drawn up on the basis of Article K.3 of the Treaty on European Union and Article 41(3) of the Europol Convention, on the privileges and immunities of Europol, the members of its organs, the Deputy Directors and employees of Europol ([2]), and in particular Article 10 thereof;

Having regard to the Management Board Decision of 16 November 1999 agreeing to the conditions and procedures laid down by Europol regarding taxes applicable to salaries and emoluments paid to Europol staff members for the benefit of Europol ([3]);

Whereas:

1. According to Article 57(5) of the Europol Decision, the Europol Staff Regulations ([4]) and other relevant instruments shall continue to apply to staff members who are not recruited in accordance with Article 57(2) Europol Decision.

2. Article 57(5) of the Europol Decision provides that, by way of derogation from Chapter 5 of the Europol Staff Regulations, the percentage rate of the annual adjustment of remuneration decided by the Council in accordance with Article 65 of the Staff Regulations of officials of the European Union ([5]) shall apply to Europol staff.

3. Article 57(5) of the Europol Decision only concerns elements of staff remuneration as referred to in Chapter 5 (Articles 43 to 55) of the Europol Staff Regulations and does not extend to taxes applicable to salaries and emoluments paid to Europol staff members subject to the Europol Staff Regulations for the benefit of Europol.

4. In view of the amended procedure provided for in Article 57(5) Europol Decision concerning the adjustment of remuneration, Article 3a of the Annex to aforementioned Management Board Decision of 16 November 1999 empowers the Director of Europol to adapt with effect from 1 July 2010 and on annual basis thereafter, the values mentioned in Article 4 of said Annex, with the same percentage as applied pursuant to Article 57(5) of the Europol Decision.

5. The annual adjustment of remuneration provided for in Article 57(5) Europol Decision was implemented by Europol with retroactive effect as of 1 July 2011 ([6]) according with the figures set in Regulation (EU) No 422/2014 of the European Parliament and of the Council of 16 April 2014 adjusting with effect from 1 July 2011 the remuneration and pensions of officials and other servants of the European Union and the correction coefficients applied thereto ([7]).

([1]) OJ L 121, 15.5.2009, p. 37.
([2]) OJ C 221, 19.7.1997, p. 2.
([3]) OJ C 65, 28.2.2001, p. 6.
([4]) Council Act of 3 December 1998 laying down the staff regulations applicable to Europol employees (OJ C 26, 30.1.1999, p. 23).
([5]) Regulation (EEC, Euratom, ECSC) No 259/68 of the Council (OJ L 56, 4.3.1968, p. 1.)
([6]) Notice on the adjustment of basic salaries and allowances applicable to Europol staff subject to the Europol Staff Regulations pursuant to Article 57(5) of the Council with effect from 1 July 2011, 1 July 2012, 1 July 2013 and 1 July 2014 (OJ C 282, 4.8.2016, p. 6).
([7]) OJ L 129, 30.4.2014, p. 5.

6. The annual adjustment of remuneration provided for in Article 57(5) Europol Decision was implemented by Europol with retroactive effect as of 1 July 2012 ([8]) according with the figures set in Regulation (EU) No 423/2014 of the European Parliament and of the Council of 16 April 2014 adjusting with effect from 1 July 2012 the remuneration and pensions of officials and other servants of the European Union and the correction coefficients applied thereto ([9]).

7. The annual adjustment of remuneration provided for in Article 57(5) Europol Decision was implemented by Europol with retroactive effect as of 1 July 2013 ([8]) according with the figures set in the Council Regulation (EU) No 1416/2013 of 17 December 2013 adjusting with effect from 1 July 2013 the correction coefficients applied to the remuneration and pensions of officials and other servants of the European Union ([10]).

8. The annual adjustment of remuneration provided for in Article 57(5) Europol Decision was implemented by Europol with retroactive effect as of 1 July 2014 according with the figures set in the Annual update of 12 December 2014 of the correction coefficients to the remuneration and pensions of officials and other servants of the European Union ([11]).

9. The tax applicable to Europol staff members subject to the Europol Staff Regulations should be amended in order to reflect the adjustment of remuneration applied pursuant to Article 57(5) Europol Decision,

HAS DECIDED AS FOLLOWS:

Article 1

With effect from 1 July 2011:

— The values mentioned in Article 4 of the Annex to the Decision of the Europol Management Board of 16 November 1999, as updated by the Decision of the Director of Europol of 18 April 2014 implementing the Decision of the Europol Management Board of 16 November 1999 ([12]), are applicable.

Article 2

With effect from 1 July 2012:

— The value mentioned in the first sentence of Article 4 of the Annex to the Decision of the Europol Management Board of 16 November 1999 shall be replaced by EUR 121,45.

— The values in euro unit mentioned in the table included in Article 4 of the Annex to the Decision of the Europol Management Board of 16 November 1999 shall be replaced by the following.

8 % to amounts between EUR 122,42 and EUR 2 156,39

10 % to amounts between EUR 2 156,40 and EUR 2 970,10

12,5 % to amounts between EUR 2 970,11 and EUR 3 403,88

15 % to amounts between EUR 3 403,89 and EUR 3 865,63

17,5 % to amounts between EUR 3 865,64 and EUR 4 299,45

20 % to amounts between EUR 4 299,46 and EUR 4 719,95

22,5 % to amounts between EUR 4 719,96 and EUR 5 153,75

25 % to amounts between EUR 5 153,76 and EUR 5 574,25

27,5 % to amounts between EUR 5 574,26 and EUR 6 008,04

30 % to amounts between EUR 6 008,05 and EUR 6 428,55

32,5 % to amounts between EUR 6 428,56 and EUR 6 862,35

35 % to amounts between EUR 6 862,36 and EUR 7 283,52

40 % to amounts between EUR 7 283,53 and EUR 7 717,35

45 % to amounts above EUR 7 717,36

([8]) See footnote 6.
([9]) OJ L 129, 30.4.2014, p. 12.
([10]) OJ L 353, 28.12.2013, p. 24.
([11]) OJ C 444, 12.12.2014, p. 10.
([12]) OJ C 211, 5.7.2014, p. 13.

Article 3

This Decision shall be published in the *Official Journal of the European Union*.

Article 4

This Decision shall enter into force on the day following its adoption by the Director.

Done at The Hague, 29 March 2016.

Rob WAINWRIGHT

Director of Europol