

# RESOLUTIONS

1978 – 1979

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Secretariat  
Directorate General I  
Sessional and General Services  
Sittings Directorate

European Centre, Plateau du Kirchberg

Luxembourg  
P. O. Box 1601

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## FOREWORD

This publication contains, in chronological order, all the resolutions adopted by the European Parliament in plenary sitting during the 1978/1979 session. The minutes of proceedings have been published in the Official Journal of the European Communities.

The name of the rapporteur is given after the title of each resolution in List A, except where the motion was tabled by one or more Members or Groups. Where the motion was drawn up by a committee, the preamble to the resolution indicates the committee responsible.

### N.B.

More detailed information concerning these resolutions and the action taken on them can be obtained from the Minutes, Action Taken on Resolutions, and Archives Division.

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Sitting of 17 March 1978

(O.J. No. C 85 of 10.4.1978)

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- the Democratic Republic of São Tome and Principe
  - the Republic of Cape Verde
  - the Republic of Papua New Guinea
- to the Lomé Convention (11)

Proposal for a regulation on advance implementation of certain provisions of the ACP-EEC Convention of Lomé relating to trade in respect of certain states that have signed Agreements of Accession to the Convention (11)

Proposal for a directive supplementing Directive 72/280/EEC of 31 July 1972 on the statistical surveys to be made by Member States on milk and milk products (6)

Proposal for a regulation amending Regulation (EEC) No. 1418/76 on the common organization of the market in rice (6)

Proposal for a regulation laying down a transitional measure for the Community financing of a consumer subsidy for butter referred to in Regulation (EEC) No. 880/77 (6)

Sitting of 14 April 1978

(O.J. No. C 108 of 8.5.1978)

Proposal for a directive on statistical returns in respect of carriage of goods by road, as part of regional statistics (7)

Proposal for a directive amending Directive 71/305/EEC of 26 July 1971 concerning the coordination of procedures for the award of public works contracts (3)

Proposal for a decision adopting a European Economic Community concerted action in the field of physico-chemical behaviour of atmospheric pollutants (8)

Proposal for a decision adopting a European Economic Community concerted action in the field of analysis of organic micropollutants in water (8)

Proposal for a regulation amending Regulation (EEC) No. 1703/72 inter alia laying down rules for the Community financing of expenditure arising from the implementation of the Food Aid Convention of 1971 (4)

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<sup>1</sup> See page LIV for numerical list of parliamentary committees

Proposal for a regulation opening, allocating and providing for the administration of a Community tariff quota for apricot pulp, falling within subheading ex 20.06 B II c) 1 aa) of the Common Customs Tariff, originating in Turkey (10)

Proposal for a decision concerning the Community's acceptance of Resolution No. 212 (revised) of the Economic Commission for Europe relating to the facilitation of health and quality inspection in the international carriage of goods by rail as regards traffic between the Community and third countries signatories to the Resolution (8)

Proposal for a regulation opening, allocating and providing for the administration of Community tariff quotas for certain wines having a registered designation of origin, falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Algeria (1978/1979) (10)

Sitting of 12 May 1978

(O.J. No. C 131 of 5.6.1978)

Proposal for a decision amending Decision 76/345/Euratom adopting a research and training programme (1976 to 1980) of the European Atomic Energy Community in the field of fusion and plasma physics (9)

Sitting of 7 July 1978

(O.J. No. C 182 of 31.7.1978)

Proposal for a directive amending Directive 77/799/EEC concerning mutual assistance by the competent authorities of the Member States in the field of direct taxation (3)

Proposal for a decision modifying Decision 74/642/EEC adopting a research and training programme for the European Atomic Energy Agency Community on plutonium recycling in light-water reactors (9)

Sitting of 15 September 1978

(O.J. No. C 239 of 9.10.1978)

Proposal for a regulation on the procedure for amending the tariff nomenclature used for agricultural products (10)

Sitting of 13 October 1978

(O.J. No. C 296 of 6.11.1978)

Proposal for a regulation amending Regulation (EEC) No. 950/78 on the Common Customs Tariff (10)

Proposal for a regulation amending Regulation (EEC) No. 1544/69 on the tariff treatment applicable to goods contained in travellers' personal luggage (10)

Proposal for a directive amending Directive 75/726/EEC on the approximation of the laws of the Member States concerning fruit juices and certain similar products (8)

Proposal for a regulation opening, allocating and providing for the administration of a Community tariff quota for fresh or chilled tomatoes falling within subheading ex 07.01 M of the Common Customs Tariff, originating in the African, Caribbean and Pacific States and in the overseas countries and territories (11)

Proposal for a regulation on the total or partial suspension of Common Customs Tariff duties on certain products, falling within Chapters 1 to 24 of the Common Customs Tariff, originating in Malta (1979) (10)

Proposals for :

- I. a regulation opening, allocating and providing for the administration of a Community tariff quota for Malaga wines falling within heading No. ex 22.05 of the Common Customs Tariff, originating in Spain (1979/80)
- II. a regulation opening, allocating and providing for the administration of a Community tariff quota for wines from Jumilla, Priorato, Rioja and Valdepeñas falling within heading No. ex 22.05 of the Common Customs Tariff, originating in Spain (1979/80)
- III. a regulation opening, allocating and providing for the administration of a Community tariff quota for sherry falling within heading No. ex 22.05 of the Common Customs Tariff, originating in Spain (1979/80) (10)

Proposals for :

- I. a regulation opening, allocating and providing for the administration of Community tariff quotas for Madeira wines falling within heading No. ex 22.05 of the Common Customs Tariff, originating in Portugal (1979/80)
- II. a regulation opening, allocating and providing for the administration of Community tariff quotas for Setubal muscatel wines falling within heading No. ex 22.05 of the Common Customs Tariff, originating in Portugal (1979/80)
- III. a regulation opening, allocating and providing for the administration of Community tariff quotas for port wines, falling within heading No. ex 22.05 of the Common Customs Tariff, originating in Portugal (1979/80) (10)

Proposals for :

- I. a fourth directive amending Directive 69/169/EEC on the harmonization of provisions laid down by law, regulation or administrative action relating to exemption from turnover tax and excise duty on imports in international travel
- II. a second directive amending Directive 74/651/EEC on the tax reliefs to be allowed on the importation of goods in small consignments of a non-commercial character within the Community

III. an amendment to the proposal for a directive on the exemption from taxes on importation of small consignments from third countries of goods of a non-commercial nature (10)

Proposal for a directive amending Directive 72/159/EEC on the modernization of farms (6)

Sitting of 17 November 1978  
(O.J. No. C 296 of 11.12.1978)

Draft concerning a regulation on the importation free of Common Customs Tariff duties of materials for the use of the blind and other handicapped persons (10)

Draft concerning a regulation amending Regulation (EEC) No. 1798/75 on the importation free of Common Customs Tariff duties of educational, scientific and cultural materials (10)

Proposal for a regulation amending Regulation (EEC) No. 1108/70 introducing an accounting system for expenditure on infrastructure in respect of transport by rail, road and inland waterways (7)

Proposals for :

- I. a directive on the indication by labelling of the energy consumption of domestic appliances
- II. a directive applying to electric ovens the Council Directive on the indication by labelling of the energy consumption of domestic appliances (9)

Proposal for a directive amending Directive 64/433/EEC on health problems affecting intra-Community trade in fresh meat (8)

Proposal for a regulation opening, allocating and providing for the administration of a Community tariff quota for wines from fresh grapes and grape must with fermentations arrested by the addition of alcohol, falling within subheading No. 22.05 of the Common Customs Tariff and originating entirely in Greece (10)

Proposal for a regulation on the total or partial suspension of Common Customs Tariff duties on certain agricultural products originating in Turkey (1979) (10)

Proposal for a regulation opening, allocating and providing for the administration of a Community tariff quota for frozen beef and veal falling within subheading 02.01 A II b) of the Common Customs Tariff (1979) (6)

Proposal for a decision amending Decision 77/186/EEC on the exporting of crude oil and petroleum products from one Member State to another in the event of supply difficulties (9)

Proposal for a decision concerning the acceptance by the Community of Resolution No. 119 (revised) of the Economic Commission for Europe on the standardization of the forms used for authorization for international goods transport by road (7)

Proposals for :

- I. a regulation amending Regulations (EEC) No. 1508/76, (EEC) No. 1514/76 and (EEC) No. 1521/76 on imports of olive oil originating in Tunisia, Algeria and Morocco (1978/79)
- II. a regulation amending Article 9 of Regulation (EEC) No. 1180/77 on imports into the Community of certain agricultural products originating in Turkey (1978/79) (10)

Proposals for regulations on consolidated texts relating to the wine sector (2)

Proposal for a regulation suspending application of the condition to which the importation into the Community of certain types of citrus fruit originating in Spain is subject by virtue of the Agreement between the Community and that country (10)

Sitting of 15 December 1978

(O.J. No. C 6 of 8.1.1979)

Proposal for a directive amending for the 14th time Directive 64/54/EEC on the approximation of the laws of the Member States concerning the preservatives authorized for use in foodstuffs intended for human consumption (8)

Proposal for a regulation extending the period of validity of Regulation (EEC) No. 3328/75 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States (11)

Sitting of 19 January 1979

(O.J. No. C 39 of 12.2.1979)

Proposal for a regulation extending the period of validity of Regulation (EEC) No. 2862/77 on levies applicable to imports of certain adult bovine animals and beef from Yugoslavia (10)

Sitting of 16 February 1979

(O.J. No. C 67 of 12.3.1979)

Proposal for a directive amending Directive 77/504/EEC on pure-bred breeding animals of the bovine species (6)

## NUMERICAL ORDER OF EUROPEAN PARLIAMENT COMMITTEES

1. Political Affairs Committee
2. Legal Affairs Committee
3. Committee on Economic and Monetary Affairs
4. Committee on Budgets
5. Committee on Social Affairs, Employment and Education
6. Committee on Agriculture
7. Committee on Regional Policy, Regional Planning and Transport
8. Committee on the Environment, Public Health and Consumer Protection
9. Committee on Energy and Research
10. Committee on External Economic Relations
11. Committee on Development and Cooperation
12. Committee on the Rules of Procedure and Petitions

## Texts of Resolutions

### RESOLUTION

on draft amending and supplementary budget No 2 of the European Communities for the 1978 financial year, drawn up by the Council

*The European Parliament,*

- having regard to the preliminary draft amending and supplementary budget No 1 of the European Communities for the 1978 financial year (COM(78) 25),
  - having regard to the draft amending and supplementary budget No 2 of the European Communities for the 1978 financial year, drawn up by the Council (Doc. 565/77),
  - having regard to the report of the Committee on Budgets (Doc. 581/77),
- (a) Recalling its view that a supplementary budget should have the hallmarks of exceptional, unavoidable and unforeseen circumstances;
- (b) Conscious of the acute and exceptional nature of the crises in the steel and textile sectors of the Community;
- (c) Aware of the need for the milk sector co-responsibility levy to be adequately reflected in the budget;

*As to receipts*

1. Deplores, once again, that the VAT based system of own resources is not in operation as had been envisaged when the 1978 budget was being adopted;
2. Notes with concern that the full picture as regards the inflow of receipts is not apparent in the budget, because of the operation of various arrangements including those stemming from Article 131 of the Treaty of Accession;

*As to staff for the new measures in the steel and textile industries*

3. Recognizes that grave problems for production and employment have arisen in the steel and textile industries of Europe and these pose serious difficulties that require to be tackled at the Community level;
4. Reaffirms its view, already accepted in part by the Commission, that a substantial number of the posts needed to carry out the coordinating, monitoring and reorganizing work in relation to the steel and textiles sectors should be of a temporary nature and, in order to assess how far this policy has proved possible, asks the Commission to review the position in June;

5. Finds it unusual that the Commission could assert that, at this early point in the financial year, the funds needed for the staff posts required by the new measures might be found within the budget, which could imply that appropriations voted for other policies will not now be used as intended originally by the budgetary authority;

*Financial contribution of milk producers*

6. Notes that these proposals attempt to render more transparent the measures for easing structural surpluses of milk products arising from market imbalances and will re-examine the presentation, in the course of its deliberations on the 1979 budget, with a view to full budgetization of the financial contribution of milk producers;

*As to the assumption by the budget of financial obligations connected with fishing in the Adriatic.*

7. Approves the assumption by the Community of certain financial obligations connected with fishing in the Adriatic;

8. Considers, however, that this charge will require to be incorporated in the provision to be made in future budgets for the wider Community fishing policy;

*As regards the extension of the EEC overall guarantee for the loans accorded by the European Investment Bank to the Lebanon*

9. Regards it to be appropriate, and in accordance with the frequently expressed policy of the European Parliament, that the budget guarantee should be extended to cover loans accorded by the EIB to the Lebanon;

10. Will re-examine the form of the budgetization of the guarantee in the context of the 1979 draft budget when it will consider the most appropriate approach;

*Conclusion*

11. Approves this draft amending and supplementary budget No 2 for the 1978 financial year.

## RESOLUTION

### on the creation of a European Foundation with a view to fostering public support for European objectives and policies

*The European Parliament,*

- considering that the report by Mr Tindemans on European Union <sup>(1)</sup> proposes that the European Council should create a European Foundation whose object would be 'to promote . . . anything which could help towards greater understanding among our peoples' and which would also have a role to play 'in presenting abroad the image of a United Europe'.
  - believing that such a Foundation, by developing greater understanding of the European Community and the rich diversity of the European heritage, would help 'to lay the foundations of an ever closer union among the peoples of Europe', which is one of the objectives written into the preamble to the EEC Treaty,
  - having regard to the communication from the Commission to the Council of the Community <sup>(2)</sup> containing suggestions as to the scope, objectives, structure and financing of this Foundation,
  - having regard to the motion for a resolution (Doc. 4/77),
  - having regard to the report of its Political Affairs Committee (Doc. 575/77),
1. Welcomes the decision of principle taken by the European Council of 5 and 6 December 1977 with regard to the creation of a European Foundation;
  2. Calls upon the Commission to submit suitable proposals as soon as possible on the basis of Article 235 of the EEC Treaty;
  3. Will deliver its opinion, during the consultation procedure laid down by the Treaty, on the scope, objectives, structure, financing and parliamentary supervision of the Foundation;
  4. Instructs its President to forward this resolution to the European Council and to the Council and Commission of the European Community.

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<sup>(1)</sup> Doc. 481/75, Chapter IV, Conclusion.

<sup>(2)</sup> COM(78) 51 fin.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council on the fixing of prices for certain agricultural products and on certain related measures for the 1978/79 marketing year

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council (COM(77) 525, 639 and 490 fin.),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 479/77),
- having regard to the report of the Committee on Agriculture and the opinions of the Committee on Budgets and the Committee on the Environment, Public Health and Consumer Protection (Doc. 579/77),
- having regard to the report on the agricultural situation in the Community in 1977 (Doc. 510/77),
- having regard to the Communication from the Commission of the European Communities to the European Parliament and the Council on the stocktaking of the common agricultural policy (Doc. 529/74),
- having regard to the Commission's memorandum on the improvement of the common agricultural policy (Doc. 251/73),
- whereas price policy should contribute to ensuring fair incomes to producers, reasonable prices to consumers and to maintaining market equilibrium,
- whereas agricultural incomes are still frequently lower than those in other sectors; whereas, moreover, they are extremely unstable and differ widely from one Member State and region to another,
- whereas serious market imbalances exist in a number of agricultural sectors,
- whereas it has become evident that in a number of sectors price policy alone cannot bring about market equilibrium and reduce regional imbalances in income,
- whereas improvements to market organizations and effective measures in the structural sector are required in order to achieve a fairer income to the family farm, to improve market balance and to ensure supplies to consumers at reasonable prices,
- whereas account must be taken of the relative trends in production between agricultural sectors and in particular deficit and surplus situations,
- whereas consideration must be given to the economic policies of Member States and international trade policy objectives within the current GATT negotiations,

### General considerations

1. Regrets the increasing disparity in incomes between states and regions and the fact that the CAP has not been able to ensure adequate income to the family farm;
2. Considers that present policies provide the greater assistance to the larger producers, in so far as they can have an unequal effect on large and small producers;
3. Considers that, in certain sectors, price increases beyond those proposed by the Commission will increase the problems of surplus production and so make it more difficult to implement the aims laid out in Article 39 of the EEC Treaty;
4. Welcomes the statements made by Mr Jenkins, when presenting the Commission's work programme on 14 February of this year, on the wisdom of pursuing a moderate prices policy designed to reabsorb surpluses;
5. Believes that pricing policy alone will not solve the problems of producers in the various sectors and regions;

6. Points out that, in certain sectors, the present intervention mechanisms have failed to maintain market prices at reasonable levels, so undermining producers' incomes, and therefore need to be strengthened;
7. Considers that efforts should be made to increase production in deficit sectors, particularly vegetable proteins;
8. Reaffirms that Community structural policy for agriculture, with greater Community participation in all the more-disadvantaged agricultural areas, constitutes, together with the price policy, a major instrument in tackling some widespread farm problems of the Community and considers that the Council should, as a matter of urgency and in parallel with the price discussions, press forward with its work on the Commission's proposals to improve structural policy;
9. Considers that the EAGGF Guidance Section should be greatly enlarged and reconstituted in the form of a Rural Fund analogous to the present Regional Fund; this fund would, by virtue of its wider brief and more comprehensive perspective, undertake agricultural structural reform more quickly and effectively, as a result of properly viewing agriculture as just one element of the social and economic structure of rural areas of the Community;
10. Considers the Commission's proposals to be an important step forward in developing a more coherent strategy to tackle the main problems facing Community agriculture, particularly in view of the extension of direct aid to encourage deficit products;
11. Is seriously concerned at the constant breaches of the unity of the internal market, which are now no longer confined merely to sectors that have not yet been organized in the Community but are finally affecting even sectors such as that of wine, for which the Commission proposes a minimum price regime, which is a serious attack on the principle of the free movement of this product;
12. Urges that the Community bodies draw up a realistic and coherent trade policy with third countries on the basis of the difference between what the Community produces itself and what it requires;
13. Considers that the common agricultural policy should be modified to provide Community aid geared individually to the size and characteristics of farms, the productive sectors and the geographical areas, so as not to increase the imbalances between them;
14. Considers that the common agricultural policy must become an effective means of achieving a better socio-economic balance in the Community, based on the financing of structural and production programmes designed to take into account the needs and characteristics of the different regions; considers that these measures should be used to stimulate supply and demand in agricultural products, taking account of the need to contain inflation by bringing the balance of payments of some Member States into equilibrium and preventing the formation of costly surpluses;
15. Calls upon the Council, in the discussion of the present price proposals, to take their decisions within the framework of a coherent Community agricultural strategy; encourages the Commission to take further steps to develop a coherent Community agricultural strategy, and believes that a more thorough review of present support mechanisms must be undertaken;

#### **Price proposals**

16. Notes that the evolution of the common price is not an accurate indicator of the effective level of price support in the Community; notes also that the average level of price support expressed in some national currencies has increased more rapidly than the common price in units of account; and that the dismantling of monetary compensatory amounts through the adjustment of green rates has only partly removed the disparities in incomes between the various Community countries resulting from currency disturbances;

17. Approves the Commission's proposal for an overall price increase of 2 %, but considers that there should be no increase for products in structural surplus;
18. Requests, furthermore, that the Benelux countries be allowed to implement special measures, such as fiscal relief or a direct income subsidy, to compensate for exceptional cost increases which would not otherwise be offset, on condition that such measures have a social or structural nature and be strictly limited to a 12 month period;
19. Requests that the objective method be refined and made easily understood by the ordinary farmer, to allow for trends in agricultural incomes to be more accurately taken account of, and to ensure that justice is seen to be done in future annual farm price negotiations;

#### Monetary proposals

20. Stresses, however, that, in making green rate adjustments, consideration must be given to problems facing particular countries and, in particular, those with both revalorized currencies and high rates of inflation;
21. Believes therefore that the progressive elimination of green rates is desirable, consonant with the economic and agricultural problems facing the several Member States; further believes that MCAs, whilst a valuable short-term cushion against sudden currency fluctuations to farmers in countries with revalued currencies or consumers in countries with devalued currencies, cause distortions in agricultural trade very quickly;
22. Urges that a rapid decision be taken on the Commission's proposal to amend the price level to be taken into account for the calculation of monetary compensatory amounts for those sectors where the market price is not determined directly by the intervention price, such decision to be taken in the context of an overall programme to eliminate MCAs;
23. Notes the Commission's statement that the present unit of account is no longer an accurate indicator of the effective level of price support in the Community and that the use of the European unit of account in the agricultural sector would enable the annual fixing of prices to be carried out in a more transparent manner; but notes also the Commission view that the use of the European unit of account would not in itself result in any fundamental change in the impact of monetary instability on the common agricultural policy or eliminate the need for monetary compensatory amounts;
24. Urges, therefore, the early introduction of the European unit of account in the agricultural sector, but in such a way that it does not have an adverse effect on the internal cohesion of the agricultural market; urges, therefore, that the Commission's examination of this issue be completed quickly;
25. Considers that the abolition of monetary compensatory amounts and the introduction of the European unit of account into agricultural policy are only preliminaries to the establishment for the first time of a real common agricultural policy, and accordingly supports as a matter of priority the initiatives of the President of the Commission, Mr Jenkins, towards the early introduction of economic and monetary union;

#### Vegetable products

26. Considers that the differentiation between cereals of bread-making quality and those destined for fodder has led to greater market flexibility, improved balance between cereals and a more rational use of Community-produced cereals;
27. Requests that, in the absence of a Council decision regarding the definition of average quality for soft wheat of bread-making quality, the proposed reference price should apply to the minimum quality and not the average quality; further requests a review of the intervention system envisaged for the last two months of the marketing year (Article 3 (3), second subparagraph of the basic Regulation (EEC) No 2727/75), so as to guarantee producers the highest intervention price;

