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**Bulletin
of the
EUROPEAN
COMMUNITIES**

Commission

No 12
1976
9th year

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In order to facilitate consultation of the Bulletin in the different language editions, the texts are numbered according to the following system: the first figure indicates the part, the second the chapter and the last two indicate the different points in the chapters. Quotations should be presented, therefore, in the following manner: Bull. EC 1-1976, point 2108.

The Supplements are published separately as annexes to the Bulletin. They include the official texts of the Commission (communications to the Council, reports, proposals) of the documents published under the double responsibility of the Council and of the Commission. The Supplements are not published in Spanish.

BULLETIN OF THE EUROPEAN COMMUNITIES

European Coal and Steel Community
European Economic Community
European Atomic Energy Community

Commission of the European Communities
General Secretariat
Brussels

**No 12
1976**

9th year

Manuscript finished in January 1977.

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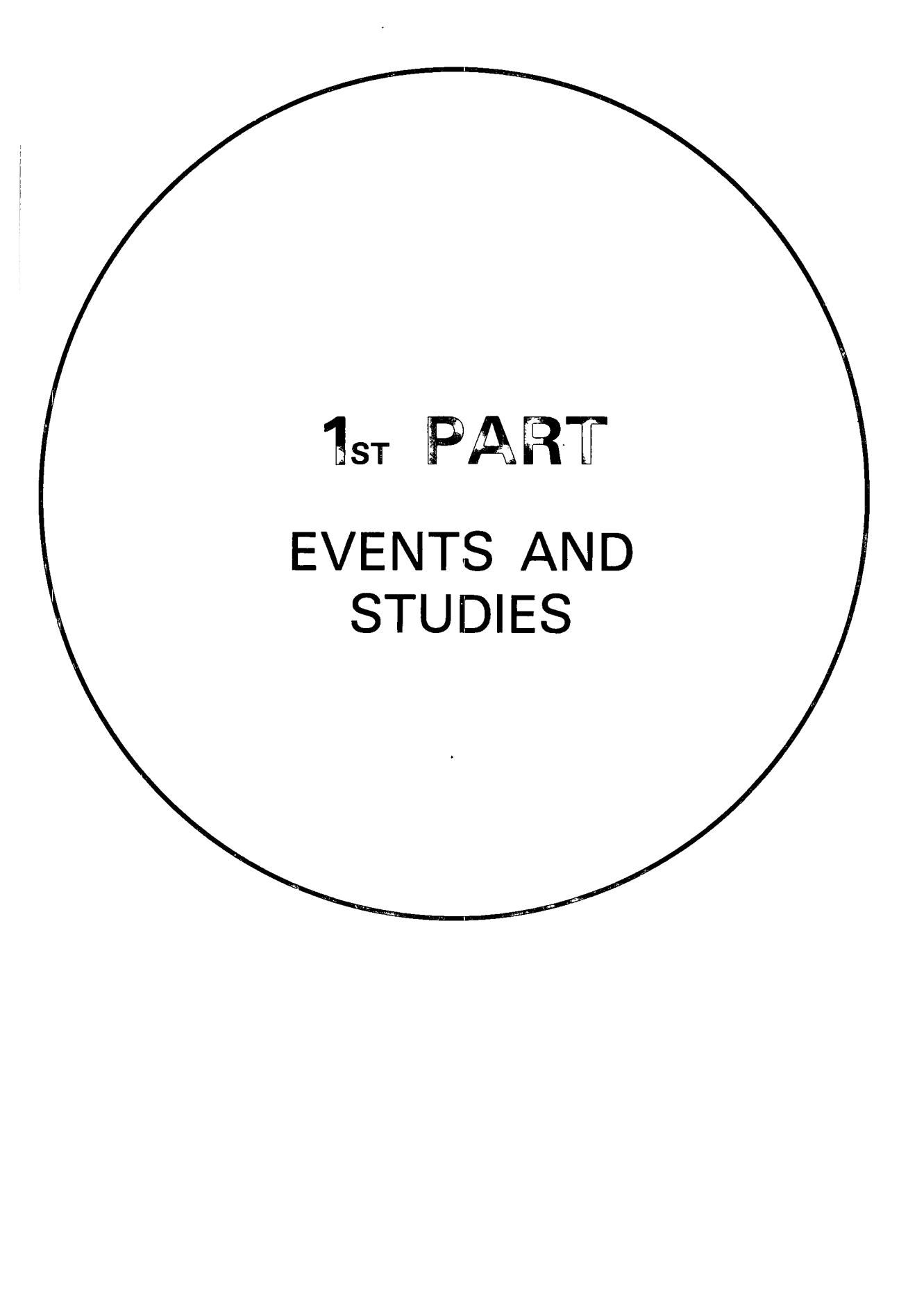
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Publications of the European Communities

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- 1/76 European Union – Report by Mr Leo Tindemans to the European Council**
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- 4/76 Common research and development policy – Objectives, priorities and resources**
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- 6/76 Environment programme 1977-81**
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- 11/76 Product liability**
- *12/76 Preparation of young people for working life**

* To be published in February



1ST PART

**EVENTS AND
STUDIES**

1. The new Commission takes over

New Commission takes over

1101. December marked the end of the term of office of the 'enlarged' Commission, whose Members were appointed in December 1972. On 6 January, the Commission sat in its new composition, demonstrating the continuity of the institution.

With Mr Roy Jenkins as its President, the 'college' — whose members were appointed on 13 November 1976 by the Representatives of the Member States' Governments — took over from the Commission headed during the last four years by Mr. François-Xavier Ortoli.

The Commission from 1973 to 1976

1102. It was at an important juncture in the history of the Communities that the thirteen Members of the Commission took up their posts on 6 January 1973, as three new Member States came to enlarge the Community.

These four years were to be stamped by the economic crisis, the problems caused by the rise in oil prices, inflation and unemployment.

The main line of the Commission's action over this difficult period was traced by President Ortoli speaking in the European Parliament on 15 December. Several members of the Commission also made similar end-of-term reports at press conferences, but dwelt in more detail in the areas for which they were responsible.

The economic crisis

1103. The end of 1973 saw the Community facing the most serious crisis since it came into existence — a world crisis which, as Mr Ortoli said, was soon to cause the States to withdraw into themselves; this was reflected in a lack of solidarity when faced with the threat of an oil embargo, the abandoning of the second stage of eco-

nomic and monetary union, and the delay in establishing the Regional Development Fund.

The Commission changed its strategy: undaunted by its inadequate powers and slender resources, its prime concern from the outset was to overcome the consequences of the crisis.

The new international balance forced the Member States, more than ever before, to transcend their individualism and seek Community responses, which alone could command sufficient authority.

Preserving cohesion and past achievements

1104. Mr Ortoli declared that the Commission, despite the crisis, had nevertheless done much to preserve the Community's past achievements. It had first endeavoured to maintain the internal cohesion of the Community: in February 1974 the Council decided to step up consultations on economic policy, the Commission kept a vigilant watch and put a check on any protectionist tendencies and Community solidarity was established via loans, the Regional Fund and the Social Fund.

This overall effort to create a sound general economic situation was backed by specification to improve the common policies.

The *common agricultural policy* is still a cornerstone in the construction of Europe. The cost is high but not exorbitant and anomalies, like the present state of the monetary compensatory amounts and structural surpluses in certain products, must be steadily eliminated. The agricultural policy acted as a stabilizer in the crisis period and consumer prices have remained stable in contrast to the runaway movements on certain world markets.

On 22 December, Mr Lardinois declared that the agricultural policy had shown its worth and, if all countries played the game, it would survive. He was sorry that, before he left, he had not ma-

naged to secure agreement on all the proposals to restore order on the milk sector.

When he talked to the press about *steel policy* on 20 December, Mr *Simonet* referred to the successful outcome of the discussions and work which had been going on since 1975 and which had resulted in the introduction, from 1 January 1977, of the crisis arrangements for the Community steel market.

Giving an account of work in the *industrial and technological policy* field, Mr *Guazzaroni*, on 17 December, highlighted work done by the Commission. He pointed out that the present crisis had led to Community action in three areas: shipbuilding, the motor industry and textiles.

On 2 December, Mr *Gundelach* took stock of what the Community had accomplished for the *internal common market*. He spoke of the renewal of interest in company law, stressing that progress now being made was the first fruit borne by the Commission's new and more flexible approach to harmonization.

Energy: a disappointment

1105. Mr *Ortoli* dwelt on what he considered to be the biggest disappointment: energy. The lukewarm commitment of the member countries towards an energy policy, despite the formidable challenge now facing the industrialized world, had not allowed a bold and comprehensive policy to be mounted which would have combined the development of alternative sources of energy, with the maintenance and development of our own sources and with real and significant projects for the rational use of energy.

The Commission has not despaired of success or of persuading Europe to face up to the fact that, as regards energy, its salvation lies in its own hands, in its resolve to work jointly to a coherent plan, and in its ability to persuade its partners, particularly the United States, to play the same game. The Community could not knuckle under

by agreeing, without demur, to depend on external sources for 60 % of its supplies.

On 22 December, Mr *Simonet* set out the tasks which the new Commission would have to accomplish on the energy front. He spoke of the crisis measures applied by the Council concerning restrictions on trade in petroleum products and said that the Community would have to devise a comprehensive plan to deal with supply problems, real measures to develop alternative sources and an external nuclear policy.

Progress in external relations

1106. Mr *Ortoli* declared that the crisis had afforded Europe an opportunity to rediscover its world dimensions.

At a time when the situation of certain developing countries had worsened — and in some cases dramatically so — the Community could not miss the call to enter with them into relationships founded on the determination to exploit to the full their mutual capacity for economic development.

On the world scene, this policy has advanced in two directions: the Community has gradually increased its development aid (the generalized system of preferences, the beginnings of financial assistance, food aid, the attempt to bring national policies into line) and the Community, as such, is taking on more and more responsibility in the dialogue which has started on world economic problems, especially those of the Third World.

The Community has consolidated its relations with the ACP States. In defining a project so vast, so comprehensive and so original on a basis of equality, Europe demonstrated in deeds its political capability and the authenticity of its mission in the Third World.

The conclusion of a whole network of agreements with the Mediterranean countries is another illustration of this overall policy. On 17 December, Mr *Cheysson* observed that the undertak-

ings given at the Paris Summit Conference in October 1972 to conclude agreements with the Mediterranean countries had been honoured and that the Community policy towards the countries of the southern Mediterranean was now in place.

Mr Ortoli, too, pointed out that the development of the generalized system of preferences, the agreements with the South American and Asian countries were a token of the Community's commitment towards seeking greater solidarity with the whole of the developing world. Aid to the developing countries represented the second largest share of the Community budget, after the common agricultural policy.

On 21 December, Sir Christopher Soames surveyed the development of the Community's external relations over the last four years. He found that the two main achievements were the assertion of the Community's personality and image throughout the world and the improvement in relations with the United States.

Concerning the part played by the Community in developing trade, the Commission had done much to maintain open structures. It had used all its political weight to forestall a revival of protectionism in the Community itself, and this had allowed the Community to take part with full authority in all the major negotiations, particularly within OECD and under GATT, to secure a better system for free trade and enabled it to defend its own interests with maximum effectiveness in its relations with most of its chief economic partners in the *industrialized world*. The Community's 'economic external relations' were being conducted with increasing success.

The institutional debate

1107. Mr Ortoli considered that the whole meaning of the institutional debate turned on the need for cohesion and effectiveness. The Tindemans Report had looked into ways and means of strengthening European integration. He confirmed that the Community's further develop-

ment must continue with the Treaty as its foundation, strengthening rather than changing the existing institutions.

These four years had seen substantial progress; participation by the Heads of Government and the President of the Commission in the management of Community affairs within the European Council now enables the priorities of European policy to be spelled out at the highest level. Then, the election of the European Parliament by direct universal suffrage, an objective of the Treaties of Paris and Rome for the past twenty-five years and now finally becoming reality, would be the opportunity for Europeans themselves to initiate the fundamental debate on what resources and powers Europe is to command and the opportunity for the parties to evolve European political platforms.

The new Commission takes office

1108. The Representatives of the Governments of the Member States formally appointed the Members of the new Commission of the European Communities on 13 December and appointed the President and the five Vice-Presidents on 20 December.

The new Commission held its first meeting on 6/7 January 1977, when it distributed portfolios between its Members.

The new Commission

1109. On 13 December¹ the Representatives of the Governments of the Member States appointed the following to serve as Members of the Commission from 6 January 1977 to 5 January 1981:

¹ OJ L 359 of 30.12.1976.



Mr Guido Brunner
Mr Richard Burke
Mr Claude Cheysson
Viscount Etienne Davignon
Mr Antonio Giolitti
Mr Finn Olav Gundelach
Mr Wilhelm Haferkamp
Mr Roy Jenkins
Mr Lorenzo Natali
Mr François-Xavier Ortoli
Mr Christopher Tugendhat
Mr Raymond Vouel
Mr Henk Vredeling

On 20 December¹ they appointed Mr Jenkins President and Mr Gundelach, Mr Haferkamp, Mr Natali, Mr Ortoli and Mr Vredeling Vice-Presidents of the Commission from 6 January 1977 to 5 January 1979.

Agreement on the appointment of Mr Jenkins as President of the Commission had been reached by the European Council, following a procedural suggestion in the Tindemans report, when it met on 12 and 13 July 1976. Mr Jenkins then began consulting the Governments of the Member States as to the membership of the new Commission; the European Council agreed the list of names at its meeting on 29 and 30 November.

First meeting of the new Commission

110. The new Commission held its first meeting on 6/7 January in Brussels. Opening the meeting, Mr Roy Jenkins, the President, made a speech which included the following remarks:

'The new Commission, over which I have the honour to preside, is the heir to a tradition of practical idealism going back to Jean Monnet's Presidency of the Coal and Steel Community a quarter of a century ago. That tradition has been carried forward with skill and dedication by the outgoing Commission, led by my immediate predecessor, President Ortoli. I begin my own term of office by paying tribute to the tenacity and courage with which he and his colleagues

have defended the still half-built citadel of European unity through a period of exceptional economic strain. My fellow Commissioners and I are resolved to follow the same tradition in facing the problems of the next four years.

The pioneers of European unity knew that they had to graft their ideal into the hearts and minds of the peoples of Europe — and that this could be done only by giving it practical content in everyday terms. That is our task too. Our aim must be to improve the lot of the ordinary citizen throughout the Community, and to make him or her feel that Europe is becoming a better place to live in.

We must combat the growing divergencies in the economies of our Member States not by weakening the strong, but by strengthening the weak. Above all, we must remember our underlying purposes. Our means are economic. Our end remains, as it has always been, political. It is to make a European union, committed to the principles of justice, freedom, intellectual integrity and social fairness. This is the time—even in the teeth of difficulties—for a new advance.'

The Commission¹ then attended to a number of organizational matters. It determined the order of precedence of its Members and drew up a roster showing which of the Vice-Presidents would deputize for the President in his absence. It adopted its work programme for January and its schedule of meetings until mid-February and held an initial exchange of views on its methods of work, on the basis of a memo from the President. Preparing for the next part-session of Parliament (from 10 to 14 January in Luxembourg), the Commission emphasized that it would attach paramount importance to strengthening its relations with Parliament.² Lastly, the Members of the Commission were assigned their portfolios.

¹ Ibid.

² The President of the Commission addressed Parliament on 11 January. The new Members gave their solemn undertaking before the Court of Justice the same day.

Portfolios of members of the Commission

1111. On 7 January the Commission agreed that the responsibilities of its Members would be as follows:

Mr Roy Jenkins, President, is responsible for the Secretariat-General, the Legal Service, the Security Office and information.

Mr. F.X. Ortoli, Vice-President, is responsible for economic and financial affairs, credit and investments and the Statistical Office, and for general relations with the EIB.

Mr. W. Haferkamp, Vice-President, is responsible for external relations (except enlargement).

Mr. F. O. Gundelach, Vice-President, is responsible for agriculture and fisheries.

Mr. L. Natali, Vice-President, is entrusted with special responsibilities (Greece's application for membership and any further applications; consequences of enlargement; contacts with governments of Member States and the public concerning preparations for direct elections to Parliament). He is also responsible for the environment and coordination of nuclear safeguards.

Mr. H. Vredeling, Vice-President, is responsible for employment and social affairs, and is *chef de file* for the Tripartite Conference.

Mr. C. Cheysson is responsible for development.

Mr. G. Brunner is responsible for energy, research (including the Joint Research Centre), science (including scientific and technical information), and education. He is also *chef de file* for any action taken by the Commission in the field of industrial innovation.

Mr. R. Vouel is responsible for competition.

Mr. A. Giolitti is responsible for coordinating the Funds and other financial instruments with structural objectives and for regional policy.

Mr. R. Burke is responsible for taxation, con-

sumer protection, transport and relations with Parliament.

Mr. E. Davignon is responsible for the internal market and industrial affairs and for the administration of the customs union.

Mr. C.S. Tugendhat is responsible for financial institutions, budgets, financial control and personnel and administration.

Biographical notes

1112. Brief summaries of the careers of the Members of the Commission are given below.

Rt Hon. Roy Harris JENKINS

Privy Councillor (1964)

Born 11 November 1920; elder son of the late Arthur Jenkins MP and of Hattie Jenkins;

1945	Married Jennifer Morris; two sons, one daughter Abersychan Grammar School; Balliol College, Oxford, (hon. Fellow 1969) Secretary and Librarian, Oxford Union Society; Chairman, Oxford University Democratic Socialist Club;
1941	First Class in Honours School of Philosophy, Politics and Economics
1942-46	Royal Artillery, Captain
1946-48	Member of Staff of Industrial and Commercial Finance Corp. Ltd.
1948-50	MP (Labour) for Central Southwark
1949-50	Parliamentary Private Secretary to Secretary of State for Commonwealth Relations
1950-56	MP for Stechford Division of Birmingham
1949-61	Member of Executive Committee of Fabian Society (Chairman 1957/58)
1955-58	Governor, British Film Institute
1956-60	Member of Committee of Management, Society of Authors

New Commission takes over

1962-64 Director of Financial Operations, John Lewis Partnership
 1964-65 Minister of Aviation
 1965-67 Secretary of State for Home Affairs
 1967-70 Chancellor of the Exchequer
 1970-72 Deputy Leader, Labour Party
 1974-76 Secretary of State for Home Affairs
 United Kingdom Delegate to Council of Europe, 1955-57.
 President of United Kingdom Council of the European Movement, and of Labour Committee for Europe.
 Hon. Foreign Member, American Academy of Arts and Sciences, 1973.
 Hon. Fellow, Berkeley College, Yale, 1972.
 Hon. Doctorates from: Leeds (1971), Harvard (1972), Glasgow (1972), Pennsylvania (1973), Dundee (1973), Oxford (1973), Loughborough (1975).
 Charlemagne Prize and Robert Schuman Prize 1972.

Publications: Mr Attlee: An Interim Biography, 1948; Pursuit of Progress, 1953; The Labour Case, 1959; Asquith, 1964; Essays and Speeches, 1967; Afternoon on the Potomac, 1972; What Matters Now, 1972; Nine Men of Power, 1975

François-Xavier ORTOLI

Born 16 February 1925 in Ajaccio, Corsica
 Lycée Albert-Sarraut, Hanoi
 Law Studies in Indochina: Law degree
 1947 École nationale d'administration
 1948 Inspecteur des finances
 1951 Member of the staff of the Minister of Economic Affairs, then of the Minister of Information
 1952 French Government Agent attached to the Franco-Italian Conciliation Commission
 Jan. 1953 Technical adviser to the staff of the Minister of Economic Affairs
 1955 Assistant Director on the staff of the Minister of Economic Affairs
 1957-58 Head of the Trade Policy Department, Office of the State Secretary for Economic Affairs; Director-General for the Internal Market, EEC Commission

New Commission takes over

May 1961 Secretary-General of the Interdepartmental Committee for European Economic Cooperation
 1962 Technical adviser to the staff of the Prime Minister, then Director of the staff of the Prime Minister in December 1962
 1963 State Representative on the Board of Directors of the Havas Agency
 1966-67 General Commissioner for Planning
 1967 Chairman of the Advisory Committee on the Production of Electricity from Nuclear Sources
 1967-68 Minister of Public Investment and Housing
 June-July 1968 Minister of Education
 June-August 1968 UDR deputy for the Nord
 July 1968-June 1969 Minister of Economic Affairs and Finance
 June 1969-July 1972 Minister of Industrial Development and Scientific Research
 1973-76 President of the Commission of the European Communities
 Chevalier de la Légion d'honneur, Médaille militaire, Commandeur de l'ordre national du Mérite, Croix de guerre 1939-45, Médaille de la Résistance.

Wilhelm HAVERKAMP

Born 1 July 1923 in Duisburg
 1929-42 Primary and secondary education
 1942 School-leaving certificate (*Abitur*)
 1942-46 Military service and hospital
 1946-49 Read economics and social sciences at Cologne. Degree in economics
 1950 Head of Social Policy Department, North Rhine-Westphalia Division, German Trade Union Federation
 1953-57 Member of Executive Committee, North Rhine-Westphalia Division, German Trade Union Federation
 1957-63 Chairman, North Rhine-Westphalia Division, German Trade Union Federation
 1963-65 Member of ECSC Consultative Committee
 1962-67 Member of Federal Executive, German Trade Union Federation

New Commission takes over

New Commission takes over

Head of the Economic Policy Department, Social Democratic Party

1 July 1967 Member of the Commission of the European Communities

Since 1970 Vice-President of the Commission of the European Communities

Finn Olav GUNDELACH

Born 23 April 1925 in Vejle

Married, two children

1946-47 President of the Students' Union at Aarhus University

1947-49 Vice-President of the Danish National Union of Students

Jan. 1951 Took economics degree at Aarhus

1951-55 Ministry of Foreign Affairs (responsible for matters relating to NATO and OECD)

1955-59 Permanent Representative of Denmark to the United Nations Office at Geneva

1959-61 Director, Department of Trade Policy, GATT, Geneva

1961 Assistant Director-General of GATT

1962-67 Deputy Director-General of GATT (Kennedy Round)

1967-72 Ambassador, Head of Mission of Denmark to the European Communities (negotiations for the accession of Denmark, information programme prior to the Danish referendum)

1973-76 Member of the Commission of the European Communities

Lorenzo NATALI

Born 2 October 1922 in Florence

Lawyer; married, two daughters; lives at l'Aquila

Volunteer in the Italian Liberation Corps in 1944

Decorated for bravery in the field; wounded in action

Member for the Abruzzi in seven consecutive Parliaments

Under-Secretary in the Prime Minister's Office, the Ministry of Finance and the Treasury

Later, as Minister of the Merchant Marine, brought in legislation to promote shipbuilding and credit for the shipping industry

Minister of Tourism and Entertainment; Minister of Public Works: introduced legislation on town planning and low-cost housing

Minister of Agriculture: introduced laws on protection against natural disasters and on regional financing. Carried out official missions in Europe and Latin America in connection with food supplies

As Minister of Agriculture, took an active part in the Council of the European Communities (enlargement of the Communities, reform of agricultural structures, determination of regional policy and preparation of the relevant instruments)

Currently a member of the Lower House's Foreign Affairs Committee and of the Christian Democrat Party Executive.

Henk VREDELING

Born 20 November 1924 in Amersfoort

Married; residence: Huis ter Heide, Zeist

Education: After secondary school, attended Agricultural University at Wageningen

Member of Second Chamber for the Labour Party (Partij van de Arbeid) since 1956; Member of European Parliament (1958-73)

Social and economic adviser to the Agricultural and Food Workers Union in the NVV (Dutch Trade Union Federation)

1973-77: Minister of Defence

Claude CHEYSSON

Born 13 April 1920

Studied at the Ecole polytechnique and the Ecole normale supérieure

1947-48 Studied at the Ecole nationale d'administration

1948 Administrator (Foreign Service)

1949 Chief Liaison Officer to the Federal German authorities in Bonn

1952 Adviser to the President of the Government of Vietnam

1952 Secretary (Foreign Service) (Grade 1)

June 1954-Jan. 1955 Deputy Chef de cabinet and then Chef de cabinet to Prime Minister Pierre Mendès-France

1956 Technical Adviser on the staff of Alain Savary,

New Commission takes over**New Commission takes over**

	State Secretary for Moroccan and Tunisian Affairs
1956	First Secretary, French Embassy in London
1957-62	Counsellor (Foreign Service) (Grade 2)
1958	Secretary-General of the Commission for Technical Cooperation in Africa South of the Sahara
1962-65	Counsellor (Foreign Service) (Grade 1)
1966	Director-General of the Technical Organization for the Exploitation of Mineral Resources in the Sahara
1966-70	Director-General of the Industrial Cooperation Agency Minister Plenipotentiary (Grade 1)
1970	Ambassador to Indonesia
1973-76	Chairman of the Board, Entreprise minière et chimique
	Member of the Commission of the European Communities
	Officer of the Légion d'honneur, Croix de guerre (1939-1945) and Croix de guerre (TOE)

Guido BRUNNER

Born 27 May 1930 in Madrid

1949-54	Read law and economics at the Universities of Heidelberg, Munich and Madrid
1955	Degree in Law, University of Madrid
1955	Doctor of Law, University of Munich
1956	Entered Ministry of Foreign Affairs, Bonn
1957	Private Office of the Federal Minister of Foreign Affairs, Heinrich von Brentano
1958	Consulate at Liverpool
1960	Embassy at Madrid
1968	Office of State Secretary, Ministry of Foreign Affairs
1968	Office of the Observer of the Federal Republic of Germany at the United Nations, New York: Counsellor, Head of the Economic and Social Affairs Division, then Head of the Political Affairs Division
1970	Section on international cooperation in the field of Science and Technology, Political Department, Ministry of Foreign Affairs
	Spokesman, Ministry of Foreign Affairs

1972	Head of Planning Staff, Ministry of Foreign Affairs
1974	Head of German Delegation to the Conference on Security and Cooperation in Europe in Helsinki and Geneva, Ambassador
since 1975	Member of the Commission of the European Communities, responsible for research, science and education; since 6 January 1977 responsible for energy, research, science and education
	Member of the Executive of the Free Democrat Party

Raymond VOUEL

Born 1923; married, three children

Studied economics before beginning his political and professional career as a journalist on the Socialist daily newspaper 'Tageblatt', where he worked in particular on the international politics columns

Served as Administrative Director of the Esch Municipal Hospital (1954-64), was elected Town Councillor in Esch in 1963 and became Chairman of the Buildings Committee.

Joined the Government in 1964, holding the posts of State Secretary for Health, for Labour, for Social Security and for the Mining Industry.

Elected to the Chamber of Deputies in 1969; Chairman of the Parliamentary Socialist Party (1970-74)

General Secretary of the Luxembourg Socialist Workers' Party (1970)

Re-elected to the Chamber in 1974; Deputy Prime Minister and Minister of Finance and Town and Country Planning Member of the Commission of the European Communities since July 1976.

Antonio GIOLITTI

Born 12 February 1915 in Rome

Law graduate

Married, three children

Active in the Resistance from 8 September 1943, wounded in action on 9 September 1944

Elected member of the Constituent Assembly on the Communist Party list

New Commission takes over

Under-Secretary at the Ministry of Foreign Affairs in the first Government to be formed after Italy was proclaimed a Republic. Left the Communist Party in 1957, since when he has been an active member of the Socialist Party; has been a member of the party's Central Committee since 1958 and of the party Executive since 1964

Between 1972 and 1973 was Chairman of the party's Economic Committee

Has several times chaired the Lower House's Committee on Industry and the Parliamentary Socialist Party

Was Minister for the Budget and Economic Planning in the 1964, 1970-72 and 1973-74 Centre-Left Governments

In 1974 represented Italy at the Sixth Special Session of the United Nations General Assembly

In 1974 was Chairman of the OECD Council

Publications: Il comunismo in Europa, 1960; Riforme e rivoluzione, 1975; Un socialismo possibili, 1975; Founded and edited the monthly review *Passato e presente* between 1957 and 1960

Gave a series of lectures in the United Kingdom in 1973 and 1975 and in the United States in 1976

Richard BURKE

Born 29 March 1932 in New York

Married Mary Freeley 4 April 1961; two sons (David and Richard), Three daughters (Mary, Audrey and Avila)

Secondary Education at Upperchurch, Christian Brothers, Thurles and Dublin

Master of Arts and Higher Diploma in Education, University College, Dublin

Secondary teacher

Read law at King's Inns, Dublin; barrister-at-law, 1973

Elected to Dáil Éireann in 1969 and 1973 for South County Dublin

Fine Gael Chief Whip from 1969 to 1972 and Spokesman on Posts and Telegraphs from 1972 to 1973

Member of the following Dáil Committees from 1969 to 1973: Procedure and Privileges; Selection; Dáil Reform; Public Accounts; John F. Kennedy Memorial Hall

Minister for Education since 14 March 1973

New Commission takes over

Etienne DAIGNON (Viscount)

Born 4 October 1932 in Budapest

Doctor of Law

1961 — Attaché on the staff of the Minister of Foreign Affairs, Paul-Henri Spaak

1963 — Deputy Chef de cabinet to Mr Spaak

1964 — Chef de cabinet — first to Mr Spaak and then to Pierre Harmel

Director-General, Political Department, since 15 November 1969

Appointed Chairman of the Governing Board of the International Energy Agency on 18 November 1974.

Christopher Samuel TUGENDHAT

Born 23 February 1937; elder son of the late Dr Georg Tugendhat;

Married in 1967 to Julia Lissant Dobson; two sons.

Ampleforth College; Gonville and Caius College, Cambridge (President of Union)

Financial Times leader and feature writer, 1960-70;

Member of Parliament (Conservative), City of London and Westminster South, since 1974 (Cities of London and Westminster, 1970-74);

Director, Sunningdale Oils, 1971;

Director, Phillips Petroleum International (UK) Ltd, 1972;

Consultant to Wood Mackenzie & Co, Stockbrokers

Publications: Oil: The biggest Business, 1968; The Multinationals, 1971 (McKinsey Foundation Book Award, 1971).

2. Fisheries: Interim measures for the management of resources

Interim fishery measures

1201. The question of the interim measures for the conservation and management of fishery resources after 1 January 1977 — the date from which the Nine decided to extend their fishing zones to 200 miles — could not be satisfactorily resolved before the end of 1976.

The discussions which took place at the meetings of the Council on 13, 14 and 20 December did not enable Ministers to reach agreement on the internal aspect (they merely agreed to a standstill of one month), while as regards the external aspect it was decided to apply autonomous measures to certain non-member countries during the first three months of 1977 while negotiations continued.

Relations with non-member countries

1202. The communiqué published by the Council at the end of its meeting on 20 and 21 December states:

'As far as external aspects were concerned, the Council examined the arrangements to apply from 1 January 1977 to third countries in the 200-mile fishing zone, and the arrangements in favour of fishermen of the Member States to be negotiated with third countries.

In particular, the Council defined the basic details of autonomous arrangements to apply to certain third countries during the first three months of 1977. It agreed to notify the interested countries of the decision as soon as possible.

The Council noted that formal consultations between the Member States were planned for the very near future on the introduction of a system for checking the vessels of third countries in the Community zone during the interim period; it was agreed that a long-term solution would have to be prepared on the basis of suitable proposals from the Commission.

The Council also took note of a report from the Commission on the progress of the negotiations embarked on pursuant to the decision of 4 November with the United States, Canada, Norway, The Faeroes, and Iceland with a view to concluding framework agreements. The Council expressed its concern at the immediate future of relations with Iceland as far as fishing was concerned. It did, however, welcome the fact that negotiations had been started on the problem with other European countries (which were moreover in a privileged position) such as Spain, Sweden and Finland, as well as Portugal with which negotiations were soon to be opened.'

At the end of 1976 the situation was as follows: long-term framework agreements were on the point of conclusion with Sweden and The Faeroes. Negotiations with Norway, Iceland, Canada, the United States, Spain and Finland were in progress. The USSR, Poland and the German Democratic Republic had not replied to the Community's offer of talks.

Romania, Bulgaria, Cuba and Japan had been asked to end all fishing activities in Community waters from 1 January 1977.

Lastly, a special problem affected certain developing countries, as the bilateral agreements concluded by the Community countries would soon expire and could no longer be renewed from 1 January. On 13 December 1976 the Council, acting on a proposal from the Commission, therefore adopted a decision authorizing France to sign an agreement on deep-sea fishing with Guinea-Bissau for a transitional period and it was agreed that the Commission would hold exploratory talks with Guinea-Bissau and Senegal.

Moreover, since the international fishing situation was undergoing major changes as a result of the extension of fishing zones to 200 miles by an increasing number of coastal States and the implications of these extensions for the Convention setting up the North-East Atlantic Fisheries Commission (NEAFC), the Council defined the

3. Social policy: New developments

Interim fishery measures

position to be adopted by the countries of the Community which are parties to the Convention with a view to safeguarding Community interests: in other words, these countries will withdraw from the NEAFC from 1 January 1978.

Internal aspects

1203. As for the internal aspect, the Council was unable to reach agreement on the Commission proposals regarding the interim measures for the conservation and management of the fishery resources of the Member States. These concerned, firstly, the problem of quotas to be granted to the Member States with the most serious problems and, secondly, the conservation measures to be adopted.

Bearing in mind the positions adopted, the Council finally decided to maintain the *status quo* during the month of January 1977. It agreed on the following declaration:

'The Council agrees that catches taken in the month of January 1977, which will not exceed the quantity taken in January 1976, will count against quotas to be fixed for the interim period and all Member States will register these catches in accordance with the procedure laid down under Article 5 of the draft interim regulations. In this way there will be restraint by the fishing fleets of the Community and, having regard to the decisions taken in respect of third countries, there will already be a significant reduction of the total fishing effort within Community waters.'

It is further understood that during this short standstill period, while these restraints are in effect, existing conservation measures will remain unchanged and Member States will not take additional conservation measures.

The Council intends to reach agreement on the interim measures for the conservation and management of fishing resources during this period.'

1301. The year ended on a positive note with the last month marking the end of the first stage of the social action programme¹ implementing the Resolution adopted in this connection by the Council on 21 January 1974.²

December saw the completion of the progress report for 1973-76 in this sphere by the Commission, the 'social' session of the Council on 9 December 1976 at which it approved the important directive on the safeguarding of employees' rights in the event of mergers, the meeting held on 13 December by the Standing Committee on Employment, the final proposals adopted by the Commission for submission to the Council before the end of the year, and the work on social policy guidelines to be put forward in the near future.

1973-76 Progress Report

1302. In a memorandum presented prior to the Council meeting on social affairs in December, the Commission grouped the Community's social policy activities around three main focal points, following the new impetus given in this sphere by the Summit Conference of Heads of State or Government in Paris in October 1972, which was also reflected in the 'social' Council of December 1974³ and the Tripartite Conferences.

These three focal points are: employment problems; the improvement of living and working conditions; the participation of both sides of industry in economic and social decisions and of workers in the life of undertakings.

¹ Supplement 2/74 — Bull. EC.

² Bull. EC 1-1974, point 2210.

³ Bull. EC 12-1974, points 1301 to 1307.

Employment

1303. In the employment sector the resources of the new European *Social Fund* were increased and its scope for intervention broadened: the appropriations available to it have risen from 222.95 million u.a. in 1973 to 441 million u.a. in 1976.

The implementation of the principle of equality of treatment between male and female workers gave rise to three proposals for Directives forwarded to the Council on pay, access to employment, vocational training and promotion and, lastly, social security.

The Commission has also drawn up a proposal for a recommendation to Governments on vocational training for young persons who are unemployed or threatened with unemployment.¹ The Council adopted a resolution on an action programme for migrant workers² and in this context the Commission recently forwarded to it a proposal for a directive on combating illegal immigration. Lastly, machinery was set up for the co-ordination of national employment policies.

Living and working conditions

1304. In this sphere the Council adopted a recommendation on the forty-hour week and the four weeks' annual paid holiday, besides two directives, one of which concerned collective dismissals and the other, approved on 9 December, the safeguarding of workers' rights in the event of company mergers and transfers of undertakings, businesses or parts of businesses.

