



# Administrative Committee

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## Amendments to the Staff Regulations of the Unified Patent Court

Luxembourg, 8 July 2022

## EXPLANATORY NOTE

The Staff Regulations of the Unified Patent Court were adopted by the Administrative Committee on its inaugural meeting of 22 February 2022.

During the provisional application period, the following circumstances arose, which necessitate the amendment of certain provisions of the already adopted rules:

- The amendments to Articles 14, 19(1), 42 and partly to 38(a) aim at bringing the numbering of the annexes, which are common to these Regulations and to the Regulations Governing the Conditions of Service of Judges, the Registrar and the Deputy-Registrar of the Unified Patent Court, in line with the numbering in the latter regulations. Thus, the Annexes on the Medical and Social Security Plan of the Court, on the Pension Plan of the Court and on the Internal tax are named Annex I, II and III, respectively, in both set of rules. The annexes on the “Types of post and remuneration for staff of the Court” and on “Letter of appointment for staff of the Court” are renumbered accordingly.
- Article 38(a) is proposed to be amended with regards to the outcome of the call for tenders of the UPC’s Medical and Social Security Plan (MSSP), also in line with the amendments proposed to Articles 27(4) and 48 of the Regulations Governing the Conditions of Service of Judges, the Registrar and the Deputy-Registrar of the Unified Patent Court. The MSSP will cover, in particular, reimbursement of healthcare expenses, maintenance of salary in case of sickness or maternity, capital payments in the event of partial and total permanent invalidity and payment of birth grants. Nonetheless, the MSSP only functions as a primary coverage for full-time staff members employed by the UPC, while for all other staff members falling under the scope of the Regulations, it will be a complementary coverage for those costs, which are not covered by the primary, national medical and social security insurance, which the staff members are required to maintain. Considering that according to the already adopted provisions in Article 38(a), part-time staff members working on a small % base would also need to contribute to the MSSP, while, considering their national coverage, they would rarely, if never benefit therefrom, for the benefit of these staff members, it is proposed to exclude from the MSSP those staff members, whose worktime will be less than 50%.

The Administrative Committee is invited to adopt the proposed amendments to the Staff Regulations of the Unified Patent Court.

**DECISION OF THE ADMINISTRATIVE COMMITTEE OF 8 JULY 2022 ON AMENDING  
THE STAFF REGULATIONS OF THE UNIFIED PATENT COURT**

THE ADMINISTRATIVE COMMITTEE

HAVING REGARD to the Statute of the Unified Patent Court and in particular Articles 12 and 16 (2) thereof;

HAVING REGARD to the Agreement on a Unified Patent Court and in particular Articles 37 (1) thereof;

RECALLING THAT the Staff Regulations of the Unified Patent Court should be such as to secure for the Court the services of staff of the highest standard of independence, integrity and ability, appointed on the broadest possible geographical basis from among Contracting Member States of the Agreement on a Unified Patent Court;

HAVING REGARD to the Protocol on the Privileges and Immunities of the Unified Patent Court and in particular Articles 8 thereof;

HAS ADOPTED THIS DECISION:

**Article 1**

The Staff Regulations of the Unified Patent Court are amended as follows:

1. In Article 14, the reference to “*Annex II*” is replaced by a reference to “*Annex V*”.
2. In paragraph 1 of Article 19, the reference to “*Annex I*” is replaced by a reference to “*Annex IV*”.
3. Point a) of Article 38 is replaced by the following:  
*“a) to benefits in case of sickness, maternity, work accident, invalidity or death, under the Medical and Social Security Plan of the Court, in accordance with Annex I and inasmuch as they have been appointed at a rate of at least 50%;*”
4. In point b) of Article 38, the reference to “*Annex IV*” is replaced by a reference to “*Annex II*”.
5. In paragraphs 1 and 2 of Article 42, all references to “*Annexes III and IV*” are replaced by references to “*Annexes I and II*”.

**Article 2**

This decision shall enter into force on 8 July 2022.

For the Administrative Committee

[Signatures and name of the Chairperson] The Chairperson