28. Rejects the Commission's proposal to fix the threshold price at the beginning of the marketing year in accordance with the management committee procedure by modifying Article 5 of the basic Regulation (EEC) No 2727/75;
29. Stresses the need to establish strict quality criteria for durum wheat taken into intervention; points out that there is a shortage of durum wheat in the Community and that in 1977 production of this commodity dropped; believes that this demonstrates the need to encourage its production, not discourage it by reducing the target price and intervention price; considers the narrowing of the price ratio between durum and soft wheat unjustifiable and excessive; requests, for all these reasons, an increase in the target price and intervention price of durum wheat similar to that granted to other products; requests that price support per hectare be maintained in all regions in which it was applied last year because of the objective difficulties facing those regions: difficulties in using the soil for other crops, poor areas, low yield per hectare, etc;
30. Notes the large quantities of rye being offered for intervention and believes that only rye of bread-making quality should be eligible for intervention;
31. Considers that measures for rice should be adopted at Community level aimed at encouraging production of types more suitable to the European market; calls, moreover, for a review of the calculation of the Vercelli/Duisburg transport costs which the producers consider to be too low;
32. Has the greatest reservations about the effectiveness of the new system of market organization for olive oil, since it is likely to prove difficult to implement and lead to distortions and abuse; emphasizes the need to extend aid directly to the olive producers, on the understanding that it will not be reduced, by making use of the experience already gained and improving the present system to reduce the delays in payment; requests that the Commission submit within two years a report to the European Parliament and the Council on the working of the new market organization and, in particular, its impact on the incomes of producers;
33. Does not believe that the proposed increase for sunflower and cotton seed and soya is sufficient in view of the unsatisfactory production trends;
34. Believes that a variable aid to soya, paid according to yield, will give greater encouragement to the more efficient producers;
35. Welcomes the Commission's proposals to encourage the Community production of vegetable proteins and in particular dried fodder and peas and field beans, but expresses concern that the numbers of producers taking advantage of the proposals may be limited by the method of calculating aid and restrictions imposed relating to the obligation for processors to conclude contracts with producers and urges the Commission to include lupins among the crops to be assisted in the vegetable protein and oil sectors;
36. Requests, as regards cereals for fodder, the alignment of the intervention prices for grain fodder, barley and maize on the lowest price, i.e. that of maize with a view to discouraging production of barley, of which there is at present a surplus, and increasing the price difference between soft wheat for fodder and wheat of bread-making quality, thus providing an incentive to improving quality and reducing recourse to imported protein products by making it less attractive;
37. Requests that Italy again be granted, for 1978, a reduction in the levy on cereals for fodder imported by sea;
38. Believes that there are still reasonable grounds for the limited aid paid to the production of seeds;
39. Welcomes the fact that premiums paid to varieties of tobacco (Beneventano and Erzegovina), for which there is a persistent imbalance between supply and demand, have not been increased; requests that this new orientation of policy be maintained as long as required by market conditions;
40. Notes that in 1976/77 sugar imports amounted to 1 570 000 tonnes and guaranteed price exports to 1 779 000 tonnes, while the Community surplus can be considered to be in the region of 3.5 million tonnes;
41. Considers it essential, therefore, that the Council, as a minimum, adopt the Commission's proposal to reduce the maximum sugar quota from 135 % to 120 % of the basic quota;

42. Believes that, for fruit and vegetables, there should be a strengthening of quality criteria for produce intended for processing and the processed products; welcomes, as an initial step, measures to encourage the use of approved contracts between producers and the processing industry; and considers that the hierarchy of the processing refunds should be better adapted to the different varieties;
43. Welcomes steps to modify the system of reference prices in such a way that they are no longer tied to intervention prices, the aim being to prevent production for the sole purpose of intervention and to improve the operation of the system as regards the regulation of imports; as regards citrus fruits, calls for the retention of the penetration premium for lemons at the same level; demands the strengthening of the reference price system so that it can be effectively respected;
44. Believes that the Commission's 'Mediterranean' proposals are an essential first step towards improving the incomes of the fruit and vegetable and wine producers; accepts the proposals submitted by the Commission for an increase in the price of wine;
45. Expresses concern that the present distillation system for wine may encourage producers to seek quantity rather than quality, whereas the production of quality wines must be the essential aim of policy in this sector;
46. Rejects the proposal to introduce the principle of a minimum price for wine marketing, because this is a partial and punitive measure which is liable to result in an excessive increase in distillation costs;
47. Insists on the early adoption of a Community regime for the potato and alcohol markets;

#### Dairy sector

48. Notes that milk production is increasing despite a decrease in area and cow numbers and that consumption, apart from cheese, is at best stable;
49. While considering that it is too soon to gauge the effect of the action programme to restore balance in the milk sector, calls for better incentives to promote diversification of dairy products, thereby reducing the production of intervention products;
50. Points out that a large number of producers are dependent on the milk sector for their income and have little alternative production available to them;
51. Believes that regional specialization of production should be encouraged with greater emphasis on grass-based production;
52. Considers it essential that there be measures to encourage consumption, including advertising and marketing programmes; believes that occasional special sales of butter at a reduced price, such as 'Christmas butter', are valuable for their positive after-effects in providing publicity for stimulating consumption; and considers surpluses can be further reduced by subsidizing butter sold to socially disadvantaged groups, such as senior citizens and families on social security;
53. Calls on the Commission to present, as soon as possible, an initial report on the application and effect of the co-responsibility levy in the individual Member States;
54. Believes that greater emphasis should be placed on quality production and the marketing requirements of the export markets;
55. Considers that greater aid should be given to cheese production which represents a sector for which consumption and export possibilities are increasing; therefore, in view of the fact that Italy, which has a shortage of dairy products, does not use the intervention system provided for such products, calls on the Council to extend the system of private storage already laid down for Grana padano and Parmigiano reggiano to 'Provone' cheese;
56. Invites the Commission to draw up a systematic plan for the transfer of powdered milk to, and its direct storage in, regions where required, so as to increase the use of this product in fodder for calves, thus reducing existing stocks;

## Meat and poultry sectors

57. Does not believe that the present beef and veal market organization has provided adequate incomes to producers or reasonable prices to consumers and considers that, due to the nature of the market, these aims cannot be achieved by a simple intervention system;
58. Believes, therefore, that as a preliminary step the Commission's proposals for a limited direct payment system by means of variable premiums should be introduced, so as to encourage consumption and safeguard the incomes of producers of beef breeds;
59. Recalls the Commission's intention to introduce proposals to encourage inter-professional organizations in the poultry and egg sectors and the European Parliament's request that such proposals be forwarded with the minimum of delay;
60. Insists on the early adoption of a common organization of the market for sheepmeat based on the established principles of the common agricultural policy;
61. Considers that food-aid programmes, particularly for butteroil and cereals, should be increased further, on a multi-annual basis, and integrated in the agricultural development plans of the beneficiary countries.

## Budgetary aspects

62. Invites the Commission to propose, for the 1979 financial year, a system of budgetizing revenue and expenditure connected with the co-responsibility levy on milk which fully guarantees Parliament's budgetary rights;
63. Also invites the Commission to submit, in the preliminary draft budget for the 1979 financial year, proposals capable of solving satisfactorily in future the problems connected with agricultural supplementary budgets;
64. Reserves the right to initiate the conciliation procedure should the Council intend to depart from this opinion.

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## RESOLUTION

### on the kidnapping of Mr Aldo Moro, President of the Italian Christian-Democratic Party

*The European Parliament,*

— having been informed of the kidnapping by terrorists, in circumstances of unparalleled violence, of Mr Aldo Moro, *President of the Italian Christian-Democratic Party* and one of the most prominent figures of European democracy,

1. Unreservedly condemns all methods of pursuing political ends which pose the gravest threat not only to human life but also to freely elected democratic institutions;
2. Expresses its fullest solidarity with the Italian democratic movement in the face of a particularly difficult situation;
3. Expresses the deepest concern for Mr Moro's personal safety;
4. Requests its President to convey Parliament's condolences to the families of those who lost their lives in the exercise of their duties.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation amending Regulation (EEC) No 3330/74 on the common organization of the market in sugar
- II. a Regulation amending Regulation (EEC) No 1111/77 laying down common provisions for isoglucose

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 422/77),
  - having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 566/77),
1. Considers that the quantities of sugar which it will be possible to export with the refunds provided for in the first proposal are too small to reduce the present structural imbalance on this market;
  2. Recommends, therefore, that the Community should seek other markets for sugar, both inside and outside the Community, by granting subsidies to Community consumers and by increasing food aid in the form of sugar;
  3. Welcomes the fact that the Commission has provided for export refunds for isoglucose;
  4. Approves the Commission's proposals, but requests it to incorporate the following amendments in its proposals pursuant to Article 149, second paragraph, of the EEC Treaty.

<sup>(1)</sup> OJ No C 285, 26. 11. 1977, p. 8.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

### I.

**Council Regulation amending Regulation (EEC) No 3330/74 on the common organization of the market in sugar**

Preamble and recitals unchanged

#### *Article 1*

Article 8 (1) of Regulation (EEC) No 3330/74 is hereby amended to read as follows:

#### *Article 1*

Article 8 (1) of Regulation (EEC) No 3330/74 is hereby amended to read as follows:

<sup>(1)</sup> For complete text see OJ No C 285, 26. 11. 1977.

1. Subject to Article 31 (2), the storage costs in respect of:

- white sugar,
- raw sugar,
- syrups produced prior to the crystallizing stage,
- syrups produced by dissolving crystallized sugar,

manufactured from beet or cane harvested in the Community, shall be reimbursed at a flat rate by the Member States.

The storage costs shall also be reimbursed at a flat rate by the Member States in the case of preferential sugar:

- imported in the form of raw sugar,
  - imported in the form of white sugar,
- and in the case of
- white sugar produced by the refining in the Community of preferential raw sugar,
  - syrups produced after the dissolving in the Community of preferential sugar,
  - syrups produced in the Community directly from preferential raw sugar.

The Member States shall, *according to the circumstances*, impose a levy:

(a) on each sugar manufacturer, as appropriate:

- by unit of weight of sugar produced,
- or
- by unit of weight of syrups referred to in the first subparagraph, produced prior to the crystallizing stage and marketed in their natural state;

(b) on each importer of preferential sugar, by unit of weight of sugar imported and marketed in its natural state;

1. Subject to Article 31 (2), the storage costs in respect of:

- white sugar,
- raw sugar,
- syrups produced prior to the crystallizing stage,
- syrups produced by dissolving crystallized sugar,

manufactured from beet or cane harvested in the Community, shall be reimbursed at a flat rate by the Member States.

The storage costs shall also be reimbursed at a flat rate by the Member States in the case of preferential sugar:

- imported in the form of raw sugar,
  - imported in the form of white sugar,
- and in the case of
- white sugar produced by the refining in the Community of preferential raw sugar,
  - syrups produced after the dissolving in the Community of preferential sugar,
  - syrups produced in the Community directly from preferential raw sugar.

The Member States shall impose a levy on behalf of the Community:

(a) on each sugar manufacturer, as appropriate:

- by unit of weight of sugar produced,
- or
- by unit of weight of syrups referred to in the first subparagraph, produced prior to the crystallizing stage and marketed in their natural state;

(b) on each importer of preferential sugar, by unit of weight of sugar imported and marketed in its natural state;

(c) on each refiner of preferential sugar, by unit of weight of refined sugar; the manufacture of syrups produced directly from preferential raw sugar being considered, for the purpose of imposing the levy, as refining.

The amount of the reimbursement shall be the same for the entire Community. This rule shall also apply in respect of the levy applicable in each of the cases referred to in (a) on the one hand and (b) and (c) on the other hand.

(c) on each refiner of preferential sugar, by unit of weight of refined sugar; the manufacture of syrups produced directly from preferential raw sugar being considered, for the purpose of imposing the levy, as refining.

The amount of the reimbursement shall be the same for the entire Community. This rule shall also apply in respect of the levy applicable in each of the cases referred to in (a) on the one hand and (b) and (c) on the other hand.

Articles 2 and 3 unchanged

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## II.

**Council Regulation amending Regulation (EEC) No 1111/77 laying down common provisions for isoglucose**

Preamble, recital and Article 1 unchanged

### *Article 1a*

Article 9 (1) of Regulation (EEC) No 1111/77 is hereby amended to read as follows:

'1. Member States shall impose a production levy on manufacturers of isoglucose on behalf of the Community.'

Articles 2 and 3 unchanged

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## RESOLUTION

on measures to be taken in connection with the removal of radioactive waste as part of Community energy policy, and embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for

- a draft Council resolution on the implementation of a Community plan of action in the field of radioactive waste,
- a draft Council Decision on the setting up of a high-level committee of experts responsible for assisting the Commission in the implementation of the plan of action in the field of radioactive waste,
- a draft Council Decision on the setting up of an *ad hoc* committee on the reprocessing of irradiated nuclear fuels

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Docs. 255/77 and 242/77),
- having regard to the report of the Committee on Energy and Research and the opinion of the Committee on the Environment, Public Health and Consumer Protection (Doc. 576/77 and Doc. 576/77 Annex),
- recalling its resolutions
  - of 17 January 1973 on the establishment of the Community structures for the permanent storage of radioactive waste <sup>(2)</sup>,
  - of 11 May 1976 on the need for a Community policy on the reprocessing of irradiated fuels and materials <sup>(3)</sup>,

1. Recalls its previous opinions pointing out the vital need for the Community to use nuclear fission as a means of energy production in the transition from conventional sources to future forms of energy;
2. Emphasizes that recourse to this source of energy is permissible only if it is accompanied by complete respect for standards of public safety and environmental protection;
3. Notes that a high level of safety has hitherto been achieved in the peaceful uses of nuclear energy;

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<sup>(1)</sup> OJ No C 249, 18. 10. 1977, p. 8 and OJ No 199, 20. 8. 1977, p. 2.

<sup>(2)</sup> OJ No C 4, 14. 2. 1973, p. 10.

<sup>(3)</sup> OJ No C 125, 8. 6. 1976, p. 14.

4. Stresses the Community's responsibilities in overcoming the technological, financial and, above all, psychological obstacles to the development of nuclear energy;
5. Considers in this connection that, in the public debate on nuclear energy, the Community and the political forces should fulfil their responsibilities by providing public opinion in the Member States with as much clear and objective information as possible, especially as regards problems associated with the completion of the fuel cycle;
6. Feels that a Community energy policy should at last be drawn up and must take account of the various aspects of a nuclear energy development policy, and recalls in this connection its opinions on the creation of a Community uranium enrichment capacity, the recycling of plutonium, the Community siting policy for nuclear power stations, the reprocessing of irradiated fuels and the fast breeder option;
7. Notes that the two communications from the Commission on a Community plan of action in the field of radioactive wastes and points for a Community strategy on the reprocessing of irradiated nuclear fuels reflect this concern to incorporate the whole nuclear fuel cycle in Community energy policy;
8. Requests the Commission to extend its field of action to the problems associated with the decommissioning of nuclear power stations with a view to defining an appropriate Community strategy;
9. Emphasizes the need to establish standards for the construction of nuclear power stations so that, during their lifespan, they can be maintained and ultimately dismantled more easily; instructs the committee responsible to study these aspects more closely;

**As regards points for a Community strategy on the reprocessing of irradiated nuclear fuels**

10. Points out that reprocessing enables uranium and plutonium to be recovered and used to make new fuel elements;
11. Emphasizes, moreover, that the Member States' choice in favour of fast breeder reactors presupposes the availability of the plutonium needed to operate them;
12. Stresses that the problems connected with the final disposal of unprocessed irradiated nuclear fuels have not as yet been solved and that processing has the advantage of reducing considerably the volume of radioactive wastes and probably also of shortening the period for which they must be stored;
13. Considers therefore that, both to save energy resources and to protect the environment, the Community and its Member States should pursue and improve the recovery and recycling of spent fuels discharged from nuclear reactors, that is, reprocessing;
14. Considers that the drawing up of a Community reprocessing strategy offers definite advantages from the point of view both of guarantees against the diversion of nuclear materials and of the economic viability of this technology (small number of plants of optimum size);
15. Approves the setting up of an *ad hoc* committee to assist the Community institutions in the definition of objectives and the means to achieve them in order to put into practice the programme proposed by the Commission;
16. Notes the Commission's proposal to use the Joint Undertaking provided for in the Euratom Treaty to promote the development of reprocessing;

17. Feels that one of the long-term objectives should be the setting-up of a limited number of reprocessing centres as a preliminary to effective Community 'nuclear fuel centres';
18. Requests the Commission to take all the necessary steps, above all as regards research and development programmes and the perfecting of new processes, to ensure that:
  - (a) the development of reprocessing is at all times compatible with the objectives of safety for the population of the Community and the protection of its environment,
  - (b) in conjunction with the IAEA the strictest possible measures are taken to prevent the diversion and misuse of nuclear materials;

**As regards a Community plan of action in the field of radioactive wastes**

19. Recalls that the principal aim of radioactive waste management and storage must be to ensure that the population and the environment are protected against the radiological hazards associated with such waste;
20. Notes the major progress achieved in radioactive waste management as a result of the research and development programmes of the Member States and the Community;
21. Considers, however, that research and development into waste management should be intensified still further and involve increasingly close cooperation at Community level;
22. Emphasizes, as it did in 1973, that the numerous problems connected with radioactive waste (industrial, financial, ecological, social) extend beyond national borders and can be solved only within a wider context, thus avoiding the need for individual Member States to take costly measures for final disposal and preventing the multiplication of radioactive waste depositories and an increase in the associated expenditure;
23. Feels that the Community plan of action reflects this aim of organizing the preparation of long-term Community solutions to the problem of radioactive waste; requests the Commission in particular to support all measures being taken in the Community to industrialize solidification processes for long-lived radioactive wastes;
24. Emphasizes the importance of completing — during the period covered by the Community action plan — research into geological formations suitable for storing radioactive wastes and studies to determine the properties of the containers that will have to hold them and the procedures for depositing them;
25. Considers the course of action outlined in the preceding paragraph to be the only one at present feasible; invites the Commission, however, to follow with the greatest attention studies and experiments aimed at finding other means of storage for long-lived radioactive wastes or at shortening drastically the period of their radioactive lives;
26. Calls on the Commission to harmonize the safety standards and security measures relating to radioactive waste as soon as possible and to monitor their application;
27. Welcomes the Commission's intention to go beyond its role as coordinator of a number of research programmes and to ensure total cooperation at Community level on all the problems relating to radioactive waste management and storage;
28. Is concerned, however, at a certain lack of proportion between these objectives and the means proposed to achieve them;

29. Regrets that in its proposal the Commission limits Community action to studies and analyses in connection with a possible Community storage network for radioactive waste and emphasizes that the size of the problem would justify more ambitious proposals;
30. Feels that the setting up of this network, under the joint responsibility of the Member States and the Community, represents the vitally important first stage in the internationalization of waste management, whose public service role would be incontestable;
31. Considers, moreover, that the Commission's proposals on periodically informing the public, the need for which has been repeatedly emphasized by Parliament, are inadequate, and expresses reservations about using the *Official Journal of the European Communities* for this purpose;
32. Approves, subject to the above reservations, the proposals submitted to the Council;
33. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision adopting a second three-year plan of action in the field of information and documentation in science and technology

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 232/77),
  - having regard to its resolution on the proposal for a first three-year plan of action in the field of information and documentation <sup>(2)</sup>,
  - having regard to the report of the Committee on Energy and Research and the opinions of the Committee on Budgets and the Committee on Economic and Monetary Affairs (Doc. 552/77),
1. Welcomes the objectives of the second plan of action, since their achievement will mark a significant step towards the creation of a common market in scientific and technical information;
  2. Congratulates the Commission on the laudable way in which it is building on results already achieved, so that Euronet may be consolidated and expanded;
  3. Stresses that the development of Euronet must continue to be based on arrangements concluded between the responsible public telecommunications authorities in the Member States and the Community;
  4. Emphasizes to the Commission the importance of the widest possible cooperation, not only with the parties linked into the telecommunications network, but with others, particularly third countries;
  5. Points out that, in cooperation with the parties to Euronet, the Commission must take action to ensure that all users, especially small and medium-sized research undertakings, can compete on equal terms;
  6. Criticizes, however, the delay in the forwarding of this document, tied as it is to specific dates, for Parliament's opinion, and urges the Community institution responsible to draw the appropriate conclusions when fixing its timetables;
  7. Disclaims any responsibility should the delays in the consultation procedure be such that a start cannot be made on this most welcome programme on time;

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<sup>(1)</sup> OJ No C 182, 30. 7. 1977, p. 2.

<sup>(2)</sup> OJ No C 32, 11. 2. 1975, p. 7.

8. Approves the Commission's proposal but requests the latter, pursuant to the second paragraph of Article 149 of the EEC Treaty, to incorporate the following amendment in its proposal, while emphasizing that any information relating to financial implications and staff requirements can only be taken as indicative until the budgetary procedure for the financial year in question has been completed, and that such information in no way imposes on the European Parliament any obligation in the exercise of its budgetary powers.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Decision adopting a second three-year plan of action in the field of information  
and documentation in science and technology**

Preamble, recitals and Articles 1 to 3 unchanged

ANNEX

ANNEX

Point 1 unchanged

Point 2, introductory paragraph and indents unchanged

Add a third indent to point 2:

‘— to improve access to information for small and medium-sized undertakings so that the development of a common market in scientific and technical information on the one hand produces more equal conditions of competition, while on the other it is in the common interest for all scientific and technical findings to be available for development and exploitation by the greatest possible number of undertakings.’

Rest of Annex unchanged

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<sup>(1)</sup> For complete text, see OJ No C 182, 30. 7. 1977, p. 2.