In addition, the Commission has endeavoured to extend social protection to categories of persons not covered under existing schemes or inadequately protected; it has launched a programme of pilot schemes and studies as part of the fight against poverty; lastly, having drawn up and revised the first European Social Budget (1970-75)

it has begun the preparation of the second one (1976-80).

Participation

1305. One of the most important events in this sphere was undoubtedly the meeting of the Social Conference in Brussels in December 1974,³ with the participation of both sides of industry, Governments and the Community, followed in December 1975 and June 1976 by two Tripartite Conferences⁴ attended for the first time by the Ministers of Economic Affairs. A framework for cooperation between departments wishing to combine their efforts to deal with current economic and social problems has thus been created—and may even become institutionalized.

Similarly, the Social Conference of December 1974 agreed to 'reanimate' the Standing Committee on Employment; the Committee met several times in 1975 and 1976, its last session being held in December.

The findings of the 'social affairs' Council

1306. Agreement was reached on some of the more important of the ten or so points on the agenda of this session of the Council, held on 9 December; opinions were aligned or procedural decisions reached on several other points, whilst discussions on Community social policy options gave rise to a number of comments which the Commission will take into account in its activities.

¹ Bull. EC 7/8-1976, point 2208.

² OJ C 34 of 14.2.1976 and Supplement 3/76 — Bull. EC.

³ Bull. EC 12-1974, point 1307.

⁴ Bull. EC 11-1975, points 1201 to 1205 and 6-1976, points 1101 to 1105.

Safeguarding workers' rights in the event of mergers

1307. Firstly the Council agreed on the desirability of harmonizing national provisions on the safeguarding of workers' rights in the event of company mergers or transfers of undertakings, businesses or parts of businesses. This problem was dealt with in a Commission proposal submitted on 31 May 1974¹ based on the Resolution of 21 January 1974² concerning the social action programme³ (the Council has, therefore, now given an opinion on all the Commission's formal proposals based on this Resolution).

The Directive in question⁴ is intended to put workers affected by structural changes or takeovers in the same position as if there had been no change of employer. It will enter into force twenty-four months after its formal adoption, and will constitute an important step forward as regards worker protection, which must be ensured by one of the following means: the automatic transfer of workers' rights, ban on dismissal as a result of a transfer, procedure for informing and consulting the representatives of the workers affected by the transfer.

Youth unemployment

1308. Following a debate on a Commission memorandum on vocational training for young persons who are unemployed or threatened with unemployment⁵ and existing or planned measures in this connection by the Member States, the Council reached a number of conclusions; it stressed the importance of measures designed to facilitate the transition of young persons into the working world, in particular the following:

(i) setting-up, by methods best suited to the age and degree of maturity of those concerned, of vocational training courses enabling young persons to develop basic knowledge, information, skills and abilities, and practical experience of work that will increase their chances of integrating into

working life and enjoying greater stability of employment;

- (ii) monitoring the quality of these courses and their suitability for the aims in view;
- (iii) making available to those concerned the facilities necessary to enable them to follow this vocational training.

In this context, the Council is fully aware of the fact that these measures in no way prejudice those which have already been—or might be—taken on a more general level to promote youth employment.

Humanization of working conditions

1309. In connection with a Commission communication on the humanization of working conditions submitted to it in June 1976, the Council emphasized the importance it attached to the development of Community activities in this sphere. Among the priorities to be considered, the Council made special reference to improving conditions of continuous or semi-continuous shift work. This question will be studied by the Commission in liaison with the European Foundation for the Improvement of Living and Working Conditions and subsequently discussed by the Standing Committee of Employment.

Migrant workers

1310. Points of view on the schooling of migrant workers' children have moved closer; the latter number 800 000 in France, 400 000 in Germany and 40 000 in the United Kingdom (Community immigrants only). The Council has

¹ Bull. EC 5-1974, point 2214 and 7/8-1975, point 2235.

² OJ C 13 of 12.2.1974.

³ Supplement 2/74 — Bull. EC.

⁴ Point 2218.

⁵ Bull. EC 7/8-1976, point 2208.

⁶ Bull. EC 6-1976, point 2221.

agreed to continue the discussion at its next meeting in the light of consultations scheduled to take place meanwhile. By contrast, since one of the Member States was unable to withdraw its reservations, the Council could not reach a decision on the standardization of systems of paying family benefits to workers whose families are resident in a Member State other than the country of employment.

Standing Committee of Employment

1311. The Standing Committee on Employment held its tenth meeting in Brussels on 13 December; participants included the Ministers of Social Affairs of the Member States, representatives of workers' and employers' organizations and Commission representatives.

The discussions dealt with youth employment, the coordination of Community financial resources, and action to be taken following the Tripartite Conference of 24 June 1976—especially as regards the outlook for employment.¹

As regards *youth employment* the majority of speakers expressed their approval of the Commission's analysis and guidelines it suggested; they stressed that this problem was above all the result of qualitative and quantitative imbalances on the labour market. Whilst acknowledging the need for certain specific measures aimed at young persons, they highlighted the need to ensure that these measures did not merely shift the problem to the detriment of other categories on the labour market. Certain representatives of the two sides of industry stressed the question of the number of hours worked and the nature of the imbalances on the labour market.

The Committee took note of the Commission's intention, in the near future, to analyse employment problems in greater depth and determine new guidelines with a view to contributing to the discussions at the next Council meeting on social affairs; before this meeting, the Standing Com-

mittee on Employment would also be called on to express an opinion.

The Committee also discussed the coordination of Community financial resources in the light of a memorandum from the European Trade Union Confederation. The Commission informed the Committee that it intended to forward to the bodies concerned, including the Standing Committee on Employment, the findings of its studies on ensuring better coordination between the various Community funds.

Lastly, the Committee held a policy debate on *action taken following the Tripartite Conference* of 24 June as regards the employment outlook, since the situation still gives rise to concern.

The Committee has asked the Commission to promote consultations between the two sides of industry and representatives of the Member States to involve the former to a greater extent in achieving the objectives of the Luxembourg Conference. In this context the Commission stated that it intended to submit a progress report to the Committee on work carried out on the outlook for employment up to 1980 (as part of the medium-term economic policy programme) with a view to ensuring closer integration between employment policy and general economic policy.

Commission measures and proposals

1312. Lastly, in December the Commission was engaged in intensive activity in connection with the meetings of the Council² and the Standing Committee on Employment,² the proposals to be made prior to the end-of-year deadlines, work relating to the opening of 1977 and lastly, the initial reactions to the results of the social action programme and the guidelines to be adopted for the coming years.

¹ Bull. EC 6-1976, points 1101 to 1105.

² Points 1306 to 1311.

4. Public supply contracts: A major achievement

Developments in social policy

As regards the revision of the Social Fund—laid down by the basic regulation of 1971—the Commission, which had already received (in December) the comments of the Fund Committee on problems raised by the revision of the rules governing the latter, informed the Council that it planned to submit its formal proposals for the Social Fund's revision in February 1977.

In December, too, the Commission approved or finalized several proposals to the Council. On 22 December it approved a proposal for a Directive on the gradual implementation of the principle of equal treatment for men and women as regards social security; on the same date, the outlines of a Community action programme on health and safety at work; on 2 December a memorandum on determining pollution criteria; on 20 December, a draft resolution on safety in agriculture; on the following day, a five-year research programme on safety in mines and a research programme on chronic respiratory diseases.

In the same month, the Commission drew up its first annual progress report on the implementation of the programme (pilot schemes and studies) to combat poverty and a communication on the dynamization of social security benefits (i.e. the regular adjustment in line with increasing prosperity). They are to be approved and sent to the Council in January.

1401. An important step was taken on 21 December for the development of the common market with the adoption by the Council of a directive and a number of related instruments coordinating procedures for the award of public supply contracts.¹

The aim is to enable firms in Member States to compete freely and effectively for large supply contracts awarded by States, public bodies or local authorities by introducing Community procedures to eliminate discrimination and arbitrary selection, to ensure adequate publicity and to define objective bidding criteria. The Member States must take appropriate measures to comply with this directive.

Content of the directive

1402. The harmonized procedures introduced by the directive are based indirectly on procedures already established under the public works directive: authorities in the Community — States, ministries, regional, or local authorities or decentralized public bodies — intending to award supply contracts exceeding 200 000 EUA in value must publish a notice in the Official Journal of the European Communities giving interested parties, i.e. potential tenderers, all the information required for submitting their application, in the case of restricted procedures, or for making an offer, in the case of open procedures. A specimen notice is annexed to the directive. The awarding authorities must treat all the firms concerned equally on the basis of uniform criteria notified in advance.

The products covered by the directive include all normal supplies required by public authorities, in particular materials for universities and schools, hospitals, scientific research facilities, non-military army supplies (textiles, footwear, transport equipment), data-processing equipment as from 1 January 1981 and so on. The estimated total vo-

¹ OJ L 13 and C 11 of 15.1.1977.

lume of public purchasing varies in the different Member States from 7 % to 11 % of gross domestic product. Only certain categories of contract will be affected by the new procedures; for 1972 their value for the Community as a whole was estimated to be at least 10 000 million u.a., and there is every reason to believe that these figures have increased substantially in both nominal and real terms.

Temporary exceptions

1403. For various reasons, however, the Council directive does not apply to all public supply contracts. For example, transport services and water and power supply and distribution authorities are not included, as their varying legal status in the Member States—some are governed by public law, some by private law and some by a combination of the two—rules out a simple and rapid uniform solution.

For the same reason telecommunications services in the Member States have also received temporary dispensation, but at the same time the Council has noted the need to draw up measures, within a period of two years, to ensure that the directive is adopted by these authorities and that all categories of supply contracts awarded by them are thrown open to effective competition. It has therefore urged the Commission to draft these measures and to press on with the harmonization of technical standards for this equipment currently being carried out within the framework of the European Conference on Postal and Telecommunications Administrations.

Role of the Advisory Committee for Public Contracts

1404. The Council has also decided to extend the terms of reference of the Advisory Committee for Public Works Contracts, set up by decision of 26 July 1971,¹ to deal with issues arising from the supply directive; it will henceforth be

given the title of Advisory Committee for Public Contracts. In general terms the Committee will be responsible for supervising the operation of the directive, ensuring that it is implemented uniformly in all the Member States and investigating complaints by firms alleging irregularities in contract award. The Committee will be chaired by the Commission and will constitute a means of permanent contact between the government departments responsible for public contracts, policy and management; it will also be involved in the work still to be carried out in this field.

Relations with non-member countries

1405. It should be stressed that apart from its contribution to the achievement of an internal common market, the directive is also important in that it will strengthen the Community position during the international negotiations currently taking place at the OECD in Paris and GATT in Geneva, the purpose of which is to eliminate from the rules governing public contracts obstacles to free trade between the partners involved. On this particular aspect of the negotiations the Community will henceforth present a united front and the Council adopted a Resolution concerning access to Community supply contracts for products originating in non-member countries.

¹ OJ L 185 of 16.8.1971.

2ND PART

ACTIVITIES

IN DECEMBER 1976

1. Functioning of the common market

Customs union

Customs union

Tariff measures

Suspensions

2101. On 9 December,¹ the Council adopted two regulations temporarily suspending the autonomous CCT duties for certain agricultural and industrial products originating in Malta.

Duties are suspended, either totally or partially, for 1977 in order to ensure that Malta receives treatment at least equal to that granted to countries benefiting from generalized tariff preferences.

Tariff quotas

2102. On 9 December² the Council adopted a regulation increasing the volume of the Community tariff quota opened on 29 October 1975³ for 1976, for certain plywoods of coniferous species. The volume originally fixed at 635 000 cubic metres is increased to 685 000 cubic metres; the additional amount will be allocated to the Community reserve.

2103. On a proposal from the Commission, the Council adopted a number of regulations in December opening, allocating and providing for the administration of Community tariff quotas for 1977 in respect of the products listed in Table 1 below.

2104. On 9 December,¹ the Council adopted a regulation on the opening of a duty-free tariff quota for the importation into the United Kingdom of new potatoes originating in Cyprus during the first half of 1977.

2105. On 13 December,⁴ the Council amended its regulations of 19 October⁵ concerning Com-

munity tariff quotas for handicrafts and for certain hand-woven fabrics, pile and chenille, of silk or cotton, extending their application to Peru and Honduras in the first case, and to Honduras alone in the second.

Generalized tariff preferences

2106. On 13 December,⁶ the Council adopted a number of regulations on the opening and method of administration of generalized tariff preferences for developing countries. In order to apply these regulations, the Council defined the concept of originating products in four regulations adopted on 21 December.⁷

2107. On 13 December,⁶ the Representatives of the Governments of the Member States adopted two decisions on the opening and administration of tariff quotas for certain iron and steel products (coming under the ECSC Treaty) originating in developing countries.

Community import surveillance

2108. In order to fulfil the Community's obligations towards Israel and the Maghreb (Algeria, Morocco and Tunisia), the Council adopted two regulations on 9 December¹ establishing ceilings and Community supervision for 1977 of imports of certain industrial products originating in these countries.

2109. On 21 December,⁸ in the context of the EEC-EFTA agreements, the Council adopted

¹ OJ L 350 of 20.12.1976.

² OJ L 342 of 11.12.1976.

³ OJ L 292 of 12.11.1975.

⁴ OJ L 347 of 17.12.1976.

⁵ OJ L 305 of 6.11.1976 and Bull. EC 10-1976, point 2106.

⁶ OJ L 349 of 20.12.1976.

⁷ OJ L 361 of 30.12.1976.

⁸ OJ L 367 of 31.12.1976.

Customs union

Customs union

Table 1 — *Tariff quotas (1977)*

Description of product	Quota volume	Initial allocation	Reserve
Frozen beef and veal ²	38 500	38 500	—
Raw silk (not thrown) ³	3 800	2 525	1 275
Yarn, entirely of silk, other than yarn of noil or other waste silk, not put up for retail sale ³	60	49	11
Yarn, spun entirely from silk waste other than noil, not put up for retail sale ³	250	180	70
Kraftliner and other paper and paperboard, originating in Portugal (sub-heading ex 48.01 C II) ⁴	44 100	33 075	11 025
Other types of paper and paperboard, originating in Portugal (subheading 48.01 E) ⁴	1 575	1 182	393
Wines, originating in Portugal: ⁵			
Port wines, in containers holding two litres or less	35 000 hl	31 500 hl	3 500 hl
Port wines, in containers holding more than two litres	280 000 hl	252 000 hl	28 000 hl
Madeira wines, in containers holding two litres or less	1 500 hl	1 350 hl	150 hl
Madeira wines, in containers holding more than two litres	14 500 hl	13 000 hl	1 500 hl
Setubal muscatel wines in containers holding two litres or less	1 000 hl	900 hl	100 hl
Setubal muscatel wines in containers holding more than two litres	2 000 hl	1 800 hl	200 hl
Certain industrial and agricultural products, originating in various Mediterranean countries: ²			
<i>Cyprus</i>			
Certain textile fibres (56.04)	100	73	27
Men's and boys' outer garments falling within heading 61.01	500	272	228
<i>Spain</i>			
Other woven fabrics of cotton (55.09)	1 800	1 350	450
Certain petroleum products	1 200 000	925 000	275 000
Sherry wines in containers of two litres or less	40 000 hl	32 000 hl	8 000 hl
Sherry wines in containers of more than two litres	210 000 hl	168 000 hl	42 000 hl
Malaga wines	15 000 hl	12 000 hl	3 000 hl
Jumilla, Priorato, Rioja and Valdepenas wines	15 000 hl	12 000 hl	3 000 hl
Dried figs	200	160	40
Dried grapes	1 700	1 360	340
<i>Israel</i>			
Apricot pulp	150	120	30
<i>Malta</i>			
Cotton yarn (55.05)	1 240	870	370
Textile fibres (56.04)	992	613	379
Outer garments falling within heading 60.05	216	160	56
Other garments falling within heading 61.01	815	543	272

Table 1 (*continued*)

Description of product	Quota volume	Initial allocation	Reserve (tonnes) ¹
<i>Morocco</i>			
Apricot pulp	8 250	5 440	2 810
<i>Egypt</i>			
Other woven fabrics of cotton (55.09)	3 250	1 985	1 265
Certain petroleum products	360 000	300 000	60
<i>Tunisia</i>			
Apricot pulp	4 300	2 840	1 460
<i>Turkey</i>			
Certain petroleum products	391 000	290 000	101 000
Yarn and woven fabrics of cotton falling within headings 55.05 and 55.09; machine made carpets falling within subheading ex 58.01 A:			
cotton yarn (55.05)	1 026	792	234
woven fabrics of cotton (55.09)	2 415	1 947	468
machine made carpets (ex 58.01 A)	185	151	34
Fresh or dried hazelnuts falling within subheading ex. 08.05 G	21 700	17 700	4 000

¹ Unless otherwise stated.² OJ L 357 of 29.12.1976.³ OJ L 344 of 14.12.1976.⁴ OJ L 342 of 11.12.1976.⁵ OJ L 348 of 18.12.1976.⁶ OJ L 350 of 20.12.1976.

several regulations establishing indicative ceilings and Community supervision of imports of certain products originating in Austria, Finland, Iceland, Norway, Portugal, Sweden and Switzerland.

Duty-free entry

2110. On 16 December,¹ the Commission decided to prolong once again²—until 31 March 1977—the duty-free importation of goods for free distribution to the earthquake victims in the Friuli region.

2111. At its 17 December sitting, Parliament adopted a resolution on the total or partial sus-

pension of Common Customs Tariff duties for certain agricultural products originating in Turkey.

Customs arrangements for the free movement of goods

Transit

2112. The end of 1976 saw the recasting of the Community transit rules. On 14 December the

¹ OJ L 5 of 7.1.1977.² Bull. EC 9-1976, point 2105.

Council adopted a new regulation intended to replace that of 18 March 1969¹ on Community transit, which has been amended several times.

On 22 December, the Commission followed suit and reshaped all the implementing regulations adopted since 1969, and their numerous amendments, into one single text.

This completes the consolidation work in the Community transit sector which the Commission announced in the programme of action for the simplification of customs procedures and formalities adopted on 25 February 1975.² A complete legal instrument, which is easy to consult and can be updated rapidly, is now available for users and customs services.

2113. On 31 December, the Commission presented to the Council a proposal for a regulation instituting from 1 January 1978 a Community export declaration form aligned on the model form drawn up under the auspices of the UN Economic Commission for Europe (ECE).

It will be possible to use the export forms together with the transit forms once the Commission has carried out the parallel revision of Community transit documents. It will also be possible to use them separately if the export procedure is not followed by a transit procedure. This proposal to standardize export documents in no way prejudices a future harmonization of import documents.

2114. On 21 December, the Council adopted a decision on the signing, on behalf of the European Economic Community, of the Customs Convention of 14 November 1975 on the International Transport of Goods under cover of TIR carnets, provided that it is concluded. The Convention was drawn up at a conference held in Geneva from 3 to 14 November 1975 under the auspices of the UN Economic Commission for Europe and in which the Community played an active part.

On the same day, the Council adopted a regulation on the advance implementation, as from 1 January 1977, of certain technical provisions in the TIR Convention of 1975 (technical conditions applicable to road vehicles, the authorization procedure for road vehicles and containers, authorization licences, TIR plates and the new format of the TIR carnets).

Customs arrangements based on economic considerations

Inward processing

2115. On 16 December, the Commission adopted a directive³ on the inward processing arrangements for certain cereal products. Under this directive, the Member States will have to provide additional statistical data enabling an assessment to be made of the influence of inward processing arrangements on the market for these products and making its administration easier.

Internal common market

Free movement of goods

Removal of technical barriers to trade

Motor vehicles

2116. December saw further progress in the removal of technical barriers to trade in motor vehicles. The directive on taximeters was adopted

¹ OJ L 77 of 29.3.1969.

² Bull. EC 2-1975, point 2101.

³ OJ L 5 of 7.1.1977.

on 21 December by the Council and the Commission sent seven new proposals to the Council. It may be hoped that the final directives concerning this sector will be adopted during the first half of 1977, so that the Community mechanism for type-approval of vehicles will be complete.

Taximeters — The directive on taximeters, adopted by the Council on 21 December, aims at harmonizing national legislation on the requirements for construction, materials, indicator devices and markings, and also methods of metrological control. As the final adjustment of a meter cannot take place until it has been installed in a vehicle, the provisions of the directive on the conditions for granting approval and issuing EEC marks and symbols are to be applied in two stages. The first consists of checking the proper functioning and measurement qualities of the taximeter, after which an initial EEC verification mark is issued. This mark allows taximeters access to the whole Community market. The competent authorities of the Member States are then to check that installation in the vehicle has been carried out correctly, and perform the final adjustment. The directive adopts the 'optional' solution for harmonization.

Heating systems for the passenger compartment — This proposal is designed to ensure the safety and comfort of passengers.

Wheelguards — This proposal is intended to protect persons outside the vehicle against any stones, mud, water, etc. which may be thrown up.

Lamps — As requirements for the installation of rear fog lamps, reverse lamps and parking lamps are already included in a Council Directive of 27 July 1976,¹ the new proposals — transmitted to the Council on 31 December — concern the technical requirements for their construction and testing. Lamps which satisfy the requirements contained in the annexes to the directives and which bear the EEC type-approval mark may circulate freely within the Community. The procedure also

includes a system of reciprocal notification of any grant, refusal, withdrawal or extension of EEC type approval.

Tyres — This proposal—presented to the Council on 31 December—relates both to the construction and testing of tyres and to their fitting. It applies to both original and replacement tyres, but not to studded or remoulded ones. A common procedure for granting an EEC mark is laid down, and tests may be carried out in the manufacturer's laboratories under his own responsibility. Spot checks by the Member States' authorities are, however, provided for. A safeguard provision is included under which Member States can take appropriate measures regarding tyres which conform with the directive, but which none the less appear to be dangerous. A reciprocal notification system is also set up by the proposal.

Weights and dimensions — This proposal, presented to the Council on 31 December sets out the maximum length, width and height of motor vehicles in the category of private cars and other vehicles used for the carriage of persons and having no more than nine seats. It also provides for requirements on the determination of the permissible maximum laden weight and for distribution of this weight between the axles of the vehicle in order to ensure its proper control, even in the most adverse loading conditions.

Public contracts

Public supply contracts: directive adopted

2117. On 21 December,² the Council adopted a directive coordinating procedures for the award of public supply contracts together with some related texts.³

¹ OJ L 262 of 27.7.1976.

² OJ L 13 and C 11 of 15.1.1977.

³ Points 1401 to 1405.

Pharmaceuticals

2118. Prior to the effective implementation of the Council Directives of 20 May 1975, on proprietary medicinal products, the Commission sent to the Council on 23 December the draft rules of procedure of the Committee for Proprietary Medicinal Products¹ set up by these directives. The draft, which had already been approved by the representatives of the Member States on the Committee, and by the Commission, has to be transmitted to the Council to allow it to comment.

Companies

Adoption of the second Directive

2119. On 13 December, the Council adopted the second company law Directive concerning the formation of public companies, and the maintenance and alteration of their capital.

The Directive adds new structures to the legal framework for Community-wide action by companies, offering them greater possibilities for establishment throughout the internal market, whilst at the same time aligning on a Community level the guarantees to the public which are already contained to some extent in the national legislative systems of the Member States.

A central principle of the incorporation of limited liability companies is that it is the company itself which is liable for its debts, the shareholders being accountable only to the extent of the value of their shares. Strict rules must therefore be compiled governing the formation and maintenance of the company's capital so as to ensure that it maintains the funds necessary for meeting its obligations to the public.

The Directive therefore provides for a minimum required capital subscription of 25 000 EUA, and that shares must be actually paid for by share-

holders to not less than 25 % of their nominal value at the time of commencement of business by the company. Where payment is not in cash, but in kind, stricter guarantees are required: the shares must be paid up within five years and are subject to a report on the value of the payment by independent experts. No distribution of capital is permitted where it would reduce assets below the level of subscribed capital plus undistributable reserves. In general, the company cannot distribute capital to an amount greater than its net profits for the year plus any net profits brought forward from previous years.

In Member States where companies are permitted to purchase their own shares, it is still not permissible to purchase more than 10 % of the subscribed capital, save in certain well-defined cases such as mergers, and even then the proportion must be reduced to 10 % within three years. This is to prevent the creation of an artificially inflated picture of shareholdings in the company. Special rules have however been introduced to encourage the purchase by employees of shares in their own companies.

The Directive confirms the principle of equal treatment for shareholders in identical situations. Shareholders' rights are upheld by the provision that where capital is increased, any premium (amount in excess of nominal value) on shares must be fully paid up immediately by new shareholders, so as to put them in the same position as existing ones. Existing shareholders cannot however be deprived of their proportion of the share capital on its increase against their will, and so must receive the first offer of new shares to the extent necessary to maintain that proportion. Special guarantees must be offered to creditors in the event of reduction of capital.

¹ Bull. EC 11-1976, point 2116.

Economic and commercial law

Commercial agents

2120. On 17 December¹ 1976 the Commission presented a proposal to the Council for a directive to coordinate the laws of the Member States relating to commercial agents. The proposal covers self-employed intermediaries—of whom there are some 800 000 at present within the Community— who negotiate commercial transactions in the name of and on behalf of another party known as a principal.

The importance of this proposal lies in the not insignificant role played by the commercial agent in the interpenetration of markets. He may, for instance, be the representative in one Member State for a product manufactured in another Member State. This proposal supplements the Council Directive of 25 February 1964 concerning the attainment of freedom of establishment and freedom to provide services in respect of activities of intermediaries in commerce, industry and small craft industries.² Its purpose is to harmonize the provisions governing the relationship between the commercial agent and his principal. This will remove the legal disparities which are barriers to the exercise of the occupation within the Community. The proposal deals mainly with the conclusion and termination of contracts between commercial agents and principals and their rights and obligations.

Harmonization of these provisions will help to ensure equal conditions of competition, and will provide a certain degree of legal protection for self-employed commercial agents in all the Member States: commercial agents are often in an inferior economic position *vis-à-vis* their principals.

A further directive will be introduced at a later date to harmonize the regulations and rules applicable to employed commercial representatives which raise different problems connected with labour law.

Community patent

2121. The constituent meeting of the Interim Committee for the Community Patent — set up following the signature in Luxembourg on 15 December 1975 of the Patent Convention³ — was held in Brussels on 3 December 1976.

The task of the Committee, which is made up of representatives of the nine Member States and of the Commission, is to make all the preparations to enable the special departments of the Munich-based European Patent Office to begin operating.

The European Patent Office, which is due to become operational in 1977, was set up by another convention—on the grant of European patents—signed in Munich in 1973⁴ by sixteen European countries, including the Community countries. As the two conventions are complementary, the European Patent Office is competent concerning the surrender, lapse or revocation of the Community patent.

The Interim Committee set up three working parties to deal with administrative and financial matters, legal problems (including the grant of a compulsory licence under a Community patent) and disputes concerning a Community patent.

Competition policy

General rules applying to undertakings

Limitation periods in proceedings and the enforcement of sanctions under the rules of the ECSC Treaty

2122. On 22 December the Commission decided to take action under Article 95 of the

¹ OJ C 13 of 18.1.1977.

² OJ 56 of 4.4.1964.

³ Bull. EC 12-1975, points 1301 to 1303.

⁴ Bull. EC 9-1972, Part One, Chapter III and 10-1973, point 2115.

ECSC Treaty with a view to filling in the gap left by the absence of limitation periods for proceedings and the enforcement of sanctions under the rules of the Paris Treaty. The draft Decision, on which the Commission will be seeking the Opinion of the ECSC Consultative Committee and the assent of the Council, is broadly similar to the Council Regulation on the same subject issued under the EEC Treaty.¹

Restrictive practices, mergers and dominant positions : individual cases

Authorization of a distribution system

2123. The Commission has authorized the 'EEC distribution system' of Gebrüder Junghans GmbH, clock and watch manufacturers, of Schramberg. This follows Commission decisions on distribution systems for motor vehicles² and consumer electronics.³

Gebrüder Junghans GmbH, a subsidiary of Karl Diehl, Nürnberg, manufactures Junghans and Diehl clocks and watches.⁴ It sells them in all the Community countries through a network of dealers, made up of wholesalers and retailers in Germany and sole distributors and retailers in the other Member States. In order to set up a uniform distribution system throughout the common market, Junghans concluded standard agreements with dealers at all stages of distribution. In particular, these agreements govern links between Junghans and the specialist trade, prohibiting Junghans and its authorized dealers from supplying products covered by the agreements to dealers who do not belong to the Junghans distribution system. In general, all wholesalers at the first stage of distribution are admitted to this network. For admittance to the subsequent stage of distribution Junghans insists only on general professional qualifications suitable for and necessary to the selling of clocks and watches. Only those retailers are admitted who run shops spe-

cializing in the sale of clocks and watches or—in the case of a department store—a specialized department for clocks and watches with suitable premises and staff for the provision of specialist services, and particularly of a high quality after-sales service. There are no longer any restrictions on sales between members of the Junghans distribution network. Junghans dealers are also free to set their own resale prices.

The Commission does not regard this simple standard distribution agreement as a restriction of competition within the meaning of Article 85(1) of the EEC Treaty.

The Junghans distribution system also obliges wholesalers not to pursue an active sales policy in some Community countries in which Junghans supplies sole distributors. In view of its beneficial effects on the distribution of Junghans and Diehl clocks and watches, this obligation can also be authorized under Article 85(3) of the Treaty, since it means that sole distributors in countries where Junghans products were previously sold only in small quantities or not at all, must work hard to sell and to open up new markets for Junghans products.

Export bans prohibited

2124. The Commission fined Miller International Schallplatten GmbH of Quickborn near Hamburg 70 000 u.a. following a complaint that the company had imposed export prohibitions.⁵

Miller International, a subsidiary of the American corporation MCA Records Inc., itself a subsidiary of MCA Inc., manufactures records, tapes and cassettes, which it distributes under the 'Europa' and 'Sonic' labels. Miller International had in-

¹ OJ L 319 of 29.11.1974.

² Bull. EC 12-1974, point 2126 (BMW).

³ Bull. EC 12-1975, point 2125 (SABA).

⁴ OJ C 84 of 9.4.1976.

⁵ OJ L 357 of 29.12.1976.

cluded export prohibitions in its agreement with its sole distributor in France and in its terms of business to protect sole importers and licensees from competitors in other Community countries. Miller International withdrew these prohibitions after representations from the Commission.

The fine was imposed because export prohibitions are clear infringements of Article 85 of the EEC Treaty. In 1972, for example, the Commission fined another record company (WEA-Filipacchi Music SA of Paris)¹ on the ground that the export prohibitions maintained by that company were infringements of Article 85.

Fines imposed for absolute territorial protection and supply of false information

2125. Acting on a complaint made by a Dutch retailer, the Commission condemned the use of trademarks and export prohibitions to protect exclusive sales rights and has imposed fines of 10 000 units of account each on a United Kingdom manufacturer and its Dutch exclusive distributor. The Dutch firm has in addition been fined 5 000 units of account for supplying incorrect and misleading information when notifying the distribution agreement.

The firms involved, Cecil E. Watts Ltd of Sunbury on Thames, a manufacturer of record cleaning appliances, and Theal BV (now Tepea BV) of Amsterdam, used export prohibitions and trade mark rights to prevent parallel imports of Watts products into the Netherlands. Watts prohibited United Kingdom wholesalers from exporting, closing the account of one wholesaler which supplied Dutch dealers, and Theal used its trade mark rights to prevent four dealers in the Netherlands from selling Watts products imported direct from the United Kingdom. The Commission ordered the parties to terminate these infringements. The result of the Commission's decision will be that retailers and wholesalers, particularly in the Netherlands, will be able to purchase Watts products direct from United Kingdom

wholesalers, thereby restoring the free circulation of these products in the common market.

Resale price maintenance prohibited

2126. The Commission² has taken a decision outlawing the general conditions of sale notified to it by Gerofabriek, Zeist, Netherlands, a company specializing in stainless cutlery. Gerofabriek forbade its dealers in the Benelux from exporting without its consent. They were also forbidden to supply other dealers, and to sell below minimum prices fixed by Gero; these prices varied and were higher in Belgium than in the Netherlands.

As a result of the action taken by the Commission, dealers are now completely free to sell Gero products to any buyer, and to set their own resale prices. By this decision, which echoes judgments given by the Court of Justice, the Commission has demonstrated its opposition to minimum prices imposed on dealers by a producer.

Information agreement between European paper machine wire manufacturers

2127. Following Commission representations, European manufacturers of metal and plastic paper machine wires used for draining off the water from the pulp—which are organized in national associations in Germany, France and the United Kingdom, and in the International Association of Paper Machine Wire Manufacturers (OFITO-MEP)—deleted a certain number of anti-competitive clauses in an information agreement which they entered into at the end of 1972.

¹ Bull. EC 12-1972, point 16.

² OJ L 16 of 19.1.1977.

Under the agreement in its original form, the members undertook to send the following documents, through the national association where there was one, to the OFITOMEP Secretariat-General:

- (i) lists of prices and discounts and terms of delivery and payment, to be sent two to three weeks from the submission of these documents to the customer or from the time they came into force. The Secretary-General was authorized to distribute these lists to the other members;
- (ii) in respect of deliveries to all countries except the USA, a copy of the invoice within ten days of issue, giving the name of the customer, the type of wire, the measurements and price of the wire, and any discount or favourable terms; discounts and favourable terms granted later were likewise to be notified immediately.

The OFITOMEP Secretariat-General was authorized to use this information to prepare market statistics or, at the request of a national association or a member firm, to inform it if a particular price had been paid by a particular customer for a given type of wire, in order to prevent users of paper machine wires from playing one supplier off against another.

Such a system, in which the data needed for independent price formation are not compiled individually by firms but are supplied collectively to the firms concerned, established links of professional solidarity and interdependence with regard to prices which would not have existed in a genuinely competitive market.

After hearing the Commission's objections to this information agreement, the firms involved agreed to stop informing each other of price lists, discounts and sales terms, to send their copies of the invoice to OFITOMEP or to the national association without giving the name and address of the customer, and to use these copies in future solely for the preparation of statistics.

Cooperation and rationalization agreements

2128. On 20 December the Commission authorized two cooperation and rationalization contracts in the German steel industry under Article 65 of the ECSC Treaty. These are to supersede the four rationalization groups set up in July 1971. The two contracts now authorized involve two distinct groups of undertakings.

The northern group embraces the following concerns: Eisen- und Stahlwerke Rötzels GmbH, Eisenwerk-Gesellschaft Maximilianshütte mbH, Fried. Krupp Hüttenwerke AG, Klöckner-Werke AG, Siegener AG, Stahlwerke Peine-Salzgitter AG, Stahlwerke Südwestfalen AG and Theodor Wuppermann GmbH.

Rötzels, Krupp, Südwestfalen, Siegener and Wuppermann are newcomers to the group.

The eight companies, all of them German-based, vary in size. Krupp (with its subsidiary Südwestfalen), Klöckner, Peine-Salzgitter and Maxhütte offer a relatively wide range of products. Rötzels, Siegener and Wuppermann are small, each of them specializing in a single product.

The authorization relates in the main to agreements on joint production of a variety of steel products: agreements on joint galvanization between Maxhütte, Klöckner and Peine-Salzgitter, agreements on joint production of coated sheet between Klöckner and Siegener, agreements on deliveries of preliminary products between Krupp and Rötzels, agreements on deliveries of preliminary products between Peine-Salzgitter and Maxhütte, and agreements on deliveries of preliminary products between Krupp and Wuppermann. Krupp, Klöckner and Peine-Salzgitter are also planning to coordinate their production programmes more closely in the interests of rationalization. Together members of this group account for some 29 % of German crude steel production and 9.4 % of Community output.

The southern group consists of the following firms: Aktiengesellschaft der Dillinger Hütten-

werke; Arbed (Aciéries réunies de Burbach-Eich-Dudelange) SA, Luxembourg, acting on its own account and for the account of Arbed, Felten et Guillaume Drahtwerke GmbH and Eschweiler (Bergwerksverein); Stahlwerke Röchling-Burbach GmbH; Otto Wolff AG, acting for the account of Rasselstein AG, Stahlwerke Bochum AG and Neunkirchen Eisenwerk AG.

