

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(74) 352 final

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## ESTABLISHMENT OF A EUROPEAN VOCATIONAL TRAINING CENTRE

(Communication from the Commission to the Council)

COM(74) 352 final

EUROPEAN CENTRE FOR THE DEVELOPMENT OF VOCATIONAL TRAINING

EXPLANATORY MEMORANDUM

1. The activities of the European Economic Community in the field of vocational training result mainly from Article 128 of the Treaty of Rome and from the Council Decision of 2 April 1963 laying down general principles for implementing a common vocational training policy which can contribute to the harmonious development both of the national economies and of the Common Market. In part they also result from Article 118 of the same Treaty which entrusts the Commission with the task of promoting close cooperation between Member States particularly in matters relating to basic and advanced vocational training. In the agricultural sector they are also based on Article 41 of the said Treaty which makes express provision, within the framework of the common agricultural policy, for an effective coordination of efforts in the spheres of vocational training, of research and of the dissemination of agricultural knowledge - this may include joint financing of projects or institutions.

2. The actions undertaken by the Commission with a view to implementing a common vocational training policy and the other actions in the field of training carried out in conjunction with or within the framework of other common policies constitute a wider set of activities than is generally known.

It should also be recalled that the Council directive of April 11th 1972, concerning the socio-economic information and occupational qualifications of persons working in agriculture, enables actions to be carried out in the framework of the common agricultural policy and in conformity with the objectives of the common vocational training policy.

However, it cannot be denied that the complexity and extent of the problems to be resolved ought to have given rise to a more determined commitment and the introduction of means for carrying out sustained, large-scale action. The social policy guidelines adopted by the Heads of State or Government at their conference in Paris in October 1972 and also the enlargement of the Community now provide the bases for giving fresh impetus to Community action in the various fields of vocational training.

3. The need for this fresh impetus was reaffirmed at the time of the adoption of the Council Resolution of 21 January 1974 concerning a social action programme; this resolution stated the political will to adopt within a first stage covering the period between 1974 and 1976 the measures necessary to achieve inter alia the objective of implementing a common vocational training policy with a view to attaining progressively its principal objectives, especially approximation of training standards, in particular by setting up a European vocational training centre.

4. The establishment of such a centre is of the greatest importance if the Community is to be able to count on the closest possible cooperation of a Community body provided with a specialist staff and material in order to carry out essential action in the spheres of documentation and information, of research and of experimentation as a means of promoting technically and scientifically the implementation of a common vocational training policy.

Furthermore, the need to establish a Community body specialized in the field of vocational training has been recognized and reiterated during recent years by the European Parliament, the Economic and Social Committee and also by the social partners; the latter were indeed the originators of the idea of establishing European machinery enjoying a certain amount of operational autonomy.

5. There will not be any duplication of effort between the proposed Centre and other centres operating in the field of vocational training.

Indeed, each centre such as that of the ILO in Turin or that of the OECD in Paris has its own style, its own system and, above all, its own specific methods for tackling vocational training matters in a manner suited to the international organization which initiated its foundation. The reason for this lies in the diverse institutional structures of the various international organizations, in the differing composition, not only from the numerical point of view, of the group of countries belonging to one or other organization, in the political objectives

pursued by each of them and in the powers which each enjoys. It is quite clear that the Community has specific responsibilities laid down in the Treaties of Rome and of Paris, and that it has obligations to fulfil within the context of the common policies which are not comparable with any other activity carried out by traditional international organizations. The establishment of a European centre for the development of vocational training designed to provide the Community with technical and scientific support in the spheres of information, research and application is, therefore, not only desirable but necessary.

6. The Commission considers that this Centre is to be conceived as a body with its own legal personality which will still be very closely linked to the Community institutions and particularly to the Commission.

This Centre would therefore be able

- to ensure that the social partners increasingly participate in Community decisions as a result of their presence on the Centre's board of management;
- to extend the possibility of contact with the parties concerned beyond the formal sphere of official relations;
- to promote more dynamic action commensurate with the rapid rate of economic and social development and of technological progress.