## RESOLUTION

### on the Community's regional policy and aid from the Fund from 1 January 1978

#### *The European Parliament,*

- having regard to Article 18 of Council Regulation (EEC) No 724/75 of 18 March 1975 establishing a European Regional Development Fund <sup>(1)</sup>, which stipulates that 'on a proposal from the Commission the Council shall re-examine this Regulation before 1 January 1978',
- having regard to Article 2 (2) of the said Regulation which states that 'When re-examining the Regulation as provided for in Article 18, the Commission shall in due course make the appropriate proposals for the Community's regional policy and for aid from the Fund during the subsequent period' <sup>(2)</sup>,
- having regard to the proposals from the Commission of the European Communities to the Council of 3 June 1977 concerning Community regional policy guidelines <sup>(3)</sup>,
- having regard to the favourable opinion of the European Parliament on these proposals delivered on 13 October 1977 <sup>(4)</sup>,
- having regard to the entry in the 1978 budget of commitment appropriations of 581 million EUA and payment appropriations of 525 million EUA for the European Regional Development Fund,

1. Deplores the fact that the Council has not yet taken a decision on the June 1977 proposals concerning the re-examination of the Regulation establishing the Regional Fund within the time limit it itself set under Article 18 of the Regulation;
2. Points out that a conciliation procedure must be initiated with the Council for general Community acts having important financial implications if the Council intends to depart from the opinion adopted by the Assembly, and that the adoption of the Regulation of 18 March 1975 establishing a European Regional Development Fund was preceded by a conciliation meeting with the Council on 5 March 1975;
3. Insists that a decision should be taken by the Council without delay to improve the operation of the Regional Fund and to strengthen the Community's regional policy in view of the fact that the Heads of State and Government gave 'high priority' to the implementation of a Community regional policy;
4. Points out that the Regional Fund established in March 1975 at the request of the Heads of State and Government is definitive in principle, whatever the results 'of the re-examination of the (basic) regulation';
5. Takes it for granted that if no Council decision is taken, the Commission will continue to apply the 1975 Regulation as regards financial aid from the Regional Fund on the basis that the appropriations entered in the 1978 budget must be allocated according to the scheme set out in Article 2 (1), which was applicable until the end of 1977, the national quotas having indicative value;
6. Instructs its President to forward this resolution to the Council and Commission and, for information, to the Governments and Parliaments of the Member States.

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<sup>(1)</sup> OJ No L 73, 21. 3. 1975, p. 1.

<sup>(2)</sup> Article 2 (1) stipulates the financial assistance from the Fund only for the period 1975/77.

<sup>(3)</sup> OJ No C 161, 9. 7. 1977.

<sup>(4)</sup> OJ No C 266, 7. 11. 1977, p. 35.

## RESOLUTION

on the European Parliament's guidelines for the budgetary and financial policy of the European Communities in 1979 (Part I: General budgetary and financial policy problems, institutional matters and budget law questions connected with the Revenue section)

### *The European Parliament,*

- having regard to the report of the Committee on Budgets (Doc. 3/78),
- conscious of its responsibilities in respect of the general budget of the European Communities,
- desiring to put forward its political views on the main budgetary and financial issues of the financial year 1979 at this preliminary stage in the budgetary procedure, thus making a constructive contribution to work on the meeting between Parliament's delegation and the Joint Council of Finance Ministers and Foreign Ministers,
- intending — in supplementation of this resolution, and at a later date — also to adopt guidelines on sectoral expenditure with an eye to the preparation of the preliminary draft budget;

1. Adopts the premise that — on the basis of the experience of recent financial years — even greater emphasis must be placed on the political nature of the budget of the European Communities;

### I. General problems of budgetary and financial policy

2. Considers it absolutely essential, therefore, that efforts should be made to solve the problems indicated below — if need be, in the framework of a conciliation procedure;

#### *The Community's borrowing policy*

3. Calls for a coherent Community borrowing policy, approved and controlled by the budgetary authority;
4. Recognizes the role of the EIB as an instrument of an effective Community borrowing policy but takes the view that political responsibility for this policy must remain with the Commission and the budgetary authority (Council and European Parliament);
5. Advocates, once again, the unequivocal budgetization of borrowing policy in a special account which must form part of the annual budget and show the scale of borrowing and lending each year; expenditure on Community sureties or guarantees must also be entered in this section;

#### *The European unit of account*

6. Calls for measures to ensure that the EUA is used not only as an accounting instrument in all sectors, but increasingly for the Community's payments, so that it can gradually come to serve as a parallel currency;

### *The budgetization of the European Development Fund*

7. Assumes that the need for the budgetization of the fifth European Development Fund is accepted by all the institutions and that appropriate measures will be taken as regards revenue and budgetary presentation; expects the Commission to submit a report on this matter, containing practical proposals for solutions;

### *Commitment authorizations and multiyear budgeting*

8. Considers it desirable that the presentation of multiyear commitment authorizations should be simplified in order to clarify entries for multiyear budgeting, and in particular their relationship to the Triennial Financial Estimates; however, this must be done in a manner which does not detract from the annuality of the budget and thus the powers conferred on the European Parliament by the Treaty;

### *Budgetary nomenclature*

9. Calls for the introduction of a simplified, transparent and more easily verifiable research budget, which is capable of showing the overall costs of research projects, permits a more flexible management of research measures, and brings the organization of expenditure into line with that of the budget;

### *Budget transparency*

10. Calls on the Commission to make vigorous efforts to integrate decentralized bodies into its administrative machinery in order to ensure budgetary transparency and adequate scope for budgetary control; in an intermediate stage, the budgetary documents of these bodies should at least be forwarded at the same time as the other general budgetary documents;

## II. Institutional problems

### *The executive power of the Commission*

11. Calls for the initiation of a conciliation procedure, as promised by the Council during the procedure for establishing the 1978 budget in order to clarify the matter of institutional spheres of competence in connection with the Commission's unlimited power, under Article 205 of the EEC Treaty, in respect of the implementation of the budget, and to settle all related problems, in particular

- the need for legislation in respect of the use of certain budgetary appropriations, which also covers the question of the legal nature of the 'remarks' column,
- the management committee procedure, and
- the freezing of appropriations on the line;

### *Budgetary and legislative powers*

12. Believes that, at present, an artificial distinction is drawn between budgetary and legislative powers, which can only be eliminated by increased parliamentary participation in legislative activities and thus calls for a new system of cooperation between Parliament and the Council; the increased use of the conciliation procedure constitutes a first step in this direction;

## III. Revenue

### *Sixth VAT directive*

13. Draws attention to the considerable importance it has attached in the last 10 years to the use of value added tax as a source of own resources, and calls upon those Member States which have not yet taken action to adopt without delay all the measures necessary to ensure that value added tax is used as a basis in the 1979 budgetary procedure and that difficulties similar to those caused by the return to GNP assessments for the 1978 budget are avoided;

### *Special forms of revenue*

14. Points out that, regardless of whether they represent own resources within the meaning of the decision of 21 April 1970, parafiscal forms of revenue must be incorporated in the budget structure by the budgetary authority within the limits of its powers;

15. Rejects the existence in the case of the co-responsibility levy in the milk sector, monetary compensatory amounts and possibly the sugar/isoglucose sector, of a revenue system that cannot ensure the collection of resources for the Community;

### *Financing of the ECSC budget*

16. Cannot accept that customs revenue in the ECSC sector is not counted as Community revenue and therefore calls for appropriate decisions;

### *Future financing options*

17. Takes the view that the limit of 1 % of the basis of assessment for value added tax will be reached merely as a result of the normal development of Community policy and the probable budgetization of additional Community activities, and that proposals must therefore be submitted for further methods of financing the Community's budget;

## **IV. Expenditure**

### *Sectoral guidelines*

18. Will decide on the sectoral guidelines, which are to be regarded as guiding principles for the preparation of the preliminary draft, only after submission of the opinions of the parliamentary committees and with account taken of the Commission's guidelines, and will submit Part II of this report on this subject;

19. Takes the view that the guidelines, which relate both to the general problems of budgetary and financial policy and to revenue and expenditure policy for 1979, must form the subject of full discussions between the two institutions forming the budgetary authority and must be adopted jointly by these institutions.

20. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

## RESOLUTION

### on equal pay for men and women in the Member States of the Community

*The European Parliament,*

- having regard to the motion for a resolution tabled by Mr Yeats, on behalf of the Group of European Progressive Democrats, and Mr Durieux, on behalf of the Liberal and Allies Group (Doc. 526/75),
- having regard to the interim report tabled by the Committee on Social Affairs, Employment and Education (Doc. 6/78),

1. Points out that Article 119 concerning equal pay for men and women, which is an integral part of the Treaty of Rome, 1957, has not yet been implemented fully in many Member States. The European Parliament and the Commission have both criticized the slowness of application, and urged Member States to bring in legislation giving full legal status on equal pay;

2. States with considerable concern that the situation of women at work both in relation to equal pay for equal work and equality of opportunity has deteriorated and fears that this state of affairs will not improve, but may, in fact, get worse because of the growing economic difficulties of the Member States;

3. Is of the opinion:

- (a) that the present Directives <sup>(1)</sup> for changes in relation to equal opportunity at work profoundly underestimate the size of the problems in the Member States, particularly in relation to the application of Article 119,
- (b) that, because of the need to improve working conditions for women in general, even in the present climate of economic difficulty, it is important that the Member States should be encouraged to go beyond the framework of existing legislation, and to apply fully the mandatory provisions of the Directive on equal pay,
- (c) that the Commission has only limited powers of monitoring the existing legislation in the Member States, but deplores the lack of urgency with which it appears to be encouraging the Member States to respond to Article 119;

4. Urges, therefore, that the Commission urgently implement the following proposals:

- (a) the publication of new statistical material covering all Member States on the subject of equal pay for women in order that present progress may be judged by the European Parliament,
- (b) the regular publication of such statistical data as also covers equality of opportunity,
- (c) that the Commission should ask for information from the Member States on the manner in which they are coping with the practical difficulties that they are encountering, and how they intend to improve the conditions of women at work;

5. Is, therefore, of the opinion that the Committee on Social Affairs, Employment and Education, whilst welcoming the legislation that has been passed in the Member States, would prefer to see a far more comprehensive, detailed and wide-ranging report on the basis of the new statistical data shortly to be made available to the Commission, but encompassing a wider examination of the social implications of the existing legislation;

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<sup>(1)</sup> OJ No L 45, 19. 2. 1975, p. 19: Council Directive of 10 February 1975 on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women (75/117/ECC)

OJ No L 39, 14. 2. 1976, p. 40: Council Directive of 9 February 1976 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.

6. Calls on the Committee on Social Affairs, Employment and Education to report as soon as possible to Parliament on the progress made to date in implementing throughout the Community the principle of equal pay;
7. Instructs its President to forward this resolution to the Council and Commission.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive amending for the fifth time Directive 73/241/EEC on the approximation of the laws of the Member States relating to cocoa and chocolate products intended for human consumption

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 485/77),
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 15/78),
1. Notes once again that the European Parliament is pressed for time as a result of the Commission's late submission of an important proposal amending the basic Directive;
  2. Stresses yet again that, from the point of view of the protection of the health of consumers, it disapproves of the extension of special temporary measures on the use of additives in cocoa products in certain Member States, an arrangement which makes the operation of a common market unnecessarily difficult;
  3. Urges the Commission to expedite the investigations by the Scientific Committee for Food into the use of these additives, and to notify the European Parliament of the results of these investigations;
  4. Takes the view, therefore, that the present proposal should extend the use of these additives only for a short time, pending conclusion of the scientific investigations;
  5. Expects the Commission to submit in good time its proposal on the further authorization under certain conditions of the use in foodstuffs of a number of additives listed in Annex II to Directive 74/329/EEC, in order to permit the Council to take a decision by 1 July 1979 at the latest;
  6. Approves the Commission's proposal, but requests it to adopt the following amendments pursuant to the second paragraph of Article 149 of the EEC Treaty.

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(1) OJ No C 8, 10. 1. 1978, p. 2.

**Council Directive amending for the fifth time Directive 73/241/EEC on the approximation of the laws of the Member States relating to cocoa and chocolate products intended for human consumption**

Preamble and recitals 1 to 4 unchanged

*Recital 5*

Whereas the aforementioned Annex II provides in paragraph 2(b) for the possibility of including these substances in Annex I before 1 January 1978; whereas a new examination of the conditions of use of the said substances has led to the conclusion that a decision on their use in the Community cannot be taken by the said date; *whereas the deadline must therefore be withdrawn and the Member States must be authorized to use these substances;*

*Recital 5*

Whereas the aforementioned Annex II provides in paragraph 2(b) for the possibility of including these substances in Annex I before 1 January 1978; whereas a new examination of the conditions of use of the said substances has led to the conclusion that a decision on their use in the Community cannot be taken by the said date; **whereas the deadline for the continued application in the relevant Member States of national legislation on the use of the said substances must therefore be extended to 30 June 1979 at the latest;**

*Recital 6*

*Whereas there continues to be a technological need for the use of phosphoric acid as a neutralizing agent in cocoa products in certain Member States, even if not throughout the Community; whereas this is a permanent need;*

*Recital 6*

deleted

*Recital 7*

*Whereas, pending the adoption of Community provisions on the use of flavouring substances in foodstuffs, it should be possible for Member States to be able to continue to use other substances than those listed in paragraph 5 (a) of Annex I to Directive 73/241/EEC;*

*Recital 7*

deleted

*Recital 8*

Whereas, finally, Council Directive 74/329/EEC of 18 June 1974 on the approximation of the laws of the Member States relating to emulsifiers, stabilizers, thickeners and gelling agents for use in foodstuffs <sup>(2)</sup> allows Member States, for five years after notification, to authorize the use of the emulsifiers listed in Annex II to Directive 72/241/EEC; whereas, therefore, the same period should be adopted for the purposes of this Directive;

*Recital 8*

Whereas, pursuant to Article 3 of Directive 74/329/EEC of 18 June 1974 on the approximation of the laws of the Member States relating to emulsifiers, stabilizers, thickeners and gelling agents for use in foodstuffs <sup>(2)</sup>, the Council must decide, before 1 July 1979, whether the use of the substances mentioned in Annex II may continue to be authorized;

<sup>(1)</sup> For complete text, see OJ No C 8, 10. 1. 1978, p. 2.  
<sup>(2)</sup> OJ No L 189, 12. 7. 1974, p. 1.

<sup>(3)</sup> OJ No L 189, 12. 7. 1974, p. 1.

Articles 1 to 3 unchanged

Article 4

Paragraph 2 of Annex II is amended to read as follows:

'2. *This Directive shall not affect the provisions of national laws authorizing the use of:*

- phosphoric acid as a neutralizing agent in cocoa products alkalized in accordance with Annex I (2),
- flavouring substances other than those referred to in Annex I (5) (a) in the cocoa and chocolate products referred to in that paragraph, *without prejudice to the relevant provisions to be adopted by the Community,*
- polyglycerol polyricinoleate, sorbitan monostearate, sorbitan tristearate, polyoxyethylene (20) sorbitan monostearate and ammonium salts of phosphatidic acids in the chocolate and cocoa products referred to in the first subparagraph of Annex I (6).'

Article 5

*Within one year from the date of notification of this Directive, the Member States shall amend their laws,*

Article 4

Paragraph 2 of Annex II is amended to read as follows:

'2. (a) **Notwithstanding Article 2 of this Directive, Member States may, until 30 June 1979, apply to the products marketed in their territory the national laws in force at the time of notification of the Directive and authorizing the use of:**

- phosphoric acid as a neutralizing agent in cocoa products alkalized in accordance with Annex I (2),
- flavouring substances other than those referred to in Annex I (5) (a) in the cocoa and chocolate products referred to in that paragraph,
- polyglycerol polyricinoleate, sorbitan monostearate, sorbitan tristearate, polyoxyethylene (20) sorbitan monostearate and ammonium salts of phosphatidic acids in the chocolate and cocoa products referred to in the first subparagraph of Annex I (6).

(b) Pursuant to the procedure laid down in Article 100 of the Treaty, the Council acting on a proposal from the Commission may, not later than 1 July 1979, add to Annex I the substances referred to under (a).

**A decision to include these substances in Annex I may be adopted only if scientific research has established that they are not harmful to human health and if their use is necessary on economic grounds.'**<sup>(1)</sup>

Article 5

deleted

<sup>(1)</sup> Original text of basic Directive retained except for dates (see OJ No L 228, 16. 8. 1973, p. 35).

*where necessary, in order to comply with the provisions of this Directive and shall forthwith inform the Commission thereof. The laws thus amended shall be applied so as to:*

- permit within two years of notification the marketing of products complying with the provisions of this Directive,*
- prohibit within three years of notification the marketing of products not complying with the provisions of this Directive.*

Article 6 unchanged

RESOLUTION

on the draft report on the administrative expenditure of the European Parliament for the period 1 January to 31 December 1977 (financial year 1977)

*The European Parliament,*

— having regard to the interim report of the Committee on Budgets (Doc. 14/78),

1. Points out that:

- (a) the appropriations available in the annual budget and supplementary budget for 1977 amounted to 68 166 260 u.a.,
- (b) the appropriations automatically carried over from 1976 to 1977 amounted to 3 755 872 u.a.,
- (c) non-automatic carry-overs authorized by Parliament from 1976 to 1977 amounted to 184 000 u.a.;

2. Notes that of the total appropriations available, the amounts used and the amounts cancelled were as follows:

*1977 appropriations (annual budget and supplementary budget):*

- (a) 60 619 805 u.a. were committed,
- (b) 55 378 770.30 u.a. were paid,
- (c) 5 241 034.26 u.a. have still to be paid;

*appropriations carried forward from 1976 to 1977:*

- (a) payments made from appropriations automatically carried over amounted to 3 040 138 u.a.,
- (b) payments made from non-automatic carry-overs authorized by Parliament from 1976 to 1977 amounted to 128 555 u.a.;

3. Notes that the following appropriations are to be cancelled pursuant to the provisions of the Financial Regulation:
  - (a) 1977 appropriations: 6 532 655 u.a. (9.6 %),
  - (b) appropriations automatically carried over from 1976 to 1977:  
715 734 u.a. (19 %),
  - (c) non-automatic carry-overs from 1976 to 1977 authorized by Parliament: 55 445 u.a. (30 %);
4. Decides that, of the uncommitted appropriations entered in the 1977 annual and supplementary budgets, 1 013 800 u.a. shall be carried over (as non-automatic carry-overs) from 1977 to 1978;
5. Defers its decision on the discharge for the 1977 financial year, required under Rule 50A (2) and (3) of the Rules of Procedure, until the administrative expenditure has been scrutinized by the European Court of Auditors under the conditions laid down by the Treaties;
6. Instructs its President to forward this resolution, the attached accounting document and the report of its committee to the Commission, to enable it to draw up the revenue and expenditure account and the annual balance sheet of the Community institutions.

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#### RESOLUTION

##### on the practice of dumping and the threat posed to Europe by uncontrolled competition

*The European Parliament,*

- having regard to the motion for a resolution tabled by Mr Inchauspé, on behalf of the Group of European Progressive Democrats, (Doc. 209/77) to wind up the debate on the oral question tabled by Mr Cousté on the practice of dumping (Doc. 174/77),
- having regard also to the motion for a resolution tabled by Mr de la Malène, on behalf of the Group of European Progressive Democrats, (Doc. 447/77) to wind up the debate on the oral question tabled by Mr Inchauspé on imports flooding the Community markets (Doc. 364/77/rev.),
- reaffirming its acceptance of all the principles incorporated in the Treaties establishing the European Communities,
- conscious of the Community's international and domestic responsibilities and obligations,
- recognizing the unique status of the Community as the world's largest importer and exporter and the consequent impact on international trade of any changes in the Community's trading policies,
- mindful of Article 110 of the Treaty establishing the European Economic Community, in which the Member States stated it to be their aim to contribute, in the common interest, to the harmonious development of world trade, the progressive abolition of restrictions on international trade and the lowering of customs barriers,
- noting with concern the increasing number of instances of market disruption within the Community in recent years,
- noting with equal concern the parallel deterioration in the trade balances of most of the Member States,
- noting with growing concern the persistence of high rates of unemployment within the Community,
- recognizing that not all the manifestations of these adverse developments can be attributed to the disruptive effects of low-cost imports, but observing that such imports have been a significant contributing factor;
- wishing to limit the deleterious consequences of market disruption within the Community.