With the exception of Arbed, all of these are medium-sized companies based in Germany. In addition to specializing in finished and final rolled products and attempting to find a mutual basis for producing crude steel castings and semi-finished products, the companies concerned intend to expand joint purchasing of iron ore. In this group, the works located in Germany account for about 11.5 % of crude steel production in Germany. With Arbed-Luxembourg, the group represents 7.4 % of Community production.

Germany is the main sales territory for these companies. On this market they will be competing with other big German or Community firms, such as the companies belonging to the Thyssen group (which accounts for 10 % of Community crude steel output), the Marine-Wendel group (8.3 %), Estel (7.7 %), Denain-Nord-Est Longwy (6.5 %) and Cockerill (4.6 %). Other potential competitors are the more specialized concerns like those in the Korf group, other small and medium-sized manufacturers in France and Belgium and producers from outside the Community, who are very active in this market.

This being so the Commission considered that the agreements are not such as to give the companies in question the power to fix prices, to control or restrict production, or to shield them against effective competition from other firms in the common market. The agreements were therefore authorized.

Mergers in the steel industry

2129. In December 1976 the Commission, acting under Article 66 of the ECSC Treaty, authorized acquisition by Klöckner-Werke AG, Duisburg, of a majority holding in Eisenwerk-Gesellschaft Maximilianshütte mbH, Sulzbach-Rosenberg (Maxhütte).

The transaction has created a new steel-producing group, which ranks fourth in Germany in crude steel production (following Thyssen, Estel, Hoesch/Hoogovens and Krupp-Südwestfalen) and third (ahead of Krupp-Südwestfalen) in rolled products. In the Community it ranks thirteenth in the production of pig iron and crude steel and fifth for the two main groups of products (permanent way material and merchant bars) processed by the merging companies.

An examination of the repercussions of this concentration on the steel market led the Commission to the conclusion that it satisfies the tests of Article 66(2) of the ECSC Treaty. The transaction does not hinder effective competition within the common market; nor does it affect the degree of vertical integration or the self-sufficiency of the group as a whole to an extent incompatible with the ECSC Treaty.

Although the positive (rationalization) effects of a concentration need not be investigated under Article 66 of the ECSC Treaty, the Commission feels that this concentration will be conducive to the reorganization of part of the German iron and steel industry.

State aids

General schemes of aid

Italy

2130. On 22 December the Commission decided to take action under Article 93(2) of the

EEC Treaty against a Bill notified by the Italian Government, to reorganize the aids given by Italy for the restructuring and conversion of industrial undertakings.

The Bill provides for the establishment of an Industrial Restructuring and Conversion Fund with a capital of Lit. 1 820 000 million spread over three years; it will supersede existing legislation on aids which follows similar objectives. This legislation consists of the laws concerning undertakings facing difficulties,¹ the reorganization and conversion of the textile industry² and the restructuring and reorganization of undertakings,³ on which the Commission had already issued decisions. The Fund will provide assistance mainly for the restructuring and conversion of existing undertakings and for the establishment of new undertakings in areas where traditional industries are dying out.

The assistance will take the form of loans at concessionary rates or of interest relief grants. It will be available in respect of the full cost of investment made in relation to such operations. However, the precise terms and rates will be settled only later. Recipients will also be identified later, through programmes for intervention and promotion to be worked out for specific industries by a new interministerial committee for industrial policy.

Since the recipients are not defined precisely in advance, the scheme is a general aid scheme and, in line with the practice followed hitherto, the Commission has initiated the procedure of Article 93(2) of the EEC Treaty in respect of this Bill, asking the Italian Government to give advance notification of the programmes worked out by the new interministerial committee in favour of specific industries or, alternatively, of significant cases of application.

Denmark

2131. On 22 December the Commission decided not to oppose the implementation of a

Danish law aimed at facilitating investment by small and medium-sized firms for saving energy. The law is largely the same as an earlier Danish law which the Commission approved in November.⁴

The appropriations allocated for the purpose total DKr. 40 million (5.3 million EUA) for the 1976 and 1977 financial years. Assistance will be given in the form of non-reimbursable grants of up to 40 % of the cost of the investment, subject to a maximum of DKr. 400 000 (approximately 52 800 EUA) per individual case. It will be available to industrial and craft firms working processes begun before 1 January 1975 and using large energy inputs; the investment must be designed to replace or improve the processes in such a way as to sharply reduce energy consumption.

The Commission concluded that the aids were compatible with the approach which it had proposed in the Community programme for the rational utilization of energy adopted by the Council. It therefore decided not to oppose the scheme, since it qualified for the exception in Article 92(3)(b) of the EEC Treaty as being an 'aid to promote the execution of an important project of common European interest'.

Regional aids

France

2132. On 22 December the Commission approved the comprehensive reform of the French regional development aids scheme made in April. The new scheme provides four forms of aid—the regional development grant (PDR), service industries siting grant (PLAT), research siting grant (PLAR) and special agricultural aid. The assisted

¹ Bull. EC 7/8-1973, point 2118, and 6-1974, point 2120.

² Bull. EC 12-1972, point 20.

³ Bull. EC 6-1972, point 6, 11-1972, point 8, and 6-1974, point 2119.

⁴ Bull. EC 11-1976, point 2122.

regions are chiefly the former assisted regions in the west, south-west, Massif Central and Corsica and a number of reconversion or frontier regions in the north and east.

The reformed scheme is more employment-oriented than before, since the grants are now treated as employment grants, though certain of them are still subject to a maximum expressed as a percentage of the cost of the investment (25%). Economic activities are also being redirected towards medium and small towns, and small and medium business gets specially favourable treatment.

Noting that the assisted regions and areas were indeed up against serious structural difficulties and that the intensity of the aid was generally in line with the problems actually faced, the Commission decided that the French scheme as a whole qualified for authorization under Article 92(3)(c) of the Treaty. But when endorsing the new scheme it nevertheless made a number of proposals for, among other things, a two-year limit on the grant of aid in the Ardennes department in view of the state of development of the region. The Commission also asked the French Government to inform it in advance of all occasions where large amounts of aid were given outside the assisted areas, as is possible where there is serious disturbance on the employment market.

Industry aids

Computer industry

Germany and France

2133. On 20 December the Commission decided to raise no objections to the aid measures notified by the German Government in relation to the large scale computer industry. It concluded that the third programme (1976-79) worked out by the German authorities qualified for the exception in Article 92(3)(c) of the EEC Treaty as

being a suitable means of developing the computer industry without adversely affecting trading conditions to an extent contrary to the common interest. The Commission asked for a regular flow of information on assisted projects in the peripherals industry, as this would enable it to exercise to the full its task of coordinating and inspiring new measures under the Council Resolution of 15 July 1974.¹

On the same date the Commission informed the French Government that its measures to help Compagnie internationale pour l'informatique (CII)/Honeywell-Bull (HB) also qualified for the exception in Article 92(3)(c) as helping to develop the computer industry without adversely affecting trading conditions to an extent contrary to the common interest. To help with the launching of the new company—resulting from the merger of CII and Honeywell-Bull²—France will be granting a temporary, degressive subsidy totalling FF 1 200 million as well as other assistance.

Lastly the Commission asked the two Governments to report annually (beginning in December 1977) on the operation of these aid measures and the results obtained from them.

Precision instruments

United Kingdom

2134. On 22 December³ the Commission decided to initiate the scrutiny procedure of Article 93(2) of the EEC Treaty in respect of a British scheme of aid for the precision instruments and automation industry. The planned scheme provides aid totalling £25 million to promote investment and restructuring and the development and marketing of new products and systems.

¹ OJ C 86 of 20.7.1974.

² Bull. EC 10-1976, point 1202.

³ OJ C 8 of 12.1.1977.

The Commission was not convinced that the problems arising in the industry were serious enough to justify a special aid scheme which might have a serious adverse effect on trade between Community countries. The Commission therefore opened the scrutiny procedure in order to go into the details of the case in greater detail before taking a final decision.

Offshore equipment

United Kingdom

2135. On 23 December the Commission decided to open the same scrutiny procedure in respect of a British scheme of aid for the purchase of installations for the exploitation of oil and gas reserves in the British continental shelf. The aid, which takes the form of an interest relief grant, will be available exclusively in respect of installations constructed by British firms.

State monopolies of a commercial character

Alcohol

France

2136. On 15 December¹ the Commission addressed a recommendation to the French Government under Article 44(2) of the Act of Accession, inviting that Government:

- to open a quota for the import of ethyl alcohol from the new Member States equal, in 1977, to 15 % of 1976 production; and to abolish by 31 December 1977 the exclusive importing, marketing and exporting rights in this field;
- to inform all concerned by an appropriate notice of the possibilities offered them by this quota of obtaining ethyl alcohol supplies from the new Member States.

The Commission had to address this new recommendation as a result of recent decisions of the Court of Justice,² since its earlier recommendation³ affected only brandies and spirits from the new Member States.⁴

Since France has not yet taken any action to adjust its monopoly in relations with the new Member States during the transitional period, the Commission's letter forwarding the recommendation on 15 December insisted that the French Government must forthwith comply with the recommendation of 20 September 1974;⁵ otherwise, proceedings would have to be taken for infringement of the Treaty under Article 169.

Matches

Italy

2137. The Commission has established that the Italian match monopoly has still not been adjusted to satisfy the requirements of Article 37 of the EEC Treaty, the offending points being the maintenance of price fixing arrangements (forming an obstacle to the free movement of goods), the tax role of the Consorzio Industrie Fiammiferi, and the continued monopoly of retail sales. The Commission therefore decided on 22 December to initiate fresh infringement proceedings against Italy, giving notice by letter in accordance with Article 169 of the EEC Treaty.

¹ OJ L 4 of 6.1.1977.

² Bull. EC 2-1976, points 2439, 2441 and 2446 (Rewe, Manghera and Miritz).

³ OJ L 278 of 15.10.1974.

⁴ Bull. EC 10-1974, point 2113.

⁵ OJ L 278 of 15.10.1974 and Bull. EC 10-1974, point 2113.

Taxation policy and financial institutions

Taxation

Indirect taxes

Sixth VAT Directive: further progress

2138. The Council devoted its meeting on 16 December to taxation (sixth VAT Directive) and continued its discussion of the problems still outstanding after its meeting in Luxembourg on 21 October,¹ at which substantial progress had already been made.

By the end of the meeting, the Council had agreed on solutions to all the major political problems raised by the proposal for a sixth VAT Directive. The relevant delegations undertook to deal by 15 January 1977 with the few reservations they had made.

In addition to providing an instrument of tax harmonization, the sixth VAT Directive will enable the Community's own resources system, which was established by the Decision of 21 April 1970, to be applied in full. The adoption of this Directive will therefore play an important part in strengthening the Community's internal structures.

The Council invited its President to arrange for the draft definitive text to be drawn up in close collaboration with the Commission, with a view to the adoption of the Directive by the Council before 1 March 1977.

Excise duties on manufactured tobacco

2139. On 20 December, the Council decided that, as it had yet to take a decision concerning the proposal for a directive presented by the

Commission on 10 February on a second stage in the harmonization of the structures of excise duties on cigarettes,² the first stage of harmonization would have to be extended once more.

This extension—the third—is provided for in a directive³ postponing the end of the first stage until 31 December 1977. At the same time, the Council agreed to decide on the proposal relating to the second stage before 30 June 1977.

Tax exemptions

Proposal for increasing exemptions

2140. On 31 December, the Commission decided to lay before the Council a proposal for a directive amending the present rules governing exemptions in international traffic, firstly by increasing the amount to 200 u.a. (it had been fixed at 125 u.a. since 1972) and secondly by adopting a mechanism for keeping the real value of Community exemptions constant. The exemptions, expressed in EUA, would be adapted each year in line with an index reflecting movements in the cost of living in the Community as a whole (an index of consumer prices calculated by the Statistical Office of the Communities).

The system of intra-Community tax exemptions granted to individuals has, since its inception in 1969, deteriorated somewhat owing to the steady upward movement of prices and to exchange rate fluctuations. In the first place, price rises tend gradually to erode the real value, and hence the impact of, Community exemptions. Secondly, as a result of the present monetary situation in the Community, the exemption amounts converted into the various currencies are not in fact the same. This situation is not only a source of dou-

¹ Bull. EC 10-1976, point 2118.

² Bull. EC 2-1976, point 2118.

³ OJ L 354 of 24.12.1976.

ble taxation (or non-taxation) but also has the result that the application of Community rules in this field may appear discriminatory.

Derogation granted to Denmark

2141. On 10 December, the Commission laid before the Council a proposal for a directive extending until 31 December 1979 the derogation granted to Denmark until the end of 1975 by the Act of Accession (and subsequently to the end of 1976 by a Council Directive of 20 January 1976¹) concerning tax exemptions on imports in international travel.

In the light of discussions between its departments and the Danish authorities, the Commission believes a further extension of the derogation to be necessary, particularly in view of the budgetary difficulties which Denmark might face as a result of a full and immediate application of Community exemptions.

However, the Commission proposal is designed to reduce the scope of the derogation granted to Denmark, in that this country must, from 1 January 1977, in some cases apply the intra-Community exemptions to products (tobacco, alcoholic beverages, beer) which are currently covered by the derogation.

Direct taxes

2142. At a plenary session held on 15 and 16 December, the *Economic and Social Committee*² adopted its opinion on the proposal transmitted by the Commission to the Council concerning mutual assistance between the competent authorities of the Member States in the field of direct taxation.

Financial institutions

Insurance

Insurance agents and brokers

2143. On 13 December, the Council adopted a Directive on measures to facilitate the effective exercise of freedom of establishment and freedom to provide services in respect of the activities of insurance agents and brokers (ex-Group 630 ISIC) on the basis of a proposal presented to it by the Commission on 4 December 1970.³

This Directive, which will come into force eighteen months after its notification to the Member States, provides for the introduction of a system of recognition of professional qualifications and of length of professional experience which, in the absence of equivalence between diplomas or of harmonized rules governing such activities, will facilitate freedom of establishment and freedom to provide services for insurance agents and brokers in the nine Member States. The Directive will therefore contribute to the creation of a European insurance market.

¹ OJ L 21 of 29.1.1976 and Bull. EC 1-1976, point 2112.

² Point 2460.

³ Bull. EC 2-1971, point 13.

2. Economic and monetary union

Economic, monetary and financial policy

Economic, monetary and financial policy

Economic situation

2201. At a meeting held on 9 December, the Committee of Experts on Short-Term Economic Policy discussed in detail the economic situation in the Community and the short-term outlook. Generally speaking, the views of the national experts were in line with the latest analyses and forecasts made by the Commission's staff.

In particular—although there is still an unusual degree of uncertainty as regards the short-term economic prospects—it is expected that the growth of the Community's gross domestic product will be moderate during 1977, while an average rate of increase of 4½% is forecast for 1976. The implications of this low rate of expansion for the employment situation are all the more serious in that, in most member countries, it will have been largely attributable to insufficient investment by firms. The Committee also agreed that, in the Community as a whole, inflation would probably lose momentum and the current account should show an improvement, especially if those countries least favourably placed succeeded in making substantial progress during the course of next year.

2202. The Group of Experts on Economic Budgets met on 14 December and examined the assumptions made concerning the world economic situation in 1977. The experts agreed in general with the Commission's forecast that the expansion of world trade would slacken in 1977 (a 7% increase in world demand, as against 8% in 1976, excluding the EEC). The slowdown would be relatively marked in intra-Community trade, which had grown by 14% in 1976. There would be a general tendency for inflationary trends to slacken. At its next meeting, in February 1977, the Group will examine in detail the Communi-

ty's economic outlook on the basis of a summary document covering all the full economic budgets for 1977.

United Kingdom economic policy measures: Commission statement

2203. The Commission's Spokesman issued the following statement concerning the economic policy measures announced by the British Government on 15 December: 'The Commission has been informed by the Chancellor of the Exchequer, Mr Healy, of the economic policy measures which the British Government presented to the House of Commons this afternoon.

The Commission welcomes the strong budgetary and monetary measures adopted. It believes that these measures will help to re-establish the domestic and external equilibrium of the British economy by freeing the resources required for supporting the balance of payments and productive investment and that they will thereby also help to bring economic trends closer together within the Community and to stimulate international trade.

The efforts of the British Government should be given all the necessary support by both the European Community and the international community.'

Monetary Committee

2204. The Monetary Committee held its 225th meeting in Brussels on 8 December, with Mr Pöhl in the chair. It examined the economic and financial situation in Italy on the basis of a report prepared by its *ad hoc* working party and decided to transmit this report to the Commission. It also adopted an opinion to be sent to the Council and the Commission on the monetary compensatory amounts payable under the common agricultural policy.

The Working Party on the Harmonization of Monetary Policy Instruments met in Brussels on 7 December to continue its work on monetary policy instruments.

Economic Policy Committee

2205. The Economic Policy Committee held its 39th meeting in Brussels on 14 December in its reduced 'budgets' composition, with Mr Middelhoek in the chair. The meeting was devoted to an examination of the probable 1976 budget outturns and to the budgetary forecasts for 1977. The Committee noted that, from one year to the next, the deficits in most member countries were declining in relative terms, as recommended in the guidelines contained in the draft fourth medium-term economic policy programme.

The Working Party on *Public Finance* met in Brussels on 13 December. It continued its work on the structural budget benchmarks and its study of trends in social security expenditure.

Regional policy

Future Community regional policy

2206. On 6 December, Mr George Thomson, the Member of the Commission with special responsibility for regional policy, met representatives of European employers' associations and trade unions. At the meeting, held in Brussels, Mr Thomson presented his ideas on the guidelines which, in his opinion, should be established in respect of future Community regional policy. He also made known his views to local and regional authority organizations at the first general conference of heads of regional and local authorities and comparable institutions of the nine EEC member countries, which was held in Paris on 7 and 8 December under the sponsorship of Mr

Edgar Faure, President of the French National Assembly.

Points made by Mr Thomson were also discussed by Parliament, in Luxembourg on 16 December, during its debate on the first year's work of the European Regional Development Fund. A written statement of the guidelines envisaged by Mr Thomson was also sent to the Economic and Social Committee.

Financing operations

European Regional Development Fund

Fourth allocation for 1976: 231.12 million u.a.

2207. On 14 December, the Commission approved the fourth and final allocation of funds for 1976 from the European Regional Development Fund, totalling 231.12 million u.a. This aid has been allocated to 613 investment projects costing a total of 2 661.06 million u.a.

In accordance with the Regulation of 18 March 1975¹ establishing the ERDF, the Fund Committee had been consulted on all the projects and the Regional Policy Committee on those infrastructure projects costing more than 10 million u.a.

This new allocation—the sixth since the Fund was set up—brings the total amount allocated in 1975 and 1976 to 799.86 million u.a. and the total number of projects assisted to 2 728. The 500 million u.a. available for 1976 have been fully committed. A number of projects could not be assisted owing to insufficient funds.² The first three allocations for 1976 had been approved by

¹ OJ L 73 of 21.3.1975.

² The Commission also decided, under Article 10 of the March 1975 regulation setting up the ERDF, to provide 80 000 u.a. for a study to be carried out jointly by Ireland and the United Kingdom.

**Table 2 — Grants from the ERDF
(fourth 1976 allocation)**

Member State	Number of grant decisions	Number of investment projects	Investments assisted (million u.a.)	Assistance granted (million u.a.)
Denmark	2	7	9.83	1.56
F.R. Germany	18	48	30.87	3.70
France ¹	52	209	646.53	76.47
Ireland	4	28	245.45	16.97
Italy	6	16	675.54	53.35
Netherlands	3	8	60.79	10.00
United Kingdom	63	297	992.05	69.07
Total	148	613	2 661.06	231.12

¹ The figures for France relate to the whole of 1976.

the Commission in January,¹ April² and July.³ Table 2 gives a breakdown of the amounts granted.

The 231.12 million u.a. breakdown as follows:

(a) 169.10 million u.a. to help finance 444 *infrastructure* projects required to develop industrial, artisan and service activities, comprising:

- 90.26 million u.a. to help finance 15 projects costing more than 10 million u.a. each;
- 77.00 million u.a. to help finance 410 projects costing less than 10 million u.a. each;
- 1.84 million u.a. to help finance 19 infrastructure investment projects in the areas referred to in the Directive on mountain and hill farming and farming in certain less-favoured areas.

The infrastructure investments assisted from the Fund involve a total of 1 361.30 million u.a. The main Member States to benefit are Italy with 53.35 million u.a., France with 51.27 million

u.a.,⁴ the United Kingdom with 39.43 million u.a. and Ireland with 10.97 million u.a.

(b) 62.02 million u.a. to help finance 169 projects relating to *industrial, artisan and service activities*, comprising:

- 38.73 million u.a. to help finance 16 projects costing more than 10 million u.a. each, and
- 23.29 million u.a. to help finance 153 projects costing less than 10 million u.a. each.

The industrial and services investments assisted from the Fund total of 1 299.76 million u.a. The Member States receiving the largest sums are the United Kingdom, receiving 29.64 million u.a., France, receiving 25.20 million u.a.,⁴ and Ireland, receiving 6 million u.a.

The Commission was able for the first time to publish simultaneously in Brussels and in the capitals of Member States the full lists of the 613 projects receiving aid from the ERDF's fourth 1976 allocation.

Fund Committee

2208. The Fund Committee, which met before the decisions were taken by the Commission in December, had given its opinion on 17 large-scale projects relating to infrastructure investments, on 13 industrial projects and on a large number of projects costing less than 10 million u.a. each.

The Committee also examined the possibility of giving appropriate publicity to the assistance provided by the Fund (especially infrastructure projects) in accordance with the Council Regulation of 18 March 1975 establishing the ERDF.

¹ Bull. EC 1-1976, point 2204.

² Bull. EC 4-1976, point 2210.

³ Bull. EC 7/8-1976, point 2206.

⁴ In the first three allocations for 1976, no decision had been taken to finance projects in France.

2209. On 16 December,¹ Parliament adopted a resolution on the first Annual Report (1975) of the European Regional Development Fund.²

Social policy

2210. The main social policy events of December were a Council meeting³ in Brussels on 9 December bringing together the Ministers of Labour of the Nine, a meeting of the Standing Committee on Employment on 13 December⁴ and the adoption of a number of decisions or proposals. For the Council meeting the Commission drew up a progress report for 1973 to 1976⁵ and the discussions which took place on this subject will be taken into account when future guidelines for Community social policy are drawn up.

Employment

2211. The Standing Committee on Employment, which held its tenth meeting in Brussels, dealt with youth employment, the coordination of Community financial resources and action taken following the Tripartite Conference of 24 June 1976, with special reference to the outlook for employment.⁴

Freedom of movement and social security for migrant workers

2212. The Advisory Committee on Freedom of Movement for Workers met in Brussels on 14 December. Its meeting was devoted mainly to the examination of a draft opinion for submission to the Commission on the coordination of migration policies *vis-à-vis* non-member countries. This coordination comes within the framework of the implementation of the Council Resolution of 9

February 1976⁶ on the action programme in favour of migrant workers and their families.⁷

Aware of the urgent need for organizing coordination which may help to achieve one of the main objectives of intra-Community freedom of movement (the promotion of full and better employment of the Community's labour force) by guaranteeing job priority to workers from Member States, the Committee adopted this opinion and asked the Commission to speed up work in this sphere.

Social Fund, re-employment and retraining

Social Fund Committee

2213. The European Social Fund Committee, which met in Brussels on 2 December, gave its opinion on the problems raised by the re-examination of the rules governing the Fund. The Commission will take the Committee's comments into account when drawing up the opinion which it must submit to the Council in 1977. Article 11 of the Council Decision of 1 February 1971⁸ provides for a re-examination of this decision no later than five years after its entry into force.

Assistance from the Fund: 'third instalment for 1976'

2214. On 22 December the Commission approved the third and final instalment for 1976 of

¹ Point 2414.

² Supplement 7/76 — Bull. EC.

³ Points 1306 to 1310.

⁴ Point 1311.

⁵ Points 1301 to 1305.

⁶ OJ C 34 of 14.2.1976.

⁷ Supplement 3/76 — Bull. EC.

⁸ OJ L 28 of 4.2.1971.

applications for assistance from the European Social Fund, submitted pursuant to Articles 4 and 5 of the Council Decision of 1 February 1971.

These applications, which had been examined by the Fund Committee on 5 November,¹ mainly involved retraining operations for workers who have left agriculture, textile workers, young persons seeking their first job, migrant workers or handicapped persons, (under Article 4) and, operations connected with unemployment in less-developed regions, retraining of workers in line with technical progress, measures for groups of undertakings in difficulty and, lastly, retraining measures for handicapped persons (under Article 5).

The decisions taken on 22 December involved the following amounts:

under Article 4:	<i>Amounts (in u.a.)</i>
<i>Financial year</i>	
1976	49 154 231.30
1977	54 786 789.42
1978	21 965 861.81
1979	382 850.52
<i>under Article 5:</i>	
1976	93 707 165.79
1977	69 165 076.17
1978	19 845 981.03
1979	698 100.00

Settlement of expenditure incurred by the old Fund

2215. On 22 December the Commission approved the granting of assistance from the European Social Fund to Germany and Italy for expenditure involved in vocational retraining and resettlement operations. Such assistance, granted from the old Fund pursuant to Article 126 of the EEC Treaty, is still awarded on a temporary basis for operations begun before 1 May 1972, the date of the entry into force of the new Fund, and

completed before 1 July 1972. The amount of this assistance is as follows:

Germany:	DM 35 241 227.58
Italy:	Lit 259 632 712.00

With the granting of this assistance, the old Social Fund was finally wound up.

Retraining measures

2216. During December the Commission decided, in application of Article 56(2)(b) of the ECSC Treaty, to contribute towards the expenditure involved in retraining workers affected by the partial or total closure of undertakings in the coal and steel industries in several Community countries.

In *Germany* three payments were made, two for a total of 255 250 EUA to 342 workers affected by the closure of a colliery and a briquetting plant and one of 72 500 EUA to 182 workers affected by the closure of a steelworks.

In *Belgium* the payments amounted to 1 220 000 EUA for 957 workers affected by the closure of a colliery and 92 250 EUA for 83 workers affected by the closure of a steelworks.

In *France* a payment of 2 175 250 EUA was made to 820 workers affected by colliery closures.

In the *United Kingdom* nine payments were made; one of 8 424 000 EUA was for 4 998 workers affected by the partial or total closure of collieries and eight others totalling 1 202 500 EUA to 1 691 workers affected by cutbacks in the steel industry.

¹ Bull. EC 11-1976, point 2220.

Social security and social welfare

Equal treatment for men and women as regards social security

2217. On 31 December the Commission forwarded to the Council a proposal for a directive on the gradual implementation of the principle of equal treatment for men and women as regards social security. It is intended to supplement the Council Directive of 9 February 1976¹ on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions.

The aim of the new directive is not to eliminate right away all differences in the treatment of men and women but to initiate the first stage of the implementation of the principle, while providing the opportunity to adopt subsequent measures.

According to the provisions laid down, any discrimination on the basis of sex must be abolished, whether this involves the conditions for granting benefits or the rates and duration thereof, etc., in the following social security fields: unemployment, sickness, medical care, old age pensions, invalidity, industrial accidents and occupational diseases. However, the Member States will be free not to apply the Directive to: determining the pensionable age; rights derived from the husband's insurance; treatment of periods of unemployment as periods of employment. It is planned to achieve this in three stages: the introduction of statutory systems two years after publication of the Directive, increases for dependants three years later and occupational pension schemes four years later.

Living and working conditions

Safeguarding of workers' rights in the event of company mergers

2218. By approving on 9 December a directive on the safeguarding of workers' rights in the event of company mergers, transfers of undertakings, businesses or parts of businesses, the Council implemented an important aspect of its Resolution of 21 January 1974 on a social action programme. The protection of workers will be ensured by one of the following means.

Firstly, the directive lays down that the transferors' rights and obligations arising from an employment relationship existing on the date of the transfer shall be automatically transferred to the transferee. The resulting responsibility of the transferee shall not prejudice the Member States' rights to provide for the transferor likewise to continue to be responsible, i.e., for the joint responsibility of the transferor and the transferee.

The transferee is obliged to retain, after the transfer, all the terms of employment agreed in a collective agreement until the date of termination or expiry of the collective agreement or the entry into force or application of another collective agreement.

Moreover, the Directive stipulates that the transfer of undertakings, businesses or parts of businesses shall not in itself give the transferor or the transferee grounds for dismissal. Dismissals may only take place for economic, technical or organizational reasons entailing changes in the employment situation. If the employment relationship is terminated because the transfer of the undertaking, business or part of business involves a substantial change in the terms of employment, to

¹ OJ L 39 of 14.2.1976; Bull. EC 2-1975, point 2209.

the detriment of the employee, the employer shall be regarded as having been responsible for termination of the employment relationship.

Finally, the Directive introduces an information and consultative procedure, under which the transferor and transferee are required to inform the representatives of their respective employees affected by the transfer of the reasons for the transfer, the legal, economic and social implications of the transfer for the employees and measures envisaged in relation to them. The Member States may limit the obligation to inform to cases where the transfer causes a change in the business likely to entail serious disadvantages for a considerable number of employees, on condition that these Member States provide that employees' representatives may have recourse to an arbitration board to obtain a decision on the measures to be taken with regard to employees.

The Directive does not affect the right of a Member State to apply or introduce laws, regulations or administrative provisions which are more favourable to employees.

Housing

2219. Under the first instalment of the eighth programme of financial aid to low-cost housing intended for staff in industries covered by the ECSC Treaty, the Commission approved the following loans: *Denmark*, Iron and steel industry: 180 dwellings (DKr. 3 789 150); *Ireland*, Iron and steel industry: 50 dwellings—coal industry: 35 dwellings (£170 000).

Furthermore, it has decided to provide the second 1977/78 operational instalment of this eighth programme with an appropriation of 30 million u.a. to be drawn on the special reserve and the ex-pension fund shown on the ECSC balance sheet depending on the funds available.

Industrial relations

European Trade Union Institute

2220. On 20 December the Council agreed that launching aid totalling 30 000 u.a. should be granted to the European Trade Union Confederation, to set up the European Trade Union Institute as laid down in the social action programme.¹ This Institute, which will deal with training, information and research at European trade union level, will become operational during 1977 under the aegis of the European Trade Union Confederation.

Health protection

2221. On 6 December the Commission forwarded to the Council a memorandum on the fixing of noise pollution criteria. This memorandum relates to that part of the Community action programme on the environment² which deals with the objective evaluation of the risks to human health and to the environment from pollution. The Commission memorandum contains a critical analysis of the existing documentation on the noise levels registered and their effects and lays down criteria by which to assess the disturbance of sleep or conversation, noise pollution, the effects of noise on human activities and auditory damage.

2222. On 9 December the Council adopted a directive on biological standards for lead and on screening of the population for lead. This directive, which is part of the Community action programme on the environment, is designed to assess the exposure of population groups to lead outside working environments. It calls on the

¹ Supplement 2/74 — Bull. EC.

² OJ C 112 of 20.12.1973.

Member States to adopt the necessary provisions to apply common biological screening procedures based on the measurement of lead levels in the blood.¹

2223. On 23 December the Commission proposed to the Council the organization of a Community agricultural safety week, to take place from 2 to 8 May 1977.²

2224. On 21 December it approved the financing of a five-year ECSC research programme on mines safety, allocating a total of 7 500 000 u.a. for this purpose;³ it also approved the financing, for the same period and for a total of 5 000 000 u.a., of the third research programme on 'chronic respiratory diseases'.⁴

On 22 December the Commission approved the contents of a draft Community action programme on health and safety at work. This draft programme sets forth general objectives, main guidelines and a general description of the measures which will be part of the final action programme which the Commission will present to the Council.⁵

2225. The Mines Safety and Health Commission met in Luxembourg on 2 December. It studied reports on four large-scale accidents which had occurred in mines between June and September, the extension of its responsibility to all the extractive industries, the new 'mines safety' research programme and the proposal for a Council Directive on the posting of safety signs at places of work.

Environment and protection of consumers

Environment

Meeting of Ministers responsible for the environment

2226. The Ministers responsible for the environment, meeting as the Council on 9 December in Brussels, took four formal decisions: they adopted the second Community environmental action programme, the Directive on the biological screening for lead and decisions concluding the conventions on the protection of the Rhine against chemical pollution. The exchange of views on the remaining points on the agenda did not produce any immediate practical results.

Approval of the second action programme

2227. The Council signified its agreement to the second European Community action programme on the environment (1977-81), for which the Commission submitted a proposal on 24 March 1976.⁶ This programme is an extension of the first one of 22 November 1973 and is designed to ensure the continuity of the projects already undertaken by the Communities in order to promote the qualitative development of their economies and preserve the natural environment.

The work relating to the conservation of the environment will mainly involve the drawing up of

¹ OJ C 112 of 20.12.1973.

² Bull. EC 4-1976, point 2229.

³ Bull. EC 7/8-1976, point 2222 and OJ C 10 of 14.1.1977.

⁴ Bull. EC 5-1976, point 2228.

⁵ Bull. EC 4-1975, point 2224.

⁶ OJ C 115 of 24.5.1976.

⁷ OJ C 112 of 20.12.1973.

a proposal for a directive on the protection of ground water and the implementation of the Directive of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment, such as cadmium and mercury.

The new topics for which this programme provides include:

- the assessment of the effects on the environment (environmental impact statement);
- the development of a mapping system showing the various regions of the Community and their suitability for various uses;
- measures to combat atmospheric pollution, noise, discharge and waste;
- environmental problems of concern to the developing countries.

Protection of the Rhine against pollution

2228. The Council adopted a Decision formally concluding the Bonn Convention on the Protection of the Rhine against Chemical Pollution, signed on 3 December 1976. The Council also adopted the Decision concluding an Agreement enabling the Community, represented by the Commission, to take part in the work of the International Commission for the protection of the Rhine against pollution. The five countries affected by these arrangements are France, the Federal Republic of Germany, Luxembourg, the Netherlands and Switzerland.

Protection of the Mediterranean

2229. The Council adopted another Decision formally concluding the Convention on the Protection of the Mediterranean against Pollution (known as the Barcelona Convention) signed by the Community on 13 September 1976.¹ Attached to the Convention is a protocol concerning dumping operations by ships and aircraft.

Twelve of the eighteen Mediterranean coastal States have signed the Convention, which was drawn up at a conference from 2 to 16 February 1976.²

Lead in the blood

2230. The Council also adopted a Directive on biological standards for lead and on screening of the population for lead; the Directive sets up a common procedure of biological monitoring with a view to assessing the exposure of the population to the many sources of lead in the environment.³

Water for human consumption

2231. The proposal for a Directive relating to the quality of water for human consumption was discussed by the Council. Certain technical points still have to be clarified and the new form of the proposal is to be submitted within six months. The Council felt that such a directive was necessary and desirable and that it should define mandatory standards for the maximum admissible concentration of certain substances.

Industrial pollution

2232. The Council held a detailed discussion on the proposals for Directives on waste from the titanium dioxyde industry and the reduction of water pollution caused by wood pulp mills in the Member States. Although agreement was not reached on the texts, it was possible, as a result of the Council discussions, to define the basis for further work and issue certain policy guidelines to help in finding solutions to the technical problems.

¹ Bull. EC 9-1976, point 2213.

² Bull. EC 2-1976, point 2222.

³ Point 2222.

Protection of flora and fauna

2233. On 20 December the Commission submitted to the Council a proposal for a directive concerning the protection of birds. The aim is to introduce a general system of protection for all species of wild birds living within the territory of the Member States. The system comprises measures to protect birds and their habitat and to prohibit trade in birds apart from a small number of game species. Special habitat protection measures are also planned for rare and migratory species.

On 31 December the Commission sent to the Council a recommendation that the Community begin negotiations with a view to acceding as an entity to the Convention on international trade in endangered species of wild flora and fauna. The Washington Convention of 3 March 1973 aims to safeguard some 800 species of flora and fauna by restricting and controlling international trade in these species and thereby reducing their taking and slaughter for reasons of commercial gain.