7. The structure of the centre has been designed in such a way as to meet as far as possible the requirements of an efficient and strict administration, and to be in a position to benefit from any contribution of new ideas and experiences. Provision has thus been made for the centre to be managed by a board with a tripartite structure - representatives of the Commission, of the employers' organizations and of the workers' organizations - which will accord the social partners a special and responsible role. The presence on this board of the social partners and of the Commission should make it possible to obtain a constructive synthesis of the guidelines drawn up by the parties in question.

Although the Centre and the Advisory Committee on Vocational training have distinct roles to fulfil, as explained more fully under point 10, it would be appropriate that a certain number of Advisory Committee members sit as members on the Centre's Management Board.

Until now, the parties concerned with vocational training, with the exception of the social partners, have not hitherto participated in this sphere to a sufficient extent. The establishment alongside the Centre's board of management of an experts committee mainly composed of high-level experts designated by Member States will permit the Centre to benefit from the extensive collaboration of those competent and active in the different fields of vocational training. The tasks of this Committee will enable it to have a great deal of influence on the operational activity of the centre, mainly because it is asked to make its views known on the draft annual work programme submitted to it by the board of management. Furthermore, this Committee will have the right of initiative to formulate proposals concerning the various forms of activity carried out by the Centre.

The director is the key element in the structure of the Centre. His terms of employment will be laid down in an ad hoc statute. The centre is designed mainly as a driving power which, inter alia is required to act as a catalyst for the most valid innovatory guidelines with a view to achieving a harmonious development of vocational training in its widest sense, within the Community. It is, therefore, essential that the most valid forms of cooperation are entered into for the purpose of discussing and drawing up the various specific projects dealing with matters arising in the various fields of vocational training. To this end provision has been made for the establishment of working parties set up according to the questions to be examined.

8. The centre is financed mainly out of the annual subsidy borne by the budget of the European Communities. This budgetary link will show the importance which the Community attaches to such cooperation. The report on the activities of the centre during the preceding year, which will be forwarded each year to the Commission during the first quarter, will enable the Community institutions to judge the results of the centre's activities and to form an opinion on the directions in which these activities should be directed in order better to meet the needs of the Community.

9. The very way in which the centre has been conceived requires that its staff, although limited (between 20 and 25 people), be composed of highly qualified and experienced people in the various fields of vocational training. Similarly, it is essential that the centre carries out most of its activities in close cooperation with the national or international centres.

The Centre would thus be able to cooperate with, for example, the International Centre for advanced vocational and technical training of the ILO in Turin, with the OECD Centre, with CEPFAR as well as with the national institutes or centres in the Member States which carry out public or semi-public responsibilities.

10. Since the European Centre has operational tasks within the framework of the implementation of a common vocational training policy, its activity and also the tasks of its board of management and of the experts committee in no way prejudice the role and responsibilities of the Advisory Committee on vocational training. Indeed, the guidelines and the definition of the common vocational training policy remain entirely within the sphere of responsibility of the Community Institutions and are laid down in accordance with the procedures provided for in the Treaty of Rome.

Within this institutional framework, the Advisory Committee on vocational training will continue to exercise its responsibilities fully in order to assist the Commission in the manner prescribed in the Council Decision of 2 April 1963 laying down general principles for implementing a common vocational training policy.

The Commission, for its part, will regularly inform the Advisory Committee on Vocational Training about the activities of the European Centre. In addition the Commission will inform the Centre of the suggestions which the Advisory Committee makes on the activity of the Centre.