- accepting that the Community's liberty to take corrective action is limited by its international obligations, particularly by those flowing from the General Agreement on tariffs and trade (GATT),
  - recalling that GATT authorizes certain forms of commercial defence and lays down appropriate procedures, notably in Article VI as regards dumping and subsidization and in Article XIX as regards market disruption,
  - noting with approval that the Commission is pressing for the revision of Article XIX of GATT in order to make it more effective,
  - noting with approval that the Commission, acting in accordance with Article 113 of the Treaty establishing the European Economic Community, has developed increasingly effective procedures for defensive action within the limits authorized by Articles VI and XIX of GATT,
  - recalling that these procedures are being used with increasing frequency, notably:
    - (a) in the textile sector, where the Community, acting within the framework of the Multifibre Agreement, has negotiated self-restraint agreements with all the major exporting countries and has taken the initiative of restricting imports of particularly sensitive products;
    - (b) in other sectors, by the imposition of import restrictions, either on the initiative of the Commission or in response to justified requests by Member States;
    - (c) in the frustration of dumping and subsidization, in that proof of injury resulting from dumping or subsidization leads to the imposition of adequate protective measures,
    - (d) in the surveillance of the importation into the Community of particularly sensitive products such as footwear, zip fasteners, fertilizers and steel products,
  - observing that, in spite of the efforts which have been and are being made, many sectors of the Community continue to suffer from the disruptive effects of low-cost imports,
  - desiring to help the industries affected, but recognizing that any ill-considered defensive actions by an economic unit as large as the Community could all too easily touch off a world-wide escalation of protectionist measures,
  - having regard to the report of the Committee on External Economic Relations and the opinions of the Committee on Economic and Monetary Affairs, the Committee on Social Affairs, Employment and Education and the Committee on Agriculture (Doc. 551/77),
1. Requests the Commission to continue and to reinforce, within the limits imposed by its international obligations, its judicious and vigorous efforts to protect Community industries against market disruption and trading practices such as dumping and subsidization;
  2. Urges the Commission to organize the rapid acquisition of the data needed to permit prompt reaction before serious damage has been done;
  3. Urges the Commission to ensure the punctilious execution of the agreements it has negotiated with foreign suppliers of textiles within the framework of the Multifibre Agreement, and requests the Commission to make sure that safeguards against all forms of circumvention (including abuse of the rules establishing the origin of imports) are effectively enforced;
  4. Requests the Governments of the Member States to cooperate with the Commission in the implementation of Chapter X of the Treaty of Paris so that the Community's steel industry may be protected against any disruptive export practices that may be pursued by third countries;
  5. Supports the efforts of the Commission to establish a satisfactory basis (covering both prices and quantities) for trade in steel between the Community, the USA and Japan;
  6. Urges all the Community's trading partners to respect the OECD gentlemen's agreement regarding credits for shipbuilding and the understanding about the fair distribution of new orders;
  7. Endorses and indeed wishes to see strengthened the Community's efforts to organize relations with State-trading countries in such a way that a fair balance of mutual advantages and obligations is achieved and that market disruption is avoided;

8. Requests the Commission to intensify its efforts to promote Community exports, particularly to countries which have a surplus in their trade with the Community, and most of all to press for new openings for Community exports to Japan, and in this connection would welcome progress towards the early establishment of a European Export Bank;

9. Suggests that in the Tokyo round of multilateral trade negotiations, the Commission should seek to achieve *inter alia* the following aims:

- in the field of customs duties: the progressive harmonization of tariffs by making the biggest cuts in the highest tariffs,
- in the field of non-tariff barriers: maximum reductions,
- in the field of safeguarding action under Article XIX: greater precision in the international rules, particularly those establishing criteria of market disruption: greater flexibility through agreement that safeguard measures may be applied selectively (i.e. circumventing the most-favoured-nation principle), subject to international supervision,
- in the field of safeguarding action against dumping and subsidies under Article VI: eliminate the existing discrepancies between the practices of States, thereby equalizing the obligations and rights of all GATT members,
- in the field of customs valuation: standardize practice on the basis of that now adopted by the majority of trading nations,
- in the field of North/South relations: take the fullest possible account of the interests and needs of the developing countries, and in particular of the least developed;

10. Requests the Commission to make a detailed study of paragraphs 8 to 12 of the opinion of the Committee on Social Affairs, Employment and Education and to report on the matter to the parliamentary committees concerned;

11. Instructs its President to forward this resolution and the report of its committee to the Council and Commission and to the Governments of the Member States.

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#### RESOLUTION

##### on the development of the customs union and of the internal market

##### *The European Parliament*

- having regard to the political, economic and psychological importance of all measures aimed at improving the functioning of the customs union,
- having regard to its resolutions of 7 July 1975 <sup>(1)</sup>, 19 April 1977 <sup>(2)</sup> and 16 June 1977 <sup>(3)</sup>,
- having regard to the motion for a resolution tabled pursuant to Rule 25 of the Rules of Procedure on simplification of customs procedures, customs legislation and institutional methods for dealing with customs matters (Doc. 356/76),
- having regard to the communication from the Commission to the Council and to the European Parliament on the state of the customs union of the European Economic Community <sup>(4)</sup>,
- having regard to the report by the Committee on Economic and Monetary Affairs (Doc. 557/77),

1. Considers that, in its final form, the customs union should be characterized by:

(a) externally:

- common rates of duty, common legislation and common documents,
- common commercial policy, under which any Trade and Cooperation Agreements, Agreements on Preferences, quantitative restrictions, etc., should apply to the customs union as a whole and not to the individual Member States,
- a common authority to administer customs regulations at the external frontiers of the Community;

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<sup>(1)</sup> OJ No C 179, 6. 8. 1975, p. 7.

<sup>(2)</sup> OJ No C 118, 16. 5. 1977, p. 30.

<sup>(3)</sup> OJ No C 163, 11. 7. 1977, p. 44.

<sup>(4)</sup> COM(77) 210 fin.

(b) internally:

- abolition of trade and travel formalities; checks at the Community's internal frontiers only where security controls are required;
2. Acknowledges the Commission's unremitting efforts to achieve simple but effective operation of the customs union and common market, and the progress that has been made; is forced to the conclusion that over 20 years after its establishment, the customs union still does not function in complete accordance with its objectives; and points out that the difficulties mainly relate to the internal operation of the customs union;
  3. Considers that this is due chiefly to
    - the national customs and excise authorities' reluctance to replace a familiar system of control by a new and unfamiliar one,
    - the Member States' more or less conscious desire to protect national markets by fiscal, technical, legislative and administrative measures,
    - the fact that the objectives of the EEC Treaty in other fields have only partially been achieved;
  4. Warns of the consequences of such encouragement by the Member States of forms of cooperation more appropriate to a free trade area than to a customs union;
  5. Stresses that the abolition of internal frontier formalities is not a question of all or nothing; there should be no reluctance to simplify one particular area because other areas have not already been simplified; only by gradual simplification and abolition of formalities will it be possible to turn freedom of movement into a reality;
  6. Notes that it has been particularly difficult to secure implementation of Community provisions which either require or should entail administrative reorganization in the Member States;
  7. Emphasizes that as long as the Member States are unwilling to coordinate their tax rates (VAT and selective purchase tax) and to abolish monetary compensatory amounts for agricultural products, certain minimum formalities and controls will be required in connection with internal trade, particularly in respect of agricultural products and goods which are subject to high selective purchase taxes;
  8. Considers that the technical and administrative barriers to trade have acquired added prominence and, to some extent, been accentuated since the disappearance of tariff and quantitative restrictions from internal trade;
  9. Calls upon the Member States to demonstrate actively the political will needed to bring the customs union to fruition, internally and externally; in a situation where it has proved particularly difficult to reach agreement on Community policy in new areas, it is all the more important to make a determined effort to complete the foundations of the Community: the customs union and the common market;
  10. Considers it necessary in this situation to strengthen the Commission's position; and therefore calls upon the Council — in accordance with the statement made by the Heads of State and Government in Paris in 1974 — to make greater use here of the provisions of the EEC Treaty whereby the powers of implementation and management arising out of Community Regulations may be conferred on the Commission;
  11. Calls upon the Commission and the Council, in this connection, to consider a new decision-making procedure, under which:
    - (a) the three Community institutions would define the characteristics of the customs union,
    - (b) the three Community institutions would lay down guidelines for Community provisions in the individual areas,
    - (c) the Commission would be empowered, pursuant to Article 155 of the EEC Treaty, to issue the necessary implementing provisions;

12. Calls upon the Commission to update its work programme for the internal and external achievement of the customs union; the programme should show how far the various steps are so interdependent that delays in one area automatically produce delays in other areas; consideration should be given to drawing up multiannual programmes to be updated at regular intervals;

13. Considers that the following stages on the way to complete customs union would substantially ease the burden on industry and the customs authorities, and make people more aware that they are living in a community:

- (a) measures to ensure that individuals do not pay duty on the same article in two Member States or avoid payment of duty altogether,
- (b) greater opportunities for travellers to import goods purchased in other Member States and abolition of foreign currency restrictions applicable to travellers in some Member States,
- (c) abolition of the charges imposed by certain Member States for clearance of small non-commercial consignments,
- (d) common rules for the temporary import of motor vehicles, etc., into another Member State,
- (e) the recording and control of internal consignments to be based more on companies' accounts and checks at customs offices at the departure point:
  - the customs authorities in the importing country and any transit country to confine themselves to checking that the goods are as specified in the accompanying documents,
  - goods subject only to VAT would not be subject to the Community transit procedure (abolition of import duty),
  - taxes to be assessed and collected for traders normally on the basis of a report from the outward customs office to the importing country, and the importer's normal accounts,
- (f) the simplification and standardization and, at a later date, abolition of documents for goods in internal Community transit; for traders the guarantee would be abolished,
- (g) reciprocal recognition of veterinary and health certificates and of technical certificates,
- (h) abolition of the certificates of origin required in certain cases in internal trade,
- (i) the conclusion of Agreements with Austria and Switzerland, whereby these countries would recognize veterinary and sanitary certificates issued by Member States for consignments in transit and/or the validity of lead seals affixed to such consignments,
- (j) simplified collection of data for the production of statistics on internal trade,
- (k) improved rules for customs valuation and common rules for the transition of goods to free circulation,
- (l) common import documents,
- (m) standardization and simplification of the rules on the origin of goods,
- (n) production of the integrated Common Customs Tariff,
- (o) common rules on the treatment and possibly punishment of infringement of Community customs rules,
- (p) better organization of procedures at customs offices, which are known to cause substantial delays,
- (q) progressive delegation of powers by the Council to the Commission to direct national customs and excise authorities to carry out particular tasks,
- (r) the establishment of a surveillance service under the Commission to ensure that Community provisions on transfrontier traffic etc. are in fact observed;

14. Stresses that a great many of these improvements could be achieved relatively quickly and calls upon the Commission to submit proposals accordingly;

15. Strongly urges the Council to adopt without further delay the proposals which have already been awaiting adoption for some considerable time;

16. Instructs its President to forward this resolution and the report of its committee to the Council and Commission and to the national parliaments and customs authorities.

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## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a decision empowering the Commission to issue loans for the purpose of promoting investment within the Community

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 546/77),
- having regard to the report of the Committee on Budgets and the opinions of the Committee on Economic and Monetary Affairs and the Committee on Regional Policy, Regional Planning and Transport (Doc. 36/78),
- having regard to Parliament's powers and in particular the budgetary powers vested in it as set out in Article 203 of the EEC Treaty and the inter-institutional conciliation agreement on Community acts with financial implications <sup>(2)</sup>,

1. Welcomes the Commission's proposal on condition that it is amended in accordance with this resolution, so that:

- (a) the new financial instrument will be placed at the service of a policy to revitalize the Community,
- (b) borrowings under the instrument will be entered in the budget and approved in accordance with the budgetary procedure,
- (c) the Commission will be directly responsible for granting loans;

2. Calls on the Commission to adopt, pursuant to the second paragraph of Article 149 of the EEC Treaty, the following amendments;

3. Reserves the right to invoke the conciliation procedure should the Council depart from this opinion.

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TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(3)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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### Council Decision empowering the Commission to issue loans for the purpose of promoting investment within the Community

P r e a m b l e   u n c h a n g e d

*Recital 1*

Whereas economic activity, employment and investment in the Community are all too low;

*Recital 1*

Whereas economic activity, employment and investment are all too low **and unevenly distributed** in the Community;

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<sup>(1)</sup> OJ No C 37, 14. 2. 1978, p. 7.

<sup>(2)</sup> OJ No C 89, 22. 4. 1975, p. 1.

<sup>(3)</sup> For complete text, see OJ No C 37, 14. 2. 1978, p. 7.

Recitals 2 and 3 unchanged

*Recital 4*

Whereas this Community action should aim to realize structural investment projects *conforming* to priority Community objectives especially in the energy, industry and infrastructure sectors;

*Recital 4*

Whereas this Community action should aim to realize structural investment projects **which contribute to greater convergence and integration of national economic policies and conform** to priority Community objectives especially in the energy, industry and infrastructure sectors;

Recitals 5 and 6 unchanged

*Recital 7*

Whereas borrowings of 1 000 million EUA in capital seem right in the present circumstances to achieve the desired result:

*Recital 7*

Whereas borrowings of 1 000 million EUA in capital seem right in the present circumstances to **help** to achieve the desired result;

*Recital 7a*

Whereas the EEC's financial activities should be determined parallel to and within the framework of budgetary procedure and should be subject to the budgetary authority's control:

Recital 8 unchanged

*Article 1*

The Commission is *enabled* to issue loans on behalf of the European Economic Community the proceeds of which will be lent to finance investments *These investments, which will help to attain* the Community's priority objectives, *will be made in energy-related and industrial projects and in infrastructure projects*, taking account of their regional impact, as well as in other sectors to be defined by the Council according to the procedure laid down in Article 2. These projects, because of their size or nature, are those which need greater finance than is already available from existing institutions and organs of the Community.

*Article 1*

The Commission is **empowered** to issue loans on behalf of the European Economic Community, the proceeds of which will be lent to finance investments **which contribute to greater convergence and integration of the economic policies of the Member States and conform** to the Community's priority objectives in the energy, industrial and infrastructure sectors, taking account of their regional impact as well as in other sectors to be defined by the Council in accordance with the procedure laid down in Article 2. These projects, because of their size or nature, are those which need greater finance than is already available from existing institutions and organs of the Community.

*Article 2*

*Loans, limited by this Decision to 1 000 million EUA, will be activated tranche by tranche. The Council acting by a qualified majority on a proposal of the Commission shall activate each tranche and fix general guidelines for its use for each tranche. The Commission will specify rules by which it will determine the eligibility of projects.*

*Article 2*

The loans and their entry in the budget — which is required if they are to be guaranteed by the Community — shall be approved by the budgetary authority acting on a proposal from the Commission, in accordance with normal budgetary procedure.

At the same time the Decision fixing the general guidelines for the use of the loans shall be adopted by majority vote of the Council on a proposal from the Commission and after consulting Parliament in accordance with the legislative conciliation procedure.

The Commission *will* borrow on the capital markets within the limits of the *tranches activated*. A single borrowing can be used to finance projects with different objectives.

*Article 3*

Borrowing and lending transactions shall be expressed in the same currency. Lending terms for reimbursement of capital and the rate and payment of interest shall be fixed taking account of the costs and expenses of both the borrowing and lending side of each transaction.

*Article 4*

The terms of the loans to be issued shall be negotiated by the Commission in the best interests of the Community having regard to the conditions on capital markets and in accordance with the constraints imposed by the duration and other financial aspects of the loans to be granted. Funds borrowed will be deposited with the European Investment Bank to be invested on a temporary basis if necessary.

*Article 5*

*The Commission hereby gives the Bank a general mandate on behalf of the Community to make loans under this Decision.*

*Loans under this mandate will be made by the Bank for and at the risk of the Community. In accordance with procedure laid down by its Statute, and following its usual criteria, the Bank will receive loan requests (either directly or else through the intermediation of either the Commission or a Member State), examine these requests (after the Commission has decided on the eligibility of each loan), decide whether to make the loans and if so on what terms, and to administer the loans.*

*The Bank's mandate will be embodied in a cooperation agreement with the Commission.*

On the basis of this Decision the Commission will specify rules by which it will determine the eligibility of projects.

During the first year in which this Decision is implemented, loans shall not exceed 1 000 million EUA in capital.

The Commission **shall** borrow on the capital markets within the limits of the **amounts authorized**. A single borrowing can be used to finance projects with different objectives.

*Article 3*

Borrowing and lending transactions shall be expressed in the same currency. Lending terms for reimbursement of capital and the rate and payment of interest shall be fixed taking account of the costs and expenses of both the borrowing and lending side of each transaction, **as well as all other conditions to which, by virtue of common policies, the granting of these loans can or must be subject.**

*Article 4*

u n c h a n g e d

*Article 5*

Loans made under this Decision shall be granted by the Commission in accordance with the following procedure:

- requests for loans shall be submitted to the Commission which, if it finds them eligible, shall forward them to the European Investment Bank,
- the EIB shall examine the requests from the point of view of their financial soundness and shall communicate its opinion to the Commission,
- the Commission shall decide whether to make the loans and, if so, on what terms,
- the EIB shall be responsible for administering the loan on behalf of the Community.

The EIB's mandate from the Commission regarding the temporary investment of loans, the examination of requests for loans and the administration of loans

shall be set out in a cooperation agreement between the EIB and the Commission.

Should the EIB be unable to accept this task it shall be carried out by the specialized departments of the Commission.

*Article 6*

The Commission shall periodically inform the Council and Parliament of receipts and expenses resulting from borrowings and lendings. Each year it shall *submit* a review of its borrowing policy *together with the budget estimates*.

Financial control and audit will be carried out in accordance with the Financial Regulation of the general budget of the European Communities.

*Article 6*

The Commission shall periodically inform the Council and Parliament of receipts and expenses resulting from borrowings and lendings. Each year it shall **attach to its estimates** a review of its borrowing and lending policy, which shall be considered as an **integral part of the annual budget**.

Financial control and audit will be carried out in accordance with the Financial Regulation of the general budget of the European Communities.

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RESOLUTION

on terrorism

*The European Parliament,*

— following the kidnapping of Mr Aldo Moro, *President of the National Council of the Italian Christian-Democratic Party* and former Prime Minister, and the killing of his bodyguards by a group of terrorists almost a month ago,

— deeply concerned by the serious dangers threatening him,

1. Reiterates its condemnation of this kind of terrorism which represents not only a serious attack on the democratic institutions but also a grave violation of human rights;
2. Remembers with sympathy and indignation the long list of other victims of terrorism kidnapped, tortured or killed in the countries of the European Community;
3. Expresses its solidarity with Italy in the face of this grave act of terrorist violence;
4. Approves the firm stand taken by the Italian Government and Italian political and social organizations in response to the demands of the kidnappers;
5. Asks the Council of the Communities, the Governments of the Member States and all the European institutions, in accordance with the resolution adopted by the European Parliament on 17 March 1978, to intensify cooperation in Europe in the fight against terrorism — while respecting the democratic rights and the guarantees embodied in the individual constitutions — and to take practical, swift and effective steps against this scourge;
6. Instructs its President to forward this resolution to the Council and the Governments and Parliaments of the Member States.

## RESOLUTION

### on the legal policy of the European Communities

*The European Parliament,*

- having regard to the need for the present level of integration and the Community policies hitherto developed to be safeguarded as far as possible through parallel progress in the legal policy sector,
- having regard to the possible unfavourable effect which a delay in legal policy initiatives may have on progress in the economic and social policy sectors,
- concerned by the backlog of legal policy work in the Council and Commission on civil law, consumer protection, enforcement law, company law, securities law, competition law, copyright law and insurance law,
- concerned by the fact that the Council of Ministers of Justice has met only twice — in 1971 and 1974 — since the establishment of the European Communities,
- concerned that a backlog of this kind may adversely affect the European citizen's interest in direct elections to the European Parliament,
- having regard to the need to achieve some measure of legal policy consolidation before the European Community is enlarged,

1. Calls on the Commission to do everything it can to accelerate and to intensify its work on legal policy;
2. Calls on the Commission initially to concentrate on company law and to submit by April 1978 its proposed amendments to the Fifth Directive (structure of *sociétés anonymes*) and by June 1978 the drafts of the Eighth (auditors) and Ninth (company law (combine law)) Directives and to inform the European Parliament of the progress made on the Convention on the international merger of *sociétés anonymes*;
3. Calls on the Council to open the promised information procedure in connection with the Statute for the European Company in April 1978;
4. Calls on the Council to finally adopt the Third (domestic mergers of companies) and Fourth (annual accounts) Directives by June 1978, as otherwise the conciliation procedure shall be opened immediately in respect of these Directives;
5. Calls on the Commission to conclude by June 1978 its work on the granting of special rights to Community citizens on the basis of the decision of the Heads of State or Government of 9 and 10 December 1974 and the resolution of Parliament of 16 November 1977;
6. Calls on its Political Affairs Committee and its Legal Affairs Committee to keep a close check on the compliance of the Council and Commission with this resolution and if necessary to report on this matter;
7. Decides to convene a 'round table' on the granting of special rights to Community citizens for autumn 1978 in Florence, at which, under the chairmanship of its draftsman, Mr Mario Scelba, representatives of the institutions of the Community and the Parliaments of the Member States shall meet to draw up a draft 'Community charter of citizens' rights';
8. Instructs its President to forward this resolution to the Council, the Commission and the Ministers of Justice and Parliaments of the Member States.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council on the fixing of prices for certain agricultural products and certain related measures for the 1978/79 marketing year

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council (COM(78) 80 fin.),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 582/77-I),
- having regard to the complementary report of the Committee on Agriculture and the complementary opinions of the Committee on Budgets and the Committee on the Environment, Public Health and Consumer Protection (Doc. 35/78),
- having regard to the report on the agricultural situation in the Community in 1977 (Doc. 510/77),
- having regard to the communication from the Commission of the European Communities to the European Parliament and the Council on the stocktaking of the common agricultural policy (Doc. 529/74),
- having regard to the Commission memorandum on the improvement of the common agricultural policy (Doc. 251/73),
- having regard to the report of the Committee on Agriculture on the proposals from the Commission of the European Communities to the Council (Doc. 479/77) on the fixing of prices for certain agricultural products and on certain related measures for the 1978/79 marketing year (Doc. 579/77),
- whereas price policy should contribute to ensuring fair incomes to producers, reasonable prices to consumers and to maintaining market equilibrium,
- whereas serious market imbalances exist in a number of agricultural sectors,
- whereas it has become evident that in a number of sectors price policy alone cannot bring about market equilibrium and reduce regional imbalances in income,
- whereas improvements to market organizations and effective measures in the structural sector are required in order to achieve a fairer income to the family farm, to improve market balance and to ensure supplies to consumers at reasonable prices,
- whereas the Commission has been so late in submitting its supplementary proposals which involve a number of substantial changes in the market organizations,
- whereas the proposals for related measures must not have an adverse effect on agricultural producer prices and incomes,

### Milk and dairy products

1. Points out that a large number of producers are dependent on the milk sector for their income and have little alternative production available to them;
2. Notes, at the same time, that milk production is increasing despite a decrease in area and cow numbers and that, according to the report of the Commission, the response to the non-marketing and conversion premiums has been poor and has failed to compensate for the yearly increase in milk production due to improvements in yield;
3. Believes, in consequence, that greater and more coherent action is required to reduce the milk cow numbers and milk marketed and, at the same time, to stimulate consumption of milk and milk products;
4. Approves, as a preliminary step, the Commission's proposals to extend the period of application of the non-marketing and beef conversion premiums until the end of the 1978/79 marketing year and to improve and simplify their application;

5. Notes the Commission's statement that the proposal to suspend intervention purchases of skimmed-milk powder from 1 October 1978 to the end of the 1978/79 marketing year will affect an estimated quantity of skimmed-milk powder in the region of 40 000 tonnes and that these proposed measures will adversely affect the incomes of producers;
6. Considers, however, that such a measure can be approved only in the case that truly effective alternative measures to maintain market and producer prices were adopted, particularly means to improve marketing and stimulate consumption of dairy produce but fears that the alternative measures proposed by the Commission in this respect may not provide sufficient safeguards;
7. Welcomes, in consequence, the proposals to enlarge the list of subsidized milk products supplied to school-children and to increase the Community contribution;
8. Notes the Commission's statement that the general subsidy scheme and the scheme for the sale of butter at reduced prices for ice cream manufacture and butter concentrate will not be sufficient to maintain balance on the butter market;
9. Approves, therefore, the proposal to make available 50 million EUA for additional measures to stimulate disposal on the internal market, but only on the condition that much greater information is supplied on the measures envisaged and that an adequate budgetary control can be effected;
10. Requests the Commission to present before the end of the 1978/79 marketing year a report on the effect of the application of the co-responsibility levy and the measures to be financed from the proceeds of the levy;
11. Requests the Commission to amend Regulation (EEC) No 1079/77 so as to allow the co-responsibility levy to vary between 0 and 4 % of the milk target price, rather than between 1.5 and 4 %, for part or all of the milk year, in order to allow for greater flexibility in price policy and in the application of intervention measures;
12. Requests the Commission, pursuant to the second paragraph of Article 149 of the EEC Treaty, to incorporate the following amendment in its proposal amending Regulation (EEC) No 804/68 as regards the conditions for the buying-in of skimmed-milk powder by intervention agencies.