2234. The Economic and Social Committee,¹ at its meeting on 15 and 16 December, delivered its opinion on the Commission's communication and proposal concerning the Convention on the Protection of the Rhine against Chemical Pollution.

Protection of consumers

Symposium of consumer organizations

2235. A Symposium of European Community consumer organizations, attended by some 170 delegates, was held on 2 and 3 December in Brussels. This is the first time that such a gathering has been organized by the Commission. The participants adopted working papers for the attention of the Commission and the Consumers' Consultative Committee on the following points:

health and safety, legal and economic interests, consumer representation, education and information.

Consumers' Consultative Committee

2236. The Consumers' Consultative Committee, which met on 1 December in Brussels, concentrated on three main subjects, namely the labelling of foodstuffs, misleading publicity and the effects of tobacco.

2237. In accordance with the Decision setting up the Committee, the Commission appointed the new members of the Consumers' Consultative Committee and their alternates for the period from 1 January 1977 to 31 December 1979.

Foodstuffs

2238. At its meeting on 20 and 21 December the Council adopted a number of Directives, some of which related to both harmonization of agricultural and food legislation and consumer protection.

For instance, one was an outline Directive concerning dietetic foodstuffs,² which includes provisions on the labelling and advertising of products, the aim being to protect the consumer from misleading and false claims. The main provisions are that the principal nutritional characteristics of the product must be listed, and that no claim may be made as to prophylactic or therapeutic properties in respect of human disorders. Implementing provisions will be drawn up in the form of specific directives on certain clearly defined groups of products.

Another proposal for a Directive sent by the Commission to the Council concerns *materials and objects containing vinyl chloride monomer likely to come in contact with foodstuffs*; it fixes the

¹ Point 2464.

² Point 2253.

maximum vinyl chloride monomer content in order to protect consumer health.¹ The provisions of this text also cover the methods to be used to monitor the vinyl chloride content of foodstuffs and provides for the possibility of adapting the Directive to technical progress by means of an expeditious procedure.

Agricultural policy

2239. Matters having international and political implications were on the agenda for the Council meeting on 20 and 21 December. The Community's fisheries policy was discussed but only temporary measures were adopted. After a detailed examination of the Commission's proposed set of measures to remedy the alarming situation in the milk sector, no agreement was reached. The Council laid down arrangements for trade in beef and veal with non-member countries; they will come into force on 1 April 1977, the same date on which the import safeguard clause will be revoked.

New proposal for a market organization

2240. On 7 December² the Commission presented to the Council a proposal for the common organization of the market in alcohol. It replaces the 1972 proposal,³ and reflects the new situation in the Community market in alcohol following the enlargement of the Community, which saw the agricultural alcohol share of total production fall to 35 % compared with 55 % previously, while production of spirits increased from 25 to 40 %. The rules originally proposed were also simplified and additional incentives are provided for modernizing production apparatus in order to obviate the danger of a surplus.

The proposal covers only ethyl alcohol of agricultural origin and not synthetic alcohol and spirits. Measures are, however, planned for some spirits.

Arrangements governing production, prices and intervention are laid down for agricultural alcohol. Production is limited in line with sales possibilities. Molasses alcohol, however, is not subject to any restrictions on production, but to offset this there are no intervention measures and therefore no guarantee for this alcohol, while for the other types of agricultural alcohol a marketing guarantee is accorded up to the production quotas allocated to each distillery. A price guarantee is also provided by the intervention agencies for these types of alcohol by means of a withdrawal mechanism. Intervention agencies buy in only agricultural alcohol which has not found an outlet on the open market and they then sell it.

To provide a market, certain sectors are required to use only agricultural alcohol covered by the market organization: they are oral consumption, vinegar production and the pharmaceutical industry. The perfumery and cosmetics industry may also be included in Member States which so request. However, to prevent a type of agricultural alcohol obtained from a low-priced raw material from eliminating the other types from the reserved sectors, a mechanism has been introduced for adjusting the prices of the different types of agricultural alcohol according to the raw material from which they have been produced; the adjustment is made on the basis of a central price corresponding to the price of grain alcohol.

To protect both consumers and producers control arrangements will be made and rules laid down governing the designation and presentation of products. There will also be a system of import levies and export refunds for trade with non-member countries.

A levy—known as an intervention contribution—is introduced on all spirits consumed in the Community. This will eliminate the financial re-

¹ OJ C 16 of 21.1.1977.

² OJ C 309 of 31.12.1976.

³ Bull. EC 5-1972, point 38.

percussion which the common organization of the market might have. The effect of this levy on consumer prices will be negligible.

Measures in connection with the monetary situation

2241. On the monetary front, December was a month of relative stability for the Member States' currencies, except the French franc and the Italian lira, for which the compensatory amounts were changed at the beginning and the end of the month.

Following the application of new wine prices, new monetary compensatory amounts were fixed for wine products with effect from 16 December.

2242. On 21 December the Council fixed¹ a new representative rate to be applied in agriculture for the Irish pound. As from 17 January the Irish green pound will be equal to 1.44212 u.a. (present rate 1.56778 u.a.), a devaluation of 8% resulting in an overall increase of 8.7% in common agricultural prices in Ireland.

Common organization of the markets

2243. In the *wine* sector the Council adopted the² activating prices for table wines for the period from 16 December 1976 to 15 December 1977; this is the threshold at which intervention begins for each type of wine for which a guide price was fixed last March.³ The Commission set⁴ the derived prices and amounts applicable for the new wine year.

The Council also amended⁵ the Regulation of 17 May 1976 on the granting of a conversion premium in the wine sector. As a more effective contribution towards restoring the balance between production and market requirements it was decided to extend the conversion premium

to vines under glass and to extend the period allowed for lodging applications for premiums.⁶

2244. On 21 December the Commission decided with effect from 1 April 1977 to revoke the safeguard clause which has applied since July 1974 to Community imports of *beef and veal* from non-member countries. The safeguard clause had to be introduced in order to stabilize the Community market which had been disturbed by a considerable increase in imports and production.

With a view to gradually restoring normal import arrangements, the Commission at the same time adopted a transitional measure⁷ allowing more beef and veal to be imported during the period from 1 January to 31 March 1977 in particular by facilitating imports of baby beef under the linked sales system. The main exporter of baby beef is Yugoslavia.

The Commission based its decisions on the prospects of a reduction in beef and veal supplies on the Community market from 1977 onwards. It has delayed lifting the safeguard clause until April in view of the rather difficult production conditions which the Community stock-breeders have to face during the winter.

In addition to these Commission measures, the Council had decided on 20 December to introduce new import arrangements for beef and veal as from 1 April 1977. These arrangements are based on the automatic adjustment of import levies in relation to the prices on the Community market. In adopting this new scale of levies the Council intends to ensure that the administration of the market is in future better adapted to the movement of Community prices in relation to

¹ OJ L 362 of 31.12.1976.

² OJ L 342 of 11.12.1976.

³ Bull. EC 3-1976, points 2239 to 2246, Table 3.

⁴ OJ L 333 of 2.12.1976, L 338 of 7.12.1976, L 345 of 15.12.1976, L 346 of 16.12.1976.

⁵ OJ L 354 of 24.12.1976.

⁶ Bull. EC 10-1976, point 2238.

⁷ OJ L 352 of 22.12.1976.

the guide price, so as to avoid a recurrence of such situations as the application of the shortage arrangements in 1972 and the application of the safeguard clause since 1974.

On a proposal from the Commission, the Council also authorized the importation at a reduced levy of 75 000 tonnes of frozen beef and veal for the processing industry as from 1 April 1977. Authorization was also given for 200 000 head of young cattle for fattening to be imported in 1977, mainly by Italy and also at a reduced levy. The Commission decided that 50 000 head could be imported during the first quarter of the year.¹

The statistics show that the application of the safeguard clause did not prevent a certain amount of trade between the Community and non-member countries even when there were serious difficulties on the Community market. Continued international trade was possible because the Community respected its international commitments under GATT and to certain EFTA countries (Austria and Switzerland) and as a result of authorized imports from ACP countries and the gradual easing of various measures.

Pure-bred breeding cattle will also be covered by the regulation on beef and veal which the Council has agreed to adopt before 1 April 1977.

2245. In the *fishery* sector the most important matter discussed during the month was the interim measures to be applied from 1 January 1977 following the decision taken by the nine Member States to extend their fishing limits to 200 miles.² On 21 December, the Council, acting on the basis of a proposal from the Commission on the conservation and management of fishery resources in that zone, took a number of decisions concerning the external aspects of the measures to be applied. But as no agreement was forthcoming on the internal aspects a declaration was adopted provisionally maintaining a standstill for January 1977.³

2246. On 16 December⁴ the Council fixed the guide price, intervention price and Community

producer prices for the various fishery products whether fresh or chilled or for the preserving industry for the 1977 fishing year. These prices were on average some 6.75 % higher than in the previous year. On the same day the Commission adopted several measures⁴ for implementing these regulations.

Structural policy

2247. On 21 December⁵ the Council decided to organize a survey on the structure of agricultural holdings in 1977. The main purpose is to update the information already obtained from the three earlier surveys and in particular the 1975 structures survey carried out under a directive of 20 January 1975.⁶

In December the Commission adopted twelve decisions concerning measures to implement the reform of agricultural structures in the Member States of the Community, except Italy, and delivered six opinions concerning the provisions communicated by Italy (three opinions), Denmark, the United Kingdom and the Netherlands.

European Agricultural Guidance and Guarantee Fund

Guarantee Section

2248. On 20 December⁷ the Council amended a number of the 1969 regulations relating to the financing of intervention expenditure for oils and

¹ OJ L 352 of 22.12.1976.

² Bull. EC 10-1976, points 1501 to 1505.

³ Points 1201 to 1203.

⁴ OJ L 353 of 23.12.1976.

⁵ OJ L 366 of 31.12.1976.

⁶ OJ L 42 of 15.2.1975 and Bull. EC 1-1975, point 2236.

⁷ OJ L 359 of 30.12.1976.

fats, cereals and rice, pigmeat and sugar, by harmonizing the method for calculating the interest costs for the funds held by the intervention agencies in these sectors with that already applied to beef and veal, milk products and raw tobacco.

On the same date¹ the Council also amended the Regulation of 10 November 1970² relating to the financing of intervention expenditure in the milk sector in view of the large public stocks on 31 December of skimmed-milk powder bought in before 1 January 1976.

Guidance Section

2249. Under the Council Regulation of 21 June 1976³ and the Community contribution towards repairing the damage caused to agriculture by the earthquake in May in the Friuli-Venezia Giulia region the Commission on 3 and 10 December decided to grant assistance of 13 950 254 u.a. and 16 162 687 u.a. respectively for the second and third series of 38 and 27 applications for assistance. In all 97 individual projects in the provinces of Udine and Pordenone have received a Community contribution of 45 million u.a. For the same purpose, the Commission, on 20 December,⁴ adopted a regulation providing that the Commission may put up part of the aid granted for a project for repairing damage caused to agriculture by the earthquake if the beneficiary is required to make advance payments before the work is carried out.

2250. On 23 December the Commission adopted a series of decisions granting assistance by the EAGGF Guidance Section for the second and final instalment in 1976 under the Regulation of 5 February 1964.⁵ Total assistance of 190 931 071 u.a. was granted for 607 projects as shown in Table 3.

This assistance represents about 72.3 % of the total amount available (264 194 544 u.a.) for individual projects in 1976. Of the sums granted in the final 1976 instalment, 48.7 % were allocated

Table 3 — *Assistance granted by the EAGGF, Guidance Section*

	Number of projects		Assistance in national currency	Assistance in u.a.
Germany	130	DM	116 225 092	31 755 490
Belgium	52	FB	460 987 755	9 219 755
Denmark	26	DKr	52 225 004	6 963 334
France	57	FF	170 536 437	30 704 106
Ireland	86	£	7 729 560	18 550 929
Italy	162	Lit.	42 008 828 750	67 217 126
Luxembourg	1	Flux	7 226 712	144 534
Netherlands	15	Fl.	23 469 417	6 483 264
United Kingdom	78	£	8 289 812	19 895 533
	607			190 931 071

to projects for improving marketing structures, 43.6 % to projects for improving production and 7.7 % to mixed (production/marketing) structures.

2251. In December the Commission adopted a number of decisions concerning the reimbursement of aid granted by the Member States as common measures and special measures.

Conditions of competition

2252. In December the Commission decided to initiate the procedure of Article 93(2) of the EEC Treaty in respect of a project from the Emilia-

¹ OJ L 354 of 24.12.1976.

² OJ L 249 of 17.11.1970.

³ OJ L 168 of 28.6.1976 and Bull. EC 11-1976, point 2249.

⁴ OJ L 351 of 21.12.1976.

⁵ OJ L 34 of 27.2.1964.

Romagna region providing for aid to the stock breeding, milk and milk products sectors.¹

Harmonization of legislation

2253. At the Council meeting on 20 and 21 December a large number of measures relating to the harmonization of laws concerning agriculture and foodstuffs were adopted or confirmed. The progress made reflects the concern to protect the health of consumers while ensuring the free movement of products.

With regard to *foodstuffs*, the Council adopted an important outline directive concerning dietetic foods and similar products (including food for infants and young children). The directive includes provisions relating to the composition, labelling and advertising of these products with a view to protecting consumers from misleading and false claims concerning the nutritional properties.²

On 21 December, the Commission transmitted to the Council a proposal for a directive³ on vinyl chloride (PVC) contained in materials and articles in contact with foodstuffs. This proposal is a measure to implement the outline directive on materials and objects in contact with foodstuffs.⁴

Following discussions and work which has lasted eleven years the Council adopted a directive on protective measures against the introduction into the Member States of organisms harmful to plants or plant products. This directive covers all the plant health measures which the Member States must or can lay down for plants or plant products in intra-Community trade or on imports from non-member countries in order to ensure a satisfactory standard of plant health.

In the veterinary sector the Council followed up the measures already adopted at the November meeting⁵ with directives aimed at improving

trade flows of products within and to the Community while providing consumers with adequate protection. One lays down health and health inspection standards to be applied to meat products in intra-Community trade. Once this directive is adopted it should be possible—at least in respect of the most important products—to lay down common high standards of health protection for trade between Member States. Two other measures should give effective force to the 1972 basic directive introducing common import arrangements in respect of animals and fresh meat from non-member countries. These are the decision drawing up a list of non-member countries from which animals and fresh meat may be imported and a directive on the examination for trichinae in pigmeat imported from non-member countries.

On 22 December⁶ the Commission adopted a directive on health marking on large packagings of fresh poultrymeat.

Farm Accountancy Data Network

2254. In a Regulation dated 10 December,⁷ the Commission increased the number of returning holdings in the EEC Farm Accountancy Data Network (FADN) from 17 121 in '1976' to 21 320 in '1977'. This extension is another stage in the Council's plans⁸ for increasing the number of returning between '1975' and '1978' and should make it possible to cover the entire field of survey.

¹ OJ C 306 of 28.12.1976.

² Point 2238.

³ Point 2238 and OJ C 16 of 21.1.1977.

⁴ Bull. EC 11-1976, point 2235.

⁵ Bull. EC 11-1976, point 2238.

⁶ OJ L 6 of 8.1.1977.

⁷ OJ L 342 of 11.12.1976.

⁸ Bull. EC 10-1973, point 2242.

Agriculture in Luxembourg

2255. On 21 December¹ the Council extended to the end of 1977 its Regulation of 16 December 1975² on agriculture in the Grand Duchy of Luxembourg concerning the application of the special tax arrangements for Luxembourg wines contained in the Benelux Treaty.

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2256. At its part-session from 13 to 17 December *Parliament*³ adopted a resolution on the common fishery policy and delivered opinions on various Commission proposals to the Council concerning balance on the milk market, the wine market, hops, applications for assistance from the EAGGF and the organization of a survey on the structure of agricultural holdings. At its meeting on 15 and 16 December the *Economy and Social Committee*⁴ delivered a number of opinions on agricultural policy matters, in particular supervision by Member States of the operations financed by the EAGGF, community arrangements for the conservation and management of fishery resources and health problems in trade in fresh poultrymeat.

Industrial and technological policy

Industry

The iron and steel industry

Crisis measures

2257. On 20 December, the Commission decided to introduce crisis measures on the steel market as from 1 January 1977.⁵

Under its arrangements for the analysis and monitoring of the steel market, the Commission noted, after examining the current situation and comparison of the relevant criteria, the most recent figures indicate that the steel industry has entered a critical phase.

The decision will be put into effect for a trial period of four months and is designed to limit deliveries of steel products by the voluntary action of the undertakings. During the first quarter of 1977 the Commission will make a further analysis of the whole situation and will then decide whether these measures should be continued or modified. They will be terminated as soon as the arrangements which the Commission has established for the analysis and monitoring of the market show that the situation has improved sufficiently.

2258. The Commission had already adopted a decision on 8 December⁶ whereby the steel firms were to inform the Commission each month of any deliveries within the Community and any exports to non-member countries.

Forward programme for steel

2259. The Commission officially adopted the forward programme for steel for the first quarter of 1977 on 22 December⁷ after consulting the ECSC Consultative Committee, which met in Luxembourg on 16 December.⁸

The modest upturn in the steel industry that followed the 1975 recession was short-lived. New orders booked are at present below the worst

¹ OJ L 357 of 29.12.1976.

² OJ L 328 of 20.12.1975.

³ Point 2411.

⁴ Points 2463, 2468 and 2459.

⁵ OJ C 304 of 23.12.1976 and Bull. EC 11-1976, point 1402.

⁶ OJ L 344 of 14.12.1976.

⁷ OJ C 307 of 29.12.1976.

⁸ Point 2462.

level of 1975 and are now on average equivalent to only one month's working in terms of production capacity.

For the first quarter of 1977, the Commission's main objective will be to keep the level of deliveries of the steel industry strictly in line with market requirements, estimated at 29.65 million tonnes of crude steel (see Table 4).

To make the forward programme more effective, the Commission gives, by major product category, a breakdown by country of deliveries to the Community market and to non-member countries. It considers it essential for the improvement of the Community steel market that the figures for deliveries to the Community market be respected; the present difficulties will persist or worsen if these limits are exceeded. Similarly, imports will have to be adjusted to the declining market demand to avoid jeopardizing the efforts being made to balance the Community steel market.

Industrial loans

2260. In December the Commission took a number of decisions to grant industrial loans to steelworks under Article 54 of the ECSC Treaty: DM 200 million (approx. 75 million EUA) to Stahlwerke Roechling-Burbach, Völklingen and

FF 205 million (approx. 36.9 million EUA) to Lorraine de Laminage continu, Paris.

Shipbuilding

2261. On 21 December, the Council approved the communication it had received from the Commission a week previously concerning the prevention of imbalances in the regional distribution of new orders in the shipbuilding sector.

The aim is to achieve a fair distribution of the burdens which the world crisis is placing on this sector. This is the principle behind the objectives in the 'General guidelines for government policies in the shipbuilding industry' drafted in the framework of the OECD which have been signed by Japan and the countries of Western Europe (the Community countries, Sweden, Norway, Finland and Spain).

This proposal applies to new orders placed in Japan and Western Europe in 1977 and 1978 and provides for a balanced distribution, measuring the share for each country involved in a unit which takes account of the effects on employment of these orders (the 'compensated gross registered tonnage').

At the beginning of December the Commission informed the OECD Working Party on Ship-

Table 4 — Forecasts of availability of and demand for steel products

(million tonnes of crude steel)

	1974 (1st Qtr)	1976 (1st Qtr)	1976 (2nd Qtr)	1976 (3rd Qtr)	1977 (1st Qtr)
Real consumption	34.59	30.69	31.11	29.57	29.65
Change in stocks	-0.26	+0.55	+2.01	+1.90	-0.40
Imports	2.06	2.80	3.44	3.35	2.80
Exports	7.09	4.38	4.82	5.68	5.70
Production	39.36	32.82	34.50	33.81	32.15

building of this proposal, and it was viewed favourably by the Swedish, Norwegian, Finnish and Spanish delegations, with the Japanese tabling a reservation at that stage. Further discussions were held on the matter between the Commission and the Japanese Government in Tokyo on 20 and 21 December.¹

Motor industry

2262. On 17 December, the Commission sent the Council a communication on the future of the motor industry in the Community including a work programme to be carried out within the Community to avoid the difficulties which this industry will have to face over the next ten years and to work out effective ways of maintaining competitiveness and alleviating its employment problems.

The crisis, which began in 1973, marked a turning-point in the activities of this industry, which was to see its growth rate settle at a level way below that of the 1960s. This being so, a number of factors which could affect world and Community demand for motor vehicles will be altered. It has been estimated that world demand for vehicles should increase by around 3% until 1980, when it will drop slightly. Over the 1976-85 period therefore, the motor industry will have to cope with more serious difficulties than ever before.

To prevent or delay the gradual decline of its share in the world market it must steadily increase productivity, while remaining at the forefront in improving motor technology, maintaining active competition on the internal market and developing its external markets using intensive marketing methods.

At Community level, efforts must be made to maintain the competitive position of the industry. Measures should be taken to speed up the harmonization of national laws and of national aid, to support research and development and to solve the employment problems.

Textile industry

2263. On 8 December the Commission approved a communication assessing whether it is appropriate to apply the various financial instruments and certain Community policies in the textile and clothing industry.

In view of the major changes which are taking place in this sector, particularly as a result of competition from non-member countries, the Commission felt it best to lay down uniform criteria for evaluating the economic justification for any investments made.

Business Cooperation Centre

2264. On 16 December the Commission decided to confirm the establishment of the Business Cooperation Centre which was set up in 1973 for an initial period of three years² and to give it a number of additional duties concerned with the coordination of sub-contracting.

Science, research and development, education, scientific and technical information

Problems concerning the completion of the JET project

2265. The problem of implementing the JET project within the framework of the controlled thermonuclear fusion and plasma physics multiannual programme, which had been the subject

¹ Points 2430 to 2450.

² Bull. EC 4-1973, point 2238.

of the proposal made in July 1975¹ by the Commission to the Council and of the latter's discussions at its meetings on 15 December 1975,² 24 February 1976,³ 21 October 1976⁴ and 18 November 1976,⁵ was not solved in 1976 owing to the cancellation of the Council meeting planned for 20 December.

The Commission decided to extend, as an interim measure for several months from 1 January 1977, the provisions relating to the team working on the JET project. The Commission also decided to send to the President of the Council a letter drawing his attention to the threat to which the project would be exposed if a decision were not taken very soon and urging in the strongest terms that everything be done to obviate a situation of this kind.

Mr Brunner, Member of the Commission, told the press that the Commission was greatly concerned about the possible forfeiture of the technological advance which the Community could maintain in the field of controlled thermonuclear fusion by means of the JET project and informed them of the measures adopted by the Commission.

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2266. On 17 December Parliament adopted a resolution on the results of the discussions by the Council of Research Ministers on 18 November 1976 and demanding an urgent decision on JET.

Science, research and development

European Research and Development Committee

2267. The Energy Subcommittee of the European Research and Development Committee (CERD) met on 1 December to examine the feasibility study on a low-energy-consumption socio-

ty, performed under the auspices of the Committee,⁶ and the problem of energy storage.

On the first point, the Subcommittee emphasized the need for and the importance of a detailed analysis, but expressed the opinion that the major problems which arise are economic, political and social rather than technical; they should therefore be studied in this context.

As regards energy storage, the Subcommittee was informed of the studies undertaken by the Commission as part of the work on comparing and coordinating national research policies and it held an initial discussion on this subject.

2268. Meeting in plenary session on 14 December, CERD had a discussion on a working document drawn up by the Commission concerning the guidelines of a common policy in the field of science and technology for the period 1977-80. The Committee's comments were mainly concerned with the criteria for choosing these guidelines, the need to facilitate and promote innovation, the need for European basic research and the procedures for coordinating national projects effectively. The Commission will bear in mind the comments of CERD and CREST⁷ when drawing up a fresh version of this document, which could be submitted to the Council at the beginning of 1977.

At this meeting a discussion was held with the Secretary-General of the European Science Foundation (ESF), who had come to describe the work of the Foundation. After CERD had been informed of the conclusions of the meeting of its Energy Subcommittee on 1 December⁸ concern-

¹ Bull. EC 7/8-1975, point 1502.

² Bull. EC 12-1975, point 2264.

³ Bull. EC 2-1976, point 1401.

⁴ Bull. EC 10-1976, point 2253.

⁵ Bull. EC 11-1976, point 2253.

⁶ Bull. EC 3-1976, point 2270; 10-1976, point 2254.

⁷ Bull. EC 11-1976, point 2255.

⁸ Point 2267.

ing the feasibility study on a low-energy-consumption society, it concurred in the opinion of this Subcommittee.

Climatic problems

2269. In accordance with the decision taken by the Commission in September,¹ a meeting of scientific experts was held on 6 December in order to examine in particular the possibility of developing a scientific procedure for climatological forecasting and to try to determine the factors responsible for the recent climatic disturbances.

Following these deliberations, it was agreed to work out, in close cooperation with the experts, a feasibility study relating to these problems, which should be completed by September 1977. The aim of this study will be to make it possible to assess the justification of and need for a Community programme of research into the subject, bearing in mind in particular the Global Atmospheric Research Programme (GARP) being carried out under the auspices of the World Meteorological Organization (WMO) and the International Council of Scientific Unions (ICSU).

Multiannual programmes

Energy research

2270. On 21 December² the Council adopted the proposal, which had been communicated to it by the Commission on 23 July 1976,³ for revision of the energy research programme. This revision, concerning the period from 1 January 1977 to 30 June 1979, had been planned when the Council Decision of 22 August 1975⁴ was taken to adopt a four-year energy research programme (1 July 1975 – 30 June 1979).

In accordance with the Commission's proposal—drawn up as agreed with the Advisory Com-

mittees on Programme Management (ACPMs) for the various sectors and with CREST⁵ and its Subcommittee on Energy Research and Development⁶—no alteration will be made in the fields of research concerning energy economy and systems models; a few additional projects have been included in the hydrogen, solar energy and geothermal energy sectors. The various financial ceilings laid down in the Council Decision of 22 August 1975 will remain the same; the total amount committed to the programme will thus be 49 million u.a.

Scientific and technical education

2271. At its meeting on 21 December,⁷ the Council took a decision adopting a four-year scientific and technical education programme,⁸ covering the years 1977-80.

The new programme extends, for the first time, the Community's training projects to all sectors in which the Community exercises research activities, i.e., not confining them to the nuclear sector as the previous programmes.⁹ Its object is to promote the training of specialists and the mobility of scientists and engineers at all levels, first by offering study grants and courses of in-service training, and secondly by the financial and administrative participation of the Commission in the organization of advanced refresher courses. The financial appropriation to the programme for the four-year period amounts to 4.6 million u.a.

¹ Bull. EC 9-1976, point 2239.

² OJ L 10 of 13.1.1977.

³ Bull. EC 7/8-1976, point 2266.

⁴ OJ L 231 of 2.9.1975 and Bull. EC 7/8-1975, point 2263.

⁵ Bull. EC 6-1976, point 2256.

⁶ Bull. EC 5-1976, point 2262.

⁷ OJ L 10 of 13.1.1977.

⁸ Bull. EC 7/8-1976, point 2272.

⁹ Ninth General Report, point 332.

Education

Resolution by the Council and the Ministers of Education

2272. The resolution concerning measures to be taken to improve the preparation of young people for work and to facilitate their transition from education to working life, on which the Council and the Ministers of Education meeting in the Council had agreed on 29 November,¹ was formally adopted by the representatives of the Governments of the Member States on 13 December.²

Doctors

2273. The June 1975³ Directives concerning the freedom of establishment and the freedom to provide services for doctors came into force on 20 December.

Training of dentists

2274. On 31 December the Commission communicated to the Council a draft decision for setting up an Advisory Committee on Dental Training modelled on the Committee already set up for the training of doctors. The task of this committee will be to help to ensure high-level and comparable training for dentists in the Member States of the Community.

Scientific and technical information and information management

Transfer of information between the European languages: the Commission's plan of action

2275. In a communication to the Council dated 31 December, the Commission proposed a plan of action for the improvement of the transfer of information between European languages.

This three-year plan mainly concerns machine translation, where conditions as regards use and profitability have increased considerably with the progress of computer technology.

The proposed plan would include in particular the following operations:

- automatic pre-translation of texts drafted in natural language;
- automatic translation of texts drafted with the use of standardized, limited syntax;
- establishment of terminology banks;
- compilation of multilingual thesauri;
- setting up a technical infrastructure mainly intended to speed up the acquisition of texts while easing this process, in particular by means of reading devices;
- assessment of applied research in a multilingual context;
- furthering solutions which should be of interest to teachers, publishers, documentalists, computer specialists, linguists, translators and even the users of scientific or other information.

Energy policy

Formulation and implementation of a Community energy policy

The energy problems before the Council

2276. At its meeting on 21 December, the Council examined the 1977 work programme on energy, the measures to be taken in the event of difficulties in oil supply, uranium prospecting and questions linked with coking coal and coke for the iron and steel industry.

¹ Bull. EC 11-1976, points 1201 to 1203.

² OJ C 308 of 30.12.1976.

³ Bull. EC 6-1975, point 2272.

The Council approved the 1977 work programme on energy, which it had previously examined at its meeting on 19 October 1976.¹ In the course of 1977 the Council may therefore be expected to take decisions on the following Commission proposals or communications: rational utilization of energy, protection and promotion of investments, energy prices, incentives for the use of coal in power stations, aids for the storage of coal as a buffer against short-term economic movements, problems linked with excess refining capacity and protection of the refineries against imports from non-member countries, the problem of multilateral agreements on stocks built up on the territory of one Member State on behalf of undertakings established in other Member States and financing for emergency stocks, examination of national programmes and Community objectives, nuclear fuel supplies and the fuel cycle, technological projects of Community interest in the hydrocarbons sector, and oil and gas prospecting.

The Council also discussed measures to be taken in the event of *oil supply difficulties* on the basis of a proposal presented by the Commission in November 1974² and consisting of two aspects: establishment of Community machinery to safeguard the unity of the common market in the case of supply difficulties and the establishment of a specific energy savings target. The Council recorded its agreement on the substance of the first point on the exporting of crude oil and petroleum products from one Member State to another in the event of supply difficulties. It approved the machinery proposed by the Commission, based on a system of automatic authorizations to be granted by the exporting Member State when supply difficulties arise in one or more Member States. The Decision stipulates in what circumstances and on what conditions the automatic issue of export authorizations may be suspended. In the event of a sudden crisis in a Member State, the Member State concerned may—after informing the other Member States and consulting the Commission—temporarily suspend the issue of export authorizations for ten

days. At the request of a Member State or the Commission, the Council will meet within 48 hours. It may adopt the appropriate measures by a qualified majority, acting on a proposal from the Commission. Lastly, the Decision provides that the Council may, on a proposal from the Commission, unanimously decide on any other measure to ensure optimum supplies of crude oil and petroleum products for the entire Community. As regards the second part of the mechanism—the setting of a Community target for reducing energy consumption in the event of supply difficulties—the Council decided to continue its discussions at its next meeting on energy in the light of any new points the Commission might submit to it on the matter, bearing in mind the comments made by the various delegations on 21 December.

The Council took note of action being taken or planned by the Commission in the field of *uranium prospecting* in 1976 and 1977 under Article 70(1) of the Euratom Treaty.

Finally, the Council examined the questions linked with *coking coal and coke* for the iron and steel industry and agreed to the abolition in 1977 of the phased reduction in aid and contributions originally provided for under the current coking coal arrangements. The Council instructed the Permanent Representatives Committee to continue examining the Commission proposals for improvements with a view to submitting to it a proposal for a Decision on the matter as soon as possible.

Energy Committee

2277. At its meeting on 10 December the Energy Committee discussed procedures for examining national programmes. It was decided that a new draft mandate for a working group on the storage of nuclear fuels would be presented at a forthcoming meeting.

¹ Bull. EC 10-1976, point 2265.

² Bull. EC 11-1974, point 2271.

Sectoral problems

Hydrocarbons

2278. In December the Commission issued its reply to a *memorandum on the organization of the oil market* which five oil companies (Compagnie française des Pétroles, Elf-Erap, Ente Nazionale Idrocarburi, Petrofina and Veba Aktiengesellschaft) sent it in July. The reply is as follows:

'... The Commission is of the opinion that the Memorandum concurs with its own ideas on the assessment of the serious problems now facing the oil industry in Europe and worldwide. As you will be aware, the Commission intends to pursue its talks with the trade interests concerned and with all the firms both to provide itself with food for thought and with a view to making proposals for action in the near future.

The Community will be unable to attain the oil-policy objectives set by the Council on 18 December 1974 and 20 February 1975—i.e., the securing of stable and reliable oil supplies—unless its industry is sound and capable of making enough money to afford the outlay required in order to explore for and exploit new sources of oil and to match refinery capacities to future needs. This objective must be pursued in fair conditions of competition.

The Community fully supports certain measures proposed by you, e.g. those designed to save energy and reduce pollution. It is examining attentively the idea of voluntary closure by the industry of surplus refinery capacity and the restriction of new capacity to what is acceptable as part of an overall European plan. The Commission, in conjunction with national experts, is studying the serious problems in maintaining adequate and remunerative refinery capacity in the Community as well as measures to restore the situation, while pursuing an open-minded policy on imports of crude oil and refined products. The Community is already aiding the development of advanced-

technology projects in the hydrocarbons sector; it is to propose that the system be expanded and that a better picture of the Community's total oil and gas potential be obtained.

As regards the transparency of the oil-products market, the Commission hopes that the new price information system to be introduced in January 1977 will prove a big and effective step in this direction. The proposal on posted prices will be studied in depth having regard to the special conditions on the European market and to the difficulties which have arisen in the last two years from the drop in demand. Furthermore, the Commission is studying, in liaison with the Member States and in consultation with the industry, the quotation systems published at present, and how they and price transparency can be improved.

Other ideas in the Memorandum will be studied in the appropriate context, bearing in mind that action at Community level is the best way of maintaining a sound oil industry which earns a suitable return on its investment and meets the Community's needs.'

2279. Following the increase in the price of crude oil decided upon by OPEC on 17 December, the Commission issued the following statement on the same day:

'OPEC's decision to raise crude oil prices imposes a considerable burden on the world economy, including that of the Member countries of the Community. It comes on top of other uncertainties as regards economic revival; it will reinforce the already marked tendency towards inflation and aggravate balance of payments difficulties.

Close cooperation at international and Community level will be needed to minimize the harmful effects of this decision as far as possible.

The rise in the price of oil again demonstrates the need for a Community energy policy aimed at making a more efficient use of energy and developing new sources as alternatives to imported oil.'

2280. On 20 December the Commission decided under the Council Regulations of 18 May 1972¹ and 13 February 1975² to request the Member States to communicate to it half-yearly estimates of each undertaking's imports and exports of crude oil and petroleum products in 1977.

2281. On 31 December the Commission presented to Parliament and the Council a report on the application of the Council Regulation of 9 November 1973³ on support for Community projects in the hydrocarbons sector. The aid granted between 1974 and 1976 amounted to 77.4 million u.a., and covered 55 technological development projects likely to improve the security of the Community's energy supplies.

Coal

Situation of the coal industry

2282. On 8 December the Commission adopted, and sent to the Council, a communication on the situation in the Community coal industry. It draws the Council's attention to the gradually deteriorating situation of the coal industry, which is marked by a drop in Community production (232 million tce estimated for 1976, as against the 250 million tce produced in 1973), by large stocks (47 million tonnes at the end of 1976) and by a steady increase in imports since 1973.

The Commission therefore considers that the achievement of the planned objective—keeping production at a level of around 250 million tce in economically satisfactory conditions—is jeopardized. The Council took note of this communication at its meeting on 21 December.⁴

Use of coal for electricity production

2283. On 23 December the Commission approved the basic elements of a policy intended to encourage the use of coal in electricity produc-

tion; the Community's electricity producers are to be encouraged, by means of subsidies, to build additional modern coal-fired units with an overall capacity of around 30 GWe. These subsidies cover 30 % of the investments required to allow coal to be used instead of fuel oil; they would be awarded by the Community to those electricity producers whose coal consumption reaches a high level during the first seven years of operation. Priority would be given to the plans submitted by electricity production companies undertaking to use mainly Community coal.