EUROPEAN CENTRE FOR THE DEVELOPMENT OF VOCATIONAL TRAINING

THE COUNCIL OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof;

Having regard to the proposal from the Commission;

Having regard to the opinion of the European Parliament;

Having regard to the opinion of the Economic and Social Committee;

Whereas on the basis of Article 128 of the Treaty the Council, in its decision of 2 April 1963, laid down general principles for implementing a common vocational training policy;

Whereas the Council, in its resolution of 21 January 1974, adopted a social action programme; whereas that programme lays down amongst its objectives the implementation of a common vocational training policy with a view to attaining progressively the principal objectives thereof, especially approximation of training standards, in particular by setting up a European vocational training centre; whereas, furthermore, the Council chose this objective as one of its priority actions;

Whereas the implementation of a common vocational training policy gives rise to ever more complex problems, and whereas solutions to those problems require the wide involvement of the interested parties, and, more especially, of the social partners;

Whereas the establishment of a European Centre for the development of vocational training is necessary to carry out this action, in respect of which the Treaty has not made provision for the powers of action specified in this respect for the economic sector as a whole;

Whereas the specialized and technical nature of the tasks to be carried out, with special regard to the search for and implementation of the new policy guidelines for vocational training in all its aspects, requires the establishment of a body distinct from the departments of the Commission, with which it must, however, cooperate as much as possible;

Whereas, in accordance with Article 118 of the Treaty, the Commission has the task of promoting close cooperation between Member States in the social field, particularly in matters relating to basic and advanced vocational training;

Whereas, in accordance with Article 41 of the Treaty, an effective coordination of efforts in the sphere of vocational training may be foreseen in the framework of the common agricultural policy;

Whereas the centre is required to draw up an annual work programme which takes account of the objectives and needs of the European Economic Community and to cooperate in the execution of its tasks with existing specialized institutions and also with public administrations and the cultural, economic and social organizations concerned.

HAS ADOPTED THIS REGULATION



ARTICLE 1

The European Centre for the Development of Vocational Training is hereby created,

- hereinafter called "The Centre"
- the Centre shall enjoy the broadest legal status granted to legal persons in the member States.
- it shall be non-profit making
- it shall have its seat in .....

ARTICLE 2

The general objective of the Centre shall be the promotion and the development of vocational training and continuous training at Community level. To this end, the Centre shall, in close collaboration with the Commission, encourage the exchange of information and experience in this field through

- assembling a selected documentation particularly on new developments and research in this field, as well as on problems related to the structure of vocational training
- ensuring the dissemination of useful information
- contributing to the development and co-ordination of research.

The Centre shall encourage the development of a concerted approach to problems of common interest, in particular by promoting those initiatives which make a positive contribution to the implementation of a common policy on vocational training.

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ARTICLE 3

1. The Centre shall take the measures which are necessary for the attainment of its objectives; it may in particular:
  - organise courses, conferences, seminars and pilot projects
  - conclude research contracts and grant financial assistance for carrying out specific projects
  - edit and distribute all useful documentation and in particular a Community bulletin on vocational training.
2. In carrying out its tasks, the Centre shall collaborate as closely as possible with specialised bodies, whether public or private, national or international, with public administrations and educational bodies and with the organisations of workers and employers.

ARTICLE 4

1. The Centre shall be administered by a Management Board composed of fifteen members appointed by the Commission of the European Communities, of whom:
  - (a) five members proposed by the employers' organisations set up at a European level;
  - (b) five members proposed by the workers' organisations set up at European level;
  - (c) five members designated by the Commission.
2. The length of their term of office shall be three years. Their appointments may be renewed. After expiry of their term of office, members shall remain in office until they are replaced or until their appointments are renewed.
3. The President of the Management Board shall be appointed by the Commission from among the members which it has designated. Two Vice-Presidents shall be elected by the Management Board. Each of these shall be chosen respectively from among the members proposed by the employers' organisations and the workers' organisations.

4. The chairman shall convene the Management Board at least four times a year.
5. Decisions shall be taken by an absolute majority of members of the Management Board, without prejudice to Article 8.
6. The chairman of the Management Board shall attend meetings of the Experts Committee.

#### ARTICLE 5

The Management Board shall be responsible for the general activity of the Centre.

It shall adopt its rules of procedure and other provisions necessary for the administration of the Centre. The staff regulations and the financial regulations shall be adopted in agreement with the Commission.

It shall appoint the Director of the Centre, and draw up his terms of employment.

It shall decide on the creation of ad hoc working parties within the framework of the annual programme of activities.

It shall regularly inform the Commission of the European Communities of its activities.