#### **Beef and veal sector**

13. Reminds the Commission of the European Parliament's opinion that the proposals for a limited direct payment system should be introduced so as to encourage consumption and safeguard the incomes of producers of beef breeds;
14. Notes that the Commission considers that further examination of such improvements in the market organization of the beef and veal sector is required;
15. Approves, therefore, as a preliminary step, the Commission's proposal to introduce a greater degree of flexibility in the application of the intervention system for particular qualities and to improve the harmonization of the coefficients expressing the relationship between the prices of beef qualities and the price of adult bovine animals;

#### **Starch sector**

16. Recognizes the economic difficulties facing the potato starch industry and approves, in consequence, the Commission proposal to increase by 2 % the minimum price paid by starch manufacturers to potato growers and to provide for a compensatory premium for the starch manufacturers.

## Budgetary aspects

17. Notes that, according to the Commission, the proposed measures could be financed without supplementary appropriations being requested during the 1978 financial year;

18. Invites the Commission to propose measures for rationalizing the procedure for considering — particularly at budgetary level — the annual decisions connected with agricultural prices;

19. Requests the Commission, pursuant to the second paragraph of Article 149 of the EEC Treaty, to incorporate the following amendment in its proposal amending Regulation (EEC) No 1078/77 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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### **Council Regulation amending Regulation (EEC) No 1078/77 introducing a system of premiums for the non-marketing of milk and milk products and for the conversion of dairy herds**

Preamble and recitals unchanged

*Article 1*

*Article 1*

Regulation (EEC) No 1078/77 is amended as follows:

Regulation (EEC) No 1078/77 is amended as follows:

Subparagraphs 1 to 4 unchanged

5. In Article 9:

5. In Article 9:

(a) the amount '263 million units of account' is replaced by '... million units of account';

(a) the amount '263 million units of account' is replaced by '315.6 million units of account';

(b) the words 'until 31 March 1978' are replaced by 'until the end of the 1978/79 milk year'.

(b) unchanged

Subparagraph 6 unchanged

Article 2 unchanged

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<sup>(1)</sup> For complete text, see COM(78) 80 fin., p. 7.

**Council Regulation amending Regulation (EEC) No 804/68 as regards the conditions  
for the buying-in of skimmed-milk powder by intervention agencies**

Preamble and recitals unchanged

*Article 1*

The following subparagraph is added to Article 7 (4) of Regulation (EEC) No 804/68:

'Such conditions shall include measures ensuring that priority is given to other Community measures offering the interested parties equivalent possibilities of disposal. To this end, under the conditions determined in accordance with the first subparagraph, buying-in by the intervention agencies may be suspended.'

*Article 1*

The following subparagraph is added to Article 7 (4) of Regulation (EEC) No 804/68:

'Such conditions shall include measures ensuring that priority is given to other Community measures offering the interested parties equivalent possibilities of disposal. To this end, under the conditions determined in accordance with the first subparagraph, buying-in by the intervention agencies may be suspended for the 1978/79 marketing year.'

The Commission shall report to the European Parliament and the Council, not later than 1 March 1979, on:

- (a) the effects of the measures designed to provide disposal possibilities equivalent to intervention for skimmed milk and skimmed-milk powder;
- (b) how prices have moved in the Community following the suspension of buying-in mentioned above;'

Article 2 unchanged

RESOLUTION

embodying the opinion of the European Parliament on the communication from the Commission of the European Communities to the Council on the guidelines concerning the development of the Mediterranean regions of the Community, together with certain measures relating to agriculture

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council (COM(77) 526 Vols I and II, COM(77) 674 fin. and COM(78) 114 fin.),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 470/77),
- having regard to the report by Mr Ligios on the effects of the Mediterranean policy on Community agriculture (Doc. 467/77),

(1) For complete text, see COM(78) 80 fin., p. 11.

— having regard to the report from the Committee on Agriculture and the opinions of the Committee on External Economic Relations, the Committee on Regional Policy, Regional Planning and Transport and the Committee on Budgets (Doc. 34/78),

1. Recalls the principles, already approved in plenary session <sup>(1)</sup>, which must form the basis of Community action to assist Mediterranean agriculture, that it is vital to raise the incomes of producers in these regions, and to guarantee a better balance of protection and support between northern and Mediterranean products;
2. Stresses that the future enlargement of the EEC is bound to aggravate considerably the agricultural problems of the Mediterranean regions of the Community, and that they stand in need of decisive and effective support in connection with this enlargement;
3. Views with satisfaction the fact that the Commission has finally taken note of the serious imbalance between the southern regions of the Community and the rest, and has proposed a series of structural measures which, although limited and sectoral, will help to improve the economic and social conditions of these regions;
4. Expects these proposals to be supplemented at the earliest possible date by others, relating in particular to forestry and to the setting up of an agricultural advisory service in Italy;
5. Requests the Commission to enact aid measures in non-agricultural sectors such as tourism, artisan trades and water control as announced in its communication, and to make practical arrangements to permit support to be granted to all sectors of rural activity from a new Rural Fund, which will incorporate elements from the Regional and Social Funds, as well as the entire EAGGF (Guidance Section);
6. Welcomes the Commission's intention to give better protection to Community products but considers that this cannot be done by merely making technical adjustments to the system of reference prices but by taking a wider approach that compares Community requirements with opportunities for meeting them from Community production;
7. Considers moreover that changes to common market organizations for Mediterranean products are unacceptable if they mean a later reduction in financial assistance from the EAGGF (Guarantee Section) for products which already receive insufficient support and protection;
8. Accepts that there are other agricultural areas of the Community that suffer from disadvantages similar to the Mediterranean regions, and therefore welcomes the recent announcement by the Commission that they will bring in special measures to deal with the problems of those areas;

#### I. Measures of a structural nature

##### (a) *Irrigation of the Mezzogiorno*

9. Approves the proposed programme for the acceleration and qualitative guidance of collective group irrigation works in the Mezzogiorno, subject to the following reservations;
10. Considers that this action should be undertaken with the greatest possible flexibility and speed and therefore approves the changes made by the Commission to its original proposal, giving it the legal form of a Regulation and harmonizing it with existing national legislation on irrigation;

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<sup>(1)</sup> OJ No C 36, 13.2. 1978, p. 36.

11. Doubts the wisdom of according priority as regards irrigation to areas designated for the production of fodder crops; in this connection, believes that the objective of irrigation should be not so much to create self-contained irrigated units as to create areas capable of producing the fodder necessary to supplement the production of livestock farms located in zones where irrigation is impossible; considers that the intensive production of early fruit and vegetables or similar items might be the best means of guaranteeing a high level of employment and income for producers;

12. In view of the fact that in spite of irrigation schemes livestock farming in the Mezzogiorno has great difficulty in competing with that of other Community regions, considers that substantial investment will be necessary to encourage it, in addition to that required for the production of feedingstuffs, for fitting out livestock accommodation, the storage of feedingstuffs, slaughtering and the storage of meat; believes indeed that it is necessary not to fall below a reasonable level of self-sufficiency, while respecting nevertheless the principle of the unity of agricultural markets;

13. Invites the Commission, therefore, to propose Community measures for this purpose;

*(b) Restructuring and conversion of vineyards in the Languedoc-Roussillon region*

14. Approves the Commission's proposal, but considers that it will hardly be effective unless producers can be offered valid alternative spheres of production permitting them to obtain an income comparable to that which they obtained from vineyards; failing this, wine-growers will increasingly prefer restructuring to conversion;

15. Expresses concern that the restructuring of vineyards now proposed, with the replacement of old vines and structural improvement, will lead in the long run to an increase in the production of wine;

16. In order that action may be taken immediately, believes that it should be possible to reimburse in 1978 not only restructuring costs for vineyards not coming within the framework of the programme to be approved by the French Government (Article 4 (1), last subparagraph), but also conversion costs not covered by this programme;

17. Requests the Commission to submit as soon as possible the 'general viticultural plan' of which it speaks in its communication, the aim of which is to encourage the concentration of wine-growing in the regions to which it is best suited, and to reduce the areas under very high yield vines producing table wines of inferior quality;

*(c) Improving public services in certain rural areas*

18. Approves this proposal as conducive to a significant improvement in the infrastructure of large areas of Mediterranean Italy and France;

19. Also approves the geographical scope of this action, and the fact that, in certain circumstances, even projects previously submitted under Regulation 17/64/EEC can be considered for the aids provided for by the present Regulation;

20. Considers that the allocation of 125 million EUA over five years (25 million EUA per year) is not adequate in view of the seriousness of the situation; therefore requests that this allocation be increased from the second year onwards;

21. Invites the Commission to make provision for a reduction of the 10 % requirement concerning financial participation by the interested party in the case of complex and costly work on infrastructure for which the beneficiary will have difficulty in raising the necessary capital;

22. Further requests the Commission to alter Article 9 (2) of the proposal so that the review after five years is carried out by the Council and the European Parliament;

(d) *Amendment of certain rules for the implementation of Regulation (EEC) No 355/77 in the Mezzogiorno and Languedoc-Roussillon*

23. Approves this proposal, particularly the increase in the allocations for financing Regulation (EEC) No 355/77, which will permit an adequate development of Community action on the two measures concerning irrigation in the Mezzogiorno and the restructuring and conversion of vineyards in Languedoc-Roussillon but considers that, above all, precise criteria must be established for a scale of priorities for projects to be undertaken in less-favoured areas;

(e) *Amendment of the April 1972 socio-structural Directives (72/159/EEC, 72/160/EEC, 72/161/EEC)*

24. Considers that some aspects of this legislation, which are completely inoperative in the southern regions, ought to be amended in accordance with the principle of comparable incomes;

## II. Measures relating to common market organizations

(a) *Processed fruit and vegetables*

25. Approves the setting up of a Community system of aids for the production of certain processed items;

26. Considers however that this measure should be permanent, and not limited to five years, bearing in mind — among other considerations — the fact that other processed products (such as skimmed-milk powder and butter) enjoy significantly higher Community guarantees than those accorded to fruit and vegetables;

27. Requests the Commission to extend the envisaged system of aids to other processed products, particularly citrus fruit juices, tomato juice and grape juice, table olives, etc., obtained from raw materials of Community origin;

28. Takes the view that the limitation of aid to a specified quantity (Article 3a (5)) should only be applied in exceptional cases of market disturbance, so as not to reduce the scope of Community support for these products;

29. Asks that the system of minimum prices for imported tomato concentrates be maintained at least until the Community action now proposed begins to make a favourable impact on the sale of Community produce;

30. Asks the Commission to propose the harmonization of the health standards in force in Member States for certain processed produce such as tomato concentrates to the highest standards rather than risk any increase in health and sanitary hazards by downward harmonization of existing provisions;

(b) *Reorganization of Community fruit production*

31. Expresses concern over the lifting of the ban imposed on the granting of aids by Member States for the renewal of certain types of orchard, since it considers that such a generalized measure could lead to new surpluses;

32. Considers that the proposal for a Regulation should lay down precisely the basic criteria for the authorization of orchard renewal aids, as for example changes in consumer tastes or the requirements of the processing industries;

(c) *Modification of the common market organization for fresh fruit and vegetables*

33. Approves the improvement of aids to producer associations;

34. Expresses serious doubts regarding the practical and legal feasibility of applying the rules relating to the extension to non-grouped producers of the various production, marketing and withdrawal price disciplines adopted by producer organizations, as well as the feasibility of requesting non-grouped producers to pay to the producer organizations all or part of the membership fee paid by members of those organizations;

35. Asks that the current system of prices and interventions, in particular the reference price, be extended to other fruits and vegetables in addition to those covered by the present system, and particularly the following: carrots, beans, peppers, artichokes, strawberries, and early potatoes;
36. Approves the modification of the system for calculating reference prices and its linking with Community costs;
37. Considers nevertheless that this change will be completely insufficient to guarantee protection to Community fruit and vegetable produce comparable to that enjoyed by northern products;
38. Requests the Commission to study the possibility of granting certain particularly sensitive fruit and vegetable products marketing aids on the pattern of the 'marketing premium' in force with respect to certain citrus fruits;

(d) *Modification of the common market organization for olive oil*

39. Considers that the problems raised by the decline in the consumption of olive oil can be dealt with more effectively within the framework of the overall problem of all oils and fats and not by merely modifying the system in force for olive oil;
40. Does not share the Commission's attitude to marketing aid, since this will create other difficult problems of checking at the refining and bottling stage; if accorded, such aid could possibly prove more effective at the level of intervention centres;
41. Considers that sales of olive oil ought to be encouraged by means of aids to exports to other Community countries, possibly in the form of 'marketing premiums';
42. Considers that the new system of supplementing the price paid to producers, limited to the number of olive trees existing on the date of entry into force of the new Regulation, will present an obstacle to any effort to modernize production, and that it will therefore ultimately reduce the Community's competitiveness *vis-à-vis* other producer countries;
43. Rejects the allocation of part of the producer aid to the financing of projects such as the updating of the register of olive cultivation, since these projects should be financed in other ways;
44. Does not consider the aids for the formation of producer groups adequate; these aids should be raised at least to the same level as those in force for the fruit and vegetable sector;
45. Requests the Commission to submit as soon as possible the measures announced for the encouragement of conversion to the production of table olives, to be accompanied by a study of potential market demand;
46. Is of the opinion that the proposal leaves too many of the rules in abeyance, referring them to future decisions by the Council, such as the detailed rules for production and intervention aid, the operation of the buffer stock, etc., in respect of which the precise effect of the proposed innovations is very unclear;
47. Considers that substantial changes to the system currently in force for olive oil will only be acceptable if provision is made for an effective system for the other oils and fats, and if guarantees are given to producers regarding the prompt payment of the price supplement, calculated on the basis of the real costs of production and the production yield actually achieved;
48. Asks that olive oil imports from third countries be controlled by institutionalizing the current provisional system of levy assessment and its application to imports of oil seeds and seed oils as well, in order to secure priority in consumption for Community production;
49. For all these reasons, considers the changes proposed by the Commission in the olive oil sector unsatisfactory and therefore requests that these be re-examined before steps are taken to dismantle the old system;
50. Requests the Commission to adopt the amendments proposed in the preceding paragraphs, in accordance with the second paragraph of Article 149 of the EEC Treaty.

**RESOLUTION**  
on the 'Amoco Cadiz' disaster

*The European Parliament,*

- having regard to the 'Amoco Cadiz' disaster off the Brittany coast and the resulting oil slick,
  - having regard to the serious ecological consequences of this disaster for the marine environment,
  - considering that a disaster of this nature is a grave blow to fishermen, oyster farmers, shell-fish breeders, seaweed gatherers and others who depend on the sea for their livelihood.
1. Believes it essential for the common policy for the management and conservation of fishery resources to be supported by an overall policy on the sea aimed, in particular, at bringing sea transport within the compass of Community rules, and at preventing or fighting pollution of the sea by Community financing of the specialized equipment required to implement these objectives;
  2. Recalls its resolution of 16 February 1978 on some aspects of the final version of the common fisheries policy <sup>(1)</sup>, in particular paragraph 5 (c) thereof; feels that the formation of a European coastguard service would be the most effective way of ensuring the application of Community rules under the common fisheries policy or any other rules falling within the framework of an overall policy on the sea, especially with regard to the prevention of marine pollution;
  3. Affirms that the Community is duty-bound to manifest its support for the Community regions so gravely affected by this disaster by granting more generous financial assistance both as compensation for those affected by the oil slick and for the cleaning up of the Brittany, Channel Islands and British coasts;
  4. Instructs its President to forward this resolution to the Council and Commission.

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**RESOLUTION**  
on shipping regulations

*The European Parliament,*

- struck by the seriousness of the disaster which has befallen the Breton people and its consequences for the economy and the environment,
  - wishing to see the spirit of solidarity manifested in the Community take concrete form to assist the stricken populations,
1. Asks the Commission, through the intermediary of the 'Conseil Régional de Bretagne' to provide the stricken populations swiftly and directly with a further financial aid of one million EUA in addition to the 500 000 EUA already released;
  2. Instructs its President to forward this resolution to the Council and Commission.

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<sup>(1)</sup> OJ No C 63, 13. 3. 1978, p. 28.

## RESOLUTION

embodying the opinion of the European Parliament on the communication from the Commission of the European Communities to the Council on the accession of the Republic of Jibuti to the ACP-EEC Convention of Lomé and proposals for certain legal acts relating thereto

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 556/77),
- having regard to the report of the Committee on Development and Cooperation (Doc. 568/77),

1. Approves the proposed provisions taking account of the change of status of the former territory of the Afars and Issas now that this territory has become an independent State, the Republic of Jibuti;
2. Welcomes the Republic of Jibuti to the Convention of Lomé as an independent State.

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## RESOLUTION

on the campaign by the trade unions of the Member States to overcome unemployment problems

*The European Parliament,*

- having regard to the joint campaign undertaken in Europe by all the trade unions of the Member States of the European Communities on 5 April 1978 to draw the attention of the Council and Commission to the extremely alarming unemployment situation,
- having regard to the fact that the trade unions have called on the Council and Commission to present proposals to radically improve the employment situation,
- having regard to the intention expressed by the European Council of devoting the fullest attention to unemployment problems — especially those affecting young people and women — and to propose and support appropriate solutions,

1. Expresses its solidarity with the trade unions' joint campaign in Europe;
2. Is pleased that the individual trade unions should have formed a common European front to draw the European institutions' attention to Europe's currently biggest problem, unemployment, and to seek effective solutions;
3. Sees in this joint campaign a confirmation of the fact that workers are in favour of a common Europe which will guarantee and promote social justice and economic strength;
4. Calls on the Council to adopt as soon as possible, on the basis of the proposals put forward by the Commission, practical decisions to bring about a reduction in unemployment;
5. Calls on the Commission to submit additional sectoral proposals for solving the growing unemployment problems, taking into account the initiatives of various Member States;
6. Instructs its President to forward this resolution to the Council and Commission.

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<sup>(1)</sup> OJ No C 46, 24. 2. 1978, p. 2.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the statistical surveys of the areas under vines

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 435/77),
  - having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 38/78),
1. Deplores the fact that it has not been possible to introduce and keep up to date a Community viticultural land register, especially for table wines;
  2. Takes the view that the introduction of a regularly updated viticultural land register in the Member States concerned is still a valid means of rationalizing the market in wine;
  3. Notes that strict control of the areas under vines and more stringent limitation of planting will effectively prevent production surpluses;
  4. Recognizes that the introduction of a viticultural land register would cause certain difficulties, especially of a financial nature, but feels that the burden will be far heavier if production is unmanaged and that the cost of a viticultural land register will be largely offset by the benefits accruing from the resulting rationalization of the market;
  5. Is in favour of a genuine structural policy at Community level which would support the efforts of viticultural holdings to modernize and effect conversions, thereby remedying the structural imbalance of the market in wine;
  6. Accepts the Commission's proposal on condition that it undertakes to continue its efforts to bring about the introduction of a single viticultural land register for the whole Community.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation laying down, in respect of hops, the amount of the aid to producers for the 1977 harvest

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(2)</sup>,
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 563/77),
  - having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 40/78),
1. Approves the Commission's proposal;
  2. Urges the Commission to continue its efforts to establish a balance in the hop market, above all by means of concerted action with third countries.

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<sup>(1)</sup> OJ No C 298, 10. 12. 1977, p. 3.

<sup>(2)</sup> OJ No C 44, 22. 2. 1978, p. 4.