Industrial loans

2284. The Commission has decided to grant a loan of FF 150 million (around 27 million EUA) to the Charbonnages de France to finance investment by the Houillères du Bassin de Lorraine and another totalling DM 1 650 000 (around 620 000 EUA) to the Preussag Aktiengesellschaft, Hanover, under Article 54 of the ECSC Treaty.

The Commission has also decided to ask for the Council's assent to allow it to grant a loan of \$12.5 million (around 11.2 million u.a.) to the *Gewerkschaft Norbert Metz*, Herzogenrath, enabling it to carry out an investment programme in the United States.

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2285. On 17 December Parliament adopted a resolution on the modification of the aid scheme for coking coal and coke for the Community iron and steel industry.

¹ OJ L 120 of 25.5.1972.

² OJ L 45 of 19.2.1975.

³ OJ L 312 of 13.11.1973.

⁴ Point 2276.

Electricity

2286. On 13 December the Commission sent the Council a communication on Community projects concerning the siting of power stations. This document is accompanied by a draft Resolution concerning Community-level consultation on the siting of power stations and a proposal concerning the introduction of a Community procedure for consultation on all power stations which could affect the territory of another Member State.

Transport policy

Transport problems before the Council

2287. Meeting in Brussels on 16 December with Mr Westerterp, the Netherlands Transport Minister, in the chair, the Council (transport) took the following decisions:

(a) It approved a directive on the approximation of the laws of the Member States relating to *roadworthiness tests for motor vehicles* and their trailers. The directive fixes the minimum frequency for the testing of commercial vehicles and also specifies the points to be checked; it will make an important contribution towards improving road safety in the Community and harmonizing conditions of competition between road haulage undertakings in the various Member States;

(b) It was agreed to send a letter to the group of *railway companies* of the nine countries of the European Communities requesting them to continue and to step up their *cooperation* within the framework of their administrative autonomy;

(c) It was decided to remove all quantitative restrictions on the carriage of live animals in special vehicles. This decision brings the transport rules into line with the changing pattern of trade between Member States and the requirements of Community integration. It was taken against the

background of the First Directive of 23 July 1962 on the establishment of certain common rules for international transport,¹ which was subsequently amended on 19 December 1972² and 4 March 1974.³

Following a policy debate on the Commission's suggestions regarding the problems of *weights and dimensions* of vehicles, the Council gave generally sympathetic consideration to the solution which was such as to allow certain types of vehicle, particularly heavy goods vehicles, to operate between the Member States, and requested the Commission to make formal proposals to this end.

Not having received the opinion of Parliament on the Commission's outline proposal on *social measures* (amendment of the basic Regulation of 25 March 1969⁴ and supplementary measures), the Council laid down certain guidelines for future work. It was noted that none of the delegations had opposed the abolition of the 'two-man' crew rule for journeys of more than 450 km (provided that a tachograph was both installed and used), the ban on certain forms of payment (bonuses), or an increase in the total minimum rest period.

The Council formally noted the information received from the Commission that, with the agreement of the Commission, certain temporary transitional solutions had been adopted by the Member States in order to overcome some of the practical difficulties raised by the entry into force on 21 November 1976 of the *Agreement on the international transport of perishable foodstuffs* and the special equipment to be used for such transport (ATP).

The Council also noted a statement by the Netherlands Delegation on the subject of road haulage involving non-member countries, and a statement by the German Delegation on the problems of railways in the Community.

¹ OJ 70 of 6.8.1962.

² OJ L 291 of 28.12.1972.

³ OJ L 84 of 24.3.1974.

⁴ OJ L 77 of 29.3.1969.

Organization of the markets

2288. The negotiations begun in March 1976¹ between the Community and certain non-member countries (Austria, Finland, Greece, Norway, Portugal, Spain, Sweden, Switzerland, Yugoslavia) with a view to concluding an agreement on the rules governing the *international carriage of passengers by means of occasional coach and bus services* continued at the plenary session held in Berne on 6 and 7 December. The Turkish Delegation and the Secretary-General of the European Conference of Ministers of Transport (ECMT) were present as observers, and the meeting was chaired by the Swiss Delegation.

The discussions chiefly concentrated on the preliminary draft of the agreement² and the technical and institutional aspects of the system to be introduced. There was a general consensus of opinion on most of the provisions of the draft agreement, particularly its scope, the degree of liberalization and the control measures. Some of the institutional problems, however, have to be looked at in greater detail before the next plenary session, scheduled for May 1977 in Paris.

Workers' Unions in the Community, took place on 8 December in Brussels. The exchange of views covered developments in the common transport policy in 1976, particularly problems concerning the harmonization of social measures in road transport and the situation as regards shipping, air transport and ports.

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2291. At the part-session from 13 to 17 December *Parliament*³ delivered its opinion on a number of Commission proposals to the Council concerning the harmonization of social legislation relating to road transport, a system of reference tariffs for the carriage of goods by inland waterway, the extension of the system of bracket tariffs for the carriage of goods by road and the Agreement concerning a European laying-up fund for inland waterway vessels. The *Economic and Social Committee*,⁴ meeting on 15 and 16 December, also delivered its opinion on the last two proposals and on the Commission's communication and proposals to the Council regarding action in respect of transport infrastructure.

Infrastructures

2289. On 13 December, the reports of the results of the first year's work on forecasting goods transport requirements for the period 1985 to 2000 in the Community (and Spain) were submitted to the representatives of the participating States. The States will take a decision on the continuation of the study early in 1977.

Symposium for trade union organizations concerned with transport

2290. The annual symposium, attended by the Commission and the Committee of the Transport

¹ Bull. EC 3-1976, point 2293.

² Bull. EC 9-1976, point 2258.

³ Point 2416.

⁴ Point 2465.

3. External relations

Multilateral negotiations

Multilateral negotiations

Trade Negotiations Committee

2301. Three of the groups set up within the Trade Negotiations Committee (TNC) met in Geneva during December.

Agriculture

2302. The Agriculture Group met on 20 December. A number of decisions were taken in connection with the consultations and notifications procedure¹ adopted on 16 December 1975.

The Group also agreed to study the draft standards code drawn up by the subgroup on technical barriers to trade and to examine whether its provisions can be applied to agricultural products. It will meet at the beginning of 1977 to discuss the organization of its future work.

Tariffs

2303. A meeting of the Tariffs Group, which was held on 15 December in Geneva, was given over to an exchange of views on the tariff measures discriminating in favour of developing countries. The representatives of the developing countries stressed the interest and the positive nature of the discussions which were held on the subject.

Group on Improvements in the International Framework for the Conduct of World Trade

2304. This new Group, which was created by the Trade Negotiations Committee on 5 November,² held its first meeting on 14 December dealing mainly with the organization of future work.

Commercial policy

Preparing and implementing the common commercial policy

Unilateral import arrangements

2305. In accordance with its decision of 27 March 1975³ on unilateral import arrangements in respect of State-trading countries, on 13 December⁴ the Council adopted the import quota system applicable in the Member States for 1977 in respect of these countries. This decision makes various adjustments to the lists of quotas valid in 1976.

2306. In accordance with the same Council Decision, the Commission decided on several amendments to the import arrangements applicable in respect of the same countries for 1976. It prolonged for 1977 and 1978 the suspension of quantitative restrictions on imports into France of unwrought aluminium coming from State-trading countries.⁵ Quantitative restrictions were imposed on imports into the United Kingdom of certain men's undergarments.⁶ Lastly, the Commission decided exceptionally to open the following import quotas:

- United Kingdom – China: men's undergarments;⁶
- Italy-Hungary: 30 000 tonnes of residues of petroleum oils or of oils obtained from bituminous minerals, for the manufacture of carbon black,⁵ 'nero fumo';
- Italy-Czechoslovakia: motor vehicles, parts and accessories.⁶

¹ Bull. EC 11-1976, point 2304.

² Bull. EC 11-1976, point 2301.

³ OJ L 99 of 21.4.1975.

⁴ OJ L 365 of 31.12.1976.

⁵ OJ C 301 of 21.12.1976.

⁶ OJ C 5 of 8.1.1977.

2307. In order to apply, as soon as possible, certain provisions of the textile agreement initialled on 10 November¹ between the Community and Romania, the Commission, on 3 December,² amended the unilateral import arrangements applied in the Member States in respect of Romania in 1976, to remove the textile quotas in force, open Community quotas, and suspend quantitative restrictions on a whole range of products.

In addition, on 17 December,³ the Commission adopted a new decision, similar to the preceding one, which applies the same provisions of the EEC-Romania textile agreement for 1977. These measures were decided on provisionally pending the adoption by the Council, on a proposal from the Commission, of a regulation on the definitive implementation of the agreement.

Trade agreements: renewals, derogations or authorizations

2308. On 21 December,⁴ the Council decided to authorize the extension or tacit renewal of a number of trade agreements concluded between Member States and third countries (first batch for 1977) which were due to expire or to be terminated between 1 February and 30 April 1977.

Trade protection

Safeguard measures

2309. On 21 December,⁵ the Council decided to maintain in effect until 31 December 1977 the quota system with regard to imports into Italy of electric filament lamps originating in certain State-trading European countries, introduced on 29 July⁶ by the Commission and confirmed by the Council on 14 September.⁷

2310. A similar decision was taken on 23 December⁸ by the Council with regard to imports into Italy of malleable cast-iron tube and pipe fit-

tings originating in Taiwan; this measure — introduced on 23 January 1976 by the Commission⁹ and then twice confirmed by the Council¹⁰ — had to be extended for a further year, since the prices of Taiwan products, very much lower than Italian prices, might seriously harm the Italian industry, which was already in serious difficulties, if imports from Taiwan were no longer subject to quotas.

2311. The Commission also decided on 22 December¹⁰ to extend once again, until 31 March 1977, the protective measures it introduced on 22 December 1975¹¹ with regard to imports into the United Kingdom of cotton yarn originating in Spain.

Specific measures of commercial policy

Textiles

Multifibre arrangement

2312. On 31 December, the Commission forwarded to the Council a communication on the Community's policy in the sector of products accompanied by a recommendation for a decision authorizing the Commission to negotiate the renewal of the Arrangement regarding International Trade in Textiles — ('Multifibre Arrangement') — which will expire on 31 December 1977.

¹ Bull. EC 11-1976, point 2309.

² OJ C 299 of 18.12.1976.

³ OJ C 7 of 11.1.1977.

⁴ OJ L 366 of 31.12.1976.

⁵ OJ L 362 of 31.12.1976.

⁶ OJ L 206 of 31.7.1976 and Bull. EC 7/8-1976, point 2312.

⁷ OJ L 242 of 3.9.1976 and Bull. EC 9-1976, point 2302.

⁸ OJ L 18 of 27.1.1976.

⁹ OJ L 56 of 4.3.1976 and L 172 of 1.7.1976.

¹⁰ OJ L 357 of 29.12.1976.

¹¹ OJ L 329 of 23.12.1975.

Meeting in Geneva from 30 November to 10 December, the GATT Textiles Committee examined the operation of the Arrangement during its first three years of implementation. There was a preliminary exchange of views as to whether the Multifibre Arrangement should be extended, amended or discontinued. During these discussions, the Commission pointed out that the Community was in favour of negotiations being opened with a view to renewing the Arrangement. A further meeting will take place in Geneva in February.

South Korea

2313. The Agreement concluded between the Community and South Korea,¹ under the Multifibre Arrangement was signed on 22 December; it was already being applied *de facto*.

Hong Kong

2314. On 21 December,² the Council adopted a regulation on the import arrangements for certain textile products originating in Hong Kong; the quantitative limits fixed by this regulation were allocated among the Member States on 23 December³ by the Commission.

Poland

2315. On 13 December, the Commission sent a recommendation to the Council with a view to being authorized to open negotiations with Poland for the conclusion of an agreement on trade in textile products. Since Poland is party to the 'Multifibre Arrangement', these negotiations must be within the framework of this Arrangement (in particular with regard to Article 4).

Steel

2316. On 16 December,⁴ the Commission adopted a decision derogating from High Authority Recommendation 1/64 of the ECSC, authorizing the importation from third countries during the first half of 1977 of steel products not manufactured in the Community, or manufactured in insufficient quantities.

Scrap

2317. The representatives of the Governments of the Member States, who met in the Council on 21 December, decided to authorize, for the first quarter of 1977, exports to non-member countries of 369 000 tonnes of low quality scrap. This was divided into quotas of 90 000 tonnes for Germany, France, the Benelux and the United Kingdom and 9 000 tonnes for Denmark.

Each of the Member States also agreed to export 15 % of its allocated quota as good quality scrap. This percentage can be raised, without, however, exceeding a maximum of 30 %, in order to cope with an exceptional and particularly serious situation on the scrap market of one or other of the Member States.

Non-ferrous metals

2318. On 21 December,⁵ the Council adopted a regulation fixing for 1977, quantitative export quotas for certain types of copper ash and residues and for certain types of copper, aluminium and lead waste and scrap.

¹ Bull. EC 11-1975, point 2309.

² OJ L 356 of 21.12.1976.

³ OJ L 366 of 31.12.1976.

⁴ OJ L 5 of 7.1.1977.

⁵ OJ L 357 of 29.12.1976.

Development and cooperation

Development cooperation policy

Conference on International Economic Cooperation

2319. After noting on 14 December the agreement reached between the participants at the Conference on the postponement of the December ministerial session,¹ the Council agreed to include this item on the agenda for its next meeting on 18 January 1977.

Common Fund

2320. The first meeting to prepare for the convening — by March 1977 at the latest — of a negotiating Conference on the setting up of a Common Fund (in accordance with the Resolution on commodities adopted at the fourth session of UNCTAD in Nairobi in May²) took place from 29 November to 4 December in Geneva. The proposed Common Fund could contribute towards financing the buffer stocks established under direct arrangements between producers and consumers.

The inaugural meeting of the Preparatory Committee was given over to a preliminary discussion, on the basis of last May's Resolution on commodities, of a document prepared by the UNCTAD Secretariat, and of other contributions.

In a statement made on behalf of the Community, the Netherlands representative emphasized the political and economic importance of the solutions which will be found for the problems under discussion. He stressed that they directly affected some of the general lines directing the activities of the Community as such and of its Member States and their relations with the Third World. The Community representative also recalled that the European Council, meeting in The

Hague on 29 and 30 November, had confirmed the Community's interest in seeking solutions to the whole range of questions under discussion in the context of North-South relations.

The representatives of the Netherlands, France and Germany recalled the positions adopted by their countries at UNCTAD IV.

The following meetings of the Preparatory Committee are due to be held from 24 to 28 January and from 21 February to 1 March. The negotiating conference is scheduled to start on 7 March.

International Fund for Agricultural Development

2321. The Preparatory Commission of IFAD — at which the Community was represented as an observer — met in Rome from 13 to 16 December.

A number of representatives of the participating States declared that they were ready to make additional contributions which would bring the initial capital necessary to set up IFAD to more than \$ 1 000 million. Of this total, the EEC Member States have contributed about \$ 200 million. The setting up of IFAD was recommended by the World Food Conference when it met in Rome in November 1974.³

Cooperation with non-governmental organizations

2322. At the end of December, the situation of the projects submitted since the beginning of 1976 by the non-governmental organizations — specialized in development aid — is as follows: out of 109 projects submitted by 34 European NGOs to the Commission for cofinancing, 76 were approved to the tune of 2.5 million u.a. — the

¹ Bull. EC 11-1976, point 2315.

² Bull. EC 5-1976, points 1201 to 1203.

³ Bull. EC 11-1974, point 1402.

full amount provided for this purpose for 1976. Since the requests submitted by the NGOs exceed available funds, some of them will be taken into consideration for 1977.

2323. A preliminary information meeting took place between the representatives of the Governments of the Member States responsible for relations with the NGOs and the representatives of the Commission. The various development measures which could be used in cooperation with the NGOs were discussed, in particular: the co-financing of projects in developing countries, education of public opinion, voluntary service and food aid.

Generalized preferences

2324. On 13 December, the Council adopted the regulations and decisions¹ concerning the application of the Community's generalized preferences for 1977. This decision was taken on the basis of the proposals presented by the Commission on 30 June,² after consulting the Associated States concerned and the ACP States, and after obtaining favourable opinions from Parliament and the Economic and Social Committee.

Compared with 1976, the 1977 scheme is substantially improved owing to a certain degree of recovery in the Community's economy. The amount of possible preferential imports will increase from 4 600 to 6 200 million u.a., i.e. a rise in value of more than 35 %.

For agricultural produce, the preferential arrangement for 1977 incorporates the offer made by the Community for tropical products within the framework of the Tokyo Round.³ There is a 24 % increase in the amount of possible preferential imports. Most of these improvements are for products exported by the least favoured countries, in particular, tobacco, spices and vegetable oils.

For industrial products other than textiles, the year serving as a base for the calculation of the level of the ceiling has been amended and this

change will entail an overall increase in preferential import possibilities of the order of 43 %.

The overall amount of the ceiling for textile products is 5 % up and includes the abolition of the distinction between cotton textiles and others, the introduction of a twin system for sensitive products and finally an increase in the list of countries benefiting, notably the dependent territories, in respect of the products identified as non-sensitive.

The 1977 scheme is a significant stage in the implementation of the Council's important Resolution of 3 March 1975 on the future development of preferences,⁴ since it puts into practical terms the intention expressed by the Council that improvements should particularly take into account the interests of the least-favoured developing countries, with a view to facilitating their preferential access to the Community market.

Food aid and emergency aid

2325. On 21 December, the Council decided to send emergency food aid to *Lebanon* for an amount of 10.28 million u.a.⁵

2326. On 21 December,⁶ the Council adopted a Regulation on the supply of emergency food aid to the *Comoros*, worth 1 440 000 u.a.

2327. As part of the food aid programme (cereals), for 1977,⁷ the Council decided on 21 December⁶ on the anticipated allocation of certain emergency measures in favour of *Botswana*, *Lesotho*, the *Cape Verde Islands* and the *Catholic Relief Service* (for the particularly needy sections of the *Chilean* population).

¹ Points 2106 and 2107.

² Bull. EC 6-1976, points 1501 to 1508.

³ Bull. EC 4-1976, point 2304.

⁴ Bull. EC 3-1976, point 2318.

⁵ OJ L 356 of 28.12.1976.

⁶ OJ L 362 of 31.12.1976.

⁷ Bull. EC 10-1976, point 2315.

2328. On 14 December, the Council agreed to supply 50 tonnes of skimmed-milk powder to Uruguay and 986 tonnes of flour to Bolivia.

Commodities and world agreements

Hard fibres

2329. In anticipation of the commodity negotiations provided for in the integrated programme adopted by UNCTAD, a further preparatory meeting on hard fibres was held in Geneva from 6 to 10 December. Sixty-five countries took part.

The Community representative made three statements — on the market situation for sisal, coconut fibres and Manila hemp. These statements were basically concerned with the regularization of supply and demand, the modernization of production, the development of research, trade promotion, and the problems that might be created if buffer stocks were to be established.

It was decided at the end of the meeting to set up an intergovernmental group of experts to study possible measures for bringing about a recovery in the hard fibres market.

in a statement made last October¹ and conform to the general guidelines drawn up by the OECD. The information supplied by the Community representative indicated that the tonnage of Community production in 1976 will be 13 % down on the total for 1975. This trend will continue in 1977 and 1978 and it can already be estimated that this will entail a drop of at least 30 % in the production of new ships by the end of the period.

The Community informed the Working Party that it had drawn up a plan in December (which would take the form of an OECD understanding) aimed at achieving a fair distribution of the new orders which will be placed in Japan and in Western Europe during the next two years.² The favourable welcome given to the measures by almost all the members was confirmed in due course, when the governments concerned formally expressed their agreement; the Japanese Delegation, however, reserved its position. The discussions also dealt with Japanese production targets for coming years.

At its regular meeting held on 17 December, the OECD Council invited the Working Party to step up its efforts so as to achieve practical results rapidly; the Working Party decided to hold its next meeting on 11 and 12 January.

Atlantic Institute

2331. A meeting on the external relations of the European Community was organized from 3 to 5 December in Brussels by the Atlantic Institute. The statements and discussions dealt with the following four subjects: trends in economic liberalism; the case for reforming GATT; the new conditions for international trade caused by trends in the world economy and the Community; the world food problem and trade in agricultural products.

¹ Bull. EC 10-1976, points 2251 and 2322.

² Points 2261 and 2350.

Food and Agriculture Organization of the United Nations

FAO Council

2332. The FAO Council met in Rome from 29 November to 10 December, under the chairmanship of Mr Bula Hoyos (Colombia).

Five of the items on the agenda were of particular interest to the Community: the world food and agriculture situation, trade in agricultural products, world food security, fertilizers, and the composition and mandate of the Council. As regards the first point, it was seen that in spite of an overall increase of 2% to 3% for world agricultural production in 1976, and an improvement in the situation from the point of view of prices, consumption, and fertilizers, the long-term problems still cause concern, especially as regards the developing countries.

The Community representative took part in the discussion on the report on world food security and highlighted the contribution of the EEC and other industrialized countries to the aims of the commitment entered into at the World Food Conference in November 1974.¹ He took the opportunity to announce the Community's participation in the world early warning and information system on food and agriculture.

World early warning and information system

2333. The Commission was formally instructed by the Member States in December to draw up and forward to the FAO, on behalf of the Community, the data and information necessary for the smooth running of the world early warning and information system on food and agriculture. The main aim of this system — set up by the FAO following the World Food Conference in November 1974 — is the permanent supervision of world food supply and demand and the identification of countries where serious food short-

ages are imminent. The Commission is particularly instructed to inform the FAO of estimates regarding production, areas, yields, consumption, stocks, import requirements and supplies available for export for cereals, including rice, oilseeds and meat.

International Fund for Agricultural Development

2334. The Preparatory Commission of the International Fund for Agricultural Development (IFAD) held its second meeting from 13 to 16 December in Rome;² the Community took part as an observer, a status which had been granted to it at the beginning of the meeting.

United Nations Economic Commission for Europe

2335. The Committee on the Development of Trade of the United Nations Economic Commission for Europe (ECE) held a meeting from 29 November to 3 December.

The medium-term programme of the Committee's work was adopted at this meeting and current problems in East-West trade were reviewed. Detailed discussions were held on the work done on both sides to reduce or gradually eliminate all the obstacles to trade development and on the question of the trade deficits of the East bloc countries. The representatives of the Community took an active part in the discussions.

¹ Bull. EC 11-1974, points 1401 to 1407.

² Point 2321.

EFTA countries

Joint Committees

2336. Four of the Joint Committees set up under the agreements between the Community and the EFTA countries held meetings during the last month of 1976; these were the EEC/Iceland Joint Committee (1 December), the EEC/Finland Joint Committee (2 December), the EEC/Norway Joint Committee (7 December) and the EEC/Sweden Joint Committee (14 December). These were immediately followed by meetings of the Joint Committees set up under the agreements between the ECSC and the EFTA countries (with the exception of Iceland).

At these meetings, the delegations considered the functioning of the different agreements and held wide-ranging discussion on present international economic problems, and on the situation in the steel markets.

Sweden

2337. The question of import quotas for shoes coming from the Community was brought up once again at the meeting of the EEC-Sweden Joint Committee.¹ The Swedish Delegation informed the Community that in the Spring of 1977 the Swedish Government would introduce a bill to Parliament on the future structure of the shoe industry in Sweden and at the same time would officially announce the date on which quantitative restrictions would be lifted. The delegation specified that these restrictive measures would be withdrawn at the end of 1977.

Mediterranean countries

Greece

Accession negotiations

2338. Following the procedures laid down at the first session of negotiations at ministerial level held in Luxembourg on 19 October,² the first meeting at deputy level took place in Brussels on 10 December. A detailed exchange of views was held on the problems of the customs union and on the free movement of goods in the industrial sector.

2339. During December the Commission and the experts from the Greek Government continued the examination of Community secondary legislation. Work has now been completed on the following sectors: transport, environment, taxation and regional policy. The first meeting on secondary legislation in the agricultural sector was held on 16 and 17 December and considered the secondary legislation relating to sugar.

Association

2340. On 6 December the Community, represented by the Commission, began negotiations on a second financial protocol under the EEC-Greece Association. The new protocol will provide for financial aid of 280 million u.a., comprising 225 million u.a. in the form of EIB loans and 55 million u.a. in the form of aid from the Community budget. The completion of the negotiations is scheduled for January 1977.

¹ Bull. EC 11-1975, and 5-1976, point 2332.

² Bull. EC 10-1976, point 2328.

Turkey

Association Council

2341. The EEC-Turkey Association Council met in Brussels on 20 December. It reached agreement on the three matters before it: a decision on the first stage of the gradual establishment of free movement of workers—including a clause giving Turkish workers priority over workers from other non-member countries—the second agricultural review and the third financial protocol. This protocol—which will expire on 31 October 1981—will provide 310 million u.a. of financial aid, consisting of 90 million u.a. of EIB loans and 220 million u.a. of loans on special terms.

The Community also made a statement on the development of the association and cooperation.

Yugoslavia

2342. On 14 December the Council welcomed the declaration¹ subscribed to on the occasion of the visit to Belgrade of a Community delegation on 1 and 2 December.¹

African, Caribbean and Pacific countries

ACP-EEC Lomé Convention

Joint Committee of the ACP/EEC Consultative Assembly

2343. In accordance with the Decision taken on 3 June by the ACP-EEC Consultative Assembly,² the Joint Committee of this Assembly met from 1 to 3 December in Lomé under the chair-

manship of Mr Deschamps and Mr Kassongo. Mr Brinkhorst, President of the Council, Ratu Sir Kamisese Mara, Prime Minister of Fiji, President of the ACP Council of Ministers and Mr Cheysson took part in the work of the Committee which is at present made up of 49 delegates from the European Parliament and 49 representatives of the ACP States. The main theme of the discussions was the report by Lord Reay on the work of the EEC-ACP Interim Committee and the questions raised by the application of the provisions of the Lomé Convention. Mr Cheysson recalled the principles on which the Lomé Convention is based:

- it is contractual, and therefore binding;
- it is politically neutral;
- it offers freedom of choice;
- it systematically combines all the means of development which it proposes.

The Joint Committee also examined proposals to be forwarded to the Consultative Assembly or consultation with business and social circles. In this connection, it was in favour of the idea of organizing a meeting on an experimental basis between the Committee and the circles concerned following the ILO Conference in June 1977.

The next meeting of the Joint Committee will take place in June 1977 in Luxembourg during the second session of the Consultative Assembly.

Committee on Industrial Cooperation

2344. The first meeting of the Committee on Industrial Cooperation, laid down by Article 35 of the Lomé Convention, was held in Brussels on 20 December. The Committee, the composition and functioning of which was adopted by the

¹ Bull. EC 11-1976, point 2340.

² Bull. EC 6-1976, point 2347.

African, Caribbean and Pacific countries

ACP-EEC Council of Ministers on 14 July 1976,¹ is made up of representatives of the nine Member States, one representative of the Commission and one representative of the EIB for the Community, and fifteen representatives of the ACP States.

The Director and Assistant Director of the Centre for Industrial Development were appointed at this meeting. They are Mr Roger Theisen and Mr Isaac Adedayo Akinzele.

Mr Theisen presented for the Committee's approval the broad guidelines along which he intends to direct the work of the CID.

European Development Fund

New financing decisions

2345. After receiving a favourable opinion from the EDF Committee, the Commission took new financing decisions in December to be covered by grant aid under the fourth EDF. These decisions bring the total amount of the commitments entered into under the fourth EDF to 407 599 000 EUA. The new decisions concern the following projects:

Zaire — Extensions to the Gosuma plantation of selected palms: 2 980 000 EUA

Chad — Establishment of an agro-industrial sugar complex at Banda: 7 550 000 EUA

Sudan — Improvement of telecommunications: 6 974 000 EUA

Burundi — Construction and equipment of a faculty of science at Bujumbura: 3 500 000 EUA

— Completion of the Murambya project: 418 00 EUA

Comoros — Technical assistance, supply of equipment and small repairs, maintenance: 220 000 EUA

African, Caribbean and Pacific countries

Ethiopia — Coffee improvement projects (including food crop component): 12 870 000 EUA

Cameroon — Supplementary financing for the Dibombari agro-industrial palm oil complex: 2 500 000 EUA

— Annual micro-project programme: 270 000 EUA

Tanzania — Purchase of six housing units in Dar es Salaam to accommodate delegation personnel: 300 000 EUA

— Coffee improvement programme: 12 677 000 EUA

Mali — Additional financing for the completion of four agricultural products under the 3rd EDF: 2 674 000 EUA

Rwanda — Mukungwa hydroelectric station: 20 000 000 EUA

Jamaica — Supply of equipment and technical assistance for the construction of micro-dams and irrigation: 3 700 000 EUA

Lesotho — Exceptional aid: 1 000 000 EUA

Yaoundé Convention

European Development Fund

New Financing decisions

2346. From the funds still available under the second and third EDFs, the Commission took a financing decision in December regarding Zaire—the Kerge-Kikwit road (Mosango-Kikwit section): 8 700 000 EUA.

*

¹ Bull. EC 7/8-1976, point 2347.

Other countries

[redacted]

2347. At its part-session from 13 to 17 December, Parliament adopted a Resolution on the seizure of EEC companies in Ghana and gave its opinion on the treatment applicable to agricultural products originating in the ACP States.

Other countries

Industrialized countries

Canada

2348. The EEC-Canada Joint Cooperation Committee, set up under the Framework Agreement for Commercial and Economic Cooperation of 6 July,¹ held its first meeting in Brussels on 10 December. The two delegations adopted a programme of work for 1977 and set up two sub-committees which will help to promote commercial and economic relations between the Community and Canada.

2349. The eighth round of the regular EEC-Canada consultations was held in Brussels on 8 and 9 December, with particular emphasis placed on industrial cooperation between the two sides.

Japan

2350. Following a request by the Commission delegation at the high-level consultations between EEC and Japan on 15 and 16 November,² discussions on current problems in shipbuilding took place on 21 and 22 December in Tokyo between a Commission delegation and representatives of the Japanese Government.

The talks were mainly concerned with the situation in this sector and with the Community's proposal regarding an arrangement to prevent imbalances in the regional distribution of new orders for ships.³ The Community feels that the

Other countries

[redacted]

Japanese companies which have increased their shipbuilding capacity over the last few years have a special responsibility and it is therefore urgent to take a decision on the matter.

*

2351. At its sitting on 15 December, Parliament⁴ adopted a resolution on Community trade with Japan.

Developing countries in Asia and Latin America

Iran

2352. The first round of negotiations⁵ for the conclusion of the Economic and Commercial Cooperation Agreement between the EEC and Iran opened in Brussels on 20 December at ministerial level.

In their opening statements Mr Hushang Ansary, the Iran Minister of Economic Affairs and Finance, and Mr Gundelach, Member of the Commission, stressed the importance of the occasion. This first meeting enabled each side to make clear how they saw the general outline of the agreement, its content, principles and duration; the next round of negotiations is to be held in Brussels in February 1977.

Association of South-East Asian Nations

2353. The second meeting of the Joint Commission-ASEAN Study Group was held on 2 and 3 December in Manila.

¹ Bull. EC 6-1976, points 1201 to 1206 and 9-1976, point 2331.

² Bull. EC 11-1976, point 2346.

³ Points 2261 and 2330.

⁴ Point 2417.

⁵ Bull. EC 11-1976, point 2348.

After studying recent economic trends in the two regions, the group took stock of the work undertaken at expert level in the various fields—identified at the first session in June 1975¹—where cooperation could be envisaged between the two parties. A medium-term programme has been drawn up to continue this work. However, a number of projects can begin in 1977, particularly those regarding the contacts between commercial operators in the Community and in the ASEAN countries, research into solutions to the problems raised by transfer of technology, aid towards improving the professional qualifications of management and various trade promotion activities.

The Joint Study Group will hold its third meeting in Brussels in June 1977.

Meeting between the Community and Latin America

2354. The second session of the seventh meeting at ambassadorial level between the Community and Latin America² took place in Brussels on 6 December. The main item on the agenda was a review of the first five years of the EEC-Latin America dialogue, instituted in 1971. The discussions showed that considerable progress was made during this period in the field of trade and development cooperation between the Community and the Latin-American countries.

The content of the dialogue and the importance of its role had been influenced by the fact that discussions on the problems raised by international economic relations had been going on at the same time in other international bodies.

The parties therefore agreed to consider the future content of the dialogue and the possibility of giving it a new impetus. Informal talks will take place between the representatives of the Latin-American countries and the Community.

Brasil

2355. The Joint Committee set up by the EEC-Brasil Trade Agreement, signed on 19 December 1973,³ met for the second time⁴ in Brussels on 14 December.

The two delegations studied the trend of trade between the Community and Brazil, and the scope for its development, bearing in mind in particular the Community's offer on tropical products presented in the context of the multilateral trade negotiations in Geneva. They paid particular attention to the products specifically mentioned in the Trade Agreement (cocoa butter and soluble coffee) and took stock of the situation on the Community beef and veal market.

As regards the information seminars organized by the Commission on the generalized preferences scheme, the two sides expressed their satisfaction at the results of a mission of experts which had visited several Brazilian towns with the aim of familiarizing Brazilian users with the way the system operates.

Argentina

2356. On 13 December,⁵ the Council decided to extend for another year, the Trade Agreement concluded on 8 November 1971 between the Community and Argentina.⁶

Diplomatic Relations

2357. The President of the Council and the President of the Commission received Their Ex-

¹ Bull. EC 6-1975, point 2349.

² Bull. EC 6-1976, point 2371.

³ Bull. EC 12-1973, point 2317 and 7/8-1974, point 2344.

⁴ Bull. EC 10-1975, point 2347.

⁵ OJ L 348 of 18.12.1976.

⁶ Bull. EC 1-1972, Part One, Chapter III.

4. Institutions and organs of the Communities

Diplomatic Relations

cellencies Mr Callixte Habamenshi (Rwanda) and Mr Raimundo Bassols Y Jacas (Spain), who presented their letters of credence in their capacity as heads of their countries' missions to the European Communities EEC, ECSC, EAEC) with effect from 14 December 1976.¹

The new Ambassadors replace Mr Ignace Karuhije (Rwanda), who has been recalled to take up another appointment, and Mr Alberto Ullastres Calvo, who had represented his country at the Communities since 1965 and who, having reached retirement age, has now left the diplomatic service.

European Parliament

Part-session in Luxembourg from 13 to 17 December

2401. The December part-session was altogether in the nature of a stocktaking at the end of the year. In four evening and night sittings, Parliament endeavoured to get through all the work on hand for the last part-session of 1976. The main item on the agenda was the second reading and adoption of the Community budget for 1977.

Other pressing matters, like the Community steel crisis, the problem of the trade balance with Japan, the improvements to the European milk market and relations with the CMEA called for a prompt reaction from Parliament. Question Time — for the first time three hours instead of the usual ninety minutes — also provided an opportunity to deal with matters while they were still topical.

Many items on the agenda relating to the economy, transport, environmental protection and regional policy were also debated.¹

Parliament's tribute to Mr Borschette

2402. At the beginning of the proceedings the President, Mr Spénale, paid tribute to the memory of Mr Albert Borschette, who died on 8 Dec-

¹ This report was prepared from 'Information' published by Parliament's Secretariat.

The complete texts of the Resolution, passed by Parliament are reproduced in OJ C 6 of 10.1.1977 and the report of proceedings is contained in OJ Annex No. 210.

The political group and nationality of members are indicated in brackets by the following abbreviations: *C-D* = Christian Democrats, *S* = Socialists, *L* = Liberals and Democrats, *C* = European Conservatives, *EPD* = European Progressive Democrats, *COM* = Communists and Allies; *B* = Belgium, *DK* = Denmark, *D* = Federal Republic of Germany, *F* = France, *IRL* = Ireland, *I* = Italy, *L* = Luxembourg, *NL* = Netherlands, *UK* = United Kingdom.

