



EUROPEAN COMMISSION
DIRECTORATE-GENERAL
HUMAN RESOURCES AND SECURITY
Director-General

Brussels,
*File dealt with by M. Relich-Imbart (tel.
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**NOTE TO THE ATTENTION OF MR GREGOR SCHNEIDER, CHAIRPERSON OF THE OHIM
STAFF COMMITTEE**

**Subject: OHIM draft implementing rules regarding Article 51 of the Staff
Regulations**

Ref.: Your note of 20 January 2016

By your note of 20 January 2016 to my attention, you expressed your concerns as regards the application of Article 51 of the Staff Regulations and provided me with your observations concerning the OHIM's draft implementing rules on Article 51 of the Staff Regulations. In particular, you propose me to suspend the procedure of the Commission's agreement pursuant to Article 110(2) of the Staff Regulations regarding those draft implementing rules, which have indeed been submitted to the Commission by the OHIM.

I would like to remind you that the administration of an agency is the competent body to deal with social dialogue within that agency, including discussions with the staff committee on proposed Staff Regulations implementing provisions. In that respect, I note that you have sent your comments regarding the proposed implementing rules on Article 51 of the Staff Regulations to the OHIM's Administrative Board on 23 November 2015.

I can, however, confirm, as already indicated to the President of OHIM, that the Commission is finalising its draft decision on procedures for dealing with incompetence. Once adopted, the Commission will officially communicate it to agencies pursuant to Article 110(2) of the Staff Regulations. The agencies will then decide either to apply the Commission's rule by analogy, or to request the Commission's agreement for derogation.

Irene SOUKA

C.c. Mr A. Campinos (OHIM), Ms L. Evans (DG GROW), Ms M. Saude (DG HR),
Mr S. Tostmann (DG HR), Mr C. Roques (DG HR)