## RESOLUTION

on the European Parliament's guidelines on the budgetary and financial policy of the European Communities for 1979 (Part II: Sectoral and basic problems relating to budgetary and financial policy — Adoption of a position on the communication from the Commission of the European Communities containing a global appraisal of the budgetary problems of the Community)

*The European Parliament,*

- having regard to the communication from the Commission (COM(78) 64 fin.),
- having regard to the report of the Committee on Budgets (Doc. 54/78),
- having regard to the principles set forth in Part I, and in particular in the resolution relating thereto,

1. Will hold an exchange of views with the Council and the Commission, on the basis of the Commission's communication and this resolution, on the general guidelines for Community budgetary and financial policy and their consequences for the 1979 budget, before embarking on the consideration of the decisions on the budget as such;

### I. As regards medium-term measures

*Size of the budget*

2. Considers it essential for the Community to equip itself, in adequate time, with a set of budgetary and financial instruments sufficient in scale to cope with future enlargement, economic and monetary union and, at a later date, European union;
3. Endorses the Commission's proposal for charging to the Community budget measures in respect of which Community action offers economic or political advantages over national action;
4. Proposes, with due regard to the Community budget's present function mainly as an instrument of coordination, that a more balanced relationship should be established between the size of the budget, the role it must play in the Community's economy and the size of that economy;
5. Considers also that the budget and financial instruments of the Community must henceforth be strengthened and used, as a matter of priority, to achieve greater convergence between the national economies;

*The budget as an instrument of structural policy*

6. Believes that such convergence could be intensified by means of increased and more effective Community financial support for regional and sectoral structural policies;
7. Stresses the role of the Community budget in contributing to the solution of employment and energy problems, having regard to the European scale of these problems;

### II. As regards the financial year 1979

8. Notes the Commission's guidelines and will assess their practical implications in the light of the content of the preliminary draft budget;

*Priority objectives*

9. Believes that the primary objective of the 1979 budget must be to help to improve those structures which will alone make it possible for economic recovery to progress in a balanced, harmonious and consistent manner; stresses the urgent need for the following measures which are not given in any order of priority:

(a) in the social sector:

- provision of increased appropriations for certain specific projects: direct aid for youth employment measures (direct aid for the training and employment of women); schemes for the redeployment of workers in industrial sectors in extreme difficulty;
- more rational and, above all, more rapid utilization of ESF appropriations,

(b) in the regional sector:

- creation of a 'non-quota' fund under the ERDF,
- more Community influence over the fixing of regional policy objectives as a means of ensuring that Community financing really will increase the total amount of support in this sector,

(c) in the industrial sector:

- substantial increase in Community aid for reorganization and redevelopment in connection with the crisis in the iron and steel, textiles and shipbuilding industries,
- exclusive Community financing of aid to the aviation industry,

(d) in the energy sector:

- Community financial support for energy conservation measures,
- financing of research and development projects relating to new sources of energy,
- support for the coal industry and promotion of the use of coal,
- increased financial aid for the development of energy sources in the Community,

(e) Community policies for the next few years:

- preparations for enlargement, with particular emphasis on the adjustment of Mediterranean agricultural structures,
- cooperation with the non-associated developing countries,
- research, science and technology,
- the environment;

10. Invites the Council and the Commission to participate with it, from the beginning of the budgetary procedure, in joint deliberations on whether the conditions necessary for the utilization of appropriations in these areas have been met;

*The development of agricultural expenditure*

11. Feels that a better balance should be established between agricultural and other expenditure in the budget in a manner which is not at variance with the objectives of Article 39 of the EEC Treaty;

12. Points out that the Commission has undertaken to notify and consult Parliament in good time in cases where an unforeseen contingency has considerable political or financial effects on the budget; takes the view that this system should be extended;

13. Recommends that, in the event of the foreseeable depletion of the appropriations for a given group of products, a warning system be brought into operation;

14. Takes the view that, after such warning, the budgetary authority should take appropriate political action; the following options would be open:

- transfers of appropriations,
- establishment of a supplementary budget,
- other price or structural measures;

15. Points out that the gradual abolition of agri-monetary expenditure must take account of the situation as regards costs in the individual Member States;

16. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 471/76 as regards the period of suspension of the application of the condition on prices governing the importation into the Community of fresh lemons originating in certain Mediterranean countries

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 549/77),
- having regard to the report of the Committee on External Economic Relations and the opinions of the Committee on Budgets and the Committee on Agriculture (Doc. 41/78),

Approves the Commission's proposal.

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#### RESOLUTION

on the mandate for the negotiations between the EEC and Yugoslavia

*The European Parliament,*

- having regard to the own-initiative report of the Committee on Social Affairs, Employment and Education (Doc. 32/78),

1. Regrets, in view of what is known to it about the forthcoming negotiations for the renewal of the EEC-Yugoslavia Cooperation Agreement, that neither the Council nor the Commission has taken account of the resolution of the European Parliament of 24 September 1975 <sup>(2)</sup> or the Council resolution of 9 February 1976 <sup>(3)</sup> as regards the harmonization of existing bilateral agreements on the recruitment of workers from third countries and equality of treatment with workers from the Member States;

2. Stresses the need for the interests of Yugoslav migrant workers in the Community to be included in negotiations for the renewal of the EEC-Yugoslavia Cooperation Agreement;

3. Urges the Commission and the Council to include the questions of recruitment, equal treatment and the return of migrant workers in the mandate for negotiations with Yugoslavia on the same terms as the other issues to be negotiated;

4. Attaches great importance to the inclusion in the Agreement to be concluded of a declaration of principle on the social problems of Yugoslav migrants;

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<sup>(1)</sup> OJ No C 38, 15. 2. 1978, p. 5.

<sup>(2)</sup> OJ No C 239, 20. 10. 1975, p. 34.

<sup>(3)</sup> OJ No C 34, 14. 2. 1976, p. 2.

5. Instructs its Committee on Social Affairs, Employment and Education to continue to follow developments in this matter and to report to it if necessary;

6. Instructs its President to forward this resolution to the Council and Commission and to the Governments of the Member States.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive amending Directive 76/135/EEC on reciprocal recognition of navigability licences for inland waterway vessels

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 75 of the EEC Treaty (Doc. 500/77),
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport (Doc. 580/77),

Approves the Commission's proposal.

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<sup>(1)</sup> OJ No C 13, 17. 1. 1978, p. 4.

RESOLUTION

on the prospects for and requirements of a Community oil supply and processing policy

*The European Parliament,*

- having regard to the report from the Committee on Energy and Research and the opinion of the Committee on Economic and Monetary Affairs (Doc. 577/77),
  - having regard to the communication from the Commission of the European Communities to the Council on a Community approach to the refining problems of the Community (COM(77) 71 fin.),
1. Calls on the Commission to intensify its efforts to achieve
    - (a) a common market in the field of oil and petroleum products, without distortion of competition;
    - (b) transparency in the market for oil and petroleum products;
    - (c) a common policy on the importation of oil and refined products;
  2. Believes that overcapacity in the European refining industry is a structural problem which can best be solved through cooperation between the industry and the Community, which would have a role to play in creating the most favourable administrative, fiscal and social environment so that the industry could adapt itself to the requirements of the market;
  3. Feels that a solution to the problem could be found if the industry, in cooperation with the competent Community authorities and representatives of those employed in the industry, were to
    - (a) withdraw less efficient refining plants from service, in accordance with market requirements, without neglecting the social problems that could result therefrom;
    - (b) adapt refining structures to market needs by reducing the proportion of heavy petroleum products produced in the Community while increasing output of lighter products;
    - (c) restrict the construction of new refineries in the Community over the next 10 years, exceptions being made for an appropriate number of conversion plants for the production of gasoline and other lighter products;
  4. Urges the Council and Commission to give further consideration to imports of refined products in the future, and, in particular to
    - (a) draw up indicative medium-term forecasts of imports;
    - (b) collect more detailed and complete information and statistics on prices of petroleum products;
    - (c) develop the consultation system within the Community;
    - (d) organize consultations, should the need arise, with the third countries concerned, on the problems relating to trade in refined products;
    - (e) continue a dialogue with petroleum producers, including perhaps the Organization of Petroleum Exporting Countries;
    - (f) ensure that measures taken in the refining sector in no way endanger the security of Europe's energy supplies for which the OECD/IEA has a role to play;

5. Recognizes the need for a strong institution covering all sectors of the refining industry which would represent the views of the industry, after consultation with the relevant trade unions, to the Commission;
6. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive amending Council Directive 68/414/EEC of 20 December 1968 imposing an obligation on Member States of the EEC to maintain minimum stocks of crude oil and/or petroleum products, and on the need for improving the Community's policy for the storage of oil and/or petroleum products

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 504/77),
  - having considered the proposals from the Commission of the European Communities to the Council <sup>(2)</sup>, on which it has not been consulted,
  - having regard to the report of the Committee on Energy and Research (Doc. 16/78),
  - having regard to its resolutions
    - on the proposal from the Commission of the European Economic Community to the Council for a Directive imposing an obligation on Member States of the European Economic Community to maintain a minimum level of stocks of oil and/or petroleum products <sup>(3)</sup>;
    - on the proposal from the Commission of the European Communities to the Council for a Directive amending Council Directive 68/414/EEC of 20 December 1968 imposing an obligation on Member States of the European Community to maintain a minimum level of stocks of oil and/or petroleum products <sup>(4)</sup>.
1. Congratulates the Commission and the Council on the measures already taken to set up stocks of oil and petroleum products;
  2. Deplores the fact that it was not consulted on two of the proposals for Council Directives <sup>(2)</sup> in this sector;
  3. Is aware of the vulnerability of the Community's supplies of oil;
  4. Asks the Commission to give consideration to the vulnerability of the Community's supplies of natural gas, and to make appropriate proposals;
  5. Emphasizes the importance of building up a fully interconnected international network of pipelines for oil, petroleum products and gas, including undersea pipelines;
  6. Recognizes that the International Energy Agency/Organization for Economic Cooperation and Development would have an important role to play in the event of a crisis affecting oil supplies, and thus stresses the need for close cooperation with these organizations;

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<sup>(1)</sup> OJ No C 15, 19. 1. 1978, p. 3.

<sup>(2)</sup> COM(77) 158 fin.

<sup>(3)</sup> OJ No 20, 6. 2. 1965, p. 330/65.

<sup>(4)</sup> OJ No C 124, 17. 12. 1971, p. 5.

7. Draws attention to the need for encouraging all consumers to build up additional stocks of petroleum products at points of use, and asks the Commission to examine the possibility of developing a system of tax incentives to this end;
8. Recommends that the costs involved in maintaining larger oil stocks should not be a direct charge on Community funds, though they may have a bearing on consumer prices;
9. Calls on the Commission to examine the possibility of Community loans being provided for the construction of oil storage facilities, particularly for the storage of crude oil;
10. Feels that the creation of common oil storage facilities, open to undertakings of all Member States, would enable a more rational use to be made of the Community's storage capacity;
11. Believes that, for security reasons, details of common storage capacities should not be published, and invites the Commission to adopt the following amendment to the proposal for a Council Directive on the introduction in the Community of joint stocks of crude oil and petroleum products, pursuant to the second paragraph of Article 14<sup>9</sup> of the EEC Treaty;
12. Feels that any reduction in the level of oil stocks held in the Community would imply a degree of complacency which could not be justified by the current world energy situation, and consequently calls on the Commission to withdraw its proposal <sup>(1)</sup> for a Directive amending Council Directive 68/414/EEC of 20 December 1968.

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<sup>(1)</sup> OJ No C 15, 19. 1. 1978, p. 3.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Directive on the introduction in the Community of joint stocks of crude oil and petroleum products**

Preamble, recitals and Articles 1 and 2 unchanged

*Article 3*

The Commission shall *publish in the Official Journal of the European Communities* common storage capacities *together with* details of their location and the duration of their use.

*Article 3*

The Commission shall communicate to Member States, which shall inform the undertakings concerned, details of common storage capacities including their location and the duration of their use.

Articles 4 to 7 unchanged

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<sup>(1)</sup> For full text see COM(77) 158 fin.

## RESOLUTION

embodying the opinion of the European Parliament on the amended proposal from the Commission of the European Communities to the Council for a Regulation on support for joint hydrocarbon exploration projects

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 583/77),
  - having regard to the report of the Committee on Energy and Research and the opinions of the Legal Affairs Committee and the Committee on Budgets (Doc. 90/78),
  - referring to its resolution of 10 April 1975 embodying its opinion on the proposal for a Regulation concerning support to common projects for hydrocarbon exploration <sup>(2)</sup>,
1. Emphasizes the increasing importance of support for joint hydrocarbon exploration projects in reducing the Community's dependence on external energy sources and increasing its security of supply;
  2. Regrets that over a period of more than three years the Council has been unable to produce a legal act from the Commission's original proposal;
  3. Feels that this has given the impression that the Community is unable to speak with one voice on the question of securing its energy supplies;
  4. Welcomes in principle the fact that the Commission has adapted its original proposal to meet the changed technical circumstances;
  5. Does not however approve the fact that neither the right of undertakings to propose projects nor the obligation on the undertakings concerned to exchange information and cooperate has been retained, both of which constitute essential Community requirements, and therefore calls on the Commission to reinstate the relevant provisions in the spirit of their original proposal;
  6. Feels it would be logical for this programme, which is now confined to three years, to be renewed before it expires and extended or amended in the light of experience;
  7. Stresses that the consultation of Parliament will also be necessary in this case;
  8. Takes the view that the accompanying implementing Regulation, to the extent that it would produce specifically practical results, should admittedly be regarded as a step in the right direction, but that, in its proposed form, it could lead to circumvention of the powers of Parliament and the Commission; therefore asks the Commission to make amendments which will completely eliminate this danger;
  9. Approves the Commission's proposal, but nevertheless requests it to incorporate the following amendments in its proposal, pursuant to the second paragraph of Article 149 of the EEC Treaty; emphasizes that all the details on the financial implications and possible staff requirements can serve only for guidance purposes until the budgetary procedure for the financial year concerned has been completed and do not impose on the European Parliament any obligation whatsoever in the exercise of its budgetary powers;
  10. Asks for the conciliation procedure to be opened should the Council intend to depart from this opinion.

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<sup>(1)</sup> OJ No C 70, 21. 3. 1978, p. 2.

<sup>(2)</sup> OJ No C 95, 28. 4. 1975, p. 37.

**Council Regulation on support for joint hydrocarbon exploration projects**

Preamble, recitals and Articles 1, 2 and 3 unchanged

*Article 4*

Projects may emanate from Member States or from the Commission.

*After consulting the Member States* the Commission shall *submit to the Council a proposal* for support for one or more projects accompanied by a report including:

- a detailed description of the project and, where appropriate, of the drilling programme;
- indications as to the probable presence of hydrocarbons in the exploration zone, and the results of geophysical work,
- the cost of the project, and the financing arrangements proposed for carrying it out;
- any other information which may justify the type and extent of the support proposed for the project by the Commission,
- any support provided for, or expected from, Member States for the project.

The Council may ask the Commission for additional information.

*Article 5*

*The Council, acting unanimously on a proposal from the Commission, shall decide on the projects to be supported.*

*Article 4*

Projects may emanate from Member States, **undertakings, groups of undertakings** or from the Commission.

The Commission shall **draw up proposals** for support for one or more projects, accompanied by a report including:

- a detailed description of the project and, where appropriate, of the drilling programme;
- indications as to the probable presence of hydrocarbons in the exploration zone, and the results of geophysical work,
- the cost of the project, and the financing arrangements proposed for carrying it out,
- any other information which may justify the type and extent of the support proposed for the project by the Commission,
- any support provided for, or expected from, Member States for the project.

The Council may ask the Commission for additional information.

*Article 5*

1. The Commission shall select projects for financial aid with the help of an advisory committee on hydrocarbon exploration consisting of representatives appointed by the Member States and chaired by a representative of the Commission.

2. The Commission shall inform the Council and Parliament of projects it proposes to adopt.

3. The amount of aid provided for the financing of the projects shall be determined by the appropriations actually opened by the Budgetary Authority for the financial year in question.

<sup>(1)</sup> For complete text, see OJ No C 70, 21. 3. 1978, p. 2.

4. The undertakings which benefit from Community support within the framework of exploration projects of this kind shall undertake to exchange information on the results obtained and to cooperate at technical level in order to guarantee an optimum development in the regions covered by aid programmes; details of the exchange of information and cooperation shall be defined by the Commission.

Articles 6 to 11 unchanged

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>,

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

*Proposal for a Council Regulation*

implementing Council Regulation (EEC) No ... of ... on support for joint hydrocarbon exploration projects

Draft Commission Decision implementing Council Regulation (EEC) No ... of ... on support for joint hydrocarbon exploration projects (forwarded by the Commission to the Council and Parliament)

THE COUNCIL OF THE EUROPEAN  
COMMUNITIES —

THE COMMISSION OF THE EUROPEAN  
COMMUNITIES —

Having regard to the Treaty establishing the European Economic Community,

unchanged

Having regard to Council Regulation (EEC) No ... of ... on support for joint hydrocarbon exploration projects, and in particular Article 5 thereof,

unchanged

*Having regard to the proposal from the Commission.*

deleted

Recitals unchanged

HAS ADOPTED THIS REGULATION:

HAS ADOPTED THIS DECISION:

Articles 1 to 3 unchanged

<sup>(1)</sup> For complete text see the Annex to Doc. 583/77 — COM(77) 532 fin. This Annex is not published in OJ No C 70, 21. 3. 1978.

*Article 4*

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

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

*Article 4*

This *Decision* shall enter into force on the day following its publication in the *Official Journal of the European Communities*.

This *Decision* shall be binding in its entirety and directly applicable in all Member States

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RESOLUTION

on Petition No 13/76 by Mr Jean Feidt and 15 other members of the Staff Committee of the European Parliament on enquiries into the political affiliations of Commission officials

*The European Parliament,*

- having regard to Petition No 13/76 <sup>(1)</sup>,
  - having regard to the report by the Committee on the Rules of Procedure and Petitions and the opinion of the Legal Affairs Committee (Doc. 336/77),
1. Considers that it is necessary that the Commission guarantees the freedom of opinion of its officials;
  2. Understands that the Commission also has to guarantee the trustworthiness of a limited number of officials, who work with what are loosely described as highly confidential documents;
  3. Is aware of the fact that the Commission is not entrusted with its own security service and therefore has to rely on the information gathered by national authorities;
  4. Stresses that questionnaires of the national authorities on this limited number of persons should in no way constitute separate files which can influence further careers;
  5. Urges the Council and Commission to recommend to the Member States concerned, pursuant to the third paragraph of Article 194 (2) of the Euratom Treaty, to harmonize the questionnaires and, in their formulation, to take account of the democratic principles on which the Community itself is founded;
  6. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

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<sup>(1)</sup> Parliament Bulletin No 38/76, 19. 11. 1976, p. 29.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Community to the Council for

- I. a Regulation concerning the creation of a new European Social Fund aid in favour of young persons
- II. a Decision amending Decision 75/459/EEC of 22 July 1975 on action by the European Social Fund for persons affected by employment difficulties, as amended by Decision 77/802/EEC of 20 December 1977

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 60/78),
  - having regard to the report of the Committee on Social Affairs, Employment and Education and the opinion of the Committee on Budgets (Doc. 88/78),
1. Takes note of the Commission's proposals which, for the first time in the history of the European Communities are intended to deal with the now critical problem of unemployment amongst young people by granting aid to encourage the recruitment of young people in both the private and public sectors;
  2. Regrets that these proposals have been submitted unacceptably late both in view of the worsening of the situation which now affects approximately two million young people and with respect to the express mandate given by the Council to the Commission on 28 October 1977;
  3. Considers that this delay is particularly unjustified since the result of these months of waiting is merely the addition of another form of aid to those already provided for under the rules of the European Social Fund;
  4. Draws attention to the lack of a comprehensive and precise set of rules, which would be essential *inter alia* for a proper evaluation of the proposals submitted, and requests that the management guidelines and allocation criteria adopted should allow for the fact that priority must be given to the granting of aid:
    - (a) to regions with the highest rate of unemployment amongst young people;
    - (b) for recruitment programmes which guarantee a longer period of employment;
    - (c) for the creation of jobs in small and medium-sized undertakings, in the craft industries, in rural areas and industries and in the expanding industrial sectors;
    - (d) to young women;
    - (e) to young people who have been without work for long periods;
  5. Insists, moreover, that the objective of all these guidelines and criteria should be to remedy imbalances and redistribute resources, as should be the function of all Community financial aid;
  6. Criticizes the Commission's lack of originality in its choice of an instrument for encouraging youth employment, since it merely reposes a system which in its broad outlines is already in operation in the Member States and which has not shown itself to be particularly effective, having at most helped to slow down a trend which it was intended to halt;

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(<sup>1</sup>) OJ No C 100, 25. 4. 1978, p. 4.