¹ OJ C 1 of 4.1.1977.

ember after a long illness. He expressed Parliament's sympathy to Mr Borschette's family and friends, the Luxembourg Government and the Commission, of which he had been a prominent Member for several years.

The House then observed a minute's silence.

Motion of censure against the Commission (14 December)

2403. A motion of censure, tabled by Mr *Aigner* (D) on behalf of the Christian-Democrat Group led to a debate of principle on the extent and practical application of Parliament's rights of control in the Community. As stated in the substantiation of the motion, the bone of contention was the affair now generally referred to as the 'malt scandal'. It involved the payment of excessively high refunds on exports of malt in 1975/76. In particular the Commission had refused a request from the Parliamentary Control Sub-Committee to be allowed to see a report on the matter prepared by the Commission's Financial Control.

Mr Aigner, who tabled the motion, contended that this specific instance of information being denied by the Community institution answerable to Parliament amounted to gross contempt of Parliament's rights of control, which Parliament — with direct elections now drawing closer — could not let pass. Parliament could not carry out its control function unless there was an obligation to keep its control body, the Sub-Committee, fully informed. Mr Aigner urged the other Groups to support the motion. At the same time, he conceded that with the new Commission due to take over on 6 January it was not really the right time for a censure motion, which could lead to the Commission being removed from office.

Mr Aigner's contentions were endorsed by Mr *Bangemann* (L/D), Mr *Notenboom* (C-D/NL), Mr *Shaw* (C/UK) and Mr *Masullo* (COM/I). However,

they supported only the content of the criticisms in the censure motion. Mr. *Bangemann* referred specifically to the substitute resolution motion which he had tabled on behalf of the Liberal and Allies together with Mr *Vernaschi* (I) on behalf of the Christian Democrats, whereby Parliament should vote on the censure motion in February, if the new Commission should also refuse to release the required report. Parliament later voted against debating this resolution motion under urgent procedure.

In contrast, Mr *Gerlach* (D) for the Socialist Group flatly refused to employ the weapon of the censure motion for such a 'trifle'. But in substance he agreed with Mr Aigner; the overall context of authority was not to be left out of account. Mr *Bangemann* countered this, saying that the question of how far Parliament's rights of control could go, could be broached only on specific points of detail, which often concerned trifling matters.

The President of the Commission, Mr *Ortoni*, pointed out that it had been the Commission which had proposed the latest measures to strengthen Parliament's powers of control in regard to the discharge and to establish a European Court of Auditors. This demonstrated that the Commission had been completely frank with the House in respect of Parliamentary controls. He also confirmed the information already given in writing by the Commission to the effect that the report in question was an internal document which could not be made public. He went on to set out once again the facts concerning the malt affair.

The story came to an end when the censure motion was withdrawn by Mr Aigner himself. The substitute motion was referred to the relevant Committee.

**Statement by President Ortoli
on the Commission's activities
during its term of office
(15 December)**

2404. President Ortoli first recalled that the Commission, appointed in 1973, had a twofold task: to bring into effect the enlargement and to implement the programme set at the Paris Summit in 1972.

This was an ambitious project. Although not all has been achieved, substantial results have been secured, particularly in the shape of the Lomé Convention, the generalized system of preferences, food aid, the start of the Monetary Co-operation Fund, Mediterranean policy, agreements with Latin American and Asian countries, and so on. 'I won't deny that we have had our difficulties and our failures. But I will not have it said that the Commission's role has withered in a Europe that has nothing more to offer than disillusion and pessimism' he declared. The Commission had, unfortunately, had to cope with a worldwide crisis of disastrous proportions. In these conditions, it strove to maintain the Community's internal cohesion and did achieve some results. Where the Commission had been most successful was 'in its constant vigilance to see that each Member State was discouraged from taking protectionist measures, and in its efforts to ensure that what protectionist measures were taken were kept under Community scrutiny'. After three years of crisis, the Member States were still as far out of step as ever; but gradually they were coming round to seeing the economic situation in the same way and 'were showing the same vigour in getting to grips with inflation'. President Ortoli declared that 'priority must be given to the internal development of the Community'; 'we must not let Europe die from within for lack of the support that integration will provide'. Speaking of external relations he said that 'in a world threatened by protectionism, the Commission was the first to call on everyone to keep a cool head, thus enabling the Community

to participate with no loss of authority in all the major rounds of negotiations aimed at a better organization of free trade. At all events, the Community's economic diplomacy is operating successfully.'

Then turning to the situation of the Commission itself, he said that 'we shall not be leaving an enfeebled Commission behind us. It had its place in political cooperation, its full participation at European Council meetings. Despite the difficulties, the Commission had performed its duties, played its full part and made the proposals it had to make.' Lastly, it had always endeavoured to 'voice the common interest of our peoples', preserve what had been achieved, 'explore all avenues of progress' and 'act as a catalyst' on the decision-making process.¹

During the debate, the various speakers made a point of paying tribute to the outgoing Commission and offering their congratulations on its achievements, but they none the less pointed to certain negative factors impeding the construction of Europe.

The spokesman for the Socialists, Mr Patijn (NL) felt that as a policy-making institution the Commission had to be both ambitious and pragmatic. But the very composition of the team, made up of men of different political leanings, could be a handicap. Party-political viewpoints were disparate and what meaning could a censure motion have, for instance, when all the Groups — including that or those which had tabled it — were represented within the Commission? He concluded by saying that the Commission would have to look to its guns and defend itself against a trend which might see it crushed between the European Council and a directly-elected Parliament.

Speaking for the Christian Democrats, Mr Bersani (I) contended that over a difficult period and despite certain shortcomings and delays, the Commission had achieved positive results. For in-

¹ See also point 1103 and following.

stance, a fresh awareness had developed over the last four years bearing on relations with the Third World. In this context, the Lomé Convention was a noteworthy achievement. A dialogue had been established with the two sides of industry. But on the debit side, the subject of citizens' rights had hardly been broached, the necessary convergence of Member States' economies was still a long way off and social affairs were weighed down by a certain inertia.

The next speaker, Mr *Johnston* (UK), speaking for the Liberals, said that the Commission must be bold and march stoutly into battle. It should always remember that it was created as a policy-making institution and not as an administrative body. It had scored successes and the next Commission would have the task of building on the foundations which its predecessors had laid.

The spokesman for the European Progressive Democrats, Mr *Nolan* (IRL), was more critical since he felt that major problems had not been solved, such as unemployment among the young, the difficulties besetting agriculture and the lack of any common organization of markets in certain sectors, the beef and veal market for example.

For the European Conservatives, Sir *Peter Kirk* (UK) acknowledged the massive problems that had faced the outgoing Commission as it began its term of office. Substantial results had been achieved among which the Lomé Convention was something of a feat. The failures were in large part due to the lack of convergence between economies, on which the success of sectoral policies hinged.

Though Mr *Spinelli* (I), spokesman for the Communist Group, also paid tribute to President *Ortoli*, he was strongly critical of the Commission of which he had been a member for three and a half years. Results had been achieved, but the Commission had to shoulder much of the blame for the situation with regard to European integration today. The Council was a body incapable of doing its job and the Commission had not ex-

posed this disgrace. It had not resisted as it should and rebelled against this 'great confederal trick', and in not doing so it had indicted itself politically.

At the end of the debate, the President of the Council, Mr *Brinkhorst* joined in the tributes paid to Mr *Ortoli* and his colleagues and described once again the vital role played by the Commission in the operation of the Communities.

Outcome of the European Council meeting at The Hague (15 and 16 December)

2405. The debate which followed the statement by Mr *Brinkhorst*, President of the Council, on the subjects discussed by the Heads of Government — in particular, energy matters, the trade deficit with Japan, better use of the Community Funds, the dangers in the escalation of compensatory amounts, the problems of the North-South dialogue, action to be taken on the *Tindemans Report* and the tenor of the conclusions — offered members an opportunity to voice their bitter disappointment over the meagre results which they found for the most part amounted to no more than a top level exchange of views. Many speakers also had some misgivings about the value and effectiveness of the European Council. Many of the remarks were acid and harsh. Hoping that the Council and the Commission would come and discuss the European Council with the Political Affairs Committee, Mr *Colombo* (I), the Chairman of the Committee, said that he had admired the President of the Council during his statement for his skill in filling up a vacuum.

Mr *Radoux* (B), speaking for the Socialists, said he was dismayed by the indifferent performance of the European Council, which had merely taken stock of all the problems. Taking an example, he said somewhat caustically that it had asked the Ministers to make a report on a report which it had previously asked them to make! It was lu-

dicrous; the European Council was thus acting as a brake on the decision-making process instead of giving it the impetus which we all had a right to expect.

For the Christian Democrats, Mr *Granelli* (I) thought that neither the imagination nor the European record of President Brinkhorst managed to disguise the barenness of the European Council's conclusions at The Hague. Mr *Berkhouwer* (NL) for the Liberals felt that no-one could subscribe to the very idea of a European Council, unless it was able to secure substantial results when it met. For the EPD Group, Mr *Lenihan* (IRL) said that the European citizens must not be robbed of their illusions. So if the next European Council meetings were like the one at The Hague, far from breaking the deadlock, this body would be compounding the difficulties. The Conservative spokesman, Sir *Peter Kirk* (UK), found some gloomy satisfaction at seeing his misgivings over the value of the European Council confirmed. The sooner we got rid of it the better. He also felt that it behoved the Chairman of the European Council to attend this debate. For the Communists and Allies, Mr *Spinelli* said it was impossible for the European Council to act as the guide it wanted to be. The elected European Parliament would have to discuss institutional reforms, so that at long last decisions could be taken.

In his reply, Mr *Brinkhorst* spoke at length in defence of the European Council and dwelt on the positive fact that it *had* been formed. It was a good thing for the Heads of Government to exchange views even if they did not always take decisions.

It was impossible to expect spectacular results from every meeting. Europe's problems could not be solved all of a sudden three times a year. We must not forget the fundamental decisions which had already been taken. Many awkward positions had been resolved. Who, other than the European Council could have broken the deadlock over the direct elections? Admittedly, the proce-

dures used to operate the European Council plainly needed some further improvements. In conclusion, the President wholeheartedly approved Mr Colombo's suggestion of arranging a discussion on the European Council within Parliament's Political Affairs Committee.

In the resolution moved at the end of the debate by Mr *Bertrand* (C-D/B), Mr *Durieux* (L/F) and Sir *Peter Kirk* (C/UK) on behalf of their Groups, the House deplored 'the lack of any practical proposals' from the European Council on the major internal and external problems facing the Community and consequently urged the Council and Commission to do 'everything possible to achieve concerted action' and accomplish economic and monetary union.

Budgets

General budget for 1977 (14 and 16 December)

2406. The draft budget of the Communities came up for its second reading in Parliament. In accordance with the Treaties, Parliament, advised of the action taken by the Council on its proposed modifications (which relate to compulsory expenditure) must pronounce on the Council's modifications to its amendments, which relate to non-compulsory expenditure, and adopt the budget in its entirety or else adopt a proposal to reject it.

Parliament cannot increase expenditure beyond a certain limit without the Council's consent. The ceiling, fixed this year by the Commission at 17.3 % would, as Parliament reads it, give the House a margin of manoeuvre of some 245 million u.a. The Council, for its part, considers that this should not exceed 120 million u.a. The two budgetary authorities must therefore agree on this point. So a conciliation procedure was arranged between a Parliamentary delegation and the Council in the early afternoon of Wednesday, 15 December.

Of the 226.5 million u.a. increase in non-compulsory expenditure proposed by Parliament at the first reading, the Council endorsed only 10.1 million u.a. It should also be mentioned that Parliament's amendments concerning the Social Fund were accepted by the Council as well as the amendment in favour of the programme to combat poverty.

All in all, the proposed modifications put forward by the House at the October part-session did not receive the Council's approval. The 200 million u.a. reserves for farm prices were not accepted. The 4 million u.a. as aid for young farmers were rejected. The Council accepted only some of the appropriations requested by Parliament for food aid and it agreed to enter 14 million u.a. into Chapter 100 for milk powder. The Council would not transfer the agri-monetary appropriations of the EAGGF (compensatory amounts etc.) to another Chapter, but did adopt a different presentation of the sums in question which more clearly illustrated the appropriations of the EAGGF. It also refused to transfer 50 million u.a. from the Mansholt Reserve to specific projects under the EAGGF Guidance Section to improve agricultural structures.

All these points were recalled by *Lord Bruce* (S/UK) as he presented his report, which enabled him to explain the position of the Committee on Budgets. The Committee had endeavoured to reinstate the priorities deleted by the Council and was thus proposing that Parliament re-enter some 90 million u.a. which, with the 10.1 million u.a. already accepted by the Council, would bring the increase in non-compulsory expenditure up to just over 100 million u.a. Lord Bruce said that these were very reasonable proposals, so he was recommending Parliament to accept them. He pointed out that it was high time the budget became a policy instrument in every sense of the term instead of simply an accounting instrument. Then speaking of the dissent between the two budget authorities on the margin of manoeuvre commanded by Parliament, Lord Bruce told the House that he was astonished to see the Council

trying, in his opinion, to curtail Parliament's scope, but commended the President of the Council for the frank and earnest discussions during the conciliation meeting.

Mr *Brinkhorst*, the President of the Council, then took the floor. Speaking of the difficulties inherent in the margin of manoeuvre and whether commitment appropriations were or were not to be counted in calculating it, he considered that this was a political matter — not simply a question of budgetary technique but a basic principle affecting the entire budget. For Mr Brinkhorst, the Council was taking its full political responsibility and expected Parliament to appreciate this. He explained the position taken by the Council on Parliament's amendments and expressed surprise at the new proposals to increase, in particular, the aid to non-association developing countries. Regarding the Chapter for disaster victims, he felt that the amount suggested by the Committee on Budgets was inappropriate, either too much or too little.

Describing the matters still being discussed between the two budget authorities, Mr *Cheysson*, Member of the Commission, said that it was a very good thing for the political dialogue to go on right up to the last minute. It was moreover significant that this time it was the Council which was appearing before the House. Progress was steadily being made and the Treaty of 22 July 1975 would soon be implemented. Stressing that the Council had in fact adopted many of Parliament's suggestions, Mr Cheysson commented on several chapters of the budget. Regarding aid for disaster victims, the Commission had to command a substantial sum so that it could act promptly when needed. The appropriations did not have to be excessively high; 5 to 10 million u.a. could well suffice. Conversely, the Maghreb appropriations could not be used before the end of 1977. Lastly, it would be difficult to spend all of the 60 million u.a. requested for non-associated developing countries since this new policy was just starting.

The spokesman for the Socialists, Mr *Patijn* (NL), thought that for all the many points still not settled, it had to be said that the Council had made a special effort. What really mattered was to know what was happening in the Community and where policy was heading. The budget was never an end in itself; it reflected the underlying policy. The Socialist Group hoped that we could move forward; it would adopt the resolution proposed but still had to pronounce on the amendments.

For the Christian Democrats, Mr *Notenboom* (NL) said that mention should be made of the greater consideration given and the expansion allowed to commitment appropriations. He felt that an exaggerated increase here could raise problems and this should not result in any erosion of Parliament's powers as defined by Article 203 of the EEC Treaty in respect of the margin of manoeuvre. It was not possible to aggregate payment appropriations and commitment appropriations as the Council would have it. You didn't add up apples with pears.

Mr *Durieux* (L/F) thought that the Council had shown an open mind. This was borne out by the political content of the amendments it had accepted, notably the 38 million u.a. of commitment appropriations for the Social Fund. Mr *Durieux* emphasized that the increases proposed by the Committee on Budgets were, as regards the commitment appropriations, within the limit of 120 million u.a. stipulated by the Council. The inclusion of loans in the budget was an important step. He also hoped that in the next few days the Council would adopt the sixth VAT Directive. In conclusion, he deplored the Council's refusal to accept the 600 000 u.a. increase in information appropriations in connection with the direct elections.

On behalf of his Group, Mr *Cointat* (EPD/F) contended that although the amendments proposed by the Committee on Budgets were highly satisfactory, since it was right to voice its concern and

try to improve what tended to be a standstill budget, it was a different story at political level. A head-on clash with the Council would be disastrous just when the Act concerning direct elections was being ratified. Taking previous budgets as an example, Mr *Cointat* held that an overall increase of 187 million u.a., as proposed by the Committee was too high as compared with the 120 million u.a. desired by the Council. We might be able to compromise with an increase of 136 million u.a.

The gist of Mr *Shaw's* (UK) speech for the European Conservatives was to remind the House of the economic conditions prevailing at the present time. He also considered that the present cleavage between Parliament and the Council stemmed basically from different views on how to implement common policies and was not a fundamental clash on principles. There was therefore no call to be pessimistic, since agreement could certainly be secured.

Mr *Pistillo* (COM/I) explained that his Group would vote against the general slant of the budget. It was terribly cramped in relation to the Community's needs: 0.5 % of the national income of the Nine and 2 % of the budgets of the Member States. This lopsided draft disregarded the blizzard of unemployment, inflation and all the animosities pressing on the Community and would not therefore receive the support of the Communist Group.

During the conciliation meeting, agreement was reached between the Parliamentary delegation and the Council. So the Committee on Budgets decided to amend its initial report and reduced the proposed increase of 187 million u.a. (100 million in payment appropriations and 87 million in commitment appropriations) by 46 million, giving an increase of 141 million u.a. in non-compulsory expenditure. Parliament rounded this down to 140 million after an amendment of 1 million u.a. was rejected.

The budget was adopted by 114 votes in favour,

7 against and 1 abstention. It amounts to about 3 800 million u.a.¹

*Third amending budget for 1976
(14 December)*

2407. Parliament approved the draft of the third amending budget for 1976. It involves no additional appropriations and simply entails a restructure of the staff complement of Euratom following the change in the Staff Regulations for Euratom personnel.

*ECSC levies and operational budget
(14 December)*

2408. Parliament approved the ECSC budget for 1977 and in view of present economic conditions asked the Commission to make no change in the levy rate, i.e. to leave it at 0.29 %.

*Financial Regulation
(14 December)*

2409. Parliament debated a highly technical report by Mr Shaw (C/UK) on the proposals for amendments to the Financial Regulation.¹ These cover some of the amendments called for by Parliament over recent years. Their main features are more general application of the distinction between 'payment appropriations' and 'commitment appropriations'; inclusion of loans in the budget; stronger powers for Parliament in the spirit of the Treaty of 22 July 1975 and introduction of the new European unit of account in drawing up the budget. Subject to certain amendments, the Commission proposals were approved.

*Discharge on execution of the budget
(14 December)*

2410. Parliament adopted the accounts for the financial years 1972, 1973 and 1974 and granted a discharge to the President and Secretary-General

in respect of the accounts. It also gave a discharge to the Commission on the execution of the budget for these years and asked the Council to give a discharge to the Commission in respect of the financial management of the EDF over the same period.

Agricultural policy

Milk market

(13 December)

2411. After a marathon debate, Parliament rejected by a narrow but clear majority—as it did in October²—the Commission's proposal to bring in a levy on certain vegetable oils and fats. In contrast, the House approved the principle of financial co-responsibility for milk producers and in concrete terms the introduction of a levy on milk producers from 1 April 1977 amounting to 2.5 % of the target price. The House considered that mountain and upland regions should be exempted from these arrangements but not other under-favoured areas, as called for by a narrowly defeated minority.

Parliament hoped that milk surpluses would be further reduced by practical steps to promote disposal; the proceeds of the co-responsibility levy should be used exclusively for this purpose, and food aid should also be stepped up.

The close vote in the division closed for the time being the argument over the most appropriate measures to improve the milk market. The different viewpoints, which cut right across the Groups, had alternately succeeded in gaining the necessary majority, first in the vote on the action programme on 14 October, when the margarine levy was rejected, then on 5 November in the Committee on Agriculture, where it was ap-

¹ Point 2495.

² Bull. EC 5-1976, point 2469 and 9-1976, point 2469.

³ Bull. EC 10-1976, point 2402.

proved as the indispensable accompaniment to the producer levy, until now when the full assembly, in a roll-call vote, for the moment had its final say on the Commission's concrete regulations; this will now serve as a clear pointer to the Council.

The debate focused on whether or not consumers could be reasonably expected to bear the additional financial burden, on the effects on the exports of developing countries whose staple products were vegetable oils and fats, and on the effectiveness of the co-responsibility levy and any special arrangements for countries which were not self-sufficient (for example, Italy).

Mr *Laban* (S/NL) had misgivings about the effectiveness of the levy on producers as a means of curbing production. Quota arrangements would have been more effective. In general he approved the action to promote disposal and specifically suggested that chilled-milk dispensers be installed in schools. Taxing vegetable oils and fats was ridiculous especially in any connection with food aid. If, as the Commission had pointed out, the margarine levy was to be put to financing food aid, in practice this would mean that the countries exporting vegetable oil were actually financing the aid themselves.

Mr *Martens* (C-D/B) objected, saying that the developing countries had nothing to lose on account of the margarine levy. He wanted to see this levy slanted much more towards the United States and brought up the question of whether the Community, whose agricultural exports were scarcely being facilitated by the US, should in turn promote American exports. In short, one had to consider all the burdens for everyone—consumers, exporting countries and producers alike—in weighing up the proposed measures, which had been approved by the farmers' associations.

The views of Mr *Liogier* (EPD/F) were in direct conflict with the opinions of the Socialist speakers. Supporting the margarine levy, since it made butter more competitive, he was nevertheless

against the co-responsibility levy. Mr *Scott-Hopkins* (C/UK) also said that the margarine levy was questionable since the effects on the consumer were unforeseeable. Furthermore, he opposed any kind of special arrangements for countries where milk production was in deficit. Mr *Vitale* (COM/I) found the Commission's proposed measures inadequate and anti-social. They would heighten the disparities even further to the detriment of small farmholdings.

At the end of the debate, Mr *Lardinois*, Member of the Commission, once again elucidated the purpose of the set of proposed measures. All of them were conducive to reducing milk production by 5% and boosting consumption by 5%. Always bearing this in mind, the purpose of both levies was easy to understand.

Mr *Lardinois* did not hide his disappointment over the way the debate had gone. He had never before heard a debate in the House where national viewpoints had prevailed to such an extent.

Urgent debate on the green pound

(15 December)

2412. At the close of an urgent debate requested after Question Time by the European Conservative Group in connection with the serious problems caused by the level of the green pound and the escalation of compensatory amounts, Mr *Lardinois*, Member of the Commission, painted a most gloomy picture of the situation. We would soon be in dire straits unless something was done immediately about the compensatory amounts. They were now running at -38.5% for the United Kingdom, -23.5% for Ireland, -18.5% for Italy, -16% for France, +1.4% for Belgium and +9.3% for Germany. This could not go on. The system threatened to collapse. It was costing the Community too much. We could expect to see a supplementary budget of 500 to 600 million u.a. presented very shortly.

Industrial policy (16 December)

Crisis on the steel market

2413. Order-books in the doldrums: cheap supplies from the Eastern bloc, Spain and Japan are causing a recession not seen since the slump year of 1975. This means short-time working and idle shifts. There is no agreement on what action has to be taken to improve the market.

In a question, the Committee on Economic and Monetary Affairs reminded the House of the need for a joint discussion of the crisis measures with the steel producers and the trade unions, and the need to ensure compatibility with the ECSC Treaty.

In two supplementary questions several members, including Mr *Santer* (C-D/L), Mr *Jahn* (C-D/D), Mrs *Walz* (C-D/D), Mr *Früh* (C-D/D), specifically referred to the problem of short-time working and for the EPD Group, Mr *Cousté* (F) pointed to the danger of distorting competition. The questions derived from the Commission's plans for crisis measures, which had had a mixed reception in the Member States.

Relying on behalf of the Commission, Vice-President *Simonet* explained that the Commission was waiting for the Opinion of the ECSC Consultative Committee in order to transmit a recommendation to the steel undertakings to cut down production. After a fleeting improvement, the steel industry had in recent months been showing fresh symptoms of stagnation. Action had to be taken. The industry had not enjoyed a recovery period long enough to allow it to regain its strength and be able to withstand a further crisis and it had thereby lost its power to resist foreign competition.

Apart from the unemployment, short-time working and the social and economic aftermath, two structural aspects of the new crisis were particularly alarming. First, the French, Italian, Belgian and British companies were finding it harder to

pull through this difficult period than were their German and Luxembourg counterparts. Second, exports had declined while at the same time the Community's imports had soared. Negotiations for voluntary restraint of steel exports had started with Japan and subsequently with Spain. Assisted by the steel companies, the governments and the unions, the Commission had drawn up a plan to reduce output. The 400 or so companies had been split into some thirty homogeneous groups for which percentage reductions had been calculated based on criteria specific to the group. If the Consultative Committee agreed, these cuts would be applied as from 1 January 1977 for a four-month trial period and it would then be for the new Commission to continue or change this policy. The success of the exercise hinged on how willing the companies were to cooperate. The Commission was ensuring and would continue to ensure that any risk of cartels or restrictive agreements was obviated and that the competition rules laid down by the Treaties were respected.

Regional Fund — First Annual Report (16 December)

2414. In the field of regional policy, 1975 saw the ERDF begin operation. In the resolution on the Fund's activities during its first year,¹ Parliament, while commending 'the Commission for its speed in implementing the European Regional Development Fund', expressed its concern over the widening gap between the rich and poor regions of the Community. The basic objective of the Fund was to reduce these disparities; 'extensive Community action to assist the poorer regions is essential and urgent' and this meant that available resources had to be concentrated on 'the regions of the Community suffering from serious structural imbalances'. The House considered that 'the Fund should not be merely a

¹ Supplement 7/76 — Bull. EC.

means of equalization between Member States: it should be the instrument of a genuine Community regional planning and development policy'. This required coordination of all policies with a regional bearing. The Resolution also stressed the importance of 'additionality' of aid and, as emphasized by the rapporteur, Mr *Delmotte* (S/B), during the debate, of consultation with regional and local authorities. Lastly, the Resolution recommended that the Commission should consider as a long-term measure the setting up of a Regional Development Corporation which could become a shareholder in small and medium-sized undertakings.

Environment (15 December)

2415. Lord Bethell (C/UK) and others asked the Council to explain why it was so far behind in studying the proposals concerning the environment.

The answer from the Council was that the relatively long time needed to reach decisions was due to the sheer technical complexity of the measures involved. While assiduously performing its tasks, the Council had to try and come up with solutions politically acceptable to the Member States. During the discussions, the various interests and viewpoints had to be very carefully examined and this took much time if solutions acceptable to everyone were to be secured.

Transport

Bracket tariffs (14 December)

2416. Deploring the lack of any genuine solution, Parliament approved, without debate, the Commission's proposal to re-extend for one year the system of bracket tariffs for the carriage of goods by road between Member States, urging

that 'a definitive system of reference tariffs should come into effect as from 1 January 1978'.

Trade with Japan (15 December)

2417. In an oral question, Mr *Osborn* (C/UK) had asked the Commission for particulars of the recent talks between the EEC and Japan on steel, shipbuilding and other sectors hit by the alarming inroads of Japanese imports. He also asked what measures the Commission had in mind.

In reply, Mr *Gundelach*, Member of the Commission, said it was important to expand trade with Japan. He explained that the Japanese Government had been advised of the problems facing the Europeans and had been alerted to the danger inherent in the Community's mounting deficit. Close contacts were needed to avert unilateral restrictions prejudicial to all concerned. Japan had been requested to collaborate in fostering growth of Community exports in the interests of both sides. On another side, the Community would apply anti-dumping measures.

In the debate, members voiced their concern over the deteriorating trade relations between the Community and Japan and insisted that a balance must be restored. *Lord Castle* (S/UK) said that the Community's deficit had increased eightfold over the last few years. Mr *Vandewiele* (C-D/B) held that if free trade was to be preserved, an excessive deficit might well provoke a serious crisis. Mr *Cousté* (EPD/F) felt that with a deficit of \$3 100 million in 1975 rising to over \$4 300 million in 1976, the situation was very alarming. The Japanese were dumping and maintaining non-tariff barriers. The solution lay in a three-cornered arrangement between the Community, Japan and the United States. This view was shared by Mr *Pintat* (L/F) who also underlined the dangers of any relapse into protectionism, a wrong solution which must be resolutely staved off.

In the Resolution, Parliament requested the Commission 'to identify those legal, economic and political difficulties which continue to hinder the efforts of Community exporters seeking to penetrate the Japanese market'. The Commission should also propose measures 'aimed at making the operations of those Japanese firms—especially in the shipbuilding industry—which are principally responsible for exporting to the Community more "transparent", for instance by requesting the Japanese Government to ensure that the full accounts of these firms are published'. The Commission was also urged to 'insist that the Japanese Government makes substantial concessions permitting the industries of the European Community to obtain access to the Japanese domestic market comparable to that enjoyed by Japan on the Community market'.

Relations between the Community and the CMEA (15 December)

2418. On behalf of the Socialist Group, the Chairman, Mr *Fellermaier* (D) and three other members, Mr *Schmidt* (D), *Lord Castle* (UK) and Mr *Radoux* (B) asked the Council about the content of its answer to the Council for Mutual Economic Assistance (CMEA) and its assessment of the state of trade relations and the prospects for increasing cooperation. They pointed to the dangers for future trade in the heavy indebtedness of the CMEA States.

In his reply, Mr *Brinkhorst*, President of the Council, stated that the Community's trade surplus with the CMEA had declined from some 3100 million u.a. in 1975 to 660 million u.a. in the first six months of 1976. The recession in the Community was one of the reasons for this. All in all, as matters stood, Community exports were running at the same level and CMEA exports were on the rise. Mr *Brinkhorst* shared the questioners' concern over the consequences of an increase in the indebtedness of the CMEA countries. The Community was maintaining its offer

of negotiation to the individual CMEA countries to regularize trade relations. The Commission was empowered to negotiate on the question of fishing rights in connection with the extension of fishing limits to 200 miles from 1 January.

Regarding the substance of the Council's reply to the CMEA on 18 November 1976,¹ Mr *Brinkhorst* referred to the procedures set up in agreement with Parliament specifically for providing information on the negotiation of international agreements, procedures which in no way compromised the exploratory nature of preliminary contacts.

Council

2419. In December the Council held eight meetings on social affairs, the environment, external affairs, taxation, transport, agriculture and energy.

Two other meetings—on fisheries and research—were cancelled.

A consultation meeting with a delegation from Parliament, under the chairmanship of Mr *Brinkhorst*, Netherlands State Secretary for Foreign Affairs, was also organized in Luxembourg on 15 December while the House was in session. This was the first time that such a meeting had been held at this advanced stage in the budgetary procedure, i.e. during Parliament's second reading of the draft budget, and as a result the points of view of the two institutions constituting the budgetary authority were brought closer together.

424th meeting — Social affairs (Brussels, 9 December)

2420. President: Mr *Mertens*, Netherlands State Secretary for Social Affairs

¹ Bull. EC 11-1976, point 1301.

From the Commission: Mr Vouel, Member

The Council paid tribute to Mr Albert Borschette, former Member of the Commission, who died on 8 December.

Safeguarding of employees' rights in the case of transfers: The Council recorded its agreement on a Directive on the harmonization of the legislation of Member States on the safeguarding of employees' rights in the case of transfers of firms, businesses or parts of businesses.¹

Humanization of working conditions: The Council took note of a Commission communication on the humanization of working conditions, stressing the importance it attached to the development of activities in this field at Community level.²

Vocational preparation for young people unemployed or threatened with unemployment: The Council discussed this matter, on the basis of the Commission communication, and reached a number of conclusions.³

Family benefits: The Council again discussed the proposal for a regulation relating to the standardization of the system of paying family benefits to workers, the members of whose families reside in a Member State other than the country of employment.⁴

Progress in the social policy: The Council held an exchange of views on the communication sent to the Council by Dr Hillery, former Vice-President of the Commission, before he resigned from the Commission, reporting on the progress made in the social action programme. The debate provided an opportunity for the Council members to state their views on basic guidelines and options for future social policy.⁴

Schooling for the children of migrant workers: Following an exchange of views on the problems raised by the proposal for a Directive on schooling for the children of migrant workers, the Council agreed to take a decision on the matter at its next meeting on social affairs.⁵

Social Fund: The Council took note of the Commission report on the activities of the new Social Fund for 1975 and a number of comments made by the various delegations.

*425th meeting — Environment
(Brussels, 9 December)*

2421. President: Mr Brinkhorst, Netherland State Secretary for Foreign Affairs

From the Commission: Mr Scarascia Mugnozza Vice-President

The Council paid tribute to Mr Albert Borschette, former Member of the Commission, who died on 8 December.

1977-81 Action programme on the environment: The Council endorsed the second action programme of the Communities on the environment.⁶

Lead: The Council adopted the Directive on biological screening for lead.⁷

Protection of the Rhine: The Council adopted the Decision concluding the Convention on the Protection of the Rhine against Chemical Pollution and the Decision concluding an Agreement enabling the Community, represented by the Commission, to take part in the International Commission for the Protection of the Rhine against Pollution.⁸

The Council also discussed, without reaching an agreement, the proposals for Directives relating to

¹ Point 1307.

² Point 1309.

³ Point 1308.

⁴ Point 1310.

⁵ Point 1302.

⁶ Point 2227.

⁷ Point 2230.

⁸ Point 2228.

the quality of water for human consumption, titanium dioxide (red mud) and the reduction of water pollution caused by pulp mills.¹

**426th meeting — Foreign affairs
(Brussels, 13 and 14 December)**

2422. President: Mr *van der Stoel*, Netherlands Foreign Minister

From the Commission: Mr *Ortoli*, President, Mr *Cheysson*, Mr *Gundelach*, Mr *Brunner*, Mr *Guazzaroni*, Members

Generalized preferences for 1977: The Council adopted the regulations and decisions concerning the application of generalized preferences to developing countries in 1977.²

Insurance agents and brokers: The Council recorded its agreement on the Directive on measures to facilitate the effective exercise of freedom of establishment and freedom to provide services in respect of the activities of insurance agents and brokers.³

Formation of public limited liability companies and maintenance of their capital: The Council adopted the second company directive, designed to coordinate—by making them equivalent—the safeguards required by Member States of limited liability companies in respect of their formation and the maintenance and alteration of their capital.⁴

The Council also dealt with fisheries (interim measures for the conservation and management of fishery resources), relations with Japan, the Conference on International Economic Cooperation, Community relations with the Mashrek countries and Israel, relations with Yugoslavia, the accession of Papua-New Guinea, Cape Verde, Sao Tomé and Principe to the Lomé Convention and the situation of a Danish firm in Ghana.

427th meeting — Fisheries

2423. Cancelled.

**428th meeting — Taxation
(Brussels, 16 December)**

2424. President: Mr *Duisenberg*, Netherlands Finance Minister

From the Commission: Mr *Guazzaroni*, Member

Sixth VAT Directive: The Council continued its discussions on the problems still outstanding after its meeting on 21 October in Luxembourg, at which considerable progress had already been made.

It managed to find solutions to all the major political problems raised by the proposal for a Sixth Directive on VAT.⁵

**429th meeting — Transport
(Brussels, 16 December)**

2425. President: Mr *Westerterp*, Netherlands Minister of Transport

From the Commission: Mr *Scarascia Mugnozza*, Vice-President.

Vehicle roadworthiness tests: The Council adopted the Directive on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers.⁶

Weights and dimensions: The Council held a policy debate on the Commission's suggestions regarding the problem of weights and dimensions of commercial vehicles. It broadly supported the solution put forward by the Commission (vehicles

¹ Point 2232.

² Point 2324.

³ Point 2120.

⁴ Point 2119.

⁵ Point 2138.