#### ARTICLE 6

1. The Experts Committee shall be composed of 18 members. Each member State shall nominate two members. They shall be selected on account of their theoretical knowledge and practical experience in the various fields connected with vocational training.
2. The Committee members shall be appointed by the Management Board for three years.

Their mandate shall be renewable.

ARTICLE 7

1. The Experts Committee shall give opinions on questions submitted to it by the chairman of the Management Board or by the Director of the Centre. It may, of its own initiative, examine any question relevant to the objectives of the Centre.
2. The Committee shall elect a chairman from among its members and determine its rules of procedure.
3. The Committee shall be convened by its chairman, at least four times per year and in addition when requested by more than half of the Committee members.
4. The Chairman of the Experts Committee shall attend meetings of the Management Board in a consultative capacity.

ARTICLE 8

The Director shall be appointed by the Management Board after having consulted the Experts Committee. The decision on the appointment shall require at least three votes in favour cast by members on each of the groups making up the Management Board.

ARTICLE 9

1. The Director shall carry out the decisions of the Management Board and shall be responsible for the day to day administration of the Centre. He shall act as legal representative of the Centre.
2. He shall prepare and organize the meetings of the Management Board and of the Experts Committee and act as secretary at these meetings.

3. He shall coordinate the activities of the working parties.
4. He shall be responsible for the staff which shall be engaged and dismissed under the conditions laid down in the staff regulations.
5. He shall be accountable for his activities to the Administrative Board.

ARTICLE 10

1. On the basis of a draft submitted by the Director, and after having received the opinion of the Experts Committee, the Administrative Board shall adopt an annual programme of work. The programme shall take account of the priority needs, as indicated by the Community institutions, and the suggestions made by the Economic and Social Committee.
2. The Centre shall programme its activities taking into account those carried out by other bodies working in the field of vocational training.

ARTICLE 11

The Management Board shall adopt by 31 March at the latest the general report on the activities, the financial situation and the work programme of the Centre, and shall submit them to the Commission of the European Communities.

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ARTICLE 12

1. The Management Board shall draw up a budget for each financial year.
2. All the Centre's revenue and expenditure shall be entered in the budget.
3. The budget shall be balanced in terms of revenue and expenditure
4. The financial year shall coincide with the calendar year.

ARTICLE 13

1. The Centre shall receive a subsidy entered in the budget of the European Communities each year.
2. The Management Board shall, before 1 April each year, transmit an estimate of the revenue and expenditure at the same time as a request for a subsidy so that the envisaged subsidy can be entered. The estimate shall be forwarded by the Commission to the budgetary authorities.

ARTICLE 14

1. The Management Board shall, not later than 1 April each year, send the accounts of all of the revenue and expenditure of the Centre for the preceding financial year to the Audit Board provided for in Article 206 of the Treaty of the European Economic Community. The Audit Board shall examine these in accordance with the conditions provided for in the second sub-paragraph of the same Article.
2. The Management Board shall send the accounts of the Centre for the preceding financial year to the Commission annually. The accounts and the report of the Audit Board shall be submitted to the Council and to the European Parliament by the Commission at the same time as it communicates its accounts.
3. The Management Board will nominate a financial controller to supervise the expenditure of the Centre.

ARTICLE 15

The protocol of the European Communities on privileges and immunities shall apply to the Centre, to the members of the Management Board and of the Experts Committee, to the Director and to the staff members of the Centre.

ARTICLE 16

The members of the Management Board and the Experts Committee, the Director and the staff members of the Centre shall be obliged, even after the termination of their service, not to divulge information which, by its nature, comes under professional secrecy.

ARTICLE 17

The contractual liability of the Centre shall be governed by the law applicable to the contract in question. In the case of non-contractual liability, the Centre shall, in accordance with the general principles common to the laws of the member States, make good any damage caused by its institution or by its servants in the performance of their duties.

The personal liability of its servants towards the Centre shall be governed by the provisions laid down in their staff regulations or in the Conditions of employment applicable to them.

ARTICLE 18

This regulation shall enter into force on .....

This Regulation is binding in its entirety and directly applicable in all member States.

By the Council