7. Fears that the Community measures proposed may simply lead to a transfer, even if only partial, of resources from national programmes subsidizing the employment of young people, thereby weakening the overall impact of actions undertaken for this purpose;
8. Is convinced that the amount of subsidy envisaged for the recruitment schemes in the private sector is inadequate, particularly in those labour markets characterized by extreme rigidity;
9. Notes that, as the Commission itself points out, 'recruitment premiums' may include various kinds of incentives, including reductions in employers' social security contributions;
10. Emphasizes in addition that it is extremely important that the concept of 'recruitment' should also cover paid practical training schemes in companies and paid periods of practical initiation to work, forms of apprenticeship which are undoubtedly of value both to the young people taking part and to the employers;
11. In order to ensure that these measures have some practical effect and do not merely provide employment which is temporary, requests expressly that the management guidelines called for above should stipulate that, to be eligible for assistance from the Fund, fixed term employment schemes must at least offer young people practical professional training in a specific area;
12. Considers restrictive the fact that, pursuant to the second indent of Article 1 of the proposal for a Regulation, aid is to be granted for 'programmes to recruit young persons for newly created jobs relating to activities or services in the public interest', since this would rule out distributing aid in areas of the Community in which, despite high youth unemployment, it is not practicable to start up new programmes of public interest but only to consolidate existing ones;
13. In view of the extremely serious unemployment amongst young people and its dramatic human, social, political and economic consequences, and considering that demographic factors will probably cause it to increase over the next few years even if there is a moderate economic upswing, considers disappointing the list of measures suggested in the Commission's communication since, though valuable in themselves, they are too fragmentary and limited to influence the various aspects and the deeper causes of this type of unemployment;
14. Firmly believes that there must be no further delay in drawing up and putting into operation a comprehensive programme in collaboration with the social partners and the Youth Forum to be set up, coordinating not only action by the Community's financial instruments but also the various policies concerned with education, career guidance, professional training, job placement and employment;
15. Requests the Commission to incorporate the following amendments in its proposal, pursuant to the second paragraph of Article 149 of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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**Council Regulation concerning the creation of a new European Social Fund aid in  
favour of young persons**

Preamble and recitals unchanged

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<sup>(1)</sup> For complete text see OJ No C 100, 25. 4. 1978, p. 4.

*Article 1*

*Article 1*

Assistance may be granted from the Fund pursuant to Articles 4 and 5 of Decision 71/66/EEC amended by Decision 77/801/EEC for the following categories of aid:

u n c h a n g e d

aids to promote the employment of young job-seekers under 25 years of age, intended to cover:

u n c h a n g e d

— expenditure incurred in granting recruitment premiums; aid from the Fund shall be calculated on the basis of a wage allowance not exceeding the sum of 30 European units of account per person per week for a maximum of six months;

u n c h a n g e d

— expenditure incurred in financing programmes to recruit young persons for newly created jobs relating to activities or services in the public interest; assistance from the Fund shall be calculated on the basis of a wage allowance not exceeding the sum of 60 European units of account per person per week for a maximum of 12 months.

— expenditure incurred in financing programmes to recruit young persons for newly created as well as existing jobs relating to activities or services in the public interest; assistance from the Fund shall be calculated on the basis of a wage allowance not exceeding the sum of 60 European units of account per person per week for a maximum of 12 months.

These aid measures may not be combined with those provided for under Article 3 (1) (e) of Regulation (EEC) No 2396/71 amended by Regulation (EEC) No 2893/77.

u n c h a n g e d

Article 2 unchanged

RESOLUTION

on the promotion of efficient air traffic control

*The European Parliament,*

- having regard to the report from the Committee on Regional Policy, Regional Planning and Transport and the opinions of the Committee on Economic and Monetary Affairs and the Committee on Energy and Research (Doc. 49/78),
- referring to its previous resolutions on air traffic <sup>(1)</sup>, its debates of 12 November 1975 <sup>(2)</sup> and 15 October 1976 <sup>(3)</sup> and the report (Doc. 195/72),
- recognizing that air transport in Europe is at present conducted with a relatively high degree of safety,

<sup>(1)</sup> OJ No C 19, 12. 4. 1973, p. 51; OJ No C 280, 8. 12. 1975, p. 24.

<sup>(2)</sup> OJ Ann. No 196, p. 132.

<sup>(3)</sup> OJ Ann. No 207, p. 217.

- noting that there remains the possibility of improving safety standards within the economic and technical limitations which must ultimately apply,
  - being anxious to ensure that all appropriate means are employed to reduce to a minimum the risk of air collisions and other causes of disaster,
1. Is concerned at the fact that the rapid expansion of international air transport and the need to accommodate other types of traffic, such as military and private aviation, poses problems of capacity, which are likely to impede the orderly and rapid movement of air traffic in proper conditions of safety; is aware that these problems, which basically stem from the fact that available airspace is limited, are particularly acute in those parts of western Europe where the air traffic is very dense;
  2. Draws attention to the large increase in running costs, the waste of fuel and considerable inconvenience to the travelling public caused by the cancellations and delays in air traffic which arise from these limitations on capacity;
  3. Feels, therefore, that vigorous measures must be taken to ensure the full use of currently available capacity and, where necessary, the expansion of both air traffic services and airport capacities;
  4. Welcomes the considerable work undertaken recently in scientific and technological research into the development and introduction of systems intended to secure the safe separation of aircraft, and believes that this research must be continued and encouraged, while insisting on the need to undertake an evaluation of cost effectiveness, taking into account the cost of research, experimentation and the manufacture of the various technological accident prevention systems;
  5. Is convinced that efforts have to be made to make the products of the European aeronautical and electronic industries, particularly in air traffic control systems, more competitive and acceptable to the world market;
  6. Stresses the importance of achieving compatibility of equipment used or likely to be used in air traffic control with a view to future standardization leading to greater cost effectiveness and efficiency; feels this to be of particular importance in view of the increased use of automation and the introduction of data links between air traffic control centres;
  7. Considers that the international bodies, both governmental and non-governmental, which are at present engaged in a study of the problems involved in air traffic management should continue and intensify their efforts so as to ensure the most efficient use of available air traffic control capacity;
  8. Is convinced that efficient air traffic management should be organized on a supranational basis and that close cooperation is vital in Europe because of its special geographical pattern;
  9. Expects medium- and long-haul air traffic to continue to expand in the future, although on some shorter routes airlines may experience strong competition from the railways which are planning substantial improvements to some rail services such as the Paris-Lyons route; considers it desirable for developments in short-haul air traffic and railway services between the same points to be better coordinated at a European planning stage;
  10. Calls upon the Commission to study the possibility of improving cooperation between national air traffic control authorities with the aim of ultimately setting up a single European air traffic control system;
  11. Pays tribute to Eurocontrol for its many activities which have contributed to the promotion of air traffic control in a section of air space characterized by very heavy traffic and wishes to stress the important role which this organization is playing, especially in the field of training and experimentation, and the role it should play in the future in the field of coordination between national air traffic control services;

12. Calls therefore on the Governments of the Member States of Eurocontrol to define the tasks and responsibilities of this organization in the new convention due to replace the existing convention which expires in 1983;
13. Expresses its grave concern at the division between civil and military control of air space and calls upon the European governments concerned to achieve a common use of the same air space by civil and military traffic — control being effected by joint civil and military control units — in those areas where this has not yet been achieved;
14. Believes, further, that a solution (by means of radar) will be necessary to solve the problems of wind shear at low altitude and to make available to controllers information on the location of hazardous weather conditions;
15. Calls for Community measures to give an added impetus to the application of research being undertaken in various countries into the artificial dispersal of fog at airports;
16. Feels that studies should be undertaken on the provision of improved organizational and procedural systems designed to reduce the incidence of human error by both the pilot and the controller; is aware of the impact of automated and modern air traffic control systems on the authority of the pilot of an aircraft, but is convinced that from the operational point of view the final decision should remain with the captain of the aircraft;
17. Is of the opinion that action should be taken to explore the question of satisfactory conditions of employment and career prospects for air traffic controllers so as to reduce the present incidence of industrial unrest and encourage the continuing availability of suitably qualified personnel for recruitment to the profession;
18. Believes that the States concerned should improve the procedures for the reporting and the analysis of near-miss incidents, and other evident deficiencies in the air traffic control systems;
19. Stresses that it is the first parliamentary body to call for suitable measures to improve standards of control, and deplores the fact that the Community institutions have taken no action on the question of air traffic control;
20. Asks its President to organize a conference of all interested parties, including the Council of Europe, with a view to developing the recommendations contained in this resolution;
21. To this end, calls upon the Council to include the question of air traffic control among the civil aviation topics to be studied with a view to Community consultations or action, and this in close cooperation with the competent international organizations, especially with ICAO;
22. Instructs its President to forward this resolution to the Council and Commission and, for information, to the national parliaments, ICAO, ECAC, Eurocontrol, IATA and other interested bodies.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation concerning accession to the United Nations Convention on a code of conduct for liner conferences

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 84 (2) of the EEC Treaty (Doc. 540/77),
  - having regard to the report of the Committee on Regional Policy, Regional Planning and Transport and the opinions of the Committee on Economic and Monetary Affairs and the Legal Affairs Committee (Doc. 47/78),
1. Refers to its resolution of 20 April 1977 on sea transport problems in the Community <sup>(2)</sup>;
  2. Welcomes the fact that the Council has now recognized the urgent need to develop a common sea transport policy;
  3. Endorses the view that priority should be given to the definition by the Member States of the Community of a common position on the United Nations Code of Conduct for liner conferences since the lack of a common approach in this matter of international policy would greatly damage the Community's prestige and trading interests;
  4. Considers that in future the Community's merchant fleets should as far as possible be treated as a single merchant fleet in relation to third countries and sees it as a step in the right direction that, for the purpose of the Code of Conduct, 'national shipping lines' of the Member States are to be regarded as including any shipping line from another Member State established in the Member State in question according to the provisions in the EEC Treaty relating to establishment;
  5. Welcomes the proposal that cargo should be distributed between the shipping lines of the Member States on a more flexible basis than generally provided for in the Code of Conduct for liner conferences;
  6. Welcomes the inclusion in this more flexible system of all OECD countries and hopes that the subsequent negotiations with these countries will be successful;
  7. Regrets the Commission's failure to submit at the same time its proposal on the application of competition rules to sea transport, but is not in favour of postponing the adoption of the present proposal until competition rules are submitted;
  8. Regrets further that the Commission has submitted no proposals on joint action by the Member States to combat discrimination against Community sea transport by shipping lines operating under flags of convenience and, in particular, with sub-standard ships, and notes with approval that the Commission is preparing proposals aimed at combating unfair practices by the State-trading countries;
  9. Requests the Commission to incorporate the following amendments in its proposal pursuant to the second paragraph of Article 149 of the EEC Treaty.

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<sup>(1)</sup> OJ No C 35, 11. 2. 1978, p. 3.

<sup>(2)</sup> OJ No C 118, 16. 5. 1977, p. 41.

**Council Regulation concerning accession to the United Nations Convention on a code  
of conduct for liner conferences**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 84 (2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 84 (2) 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,

First to sixth recitals unchanged

Whereas if the shipping lines of the State-trading countries still absent themselves from the liner conferences, despite having accepted the Code of Conduct, and sail as independents, special measures will be required to solve this problem.

Seventh recital unchanged

*Eighth recital*

Whereas it is necessary to make special arrangements for membership of liner conferences, for the redistribution of the shares of cargo falling to the shipping lines which are members of a liner conference and established in the Community and for consultation between those lines; whereas the adoption of a Regulation concerning the application of the competition rules of the EEC Treaty to the liner conference agreements is a *prerequisite* to participation of Member States in the Code of Conduct.

*Eighth recital*

Whereas it is necessary to make special arrangements for membership of liner conferences, for the redistribution of the shares of cargo falling to the shipping lines which are members of a liner conference and established in the Community and for consultation between those lines; whereas the adoption of a Regulation concerning the application of the competition rules of the EEC Treaty to the liner conference agreements is a *necessary adjunct* to participation of Member States in the Code of Conduct.

Ninth and 10th recitals unchanged

*Article 1*

1. Member States shall, subject to and in accordance with Article 6 of this Regulation, ratify or accede to the Code of Conduct.

*Article 1*

1. unchanged

(1) For full text see OJ No C 35, 11. 2. 1978, p. 3.

2. Member States shall inform the Secretary-General of the United Nations by writing that their ratification or accession has taken place in accordance with this Regulation.

2. unchanged

3. The instrument of ratification or adhesion shall be accompanied by the reservation set out in Annex I to this Regulation.

3. The instruments of ratification or adhesion shall be deposited jointly when the last of the Member States has ratified or acceded.

4. unchanged

Article 2

Article 2

For the purpose of the Code of Conduct a 'national shipping line' shall be regarded as including any shipping line established under the Treaty establishing the European Economic Community in the Member State *whose trade is served by the liner conference in question.*

For the purpose of the Code of Conduct 'national shipping lines' of a Member State of the Community shall be regarded as including any shipping lines from other Member States established under the Treaty establishing the European Economic Community in the Member State concerned.

Article 3

Article 3

1. Where a liner conference operates a pool in accordance with Article 2 of the Code of Conduct the shipping lines which are members of the conference *and established under the Treaty establishing the European Economic Community in that Community* shall, unless otherwise agreed by them, distribute amongst themselves *their* shares of the cargo in accordance with the present Article.

1. Where a liner conference operates a pool in accordance with Article 2 of the Code of Conduct the shipping lines of the Community which are members of the conference, shall, unless otherwise agreed by them, distribute amongst themselves the total shares of the cargo falling to them under the rules of the Code in accordance with the present Article.

2. The cargo shall be distributed by agreement between the shipping lines concerned. The share allocated to each shipping line shall be determined by the application of commercial principles and shall in particular take account of:

2. unchanged <sup>(1)</sup>

— the volume of cargo carried by the conference and generated by the Member States whose trade is served by the conference;

— past performance of the shipping lines in the trade covered by the pool;

— the volume of cargo carried by the conference and shipped through the ports of Member States.

3. If the shipping lines cannot reach agreement on the distribution of cargo between themselves, in accordance with paragraph 2, the matter shall be settled by arbitration in accordance with Annex II.

3. unchanged

4. The provisions of this Article shall be without prejudice to the application of the rules of competition to sea transport.

4. unchanged

<sup>(1)</sup> The amendments in question do not affect the English version.

Article 4 unchanged

Article 5

The Commission is authorized to negotiate with the Member States of the Organization for Economic Cooperation and Development, other than the Member States of the European Economic Community, an agreement whereby the arrangements specified in Article 3 shall be extended in relation to the liner conferences serving the trade of those States to the shipping lines which are established in those States and members of those conferences.

Article 6

The ratification of accession of Member States to the Code of Conduct shall take place within one year after the conclusion of the agreement envisaged by Article 5 and the adoption of a Regulation by the Council concerning the application of the competition rules to agreements entered into under the Code of Conduct. If, however, one or more Member States of the Organization for Economic Cooperation and Development are not willing to participate in such an agreement, the Council shall decide, acting by qualified majority on the proposal from the Commission, whether the Member States shall ratify or accede to the Code of Conduct and the period within which this should take place.

Article 7

The Commission is authorized to open negotiations with the non-member States party or entitled to become a party to the Code of Conduct with a view to the accession of the Community to the Code.

*The Commission shall conduct these negotiations in accordance with the directives in Annex III.*

Article 5

1. unchanged

2. In its negotiations with the OECD Member States the Commission shall also seek to ensure that the procedures laid down in the code for settling disputes between OECD shipping lines are applied in a modified form.

Article 6

1. The ratification or accession of Member States to the Code of Conduct shall take place within one year after the conclusion of the agreement envisaged by Article 5. If, however, one or more Member States of the Organization for Economic Cooperation and Development are not willing to participate in such an agreement, the Council shall decide, acting by qualified majority on the proposal from the Commission, whether the Member States shall ratify or accede to the Code of Conduct and the period within which this should take place.

2. The Council shall, on a proposal from the Commission, adopt a Regulation on the application of the Community's competition rules to liner conferences which are subject to the Code of Conduct. This Regulation shall enter into force at the latest on the day on which the Code of Conduct becomes binding on Member States after the joint depositing of the instruments of ratification or adhesion.

Article 7

unchanged

The purpose of these negotiations shall be to amend the Code of Conduct so as to facilitate the accession of the European Community as such.

*Article 8*

The Council shall decide, acting by qualified majority on the proposal from the Commission, the scope and implementation of the common action of Member States with respect to amendment of the Code of Conduct and shall in particular in the case of a review conference decide the common action of Member States in relation to amendments concerning:

- (a) the procedure for general freight rate increases;
- (b) the procedure for settlement of disputes;
- (c) the competition of lines not members of a liner conference;
- (d) bilateral traffic based on intergovernmental agreements.

*Article 9*

Member States shall, in good time, and after consulting the Commission, adopt such laws, regulations or administrative provisions as may be necessary for the implementation of this Regulation.

*Article 8*

1. unchanged

2. The Council shall in particular decide the measures to be taken in respect of States which have acceded to the Code of Conduct but whose shipping lines regularly absent themselves from the liner conferences.

*Article 9*

Member States shall, in good time, and after consulting the Commission, **which may also take the initiative in this matter**, adopt such laws, regulations or administrative provisions as may be necessary for the implementation of this Regulation.

Article 10 unchanged

ANNEX I

*Reservation*

For the purpose of the Code of Conduct a 'national shipping line' shall be regarded as including any shipping line established under the EEC Treaty in the Member State *whose trade is served by the liner conference in question*.

ANNEX I

*Reservation*

For the purpose of the Code of Conduct, 'national shipping lines' of a Member State of the EEC shall be regarded as including any shipping line **from other Member States** established under the EEC Treaty in the Member State concerned.

Annex II unchanged

ANNEX III

*Directives for negotiation*

*The code of conduct shall be amended in such a way as to permit the European Economic Community to accede to it.*

ANNEX III

deleted

deleted

## RESOLUTION

embodying the opinion of the European Parliament on the draft from the Commission of the European Communities to the Council for a Decision on certain activities of State-trading countries in cargo liner shipping

*The European Parliament,*

- having regard to the draft submitted by the Commission of the European Communities to the Council (COM(78) 146 fin.),
  - having been consulted by the Council (Doc. 110/78),
  - recalling its earlier efforts to implement common rules in the field of sea transport and to work out a common position towards State-trading countries in this field <sup>(1)</sup>;
1. Considers that this draft Decision represents a first step towards a coherent set of measures to face unfair competition from certain third countries;
  2. Approves the Commission's draft;
  3. Instructs its relevant committees to continue to follow this matter and to report if necessary.

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(<sup>1</sup>) OJ No C 57, 7. 3. 1977, p. 57; OJ No C 118, 16. 5. 1977, p. 40; Proceedings of 11. 3. 1977 and 13. 9. 1977, PE 50.003/fin.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on the protection of participants in home study courses

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 256/77),
  - having regard to the report by the Committee on the Environment, Public Health and Consumer Protection and the opinions of the Legal Affairs Committee and the Committee on Social Affairs, Employment and Education (Doc. 82/78),
1. Welcomes this proposal, whose purpose should be to provide participants in home study courses with effective protection;
  2. However, in view of the important role played in education generally by home study, regrets that the proposal for a Directive is chiefly concerned with consumer protection, whereas there should also be action at Community level on the purely educational aspects of the matter; considers that Articles 57, 117 and 128 of the EEC Treaty should therefore also be taken as the legal basis for the proposed Directive and not merely Article 100, which covers only the commercial aspect;
  3. Feels that this form of education, in addition to offering opportunities for complementary studies, also constitutes a very good way for young people, who have not been able to take full advantage of the possibilities afforded by normal day or evening school courses, to make up lost ground;
  4. Therefore considers that a comprehensive accreditation system should be introduced for organizers of home study courses;
  5. Believes, however, that, in view of the fact that private enterprise has played a major role in the home study sector and indeed was its initiator, the introduction of such a system should not be interpreted as a wish to have the State take over the establishments active in this sector, but as a desire to protect those taking part in home study by allowing only authorized establishments to operate in this field;
  6. Consequently urges that certificates and diplomas awarded in this type of education be mutually recognized;
  7. Regrets that the Commission did not adopt the idea of a certificate of quality <sup>(2)</sup>, which would have given the consumer a separate indication of the value of each course;
  8. Requests the Commission to incorporate the following amendments into its proposal, pursuant to the second paragraph of Article 149 of the EEC Treaty.

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<sup>(1)</sup> OJ No C 208, 31. 8. 1977, p. 12.

<sup>(2)</sup> Doc. 416/74, p. 11.

**Council Directive on the protection of participants in home study courses**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100 thereof,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 57, 100, 117 and 128 thereof,

Rest of preamble and first two recitals unchanged

*Third recital*

*Third recital*

Whereas *any disparity* between the *legislation* in the different Member States *may have* a direct effect on the functioning of the common market; whereas it is therefore necessary to harmonize legislation in this field;

Whereas **the disparities** between the **legislations** in the different Member States **have** a direct effect on the functioning of the common market; whereas it is therefore necessary to harmonize legislation in this field;

Fourth recital unchanged

*Fifth recital*

*Fifth recital*

Whereas the prime aim of this Directive is to afford the student *adequate* protection in his dealings with the person offering home study courses;

Whereas the prime aim of this Directive is to afford the student **effective** protection in his dealings with the person offering home study courses;

*Sixth recital*

*Sixth recital*

Whereas effective protection of students may be facilitated by a system of compulsory accreditation of persons wishing to offer home study courses; *whereas the Member States must however retain the possibility of providing for a system of optional accreditation;*

Whereas effective protection of students may be facilitated by a system of compulsory accreditation of persons wishing to offer home study courses;

Seventh to 10th recitals unchanged

*Article 1*

*Article 1*

Paragraph 1 unchanged

2. For the purposes of this Directive:

2. For the purposes of this Directive:

Subparagraphs (a) to (d) unchanged

(1) For complete text see OJ No C 208, 31. 8. 1977, p. 12.

(e) 'accreditation' means authorization from a Member State to offer home study courses.

Article 2

1. Each Member State shall ensure that an organizer who wishes to offer home study courses:
- (a) must be accredited for this purpose or
  - (b) has the option of being accredited for this purpose.

Article 2

Each Member State shall ensure that an organizer who wishes to offer home study courses must be accredited for this purpose (10 words deleted)

Paragraph 2 unchanged

Article 3

1. Each Member State shall take steps to ensure that:

Article 3

1. Each Member State shall take steps to ensure that:

Subparagraph (a) unchanged

- (b) Accreditation is granted for a period of three years and shall be renewable;

- (b) Accreditation is granted for a period of three years and shall be renewable at the request of the organizers concerned;

Subparagraph (c) unchanged

2. The Member States *may* forbid or restrict, within their territory, any activity of an organizer who has not received the accreditation under Article 2.