⁶ Point 2287.

with five axles: maximum laden weight of 40 tonnes) and requested it to make formal proposals along the lines of its suggestions.¹

Social measures: During its examination of the interim report on the proposal for a Regulation on the harmonization of certain social legislation relating to road transport, the Council laid down certain guidelines for future work.²

Railway policy: The Council decided to send a letter to the group of railway companies of the nine countries of the Communities requesting them to continue and step up their cooperation.³

The Council also dealt with the proposal for a Directive on the establishment of common rules for certain types of goods carriage by road between the Member States and the Agreement on the international transport of perishable foodstuffs and the special equipment to be used for such transport (ATP).⁴

430th meeting — Agriculture (Brussels, 20 and 21 December)

2426. President: Mr van der Stee, Netherlands Minister of Agriculture

From the Commission: Mr Lardinois, Member

Beef and veal: The Council discussed the beef and veal market situation in the light of the Commission's intention of repealing the safeguard clause in this sector.

The Council reached general agreement on a number of measures.⁵

Harmonization of veterinary legislation: The Council adopted three important measures in this sector.⁶

Structures: The Council recorded its agreement in principle to the proposal on processing and marketing conditions.

Irish green pound: The Council fixed a new rate for the Irish green pound from 17 January 1977.⁷

Milk products: As regards the problems of the milk market, the Council noted that no consensus could be reached on all the measures proposed by the Commission to restore balance on the milk market.

It finally agreed to return to this matter at its next meeting on agriculture.⁸

431st meeting — Research 2427. Cancelled.

432nd meeting — Foreign affairs (Brussels, 20 December)

2428. President: Mr van der Stoel, Netherlands Foreign Minister

From the Commission: Mr Ortoli, President, Mr Gundelach, Mr Brunner, Members

Interim measures for the conservation and management of fishery resources for 1977: The Council continued its discussion on the external and internal implications of interim measures for the conservation and management of fishery resources for 1977.⁶

Composition of the Commission: The Conference of Representatives of the Governments of Member States appointed Mr Jenkins, President, and Mr Gundelach, Mr Haferkamp, Mr Natali, Mr Ortoli and Mr Vredeling, Vice-Presidents of the Commission.⁷

¹ Point 2287.

² Point 2244.

³ Point 2253.

⁴ Point 2242.

⁵ Point 2239.

⁶ Points 1201 to 1203.

⁷ Points 1108 and following.

**433rd meeting — Energy
(Brussels, 21 December)**

2429. *President: Mr Lubbers, Netherlands Minister of Economic Affairs*

From the Commission: Mr Simonet, Vice-President

Measures to be taken in the event of supply difficulties: The Council recorded its agreement on the substance of the Decision on the exporting of crude oil and petroleum products from one Member State to another in the event of supply difficulties.¹

Coking coal and coke for the iron and steel industry: The Council noted that the Commission had submitted draft amendments to the 1973 Decision concerning coking coal and coke for the iron and steel industry. It agreed to maintain the current arrangements for 1977.¹

Exports of ferrous scrap: As regards the arrangements for exports of ferrous scrap to non-member countries, the Council recorded its agreement on the quantities for the first quarter of 1977.

Programme of work for 1977: The Council gave its agreement to a programme of work for 1977 relating to energy policy on the basis of a document drawn up by the Commission in conjunction with the President's Office. It outlines the main fields in which the Council might have to take decisions on Commission proposals or communications during 1977.¹

The Council also took note of action being taken or planned by the Commission in the field of uranium prospecting in 1976 and 1977 and a Commission communication on the state of the Community coal industry.

Commission

Appointment of new Commission

2430. On 13 December, the Conference of the Representatives of the Governments of the Member States appointed the Members of the Commission for the period from 6 January 1977 to 5 January 1981² and on 20 December appointed the President and Vice-Presidents for the period from 6 January 1977 to 5 January 1979.²

Dr Hillery's resignation

2431. Dr Patrick Hillery, who has been appointed President of Ireland,³ resigned from his duties as Vice-President of the Commission on 3 December. The Commission decided that, from that date until the end of the present Commission's term of office, authority over social affairs would be the responsibility of Mr Raymond Vouel.

Activities

2432. The Commission held four meetings in December. The situation in the iron and steel industry was central to its discussions as were the Community's trade relations with Japan, the shipbuilding industry and fisheries policy.

Common steel policy: The Commission continued its discussion with a view to implementing the guidelines set out in the memorandum on the common steel policy, adopted on 24 November.⁴ The Commission approved a decision addressed to steel-producing firms requiring them to notify

¹ Point 2276.

² OJ L 359 of 30.12.1976 and points 1108 and following.

³ Bull. EC 11-1976, point 2437.

⁴ Bull. EC 11-1976, point 1402.

it rapidly of deliveries inside the Community and exports outside the Community, to give the Commission a clearer picture of the situation on the steel market and way it is likely to develop. The Commission also made a detailed examination of the present situation in the light of the marked drop in production¹ and decided to implement its crisis plan for steel for a trial period of four months from 1 January 1977.¹

Equal treatment for men and women: The Commission adopted a proposal for a directive on the gradual achievement of equal treatment for men and women in the matter of social security.² A review of social security schemes has revealed that there is considerable sex discrimination under public schemes and schemes resulting from collective agreements. Women may come off better in specific instances but on the whole the rules definitely favour men. The directive sets out to correct the situation by stages.

European Social Fund: The Commission approved the final instalment of assistance from the European Social Fund for 1976.³ The instalment covers a large number of projects involving about 150 million u.a. for 1976 and important commitments for 1977 and 1978. Included are a number of important measures to help young workers and the handicapped.

Use of coal in power stations: The Commission looked into ways and means of encouraging the use of coal in power stations through Community subsidies and adopted the main outlines of a proposal for a Council Regulation.⁴ It noted with concern that the situation of the coalmining industry in the Community was deteriorating; production was dropping steadily and pithead stocks remained high despite the fact that coal was the only energy source in good supply within the Community.

Siting of power stations: The Commission adopted a proposal for a Council Regulation on the siting of power stations. This introduces a Community procedure for consultation before the power stations are built, particular nuclear power stations

near a border with another Member State, where the other country's environment might be affected or any accident might have consequences spreading across the border.

Fisheries: The Commission approved a proposal introducing temporary arrangements for fishing in 1977,⁵ in the 200-mile zone which from 1 January will come under the Member States' jurisdiction. The measures contained in the proposal are the first stage of a programme to preserve the Community fish stocks, under which catches are allocated to the Member States and special arrangements made for fishermen from outside the Community. Discussions are continuing in the Council on the four proposals on fishing made by the Commission on 23 September.⁶

Common organization of the market in ethyl alcohol: The Commission approved a proposal for organizing the market in alcohol of agricultural origin.⁷ The proposal originally presented by the Commission in 1972, when there were only six Member States, has had to be completely revised because alcohol production in the three new Member States differs very markedly from that in the original Six. The new proposal is more restricted in scope, the rules have been simplified and the modernization of production further encouraged in order to reduce the risk of surplus to a minimum. It has become a matter of urgency that the Commission and Council should adopt the proposal as judgments of the Court of Justice have removed much of the legal basis regulating production in the original Member States and will do the same in the new Member States when the transitional period expires at the end of 1977.

EAGGF: The Commission approved the second (and final) instalment of aid from the EAGGF

¹ Point 2257.

² Point 2217.

³ Point 2214.

⁴ Point 2283.

⁵ Point 1203.

⁶ Bull. EC 9-1976, points 1201 to 1210.

⁷ Point 2240.

Guidance Section to modernization projects in agriculture for 1976.¹

Data processing – documentation: The Commission decided to combine the two present systems of automatic documentation (CELEX and ECDOC) into a single centre for information and documentary research for the European Communities, to be known as CIRCE.

Aid for Lebanon and Turkey: The Commission adopted two proposals to put to the Council, one for emergency food aid for Lebanon and the other for special assistance for the victims of the recent earthquake in Turkey. The Commission is counting on the Council to approve both proposals within a few days so that immediate assistance can be given to these two countries.²

The 1977 information programme: The Commission adopted the 1977 information programme (subject to any alterations the new Commission may wish to make). The programme centres around direct elections to the European Parliament, the key theme of next year's information activities.

Coordination of the Community's financial instruments: The Commission examined a report prepared for it by an interdepartmental working-party on coordination of the Community's financial instruments; this report deals with the Guidance Section of the EAGGF. The working party will now move on to examine the structure and achievements of the social and regional funds.

Relations with both sides of industry

2433. During December, trade unions and employers' associations held discussions with Mr Thomson on the future of Community regional policy.

The traditional annual round table provided an opportunity for members of the Committee of the Transport Workers' Unions in the European Community to consider the most pressing problems and to exchange points of view.

Finally, the preliminary consultations of the European Trade Union Confederation (ETUC) dealt with the following subjects in December:

- the law relating to groups of companies;
- multinationals; during the meeting, the action programme on multinationals, at present under preparation in the ETUC, was submitted to the representatives of the employees of some multinational firms;
- energy policy;
- opportunities for trade union participation in the implementation of the Lomé Convention; the representatives of trade unions from the ACP countries took part in this meeting alongside the European unions.

Court of Justice

New cases

Case 113/76 — Maïseries du Nord SA, Marquette-lez-Lille v Council

2434. On 2 December a French firm brought an action for damages before the Court of Justice for the loss which it claims to have suffered as a result of the abolition of production refunds for sales of maize meal to the brewing industry from 1 August 1975.

Case 114/76 — Fa. Bela-Mühle Josef Bermann KG, Langförden, v Fa. Grows-Farm GmbH & Co. KG, Langförden

2435. In an action concerning the increase in the price of feedingstuffs as a result of the entry into force of Regulation (EEC) No 563/76 on the compulsory purchase of skimmed-milk powder held by intervention agencies for use in feeding-

¹ Point 2249.

² Point 2235.

stuffs,¹ the Landgericht Oldenburg asked the Court of Justice on 2 December for a ruling on the validity of the said regulation.

The question of the validity of this regulation has already been referred to the Court in the form of actions for damages.²

Case 115/76 — Commission official v Commission

2436. A former Commission official who had suffered an industrial injury in 1966 and for whom compensation had not been agreed upon until 1976 brought an action before the Court of Justice on 8 December to annul the Commission's implicit decision to reject his claim of 19 May 1976 in that it related to the payment of default interest from the date of the accident.

Case 116/76 — Gramaria BV, Rotterdam, v (1) Hoofdproduktechap voor Akkerbouwprodukten, Den Haag (2) Produktschap voor Margarine, Veten en Oliën, Den Haag

2437. In hearing an action concerning the refusal by the Netherlands authorities to issue a 'protein certificate' for putting into free circulation in the Community certain maize waste products on the grounds that the importer had not complied with the provisions of Regulation (EEC) No 563/76 on the compulsory purchase of skimmed-milk powder held by intervention agencies for use in feedingstuffs,³ the College van Beroep voor het Bedrijfsleven asked the Court of Justice on 9 December for a ruling on the validity of the said regulation.

Case 117/76 — (1) Zweckgemeinschaft der Fa. A. Ruckdeschel & Co, Kulmbach, (2) Fa. Hansa-Lagerhaus Ströh & Co., Hamburg, v Hauptzollamt Hamburg-St. Annen

2438. The Hamburg Finance Court asked the Court of Justice on 10 December for a preliminary ruling on the compatibility of certain Arti-

cles in Regulations 665/75 and 2727/75 (common organization of the market in cereals)⁴ with Article 40 of the EEC Treaty in so far as they provide for a production refund on 'Quellstärke' and abolish it on 'Quellmehl'.

Case 118/76 — Balkan-Import-Export GmbH, Berlin, v Hauptzollamt Berlin-Packhof

2439. The Berlin Finance Court asked the Court of Justice on 15 December 1975 for a preliminary ruling on the extent to which national customs authorities are authorized to deal with applications for exemption from Community taxes 'on grounds of equity' peculiar to national law.

Case 119/76 — Ölmühle Hamburg Aktiengesellschaft, Hamburg, v Hauptzollamt Hamburg-Waltershof

2440. In common with other national courts,⁵ the Hamburg Finance Court asked the Court of Justice on 16 December for a ruling on the validity of Regulation (EEC) No 563/76⁶ (compulsory purchase of skimmed-milk powder) in so far as it makes the putting into circulation in the Community of the products referred to in Article 3(1) thereof conditional upon the provision of security or the presentation of proof of the purchase and denaturation of the milk.

Case 120/76 — Firma Kurt A. Becher, Bremen v Hauptzollamt Bremen-Nord

2441. Another German court, the Bremen Finance Court asked the Court of Justice on 17 December for a preliminary ruling on the validity of Regulation (EEC) No 563/76⁶ (compulsory

¹ OJ L 67 of 15.3.1976.

² Case 83/76, Bull. EC 7/8-1976, point 2469; Case 94/76, Bull. EC 9-1976, point 2437.

³ OJ L 67 of 15.3.1976.

⁴ OJ L 72 of 20.3.1975. OJ L 281 of 1.11.1975.

⁵ Cases 114 and 116-76, points 2435 and 2437.

⁶ OJ L 67 of 15.3.1976.

purchase of skimmed-milk powder). This brings to six the number of cases concerning the validity of this Regulation.

Case 121/76 — Mr Alessandro Poli, Salerno, v Commission

2442. On 20 December a successful candidate in a recruitment competition brought an action before the Court of Justice to annul the Commission's implicit decision to reject the plaintiff's complaint concerning the fact that the medical service of the Commission declared him unfit to be appointed and failed to give the reasons therefor, even at the express request of the person concerned.

Case 122/76 — Commission v Kingdom of Belgium

Case 123/76 — Commission v Italian Republic

2443. On 21 December the Commission brought two actions before the Court of Justice to establish that Belgium and Italy have failed to apply Directive 73/23/EEC on the harmonization of the laws of Member States relating to electrical equipment designed for use within certain voltage limits.¹

Case 124/76 — SA Moulins et Huileries de Pont-à-Mousson v Office national interprofessionnel des céréales

2444. The administrative Court in Nancy asked the Court of Justice on 21 December for a preliminary ruling on the validity of Regulations 665/75 and 2727/75 (common organization of the market in cereals)² in that they abolish the production refund on maize meal intended for the brewing industry.

This question has already been raised through direct actions against the Council.³

Case 125/76 — Firma Peter Cremer, Hamburg, v Bundesanstalt für landwirtschaftliche Marktordnung, Frankfurt/Main

2445. The Hessen Finance Court asked the Court of Justice on 22 December for a preliminary ruling on the interpretation of Regulation (EEC) No 171/64 laying down detailed rules for the grant of refunds on exports to third countries of certain categories of compound feedingstuffs⁴ and of Regulation (EEC) No 166/64 on the rules applicable to certain categories of compound feedingstuffs.¹

Case 126/76 — Firma Gebrüder Dietz, Frankfurt/Main, v Commission

2446. On 24 December a German firm which on 17 December 1971 had concluded a contract for the sale of a considerable quantity of sugar to an Italian firm brought an action before the Court of Justice for damages for the loss which it claimed to have suffered as a result of the fact that the Commission had failed to adopt transitional measures to protect sales contracts signed before 19 December 1971, the date of the conference of the Group of Ten in Washington at which it was decided to realign parities and following which Italy introduced a system of monetary compensatory amounts.

Case 61/76 R II — Commission official v Commission

2447. In connection with an action to annul the Commission's Decision of 10 December 1975 officially transferring him from Petten to Ispra,⁵ the applicant submitted to the Court a request for a stay of execution of the said decision under the

¹ OJ L 77 of 26.3.1973.

² OJ L 72 of 20.3.1975. OJ L 281 of 1.11.1975.

³ Case 64/76, Bull. EC 7/8-1976, point 2451; Case 113/76, point 2434 of this Bulletin.

⁴ OJ No. 173 of 31.10.1964.

⁵ Bull. EC 6-1976, point 2436.

terms of which he can devote only 10% of his time to his work on the Committee of Experts set up by the IAEA.

Judgments

Case 102/75 — Commission official v Commission

2448. By its judgment of 2 December, the Court dismissed an official's appeal against his grading on taking up appointment.

Case 2/76 — Commission official — Commission

2449. This action to annul a decision of the Commission rejecting a complaint in respect of a refusal of leave on personal grounds was dismissed by the Court by its judgment of 16 December.

Case 24/76 — Firma Estasis Salotti, SNC, Meda, v Firma Rüwa Polstereimaschinen GmbH, Cologne

Case 25/76 — Galleries Segoura, SPRL, Brussels, v Firma Rahim Bonakdarian, Hamburg

2450. On 11 March, the Federal Court of Justice asked the Court of Justice to interpret the first paragraph of Article 17 of the Convention on jurisdiction and the enforcement of judgments in civil and commercial matters.

By its judgments of 14 December, the Court ruled that where a stipulation as to the competent court is contained in conditions of sale of one of the parties that are printed on the back of a contract document, the requirement of writing laid down in the said Article is met only if the contract signed by the two parties contains an express reference to such general conditions. Where a contract is concluded by reference to previous offers made on the basis of the general conditions of one of the parties containing a stip-

ulation as to the competent court, the reference must be expressed and therefore capable of being examined by a party exercising normal care.

Where a contract is concluded verbally, the requirement of writing is met only if the seller's written confirmation together with notification of the general conditions of sale is followed by written acceptance by the purchaser. The fact that the purchaser raises no objection to a confirmation issued unilaterally by the other party does not constitute acceptance with regard to any stipulation as to the competent court, unless the verbal agreement is made in the course of current commercial relations between the parties, established on the basis of the general conditions of one of such parties containing a stipulation as to the competent court.

Case 33/76 — (1) Rewe-Zentralfinanz eG, Cologne and (2) Rewe-Zentral AG, Cologne v Landeswirtschaftskammer für das Saarland, Saarbrücken

Case 45/76 — BV Comet, Sassenheim, v Produktschap voor Siergewassen, The Hague

2451. A very controversial matter was referred to the Court of Justice for a preliminary ruling by firstly the Federal Administrative Court on 6 April 1976 and secondly the Centrale Raad van Beroep on 26 May 1976. Is it possible under Community law to invoke against an individual who brings an action before a national court to challenge a decision of a national authority as being incompatible with Community law the time limits for the lodging of appeals laid down under national law?

By its judgments of 16 December, the Court ruled that Community law as it stands at present does not preclude the invoking of such a fact since the rules of procedure governing court proceedings may not be less favourable than those relating to similar proceedings under national law.

Case 35/76 — Dott. G. Gomez, Rome, v Ministero delle Finanze italiano

2452. The Pretura di Susa requested the Court of Justice on 22 April 1976 to give a preliminary ruling on whether a health inspection carried out at the frontier on imported animals for slaughter and butchers' meat constitutes a measure having an effect equivalent to a quantitative restriction and from what date. If so, the Court wished to know whether such a health inspection is still justified on grounds of public health (Article 36 of the EEC Treaty) after the adoption of directives on animal health problems affecting intra-Community trade in bovine animals and swine and fresh meat. If the answer is in the negative, does a charge for health inspections on imports constitute a charge having an effect equivalent to a customs duty contrary to Article 9 *et seq.* of the EEC Treaty or is it a tax prohibited by Article 95 of the EEC Treaty?

The Court was requested to give preliminary rulings on similar questions in Cases 29/72,¹ 4/75² and 87/75.³

On 15 December, the Court gave its judgment in this case. The operative part of the judgment is reproduced below in full:

'I. (a) Health inspections, whether or not routine, carried out at the frontier on imports of animals or meat intended for human consumption constitute measures having an effect equivalent to quantitative restrictions prohibited by Article 30 of the EEC Treaty, subject to the exceptions provided for by Community law and, in particular, by Article 36 of the Treaty.

(b) Subject to the exception referred to above, the prohibition of such measures with regard to products covered by Regulation (EEC) No 14/64⁴ and Regulation (EEC) No 805/68⁵ on the common organization of the market in beef and veal took effect on the date of the entry into force of the said regulations.

II. Although routine health inspections at frontiers on products covered by Directives

64/432/EEC⁶ and 64/433/EEC⁷ are no longer necessary nor, therefore, justified within the meaning of Article 36 from the final dates laid down in the directives for the implementation of national provisions necessary to comply therewith, and although, in principle, the fulfilment of health requirements should be apparent merely from an inspection of the documents (health certificates, etc.) which must accompany the products, random examinations of a veterinary or health nature are not excluded on condition that they do not become so frequent as to constitute a disguised restriction on trade between Member States.

III. (a) Pecuniary charges levied in respect of health inspections of products passing across frontiers are to be considered as charges having an effect equivalent to customs duties.

(b) The position would be different only if the pecuniary charges were part of a general system of internal dues levied systematically on domestic and imported products according to the same criteria.

IV. Charges imposed by the various public authorities for health inspections carried out within Member States on both home produced and imported products constitute internal taxes covered by the prohibition of discrimination contained in Article 95 of the Treaty.'

¹ Bull. EC 7-1972, point 115.

² Bull. EC 1-1975, point 2430.

³ Bull. EC 7/8-1975, point 2438.

⁴ Council Regulation of 5 February 1964 on the progressive establishment of a common organization of the market in beef and veal, OJ 34 of 27.2.1964.

⁵ Council Regulation of 27 June 1968 on the common organization of the market in beef and veal, OJ L 148 of 28.6.1968 and L 165 of 16.7.1968.

⁶ Council Directive of 26 June 1964 on animal health problems affecting intra-Community trade in bovine animals and swine, OJ 121 of 29.7.1964.

⁷ Council Directive of 26 June 1964 on health problems affecting intra-Community trade in fresh meat, OJ 121 of 29.7.1964.

Joined Cases 36 and 37/76 — Amministrazione delle Finanze dello Stato v SRL Foral, Rome, et al.

2453. On 26 April 1976 the Corte suprema di Cassazione (Supreme Court of Cassation) requested the Court of Justice to give two preliminary rulings on the interpretation of Regulations 84/66 amending the nomenclature of certain pork products¹ and 85/63 on the fixing of sluice-gate prices and supplementary amounts and laying down transitional provisions in respect of cuts, preparations and preserves of pork² in so far as they determine the levy on sausages (heading No ex 16.01B of the Common Customs Tariff).

By its judgment of 16 December, the Court ruled that the levy on sausages put up in containers which also contain preservative liquid must be charged, under the rules of Regulation No 85/63, on the net weight, without account being taken of the weight of such liquid, and that Regulation No 84/66 did not have the effect of modifying the scope of the first Regulation.

Case 38/76 — Industriemetall LUMA GmbH, Düsseldorf, v Hauptzollamt Duisburg

2454. The Düsseldorf Finance Court asked the Court of Justice on 30 April 1976 for a preliminary ruling on the interpretation of the Common Customs Tariff concerning, in particular, products covered by heading No 73.02 (ferro-alloys) read together with note 1(c) to Chapter 73.

By its judgment of 16 December, the Court ruled that heading No 73.02 of the Common Customs Tariff also covers remelted scrap (remelt products) that fulfils the material conditions of note 1(c) of Chapter 73.

Case 39/76 — Bestuur der Bedrijfsvereniging voor de Metaalnijverheid v Mr L.J. Mouthaan, Alphen, a/d Rijn

2455. In an action concerning the grant of unemployment benefit to a Dutch national, resident

in the Netherlands and employed by a Dutch undertaking hiring out labour for whom he was working in Germany, the Centrale Raad van Be-roep requested the Court of Justice on 7 May to give a preliminary ruling on the interpretation of Articles 1, 13, 14 and 71 of Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community,³ in order to determine the law applicable to the case described above.

By its judgment of 15 December, the court ruled as follows:

1. The term "worker" within the meaning of Regulation (EEC) No 1408/71 must be considered as applying to any person who satisfies the material requirements laid down objectively under the social security arrangements applicable to him, even where the procedures necessary for acquiring cover under such arrangements have not been completed;

2. A wholly unemployed worker who in his last post was employed in a Member State other than that in which he is resident by an undertaking established in that State and who for the purposes of that employment was subject to the law of the State of employment may, pursuant to subparagraph (b)(ii) of Article 71(1) of Regulation (EEC) No 1408/71, claim unemployment benefit in accordance with the law of the State in which he resides and in which are located the employment services to which he makes himself available;

3. Benefits such as those of Chapter IIIA of the Netherlands law on unemployment do not constitute unemployment benefit within the meaning of paragraph 1(g) of Article 4 of Regulation (EEC) No 1408/71.'

Case 41/76 — (1) Mrs S. Donckerwolcke-Criel, Heusden, and (2) Mr H. Schou, Sint-Denijs-Wes-

¹ OJ 119 of 30.6.1966.

² OJ 123 of 9.8.1963.

³ OJ L 149 of 5.7.1971.

trem, v (1) Procureur de la république au tribunal de grande instance de Lille and (2) Directeur général des douanes, Paris

2456. In an action concerning customs formalities to be observed on the importation into France of fabrics and packaging bags originating in Syria and Lebanon but in free circulation in the country from which they come, in this case Belgium, the Court of Appeal in Douai asked the Court of Justice on 13 May for a preliminary ruling whether the requirement by the importing Member State that the country of origin be indicated on the customs declaration and that an application for an import licence be made — with a view to the possible introduction of protective measures pursuant to Article 115 of the EEC Treaty — constitute measures having an effect equivalent to quantitative restrictions.

By its judgment of 15 December, the Court ruled that the requirement that the country of origin be indicated did not in itself constitute a measure having an effect equivalent to a quantitative restriction, provided that the goods involved are covered by commercial policy measures adopted by the importing Member State in accordance with the Treaty. Such a requirement would be prohibited under Article 30 of the EEC Treaty if the importer were asked to declare something in connection with the origin which he did not know, or could not reasonably be expected to know, or if the omission or incorrectness of such a declaration were subject to sanctions disproportionate to an offence of a purely administrative nature.

On the other hand, a national rule making imports of such products conditional upon the issue of a licence constitutes in all cases a quantitative restriction as prohibited by Article 30 of the EEC Treaty, except during the transitional period, in so far as such requirement did not represent an increase in the restrictive effect of the rules applicable at the time of the entry into force of the Treaty.

Case 61/76 R II — Commission official v Commission

2457. By order of 21 December, the Court dismissed an official's application for the adoption of interim measures to stay execution of the Commission's decision of 21 December 1976 under the terms of which he can devote only 10 % of his time to his work on the Committee of Experts set up by the IAEA.

Case 63/76 — Mr V. Inzirillo, Lyon, v Caisse d'allocations familiales de l'arrondissement de Lyon, Lyon

2458. The French Court of Cassation asked the Court of Justice on 7 July 1976 for a preliminary ruling on whether a handicapped Italian national who had himself never worked in France is eligible, pursuant to Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons and their families moving within the Community, for the allowance for handicapped adults introduced under French law in favour only of French nationals resident in France, if he resides there and if his father, who is an Italian migrant worker, is employed there. By its judgment of 16 December, the Court answered in the affirmative.

Case 67/76 — Commission official v Commission

2459. A Commission official brought an action before the Court to annul the Commission's implicit decision rejecting his application to be regarded as having been seconded in the interests of the service and not on leave on personal grounds for the period during which he provided technical assistance to the Government of the Central African Republic, and to reinstate him. Since the Commission had acceded to the applicant's request, the case was removed from the Court's register by order of 16 December.

¹ OJ L 149 of 5.7.1971.

Economic and Social Committee

144th plenary session

Opinions

Tax evasion and avoidance

2460. In this Opinion, adopted by 67 votes against 22 with 17 abstentions, the Committee declared that the proposal for a Council directive on mutual assistance between Member States' tax authorities to encourage a freer exchange of information on the tax liabilities of companies and individuals in the Community still depended too much on bilateral agreements, but probably represented what was feasible at this stage of the Community's financial and administrative development.

The Committee complained that the Commission was largely removed from inter-State arrangements and suggested that it compile an annual report for the Member States and Community institutions, indicating the volume and kind of information received over the previous twelve months, in order to assess the effectiveness of the directive and subsequently decide any other measures which could be usefully applied.

The Committee made detailed suggestions concerning time allowed to Member States for supplying information and on the definition of ambiguous terms, namely tax 'loss' and tax 'saving'.

Bracket tariffs for 1977

2461. By 52 votes against 22 with 7 abstentions, the Committee approved the Commission proposal to extend the system of bracket tariffs beyond 31 December 1976.

Laying-up Fund for inland waterway vessels

2462. This Opinion, adopted by a large majority, with 6 votes against and 17 abstentions, expressed the hope that the European Laying-up Fund would be formed and would be brought into operation as soon as possible.

The Committee considered, however, that the Commission's action focused only on the cyclical difficulties in inland waterway transport and that the Commission and Council should see that every effort was made to deal effectively with structural overcapacity.

Fresh poultrymeat

2463. With this Opinion, adopted by 45 votes against 6 with 36 abstentions, the Committee approved the proposal for a directive since it would set up, at the earliest opportunity, a process which is hygienic, not too expensive and practical from the industrial point of view.

The new 'controlled and continuous immersion process' was a substantial improvement on previous operations. Besides being chilled, carcasses were also washed which diminished surface contamination and improved hygiene.

Protecting the Rhine against pollution

2464. The Community unanimously approved the proposal for a Council Decision concluding a Convention for the protection of the Rhine against Chemical Pollution and an Additional Agreement to the Berne Agreement concerning the International Commission for the Protection of the Rhine against Pollution.

Transport infrastructure

2465. The Committee unanimously approved the proposal for a decision, which is intended to

improve the operation of the consultation procedure for transport infrastructure set up in 1966. The Committee also shared the view that the consultation procedure should be linked with other work concerning infrastructures such as the compilation of data and methods of project assessment.

But the Committee felt that care should be taken to avoid duplication in respect of investment assistance.

European unit of account

2466. In this Opinion, adopted unanimously save for 3 abstentions, the Committee considered the introduction of the EUA as an accounting instrument to be a means of settling certain Community transactions and strengthening the Community, albeit within a limited field.

It felt that the proposed regulation would enable costs to be more fairly spread and the benefits of the Community more fairly allocated, not only via the method of calculating the value of the EUA in terms of national currencies, but also through the transparency it would provide.

In delivering this Opinion, the Committee took the opportunity to declare that it regarded this proposal, which, to a large extent, simply introduces the EUA for Community budget purposes, as a stride towards the creation of a single European currency. This was desirable, even necessary, if lasting economic stability was to be achieved.

EAGGF claims

2467. Barring one abstention the Committee unanimously approved the Commission proposal which took up a specific recommendation made previously by the Committee.

EAGGF checks

2468. The Committee unanimously approved the Commission proposal, while pointing out that it did not solve all the problems of the EAGGF Guarantee Section.

The point was made, however, that the inspections provided for under the Commission's proposal should commence solely with documents relating to the commercial transactions that have led to EAGGF subsidies and that, only if necessary, should they be extended to cover the firm's other business documents.

Fishery resources

2469. In this Opinion, adopted by a large majority, with only 4 votes against, the Committee said that it understood and accepted that a strict conservation policy was needed to prevent stocks of major species from being further depleted. Nevertheless this policy based on quotas and applied via a licensing scheme, would mean a radical change in the way of life of all fishing communities. The Committee therefore felt that the people directly affected must be kept more fully informed and allowed to voice their opinions on mounting the policy and the inherent problems such as loss of jobs, practical application of the quota system, how the quota system related to the zones proposed for inshore fishing and the terms on which fishing agreements with non-Community countries were renegotiated. The Committee also recognized that certain regions of the Community had serious specific problems.

ECSC Consultative Committee

181st meeting

2470. The ECSC Consultative Committee held its 181st meeting in Luxembourg on 16 Decem-

ber, with Mr Joseph Gormley, the Committee Chairman, in the chair.

The Committee approved the allocation of financial assistance of 18 million EUA to two draft programmes of research into mining techniques and the marketing of coal products.

The main items on the agenda were the forward steel programme for the first quarter of 1977 and the crisis plan for the steel industry.

Mr Simonet, Vice-President of the Commission, opened the debate with a reminder that 1976 had seen a stagnation in the steel industry and a deterioration in the financial position of companies, which had jeopardized their very survival. To rectify the situation, the steel industry needed to improve its competitiveness and to do so a more satisfactory balance must be struck between demand and production. This must be the objective of whatever action was taken, since prices must cover both production costs and financial charges. An acceptable balance between production and demand was also essential if employment was to be stabilized.

The forward steel programme for the first quarter of 1977 reflected a pessimism provoked by the growing weakness of the steel market.

Prices were still too low and for some products did not cover even the production costs. This was why, added Mr Simonet, the Commission had drawn up crisis measures which would be introduced on 1 January 1977 and which, being in the nature of an experiment, would apply for no more than four months but might be renewed thereafter.

Lastly, Mr Simonet asked the Committee whether it thought that the Commission ought to decide to put crisis arrangements into operation, whether it should do so from 1 January 1977 and if so, for how long?

Generally speaking, the members approved Mr Simonet's statement and endorsed the principle underlying the measures which the Commission was intending to take.

Several speakers contended that the situation should be reviewed every three months and that it should then be decided whether or not to continue the arrangements. In the light of the experience gained over the first period of application, the aim would be to spread the burden of sacrifices more evenly.

A resolution tabled by representatives of the Workers' Group held that, though measures to reorganize and modernize were needed, aid for investment simply must go together with aid for workers affected by those very same measures to rationalize and reorganize. The resolution was adopted unanimously.

European Investment Bank

Loans issued

2471. The European Investment Bank has launched a Flux 500 million bond issue on the Luxembourg capital market.

The loan has been underwritten by a syndicate of Luxembourg banks. The bonds bear interest at a nominal rate of 9 %, payable annually, and have a maximum life of 8 years. They are redeemable in eight annual instalments by purchase on the market at prices not exceeding par. Bonds not purchased in this way will be redeemed at par on 22 December 1984.

The European Investment Bank has the option of redeeming in advance, at progressively reducing premiums, all bonds in circulation, from 22 December 1980.

The bonds were offered for public subscription at par. Application has been made to quote the issue on the Luxembourg Stock Exchange.

Loans granted

Belgium

2472. The Bank has granted a loan for the equivalent of FB 750 million (17.9 million EUA) to the Société Nationale de Crédit à l'Industrie (SNCI) for use as supporting finance for small and medium-scale industrial ventures in the less-developed regions of Belgium and in parts of that country facing conversion problems.

The operation takes the form of a global loan of 10 years' term, carrying interest at 8½ %. SNCI will, with the Bank's approval, select investments for financing from the proceeds of the loan. The first allocations are to be made shortly.

Denmark

2473. Two loans totalling the equivalent of DKr. 36 million (5.5 million EUA) have been provided in Denmark by the EIB.

The larger part of this sum, DKr. 20 million, granted to the Danish Government for 10 years at an interest rate of 8½ %, is in the form of a global loan to help finance small and medium-sized industrial ventures in the less-developed parts of the country.

The funds are to be placed at the disposition of the Regional Development Board—'Egnsudviklingsdirektoratet' which, with the EIB's agreement in each case, will select the investments to be financed.

The remaining DKr. 16 million has been lent, also for 10 years at 8½ % to Orehoved Trae- og Finerindustri A/S, a company specializing in the production of wood veneers.

The funds will be used to reorganize the company's factory on Falster Island: new installations will permit an increased output of veneers, using locally grown beech wood, and the waste shavings will be compacted into particle board. About

120 new jobs will eventually be created in this area which suffers from high unemployment.

Germany

2474. The Bank has granted the Neunkircher Eisenwerk AG a loan equivalent to DM 25 million (9.2 million EUA) for reorganizing the Neunkirchen steelworks in the Saar.

The loan is for 8 years and carries an interest rate of 8¼ %. The plan—which will cost an estimated total of some DM 145 million—involves the building of an OBM steelworks to replace the existing Bessemer converters and open-hearth furnaces, and a pickling and annealing plant.

Although the diversification of the Saar economy has for a long time been a priority objective, it none the less remains essential that the steel industry be modernized in view of the number of jobs involved. In its Neunkirchen and Homburg works, Neunkircher Eisenwerk AG employs more than 8 000 persons.

The new investments will help to keep the company competitive and, hence, to stabilize the employment situation in a region where the level of unemployment is among the highest in Germany. It will also have very appreciable beneficial effects on the environment: 20 % of the total investment is accounted for by equipment to prevent atmospheric and water pollution.

