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(Acts whose publication is obligatory)

COUNCIL REGULATION (EC, EURATOM) No 257/2005

of 4 February 2005

laying down the weightings applicable from 1 July 2004 to the remuneration of officials, contract staff and temporary staff of the European Communities serving in third countries and of certain officials remaining in post in the 10 new Member States for a maximum period of 15 months after accession

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty establishing the European Atomic Energy Community,

Having regard to the Staff Regulations of officials of the European Communities and the conditions of employment of other servants of the Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68 [1], and in particular the first subparagraph of Article 13 of Annex X thereto,

Having regard to the 2003 Act of Accession, and in particular Article 33(4) thereof,

Having regard to the proposal from the Commission,

Whereas:

(1) It is necessary to take account of changes in the cost of living in third countries and to determine accordingly the weightings applicable from 1 July 2004 to remuneration payable in the currency of the country of employment to officials, contract staff and temporary staff of the European Communities serving in third countries and of certain officials remaining in post in the 10 new Member States for a maximum period of 15 months after 1 May 2004.

(2) The weightings in respect of which payment has been made on the basis of Regulation (EC, Euratom) No 1785/2004 [2] may lead to retrospective upward or downward adjustments to remuneration.

(3) Provision should be made for back-payments in the event of an increase in remuneration as a result of the new weightings.

(4) Provision should be made for the recovery of sums overpaid in the event of a reduction in remuneration as a result of the new weightings for the period between 1 July 2004 and the date of entry into force of this Regulation.

(5) Provision should be made for any such recovery to be restricted to a period of no more than six months preceding the date of entry into force of this Regulation and for its effects to be spread over a period of no more than 12 months as from that date, as is the case with the weightings applicable within the Community to remuneration and pensions of officials and other servants of the European Communities,

HAS ADOPTED THIS REGULATION:

Article 1

With effect from 1 July 2004, the weightings applicable to the remuneration of officials, contract staff and temporary staff of the European Communities serving in third countries and of certain officials remaining in post in the 10 new Member States for a maximum period of 15 months after accession, payable in the currency of the country of employment, shall be as shown in the Annex hereto.

The exchange rates used to calculate this remuneration shall be established in accordance with the rules for the implementation of the Financial Regulation and shall correspond to the date referred to in the preceding subparagraph.

Article 2

1. The institutions shall make back-payments in the event of an increase in remuneration as a result of the weightings shown in the Annex.

[1] OJ L 56, 4.3.1968, p. 1. Staff Regulations and conditions of employment as last amended by Regulation (EC, Euratom) No 857/2004 (OJ L 161, 30.4.2004, p. 11).
[2] OJ L 317, 16.10.2004, p. 1.

2. The institutions shall make retrospective downward adjustments to remuneration in the event of a reduction as a result of the weightings shown in the Annex for the period between 1 July 2004 and the date of entry into force of this Regulation.

Retrospective adjustments involving the recovery of sums overpaid shall be restricted to a period of no more than six months preceding the date of entry into force of this Regulation. Recovery shall be spread over no more than 12 months from that date.

Article 3

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

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

Done at Brussels, 4 February 2005.

For the Council
The President
J. ASSELBORN

ANNEX

Place of employment	Weightings July 2004
Afghanistan (*)	0,0
Albania	87,7
Algeria	83,4
Angola	111,4
Argentina	58,0
Armenia (*)	0,0
Australia	93,7
Bangladesh	53,0
Barbados	111,9
Benin	87,0
Bolivia	48,2
Bosnia and Herzegovina	72,2
Botswana	68,7
Brazil	55,1
Bulgaria	74,0
Burkina Faso	82,0
Burundi (*)	0,0
Cambodia	64,3
Cameroon	97,9
Canada	75,9
Cape Verde	74,0
Central African Republic	109,3
Chad	114,2
Chile	69,5
China	74,5
Colombia	57,5
Congo	128,5
Costa Rica	68,7
Côte d'Ivoire	108,1
Croatia	99,0
Cuba	88,5
Cyprus	100,1
Czech Republic	80,9
Democratic Republic of Congo	137,5
Djibouti	94,5
Dominican Republic	48,5
Ecuador	68,1
Egypt	45,6
El Salvador (*)	0,0

Place of employment	Weightings July 2004
Eritrea	39,0
Estonia	75,2
Ethiopia	68,1
Fiji	70,3
Former Yugoslav Republic of Macedonia	73,5
Gabon	112,8
Gambia	36,8
Georgia	88,2
Ghana	67,2
Guatemala	71,6
Guinea	76,6
Guinea-Bissau	137,0
Guyana	57,3
Haiti	101,4
Honduras (*)	0,0
Hong Kong	84,2
Hungary	74,4
India	47,6
Indonesia	74,7
Israel	88,5
Jamaica	82,7
Japan (Naka)	125,6
Japan (Tokyo)	133,9
Jordan	73,2
Kazakhstan	96,1
Kenya	72,5
Kyrgyzstan (*)	0,0
Laos	67,4
Latvia	72,4
Lebanon	88,9
Lesotho	72,6
Liberia (*)	0,0
Lithuania	73,7
Madagascar	56,8
Malawi	72,4
Malaysia	71,4
Mali	89,0
Malta	97,5
Mauritania	58,2
Mauritius	73,2
Mexico	71,1

Place of employment	Weightings July 2004
Morocco	82,7
Mozambique	75,5
Namibia	83,4
Nepal	65,3
New Caledonia	119,8
New Zealand (*)	0,0
Nicaragua	64,7
Niger	87,6
Nigeria	69,0
Norway	125,1
Pakistan	50,1
Papua New Guinea	76,5
Paraguay	62,8
Peru	78,8
Philippines	47,2
Poland	69,2
Romania	49,8
Russia	102,5
Rwanda	77,6
Saudi Arabia	86,0
Senegal	78,7
Serbia and Montenegro	61,8
Sierra Leone	70,4
Singapore	93,6
Slovakia	84,9
Slovenia	82,3
Solomon Islands	80,8
Somalia (*)	0,0
South Africa	69,2
South Korea	90,2
Sri Lanka	53,6
Sudan	38,6
Suriname	53,1
Swaziland	70,0
Switzerland	117,3
Syria	64,3
Taiwan	86,1
Tajikistan (*)	0,0
Tanzania	57,9
Thailand	57,9
Togo	96,9

Place of employment	Weightings July 2004
Trinidad and Tobago	69,3
Tunisia	73,8
Turkey	78,5
Uganda	71,9
Ukraine	92,0
United States (New York)	103,5
United States (Washington)	99,5
Uruguay	58,5
Vanuatu	114,7
Venezuela	63,1
Vietnam	51,0
West Bank/Gaza Strip	86,0
Yemen (*)	0,0
Zambia	47,1
Zimbabwe	51,9

(*) Not available.