France

2475. A loan equivalent to FF 156.7 million (30 million EUA) has been provided by the EIB for the improvement of the telecommunications network in the Auvergne, France.

The loan has been granted for a period of 12 years at an interest rate of 8½ % to the Caisse Nationale des Télécommunications, in Paris, which will make the funds available to the Ad-

ministration des Postes et Télécommunications (PTT).

It will help finance various works in the region, costing an estimated FF 600 million, which will enable the installation of more than 40 000 new main lines and increase the capacity of automatic telephone exchanges from 208 000 to 279 000 subscriber connections.

Ireland

2476. The Bank has granted a £16 million (24.1 million EUA) loan for the development of the Irish telecommunications system. The loan is for 12 years at an interest rate of 8½ %.

It will go towards the cost of two new automatic exchanges and extensions to 14 major and 96 minor ones.

Improvements will also be made to the trunk system between Dublin and certain other cities by providing new radio and cable links.

2477. The Bank has also provided a loan equivalent to £2.2 million (3.3 million EUA) to help increase production of peat in Ireland, mainly for use as fuel in power stations.

It has been granted for 12 years at 8½ % to Bord na Mona, a public body which is responsible for development of the country's peat resources.

The loan from the EIB will help to open up and drain five new peat bogs for the production of milled peat in the centre of Ireland and to purchase processing machinery, railway track and rolling stock, the total cost of which is estimated at about £34 million. Production is scheduled to begin in 1980 and will reach a peak of over 1.5 million tonnes per year.

Development of these five bogs will provide almost 1 000 jobs, about 850 of them full-time, making an important contribution towards combating unemployment in parts of the country where there is little industrial development.

By replacing more expensive oil which would otherwise have to be imported to meet growing energy requirements, the extra peat production will make a significant impact on the Irish economy. In fact peat-fired power stations already supply over 25 % of electricity generated in Ireland.

A final and longer term benefit may also be hoped for: research work undertaken by Bord na Mona in association with An Foras Talúntais (The Irish Agricultural Research Organization) has indicated that once the fuel peat content has been extracted, large areas of land which as bogs have been unfit for any form of cultivation may subsequently be turned into productive farmland.

Italy

2478. A loan of Lit 28 000 million (29.2 million EUA) has been granted towards improvements to the telecommunications network in Calabria and Basilicata. It is for 12 years at an interest rate of 8½ % to IMI—Istituto Mobiliare Italiano, which will pass on the funds to SIP—Società Italiana per l'Esercizio Telefonico p.A.

The works being carried out, during the four years 1976 to 1979, will cost around Lit 120 000 million: they will permit the connection of almost 58 000 new main line subscribers—a rise of about 25 %—and substantially increase the capacity of both the urban and the trunk networks.

2479. A loan of Lit 20 000 million (20.9 million EUA), for 12 years at 8½ % has been made to the Cassa per il Mezzogiorno for development of the port of Augusta, near Syracuse (Sicily).

The works will cost about Lit 50 000 million but they form part of a much vaster programme of investments entitled 'Special Project No 2', under which the Cassa per il Mezzogiorno is charged with laying down and reinforcing infrastructure

needed to support industrial growth in the south-east of Sicily.

2480. For two projects involving the supply of natural gas being carried out by SNAM and AGIP (both part of the ENI—Ente Nazionale Idrocarburi group) the Bank has lent the equivalent of Lit 34 000 million (35.5 million EUA).

The major share of this, Lit 28 000 million, provided to SNAM for 12 years at 8½%, goes towards the cost, estimated at Lit 80 000 million, of laying more than 200 km of new gaslines in Lombardy and construction of two compressor stations.

These works will form part of a 'junction' at which natural gas supplies from the Netherlands and the Soviet Union converge and to which will be connected pipelines linking up with the reserves of natural gas discovered at Malossa in the Po Valley. The main purpose of the project is to improve the flexibility and reliability of the transmission network by facilitating exchanges of supplies. This is essential given the increasing role that natural gas—much of it imported—is destined to play in meeting Italy's future energy requirements.

The other loan, \$7 million (the equivalent of Lit 6 000 million) granted to AGIP for 10 years at an interest rate of 9½%, will be used to help to meet the cost of converting a gas field, which is now virtually exhausted, at Sergnano in Lombardy, so that it may be used for storage of natural gas. The works to be carried out involve the sinking of twelve wells and modernization of certain existing installations.

One of several old fields being converted in this way, it will help to provide steady supplies despite large fluctuations in demand and to accumulate reserves of natural gas within Italy.

2481. A loan of Lit 3 200 million (3.3 million EUA) has been granted to the Cassa per il Mezzogiorno for 10 years. It will be passed through ISVEIMER—Istituto per lo Sviluppo

Economico dell'Italia Meridionale—to contribute to finance being provided for anti-pollution equipment, and for installations designed for both technological improvements and increased output at the electrolytic zinc foundries of Società Mineraria e Metallurgica Pertusola at Crotone, Calabria. Around fifty new jobs will be created.

2482. Finally, to help with the rebuilding of small and medium-sized industrial ventures damaged by the earthquakes which hit the Friuli region earlier this year, the Bank has made a 'global' loan of Lit 5 000 million (5.2 million EUA) to Mediocredito per le Piccole e Medie Imprese del Friuli—Venezia Giulia: it is for 15 years at an interest rate of 9%.

The damage to or destruction of industrial plant has jeopardized the steady progress of industrial development in this region over recent years, with immediate and severe repercussions on employment.

United Kingdom

2483. Two loans totalling the equivalent of £14.7 million (22.2 million EUA) have been granted to the British Steel Corporation for 10 years at an interest rate of 9%.

The major share, £12.6 million, goes to the BSC's Port Talbot works in South Wales to contribute towards the £32 million cost of a new coal handling and blending system.

The second loan, £2.1 million, is for construction of facilities to refurbish continuous casting moulds at the Corporation's Distington Works, near Workington (Cumbria).

Costing around £5.9 million, these new facilities will provide 225 new jobs in an area which has long known severe unemployment due notably to a decline of coal and iron ore mining.

The Bank has also granted BSC a £17 million (25.6 million EUA) loan for 10 years at an interest rate of 8½%.

The funds will go towards new facilities to increase casing pipe finishing capacity, mainly to meet the needs of North Sea oil and gas development, for which the Corporation is to invest about £42 million at its Clydesdale works, Mossmore, and Imperial Works, Airdrie and at its Hartlepool Works in County Cleveland. There will be a net creation of about 350 new jobs.

2484. Two loans totalling the equivalent of £10 million (15 million EUA) have been provided to the National Water Council (NWC) for important water supply schemes in the north-east and south-west of England, as follows:

— £6 million, granted for 12 years at an interest rate of 8½%, is being passed on to the Northumbrian Water Authority as a third contribution by the EIB towards the financing of the Kielder Water Scheme.¹

— £4 million—also for 12 years at 8½%—will be passed on by the NWC to the South-West Water Authority to contribute to the financing of a number of water supply and sewerage projects in Cornwall which will cost, in total, about £16 million.

These include construction of a reservoir, treatment works and necessary mains to supply the Bude district in northern Cornwall, the first phase of construction of a 'spiral' main which will run almost the full length of the county, and the construction of sewage treatment works and laying down of main sewers in the Hayle, Bodmin and Redruth areas.

2485. Two loans, totalling \$51 million (45.9 million EUA) have been made to the British Petroleum group (BP).

The first loan, \$33 million (29.7 million EUA), for eight years at an interest rate of 8½%, will help to finance the construction of an acetic acid plant

at Hull. About 140 jobs will be created, in addition to work provided for up to 700 people during the construction period.

The second loan, \$18 million (16.2 million EUA), also for eight years at 8½%, will go towards BP's share of the cost of a pipeline system about 180 km long from the Ninian oil field in the British sector of the North Sea to crude oil processing, storage and loading facilities at Sullom Voe in the Shetland Islands. The estimated total cost of the system is around £200 million. Oil is expected to flow through the system from the spring of 1978 onwards and throughout, including production from the nearby Heather field, should by 1980 reach about 18 million tonnes per year. This corresponds to about 18% of the UK's expected requirements at that time or around 3% of Community consumption.

By the early 1980s the pipeline could be handling a significantly greater oil flow since it will have adequate capacity to serve other oil reserves discovered nearby and which appear to be commercially promising.

2486. The Bank has provided a loan of \$30 million (27 million EUA) for development of the Thistle oil field, 200 km to the north-east of the Shetland Islands in the British sector of the North Sea.

The loan, which is for seven years at an interest rate of 8½%, has been made to Santa Fe Minerals (UK) Inc.—part of the US group Santa Fe International Corporation—which has a 21.7% interest in the consortium which is developing the Thistle field.

It will help to finance the purchase of a steel production platform, the drilling of up to 60 production and injection wells and the construction of a mooring buoy for loading the crude oil into tankers during the initial phase of production. The field will be connected later to the Brent

¹ Bull EC 10-1975, point 2460 and 3-1976, point 2465.

pipeline system which will carry oil from several fields to the Sullom Voe terminal in the Shetlands; part of the loan goes to meet Santa Fe's contribution to the construction costs.

The recoverable reserves within the drainage area of the first platform are estimated at more than 70 million tonnes. When producing at full capacity, Thistle will provide the equivalent of roughly 10 % of present United Kingdom oil consumption.

Turkey

2487. Two loans on special conditions totalling 6 015 000 EUA (equivalent to \$6.6 million) have been provided to the Republic of Turkey by the European Investment Bank.

Five million EUA (US \$5.5 million) is in the form of an additional loan to help finance an integrated project for forestry development in the Mediterranean region of Turkey and the setting up of an industrial complex to produce board, kraft paper and sawn wood. The loan has been provided to the Turkish State for 30 years, including an eight-year grace period, at an interest rate of 4.5 %.

In December 1973, the Bank made a loan of 20 million u.a. for the project in cofinancing with the World Bank which lent \$40 million. Implementation was delayed, however, because the site originally chosen for the industrial complex had to be changed. In the meantime costs have mounted and the additional loan from the EIB is intended to cover part of this increase.

The forestry part of the scheme will be carried out by the Ministry of Forests and consists of a programme of studies and investments to raise the annual wood production to a level of 2 million cubic metres/year in the Antalya, Mersin, Adana and Maras forest conservancies. It is expected that some 3 800 jobs will be provided by the forestry work while an additional 2 700 jobs will be created by related activities, mainly transport.

An integrated industrial complex including a sawmill, a pulp mill, a paper mill, with necessary pollution control equipment, will be built at Silifke (Mersin). The annual production capacity will be around 170 000 cubic metres of sawn wood and either 155 000 tonnes of linerboard or 90 000 tonnes of kraft paper or any combination of these two products. The complex will be run by a subsidiary of 'Türkiye Selüloz ve Kâğıt Fabrikaları İşletmesi', a State economic enterprise and Turkey's largest producer of paper and board, and should provide work for 1 200 people.

The second loan, 1 015 000 EUA (equivalent to \$1.1 million), is for the financing of pre-investment studies for industrial and infrastructure projects in the public sector. The terms are 30 years, including an eight-year grace period, at an interest rate of 2½ %.

The loan from the EIB will be employed by Turkey to cover foreign exchange expenditure on programming, feasibility and engineering studies concluded with European firms, and thus to draw on the technical expertise available in EEC member countries for the benefit of the Turkish economy.

Portugal

2488. The Bank has granted a loan equivalent to 20 million EUA (691.6 million escudos) to Electricidade de Portugal to contribute towards the cost of building a hydroelectric power station on the Douro river.

This brings to 90 million u.a. the amount provided by the Bank within the framework of the 'exceptional emergency aid' of 150 million EUA offered to Portugal by the Community in the form of long-term credit from the EIB.

The loan is for 15 years at an interest rate of 6½ %, after deduction of a 3 % interest rebate (paid directly from the Community budget) as provided for under the terms of the aid agreement.

The hydroelectric power station is being built at Pocinho, about 180 km east of Oporto. The first generating set will come into service in late 1980, and the power station should be fully operational, with a generating capacity of 167 MW, the following summer. Construction is expected to cost in the region of 100 million EUA.

The project forms part of a much larger programme of investments in power supplies, given a high priority by the Portuguese Government as the country's electricity consumption is expected to almost double in the next decade. The Bank has already provided a loan of 35 million EUA for another major electricity project, the construction of a thermal power station at Setubal, near Lisbon, and the erection of nearly 250 km of high-voltage transmission lines.¹

The power to be generated through this hydroelectric scheme will replace thermal generation from imported oil.

The construction will keep an average of 1 100 workers employed for the next five years and there will eventually be 50 permanent jobs at the power station.

Cameroon

2489. Under the Lomé Convention the EIB has granted a 13.5 million EUA loan to the Société nationale d'électricité du Cameroun (SONEL). It is provided from the Bank's own resources and is repayable over fifteen years. The interest rate is 6½ %, after deduction of a 3 % subsidy drawn from the resources of the European Development Fund (EDF) as provided for under the terms of the Lomé Convention. The Funds will be used to part-finance construction of a dam and hydroelectric power station on the Sanaga River at Song-Loulou, together with transmission lines and switching stations, which will help SONEL to meet fast-rising energy requirements in southern and western Cameroon. The financing of this project involves a high degree of cooperation be-

tween European and Arab institutions: apart from the EIB and the Caisse Centrale de Coopération Économique (France), the Saudi Development Fund, the Kuwait Development Fund and the Islamic Development Bank are all contributing to the finance required.

Acting as agent of the EEC, using resources provided for under the Lomé Convention for risk capital assistance, the Bank has provided a conditional loan² of 2.3 million EUA to Société Camerounaise de Palmeraies (SOCAPALM). It is for 20 years including a 7-year grace period and carries an initial interest rate of 2 %, rising to 4.5 % from June 1984 on. The loan is to be used to part-finance industrial investments in the agro-industrial complex being developed at Dibombari by SOCAPALM. This embraces 6 300 ha of selected oil-palm plantations and an extraction plant with a raw fruit throughput of between 20 to 40 tonnes per hour. This project will help to cover the country's entire palm-oil requirements and involve the creation of more than 1 300 jobs. The EEC is also providing finance for these investments.

Ghana

2490. Under the terms of the Lomé Convention, the Bank has provided a loan to the equivalent of 10 million EUA (12.8 million Ghanaian Cedi) to help to finance the construction of a dam and hydroelectric power station on the lower Volta River in Ghana.

The loan has been granted to the Volta River Authority for 15 years; the interest rate is 6½ %, after deduction of a 3 % interest rebate, paid from the resources of the European Development Fund, as provided for under the Convention.

¹ Bull. EC 4-1976, point 2446.

² Conditional loans are repayable usually after fulfilment of certain conditions indicating that the project has overcome the inherent risks of the start-up phase and has achieved a certain level of profitability.

The loan is to be guaranteed by the Republic of Ghana.

The Volta River Authority, a public body established by legislation in 1961, is charged with developing the electric power and other resources of the Volta River and the Volta Lake.

A dam and power station (installed capacity 912 MW) are already in operation at Akosombo on the Volta River. The new project is situated 24 km downstream and the hydroelectric plant to be installed there will add a further 160 MW to the installed capacity of the Authority.

This is expected to be enough to cover Ghana's electricity requirements until about 1985 and also allow the Authority to continue the export of electrical power to Ghana's neighbouring countries, Togo and Benin.

The total cost of the project, which is expected to be completed by the summer of 1981, is estimated at about 243 million EUA. Part of this will be met by the Volta River Authority from its own resources; in addition the financing plan envisages contributions from the European Development Fund, the World Bank, the Arab Bank for Economic Development in Africa, the Saudi Development Fund, the Kuwait Development Fund and the Canadian International Development Agency.

Mauritius

2491. A loan equivalent to 2 million EUA (14.8 million Mauritius rupees) has been provided by the EIB to help finance improved electricity supplies in Mauritius.

It has been granted to the island's Central Electricity Board (CEB), a state undertaking, for 13½ years. The interest rate is 6 %, after taking into account a rebate of 3 % drawn from the resources of the European Development Fund, as provided for under the terms of the Lomé Convention.

The loan will be used for a further extension of the largest thermal power station in Mauritius, at Fort Victoria. Under the second Yaoundé Convention, the Bank granted a loan of 1 750 000 u.a. to contribute towards the cost of an earlier phase of works.¹

This new project will raise the power station's generating capacity to 62.4 MW.

Chad

2492. From the resources provided under the Lomé Convention for risk capital assistance,² a loan of 7.5 million EUA has been granted to the Republic of Chad for 20 years including an 8-year grace period, with interest at 2 %, to part-finance the Government's majority holding in Société Nationale Sucrière du Tchad-SONASUT.

This will assist the construction by the company of a sugar complex at Banda in the south of the country where some 3 300 ha are to be developed as sugar plantations and a factory is to be built with a refining capacity of about 30 000 tonnes per year. This will cover home market needs for at least ten years to come, replacing imports which at present weigh heavily on the balance of payments. About 1 900 permanent jobs will be created by this project, and also some 1 000 seasonal jobs.

The Caisse Centrale de Coopération Économique and the EEC, via a loan on special conditions from the resources of the EDF, are also contributing to the financing of this project.

Togo

2493. Under the terms of the Lomé Convention, the Bank has provided a total of 20 million European EUA (CFAF 5 400 million) to help fi-

¹ Bull. EC 7/8-1975, point 2464.

² Conditional loans are repayable usually after fulfilment of certain conditions indicating that the project has overcome the inherent risks of the start-up phase and has achieved a certain level of profitability.

nance construction of a clinker production plant and installations at a limestone quarry at Tabligbo, near Lomé, in Togo.

The major part of this sum is in the form of a loan equivalent to 14 million EUA, drawn from the Bank's own resources, granted to Ciments de l'Afrique de l'Ouest-CIMAO, a company created by an international treaty concluded in December 1975 between Togo, the Ivory Coast and Ghana, which hold 92 % of its capital in equal shares.

The loan is for 14½ years and the interest rate is 6 %, after allowing for a rebate of 3 %, drawn from the resources of the European Development Fund, as provided for under the Lomé Convention.

Ghana, Ivory Coast, Togo

2494. Acting as agent for the EEC, the Bank has concluded three risk capital operations, each the equivalent of 2 million EUA (about CFAF 540 million) accorded to the Ivory Coast, Ghana and Togo.

These operations are in the form of subordinated loans¹ to each of the three States: the conditions are 20 years, including a 14-year grace period, at an interest rate initially fixed at 2 %. They will help the States concerned to finance their shares in the preference capital of CIMAO, and constitute one of the first uses of resources set aside under the Lomé Convention for 'risk capital' operations, a form of Community financial assistance which is particularly adapted to industrial projects and the management of which has been entrusted to the EIB.

The EIB has already granted CIMAO a loan equivalent to 5 925 000 u.a. under the second Yaoundé Convention.²

Financing Community activities

Budget

General budget for 1977

2495. On looking back over the budgetary procedure for 1977, which ended in Parliament on 16 December,³ it can be seen that there were three main improvements.

The first is the genuine dialogue pursued and developed between Council and Parliament, culminating in a third consultation meeting, at which the two bodies constituting the budgetary authority were able to reach agreement.

The second improvement is the extension to new sectors in the 1977 budget of the distinction between 'appropriations for commitment' and 'appropriations for payment'. While the 1976 budget made this distinction in two budgetary sectors (research and investment appropriations and Regional Fund), the 1977 budget now does so for pilot research to combat poverty, hydrocarbons projects, uranium research, the three-year plan of action on scientific and technical information and documentation, the second data-processing programme, the Social Fund and the EAGGF Guidance Section.⁴

Thirdly, the new budget schedule was applied experimentally to the procedure for establishing the 1977 budget. This experiment was successful as the work has progressed satisfactorily, although some improvements are still necessary as regards the time allowed for presenting letters of amendment.

¹ Subordinated loans are repayable only after senior loans have been paid off.

² Bull. EC 3-1976, point 2467.

³ Point 2406.

⁴ Financial Regulation of 21 December 1976, OJ L 362 of 31.12.1976.

Financing Community activities

Financing Community activities

Table 5 — Comparison between the 1976 budget and the proposed budget for 1977

(in u.a.)

Sector	1976 ⁽¹⁾				1977 (preliminary draft) ⁽²⁾				Change %		1977 (Council draft - first reading)				Change %		1977 (Parliament's draft - first reading)				Change %		1977 (Council draft - second reading)				Change %		Budget adopted by Parliament on 16 December 1976				Change %	
	Appropriations for commitment	%	Appropriations for payment	%	Appropriations for commitment	%	Appropriations for payment	%	3/1	4/2	Appropriations for commitment	%	Appropriations for payment	%	7/1	8/2	Appropriations for commitment	%	Appropriations for payment	%	11/1	12/2	Appropriations for commitment	%	Appropriations for payment	%	15/1	16/2	Appropriations for commitment	%	Appropriations for payment	%	19/1	20/2
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22												
COMMISSION																																		
<i>Intervention appropriations</i>																																		
Agriculture	5 790 982 500	64.97	5 790 982 500	68.37	6 398 673 500	63.22	6 236 273 500	67.15	+ 10.49	+ 7.69	6 188 643 500	65.55	6 021 443 500	69.09	+ 6.87	+ 3.98	6 442 703 500	63.94	6 275 503 500	67.60	+ 11.25	+ 8.37	6 188 643 500	64.98	6 021 443 500	68.81	+ 6.87	+ 3.98	6 188 703 500	64.42	6 021 503 500	68.43	+ 6.87	+ 3.98
Social	530 600 001	5.95	452 600 001	5.34	634 722 000	6.27	185 032 000	1.99	+ 19.62	- 59.12	590 345 000	6.25	183 685 000	2.11	+ 11.26	- 59.42	662 757 000	6.58	214 247 000	2.31	+ 24.91	- 52.66	632 127 000	6.64	183 967 000	2.10	+ 19.13	- 59.35	637 757 000	6.64	189 597 000	2.15	+ 20.19	- 58.11
Regional	500 000 000	5.61	300 000 000	3.54	500 000 000	4.94	500 000 000	5.38	—	+ 66.67	500 000 000	5.30	400 000 000	4.59	—	+ 33.33	500 000 000	4.96	500 000 000	5.39	—	+ 66.67	500 000 000	5.25	400 000 000	4.57	—	+ 33.33	500 000 000	5.20	400 000 000	4.55	—	+ 33.33
Research, energy, industry, transport	337 043 270	3.78	172 992 526	2.04	368 615 776	3.64	249 894 179	2.69	+ 9.36	+ 44.45	255 393 966	2.71	204 071 157	2.34	- 24.23	+ 17.97	383 407 197	3.80	286 285 188	3.08	+ 13.76	+ 65.49	269 572 197	2.83	212 249 388	2.43	- 20.02	+ 22.69	328 262 197	3.42	236 625 188	2.69	- 2.61	+ 36.78
Development cooperation	336 255 750	3.77	336 255 750	3.97	425 027 900	4.20	322 027 900	3.47	+ 26.40	- 4.23	238 007 200	2.52	238 007 200	2.73	- 29.22	- 29.22	394 788 200	3.92	313 788 200	3.38	+ 17.41	- 6.68	253 188 200	2.66	253 188 200	2.89	- 24.70	- 24.70	269 688 200	2.81	269 688 200	3.06	- 19.80	- 19.80
Repayments and aid to Member States and miscellaneous	437 000 000	4.90	437 000 000	5.16	660 000 000	6.52	660 000 000	7.11	+ 51.03	+ 51.03	560 000 000	5.93	560 000 000	6.43	+ 28.15	+ 28.15	560 000 000	5.55	560 000 000	6.03	+ 28.15	+ 28.15	560 000 000	5.88	560 000 000	6.40	+ 28.15	+ 28.15	560 000 000	5.83	560 000 000	6.36	+ 28.15	+ 28.15
	7 931 881 521	89.—	7 489 830 777	88.42	8 987 039 176	88.80	8 153 227 579	87.79	+ 13.30	+ 8.86	8 332 389 666	88.26	7 607 206 857	87.28	+ 5.05	+ 1.57	8 943 655 897	88.75	8 149 823 888	87.79	+ 12.76	+ 8.81	8 403 530 897	88.24	7 630 848 088	87.20	+ 5.95	+ 1.88	8 484 410 897	88.31	7 677 413 888	87.24	+ 6.97	+ 2.50
<i>Administrative appropriations</i>																																		
Staff	242 860 542	2.72	242 860 542	2.87	274 328 900	2.71	274 328 900	2.95	+ 12.96	+ 12.96	268 237 600	2.84	268 237 600	3.08	+ 10.46	+ 10.46	269 455 100	2.67	269 455 100	2.90	+ 10.95	+ 10.95	268 455 100	2.82	268 455 100	3.07	+ 10.54	+ 10.54	268 455 100	2.79	268 455 100	3.05	+ 10.54	+ 10.54
Administrative expenditure	77 577 107	0.87	77 577 107	0.92	87 889 300	0.87	87 889 300	0.95	+ 13.29	+ 13.29	85 668 740	0.91	85 668 740	0.98	+ 10.43	+ 10.43	85 728 740	0.85	85 728 740	0.92	+ 10.51	+ 10.51	85 668 740	0.90	85 668 740	0.98	+ 10.43	+ 10.43	85 728 740	0.89	85 728 740	0.97	+ 10.51	+ 10.51
Information	6 340 000	0.07	6 340 000	0.07	7 766 000	0.08	7 766 000	0.08	+ 22.49	+ 22.49	7 400 000	0.08	7 400 000	0.08	+ 16.72	+ 16.72	8 090 000	0.08	8 090 000	0.09	+ 27.60	+ 27.60	7 430 000	0.08	7 430 000	0.08	+ 17.19	+ 17.19	8 090 000	0.08	8 090 000	0.09	+ 27.60	+ 27.60
Aids and subsidies	20 414 401	0.23	20 414 401	0.24	23 476 700	0.23	23 476 700	0.25	+ 15.00	+ 15.00	22 657 300	0.24	22 657 300	0.26	+ 10.99	+ 10.99	23 660 900	0.24	23 660 900	0.26	+ 15.90	+ 15.90	22 860 900	0.24	22 860 900	0.26	+ 11.98	+ 11.98	23 660 900	0.25	23 660 900	0.27	+ 15.90	+ 15.90
	347 192 050	3.90	347 192 050	4.10	393 460 900	3.89	393 460 900	4.24	+ 13.33	+ 13.33	383 963 640	4.07	383 963 640	4.41	+ 10.60	+ 10.60	386 934 740	3.84	386 934 740	4.17	+ 11.45	+ 11.45	384 414 740	4.04	384 414 740	4.39	+ 10.72	+ 10.72	385 934 740	4.02	385 934 740	4.39	+ 11.16	+ 11.16
<i>Contingency reserve</i>																																		
<i>Repayment to the Member States of 10% of own resources</i>																																		
	502 831 534	5.64	502 831 534	5.94																														

Table 5 shows the final version of the 1977 budget; it compares the 1976 and 1977 budgets and also traces the various stages in the establishment of the 1977 budget. As the Council and Parliament were able to reach agreement on an increase of 140 million u.a. in non-compulsory expenditure compared with the figures adopted by the Council in second reading on 23 November,¹ Parliament has re-entered into the budget almost all the amendments it adopted at the first reading. In the final budget for 1977 appropriations for payment are only 3.89 % higher than in 1976 and appropriations for commitment 7.79 % higher.

Third amending budget for 1976

2496. The third amending budget for 1976, adopted by Parliament on 14 December,² makes certain changes to the list of posts attached to the statement of expenditure relating to research and investment activities, following the entry into force of the new conditions of employment for staff paid from the research and investment appropriations.³ This amendment has no additional financial implications.

ECSC levy rate and operating budget for 1977

2497. On 14 December Parliament, which was consulted by the Commission, pronounced in favour of retaining the ECSC levy rate at 0.29 %. On 20 December the Commission decided to retain this rate for 1977.⁴

Making due allowance for the other resources expected to accrue (interest on deposits and funds not lent, cancellation of commitments which will not now be implemented, etc.), this decision provides cover for requirements totalling 111 million u.a. as follows:

Administrative expenditure	18 million u.a.
Aid to research	42 million u.a.

Aid to retraining	25 million u.a.
Interest rate subsidies for loans for investment and conversion	15 million u.a.
Aid to coking coal	6 million u.a.
Aid to the Friuli disaster victims (reserves)	5 million u.a.

Own resources

2498. The Advisory Committee on Own Resources, meeting on 14 December, continued its work, in particular examining the findings of own resources inspections conducted in the first half of 1976 under Article 14 of Regulation 2/71. One of the problems raised during these inspections and since solved was that encountered by some Member States in the collection of sugar storage levies where stocks drop in fortuitous circumstances. This problem was resolved by the entry into force of Commission Regulation No 2836 of 24 November 1976 supplementing Regulation (EEC) No 442/70 laying down detailed rules for the application of the system of offsetting storage costs for sugar.⁵

In the same connection, the Committee took note of the Court of Justice's judgment in the dispute between the Italian administration and a grain importer about cases where products covered by a single declaration of release for internal consumption leave the customs warehouse in separate batches. The question, which could have an effect on own resources, concerned the interpretation of the term 'day of importation' when determining the rate of levy to be applied to the grain. The Court of Justice decided that the 'day of importation' is the day on which the

¹ Bull. EC 11-1976, point 2475.

² Point 2407.

³ Bull. EC 11-1976, point 2476.

⁴ OJ L 352 of 22.12.1976; point 2408 of present Bulletin.

⁵ OJ L 326 of 25.11.1976.

import declaration for the goods is accepted by the customs authorities. This Court verdict also applies to all other products.¹

ECSC financial operations

Loans

Loans granted

2499. Pursuing the Community's general objectives and acting under Article 54 of the ECSC Treaty, the Commission awarded loans totalling 145 million EUA in December. Two types of loan were concerned: industrial loans and loans for the construction of low-cost housing.

The industrial loans, totalling 137 million EUA, were awarded to nine undertakings to finance the following programmes:

Coal industry

Rationalization and modernization of collieries

Eschweiler Bergwerke-Verein, Herzogenrath-Kohlscheid

(Westfalen colliery at Ahlen/Westphalia; Anna colliery at Alsdorf/Aachen)

National Coal Board, London

North Derbyshire:

Whitwell colliery

Bolsover colliery

Warsop colliery

North and south Nottinghamshire:

Linby colliery

Newstead colliery

Creswell colliery

Bentinck colliery

Bevercotes colliery

Silverhill colliery

Yorkshire:

Grimethorpe colliery

Bentley colliery

Ackton Hall colliery

Brodsworth colliery

North-eastern Division:

Butterwell take

Westoe colliery

Western Division

Silverdale colliery

Bold colliery

South Wales

Oakdale colliery

Cwm/Goedeley colliery

Abertillery & Blaenserchan colliery

Kent:

Snowdown colliery

Ruhrkohle AG, Essen (Lohberg and Niederberg collieries)

Increase of coking capacity

Eschweiler Bergwerks-Verein, Herzogenrath-Kohlscheid

(Erin coking plant at Castrop-Rauxel)

Ruhrkohle AC, Essen (Prosper coking plant).

Steel industry

Infrastructure project

British Steel Corporation, London (project at Hunterston, Scotland)

Rationalization of pig iron and steel production

Dalmine SpA, Milan (Dalmine works)

Hamburger Stahlwerke GmbH, Hamburg

Stahlwerke Peine-Salzgitter AG Peine (Salzgitter works)

¹ CJEC 15.6.1976 (Frecassetti v Amministrazione delle Finanze dello Stato) 113/75: [1976] ECR 983; see also Bull. EC 6-1976, point 2442.

Financing Community activities



Union Sidérurgique du Nord et de l'Est de la France SA, USINOR, Paris

(Valenciennes and Thionville works)

Röchling-Burbach GmbH, Völklingen/Saar (Völklingen works)

Training centre

August Thyssen-Hütte AG, Duisburg-Hamborn

Extension of a coastal plant

Union Sidérurgique du Nord et de l'Est de la France SA, USINOR, Paris

(Dunkirk works)

The loans for the construction of low-cost housing amounted to 7.4 million EUA during this period.

Loan decisions

In December the Commission also took three decisions on the granting of industrial loans amounting to 64.5 million EUA.

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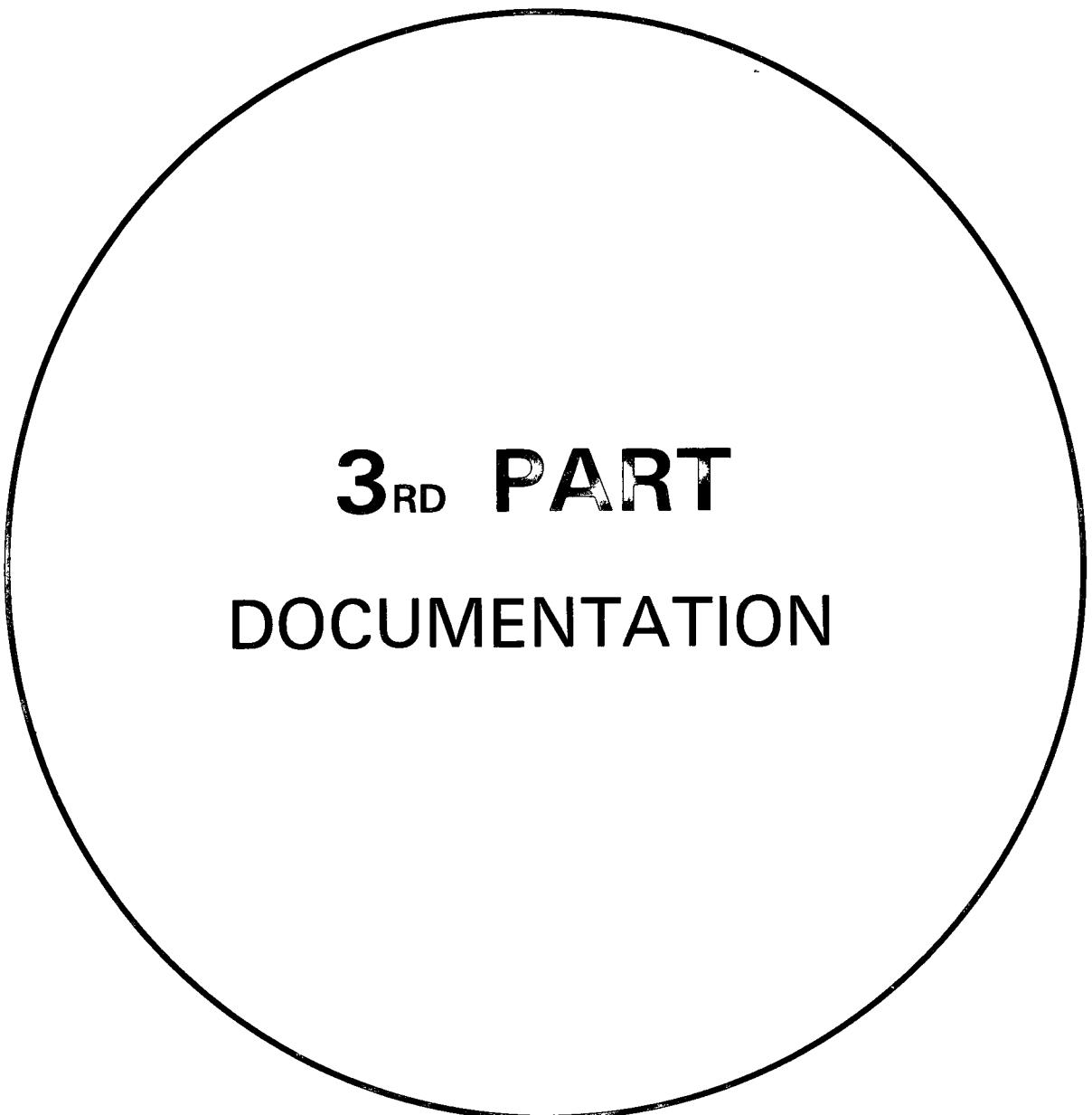
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DOCUMENTATION

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Perinatal ill-health in calves. By J.M. Rutter. 22-24 September 1975. EUR 5603.
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Information on agriculture. No 20. September 1976.

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