2. The Member States **shall** forbid, within their territory, any activity of an organizer who has not received the accreditation under Article 2.

Article 4 unchanged

Article 4a

All decisions taken pursuant to the provisions adopted in implementation of this Directive to refuse or withdraw accreditation shall set out in detail the reasons on which they are based. Such decisions shall be notified to the party concerned, who shall at the same time be informed of the remedies available to him under the laws in force in the Member States and of the time allowed for the exercise of such remedies.

Articles 5 and 6 unchanged

Article 7

The Member States shall take the requisite measures to ensure that:

Article 7

The Member States shall take the requisite measures to ensure that:

Subparagraph 1 unchanged

2. The publicity material contains full details of:

2. The publicity material contains full details of:

Subparagraph (a) unchanged

(b) *any* accreditation awarded by the body referred to in Article 2 (2);

(b) ~~the~~ accreditation awarded by the body referred to in Article 2 (2);

Subparagraphs (c), (d) and (e) unchanged

Article 8

Article 8

Paragraphs 1 to 3 unchanged

4. The Member States shall take steps to ensure that a contract in respect of participation in a course which has been concluded without observing the provisions of Articles 5 and 8 (1) or which has not been signed by the contracting parties shall be *invalid*.

4. The Member States shall take steps to ensure that a contract in respect of participation in a course which has been concluded without observing the provisions of Articles 5 and 8 (1) or which has not been signed by the contracting parties shall be **void**.

Articles 9 to 16 unchanged

Article 17

Article 17

Paragraph 1 unchanged

2. The Member States shall send to the Commission the text of the *main* provisions of national law which they adopt in the field covered by this Directive.

2. The Member States shall send to the Commission the text of the provisions of national law which they adopt in the field covered by this Directive.

Article 18 unchanged

#### RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for

- I. a Regulation concerning the adaptation of Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community, with a view to applying it to self-employed persons and their families
- II. a Regulation concerning the adaptation of the Annexes to Regulation (EEC) No 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community, with a view to applying it to self-employed persons and their families

\* *The European Parliament,*

— having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,

(1) OJ No C 14, 18. 1. 1978, p. 9.

- having been consulted by the Council (Doc. 494/77),
  - having regard to the report of the Committee on Social Affairs, Employment and Education (Doc. 87/78),
1. Welcomes the Commission's proposals as a significant step towards the application of social security schemes to all categories of persons moving within the Community;
  2. Regrets, however, that the time limit laid down in the social action programme for the submission of the present proposals has been exceeded by a whole year;
  3. Calls on the Commission to submit proposals for extending the Community rules on social security applicable to migrant workers to those members of the non-working population not yet covered by them;
  4. Calls on the Commission also to submit proposals for the benefit of migrant workers and self-employed persons from third countries with a view to waiving nationality requirements in connection with entitlement to certain benefits, granting these workers the right to transfer to their own country pensions acquired while employed in the Community, and according them the right to aggregate their insurance periods in their own country and in one or more Member States for the purpose of acquiring the right to benefits;
  5. Considers that to deny self-employed persons insured against unemployment in one Member State the right to claim unemployment benefits when residing in another Member State or when visiting another Member State to seek work represents a form of discrimination between them and employed persons which should be brought to an end as soon as possible;
  6. Urges the Commission to do everything in its power to put an end as soon as possible to the divergent system applied in France with regard to family allowances for employed and self-employed persons from other Member States;
  7. Considers that benefits due under independent schemes should not be reduced if the total amount of benefits to which the migrant worker or self-employed person is entitled exceeds the highest theoretical amount of benefits, seeing that the pensions due under independent schemes are granted on the basis of contributions made by the insured person;
  8. Calls on the Commission to work out a Community Directive defining the term 'invalidity' in view of the fact that both the existing Regulation on migrant workers and the present proposal for a Regulation on self-employed persons refer to the laws of the individual Member States and this is detrimental to these categories of persons because of the different criteria applied in the different laws;
  9. Urges the Commission to consider recommending to the Member States the extension of social security benefits to all self-employed persons.

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#### RESOLUTION

on the outcome of the Belgrade meeting as provided for by the Final Act of the Helsinki  
Conference on Security and Cooperation in Europe

*The European Parliament,*

- whereas the Final Act of the CSCE signed in Helsinki on 1 August 1975 by the highest authorities of the 35 participating States of Europe, the United States and Canada, initiated a multilateral process;
- whereas this multilateral process was continued at Belgrade from 4 October 1977 to 9 March 1978 at the level of representatives appointed by the Foreign Ministers;

- whereas, on that occasion, the representatives of the participating States held, in accordance with the mandate laid down in the Final Act, a detailed exchange of views both on the implementation of the provisions of the Final Act and on the performance of the tasks defined by the Conference as well as, in the context of the questions dealt with by the latter, on the intensification of their mutual relations, the improvement of security and the development of cooperation in Europe and the future development of the process of détente;
  - whereas the participating States confirmed their determination to pursue this multilateral process and agreed to continue to hold meetings of their representatives, the second of which will begin in Madrid on 11 November 1980;
  - whereas the representatives of the participating States adopted a final document recording the decisions and resolutions on which consensus was reached;
  - whereas the representatives of the nine Member States of the European Communities and the representatives of its Commission, regularly conferred in Belgrade and were able to work out common positions on most of the questions bearing on the implementation of the Final Act;
  - recalling its previous resolutions of 9 April 1975 on 'the Conference on Security and Cooperation in Europe (CSCE)' <sup>(1)</sup>, of 11 May 1977 on 'the protection and defence of human rights' <sup>(2)</sup> and on 'the preparatory meeting of 15 June 1977 in Belgrade as provided for by the Final Act of the Helsinki Conference on Security and Cooperation in Europe' <sup>(3)</sup>, and of 18 January 1978 on 'compliance by the signatory States with their obligations under the Final Act of the Helsinki Conference, with particular reference to the reunification of families' <sup>(4)</sup>;
  - having regard to the report of its Political Affairs Committee (Doc. 76/78),
1. Notes that at the Belgrade meeting the representatives of the participating States held a wide-ranging and frank exchange of views on the implementation of the provisions of the Final Act of Helsinki;
  2. Recognizes that the exchange of views in question constitutes a contribution towards the pursuit of the goals set by the CSCE, despite the very limited results achieved;
  3. Emphasizes that the implementation of all the provisions of the Final Act of Helsinki is essential to the development of the process of détente;
  4. Notes with satisfaction that the representatives of the participating States reaffirmed their governments' desire to carry through this implementation;
  5. Notes that the multilateral process has been continued, and that a further review of the implementation of the provisions of the Final Act can therefore be made in Madrid in 1980;
  6. Regrets, however, that there have been instances of failure to comply with certain provisions of the Final Act and that, in the terms of the final document, differing points of view have been expressed as to the degree of implementation achieved so far;
  7. Notes with deep concern that certain of the preoccupations expressed by the Governments of the nine Member States of the European Community concerning the human dimension of the Final Act were not reflected in the final document as they should have been, notably as regards respect for human rights and fundamental freedoms, including freedom of thought, of conscience, of religion or conviction, the special and positive role that institutions, organizations and persons each have to play, in the same way as governments, in international cooperation, as well as the importance of human contacts;
  8. Expresses the feeling that at the next meeting in Madrid it should be possible to take account of these — in its view — particularly important provisions of the Final Act of Helsinki with a view to a satisfactory strengthening of détente;

<sup>(1)</sup> OJ No C 95, 28. 4. 1975, p. 28.

<sup>(2)</sup> OJ No C 133, 6. 6. 1977, p. 30.

<sup>(3)</sup> OJ No C 133, 6. 6. 1977, p. 32.

<sup>(4)</sup> OJ No C 36, 13. 2. 1978, p. 26.

9. Considers that discussions on human rights between the signatory States of the Final Act of the CSCE do not constitute interference in the internal affairs of States;
10. Notes with disappointment, as regards the development of the process of détente, that consensus was achieved in no areas other than those provided for in the final document of the Belgrade meeting;
11. Requests the institutions of the European Community and the Foreign Ministers of its Member States meeting in political cooperation to use their best endeavours to ensure that all the principles and provisions of the Final Act of Helsinki are scrupulously observed by all the signatory States;
12. Emphasizes the competence of the European Community as regards the economic dialogue — basket 2 of the Helsinki Conference — as also in future conferences, irrespective of its competence in direct negotiations with the COMECON countries;
13. Urges the working parties within the institutions to take the necessary measures to ensure that specific joint proposals are submitted for the meeting in Madrid;
14. Congratulates the Governments of the nine Member States of the European Community for maintaining at the Belgrade meeting a very broad identity of view expressed by the Commission within its sphere of competence and by the representatives of the President-in-Office of the Council;
15. Instructs its President to forward this resolution to the Council and Commission and to the Foreign Ministers meeting in political cooperation.

#### RESOLUTION

on the decision of the European Council of 7 and 8 April 1978 to hold the elections to the European Parliament by direct universal suffrage in the period between 7 and 10 June 1979

*The European Parliament,*

— having regard to the report of the Political Affairs Committee (Doc. 65/78),

1. Welcomes the decision taken by the Heads of State or Government at the European Council of 7 and 8 April 1978 in Copenhagen to hold the elections to the European Parliament by direct universal suffrage in the period between 7 and 10 June 1979;
2. Makes an urgent appeal to the Governments of those Member States of the European Communities which have not yet done so, to notify the Council of the European Communities forthwith of the completion of the procedure for ratification of the Act of 20 September 1976 providing for these elections;
3. Requests that the Council of the European Communities consult it as soon as possible, pursuant to Article 10 of the Act of 20 September 1976;
4. Instructs its President to forward this resolution to the Council and Commission, and to the Parliaments and Governments of the Member States.

## RESOLUTION

on

- I. draft supplementary budget No 3 of the European Communities for the financial year 1978
- II. the request for the release of certain posts at the Court of Auditors submitted on 7 April 1978
- III. the request submitted to Parliament for the transfer of certain of the Court of Auditors' appropriations

*The European Parliament,*

- having regard to preliminary draft supplementary budget No 3 (COM(78) 160),
- having regard to draft supplementary budget No 3 (Doc. 112/78),
- having regard to the requests for the release of posts and transfer of appropriations (Doc. 99/78),
- having regard to the report of the Committee on Budgets (Doc. 113/78),

### I

1. Approves the changes in the establishment plan of the Court of Auditors put forward in the draft supplementary budget, most of which arise out of the decision to establish an internal language service and involve:
  - the creation of 31 additional posts  
(1 LA 3 — 6 LA 5/4 — 9 LA 6/5 — 5 BS — 4 C 3 — 4 C 4 — 2 D 3)
  - the deletion of two posts (2 C 1)
  - the conversion of one temporary post (C 1) into a permanent post;
2. Approves, therefore, supplementary budget No 3 for 1978 and instructs its President to declare it finally adopted pursuant to Article 203 (7) of the EEC Treaty;

### II

3. Approves the release of the 10 posts still frozen in the establishment plan of the Court (2 A 2 — 5 A 6 — 3 C 3);

### III

4. Approves the request for the transfer, in the 1978 budget for the Court, of 207 520 EUA from Chapter 101 (contingency reserve) to Chapter 11 (staff), Chapter 15 (internal training courses), Chapter 22 (movable property) and Chapter 23 (administrative expenditure).

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## RESOLUTION

on the respect of human rights in Uruguay

*The European Parliament,*

- indignant at the fact that, on 7 April 1978, the Uruguayan authorities re-arrested the former trade union leader, Ricardo Vilaro, after the competent judge had, on 28 March 1978, ordered his release,
- whereas one of the Member States of the European Community has a visa in readiness at its embassy in Montevideo to enable Mr Vilaro to rejoin his family in Europe,

1. Requests the Foreign Ministers meeting in political cooperation to instruct the ambassadors of the Nine in Montevideo immediately to make joint representations to the Uruguayan authorities to secure the release and departure of Ricardo Vilaro;
2. Requests the President-in-Office of the Foreign Ministers meeting in political cooperation to report to it during its June part-session on the results of the steps taken.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 974/71 as regards the price level to be taken into consideration for the calculation of monetary compensatory amounts

### *The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Articles 28, 43 and 235 of the EEC Treaty (Doc. 141/77),
  - having regard to the report of the Committee on Agriculture and the opinions of the Committee on Budgets and the Committee on Economic and Monetary Affairs (Doc. 188/77),
  - having regard to the proposal from the Commission of the European Communities to the Council for a Regulation relating to the fixing of representative exchange rates in the agricultural sector <sup>(2)</sup>, and the report drawn up thereon by Mr Gibbons (Doc. 552/76),
  - having regard to the report of the Committee on Agriculture and the opinions of the Committee on Budgets and the Committee on Economic and Monetary Affairs (Doc. 102/78),
  - having regard to the dangers threatening the common agricultural policy caused by the lack of consistency in economic and monetary policies,
  - considering that the system of monetary compensatory amounts was intended as a transitional instrument to maintain the common agricultural policy in operation in the face of monetary disturbances,
  - considering that monetary compensatory amounts should serve only to prevent short-term fluctuations in exchange rates from immediately affecting agricultural prices as expressed in national currencies,
1. Welcomes the Commission's proposal;
  2. Repeats its view that market unity should be restored as quickly as possible;
  3. Considers that direct cuts in MCAs must play a fundamental role in restoring market unity;
  4. Approves in consequence the Commission's proposal, since it will allow quicker restoration of equilibrium in these sectors, thus easing the way politically towards direct cuts in MCAs.

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<sup>(1)</sup> OJ No C 124, 26. 5. 1977, p. 8.

<sup>(2)</sup> OJ No C 274, 19. 11. 1976, p. 3.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation relating to the fixing of representative conversion rates in agriculture

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (COM(77) 482 fin.),
  - having regard to the report on the use of the European unit of account in the common agricultural policy (COM(77) 480 fin.),
  - having been consulted by the Council pursuant to Articles 28, 43 and 235 of the EEC Treaty (Doc. 390/77),
  - having regard to the report of the Committee on Agriculture and the opinions of the Committee on Economic and Monetary Affairs and the Committee on Budgets (Doc. 104/78),
  - having regard to the previous report of the Committee on Agriculture drawn up by Mr Gibbons (Doc. 552/76),
1. Considers that monetary compensatory amounts are the result of a lack of convergence between the economies of the Member States, and must be progressively reduced if it is hoped:
    - (a) to restore the unity of the common agricultural market,
    - (b) to ensure equal conditions of competition for trade in agricultural products between the Member States, and
    - (c) to avoid any adverse effects on agricultural structures;
  2. Considers that it would be preferable for the Community to utilize the resources which it disburses at present as MCAs to improve the economic structures in the Member States by increasing the three Funds, that is, the EAGGF Guidance Section, the European Regional Development Fund and the Social Fund;
  3. Urges the Member States, therefore, to demonstrate political courage by eliminating MCAs;
  4. Supports the Commission's proposal that existing MCAs should be dismantled over a period of seven years;
  5. Feels, however, that Member States wishing to dismantle existing or newly created MCAs more rapidly should be able to do so;
  6. Endorses the Commission's proposal to fix within the system provided for, a 5 % cut-off point which should make possible the elimination of newly-created compensatory amounts;
  7. Is of the opinion that:
    - in the countries with appreciating currencies, the new MCAs should be eliminated by the progressive adjustment of the 'green' rates in connection with the annual price review, taking into account the particular economic situation of each Member State,
    - in countries with depreciating currencies, the new MCAs should be eliminated each year by means of two adjustments to the 'green' rates, one at the beginning and one half-way through the marketing year;
  8. Believes that an immediate start should be made on dismantling MCAs and that it should not depend on the introduction of the European unit of account in the common agricultural policy;
  9. Requests the Commission, finally, to amend its proposal in the light of this opinion, pursuant to Article 149, second paragraph, of the EEC Treaty.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Directive amending Council Directive 72/159/EEC of 17 April 1972 on the modernization of farms;
- II. a Directive amending Council Directive 75/268/EEC of 28 April 1975 on mountain and hill farming and farming in certain less-favoured areas;
- III. a Directive amending Council Directive 72/160/EEC of 17 April 1972 concerning measures to encourage the cessation of farming and the reallocation of utilized agricultural area for the purposes of structural improvement;
- IV. a Directive on the programme to accelerate drainage operations in the less-favoured areas of the west of Ireland.

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 459/77),
  - having regard to the report of the Committee on Agriculture and the opinions of the Committee on Budgets and the Committee on Regional Policy, Regional Planning and Transport (Doc. 59/78),
- (a) whereas it is essential for the Community to have a structural policy in agriculture, as in other sectors to complement market and price policy, in order to achieve the objectives of the common agricultural policy as laid down in the Treaty,
  - (b) whereas the inadequate productivity of the factors of production in many agricultural areas and the regional disparities connected therewith can only be remedied in the long term by an appropriate general structural policy,
  - (c) whereas the objectives of the common structural policy, as defined in 1972, are still equally valid today; whereas additional efforts are required by the Community and the Member States owing to the change in the economic situation since that date in order to bring about a substantial improvement in the living conditions of the rural and farming population and to enable it to attain a reasonable level of income,
  - (d) whereas, however, the problem of structure is to a certain extent inherent in agriculture and whereas therefore the problem of regional inequalities in agriculture might be solved by an effective regional and social policy in conjunction with the general structural policy and the agricultural structural policy,
1. Approves the Commission's proposals, subject to the modifications recommended below;
  2. Points out that the Commission's proposals concerning the revision of the 1972/1975 Directives on structure are of limited scope and are confined to merely making it easier for Member States and the interested parties to make use of existing facilities;
  3. Approves the proposal to amend Article 14 (2) of Directive 72/159/EEC in such a way as to authorize Member States to continue to grant transitional aid to farmers who are unable to attain the comparable income;
  4. Believes that the structural policy must nevertheless pay greater attention to that category of farmers who are unable to attain the comparable income and do not yet qualify for the cessation of farming premiums;
  5. Takes the view that consideration must be given to the possibility of extending the scope of Article 14 (2) of Directive 72/159/EEC so that this aid is not merely regarded as a temporary transitional measure but is used as an element of agricultural structural policy;
  6. Believes that in granting this aid, which might possibly be made subject to certain conditions, such as the keeping of accounts, priority must be given to areas in which agricultural incomes are low as compared with other areas and that in areas with inadequate agricultural structure the cost of this aid should partly be borne by the EAGGF;

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<sup>(1)</sup> OJ No C 304, 17. 12. 1977, p. 5.

7. Approves the proposed increase in the financial contribution of the Community to aid for mountain and hill farming and farming in less-favoured areas, since only additional aid from the Community will make it possible to implement the structural measures and raise the standard of living of the population;
8. Takes the view that in mountain and hill areas and the less-favoured areas in particular special efforts must be made to provide the agricultural population with socio-economic guidance;
9. Takes the view that in problem areas such as the west of Ireland and the Mezzogiorno greater account must be taken of regional differentiation by increasing the percentage of aid according to the seriousness and the size of the structural problem in those areas;
10. Approves the programme to accelerate drainage operations in the less-favoured areas of the west of Ireland, but urges that Community aid be granted in the near future to promote the implementation of irrigation measures in the Mezzogiorno;
11. Stresses that the proposals concerning aid to producer groups and forestry, which are vital for the Mediterranean area of the Community, must be adopted by the Council without delay;
12. Takes the view that for the countless small farms in the problem areas, which receive compensatory grants but are still unable to develop, greater use must be made of the existing aid arrangements provided for in Article 12 of Directive 75/268/EEC and that consideration must also be given to the possibility of enabling the Member States, by means of a financial contribution from the EAGGF — on terms to be determined at a later date — to improve the position of this category of farms;
13. Believes that the necessary temporary direct income support must be granted to farms in areas in which, owing to inadequate economic infrastructure, no employment opportunities exist outside agriculture, and which are run by farmers who do not qualify for the cessation of farming premiums or old-age pensions;
14. Takes the view that in order to improve agricultural structure and rationalize production the scheme to encourage the cessation of activity of farms which qualify for the relevant premiums must be vigorously promoted, offering valid alternatives to the farmers concerned in terms of income and employment;
15. Stresses the possibly obvious fact that the cessation of farming scheme, especially in the problem areas, can produce positive results only if accompanying measures are taken within the framework of an effective regional and social development policy and believes that all the above measures would be better coordinated through a Rural Fund which includes elements of the Regional and Social Funds;
16. Notes that the objectives of Directive 72/160/EEC i.e. the provision of an alternative income for non-viable farms and the reallocation of land released to farms submitting a development plan, have been inadequately attained;
17. Believes that it is necessary to ease the conditions under which Community participation in the financing of Directive 72/160/EEC can take place so that those Member States which have the more serious difficulties in allocating resources for structural schemes may be enabled to implement more effective farmer retirement measures;
18. Takes the view that the premiums and grants paid out under the cessation of farming scheme, depending on the financial situation of those concerned and the rate of inflation, must be increased if the persons concerned are to be induced to take the decision to cease their activity;
19. Agrees with the Commission that the incomplete success of Directive 72/160/EEC is attributable not only to insufficient grants or premiums, excessively strict conditions or to the fact that the scheme is not applicable to farmers of over 65 years of age;
20. Believes therefore that the Commission's proposal may remove certain obstacles to early cessation of farming but that further consideration must be given to ways of ensuring that land released is reallocated in accordance with the objectives of the common structural policy;

21. Considers it important that the institutions existing in many Member States which deal with the purchase and financing of agricultural land, such as land banks, should play a more active role in structural improvement and promote land mobility in accordance with the objectives of the structural policy;
22. Draws attention to the vital problem of the relationship between the policy of farm modernization and the maintenance of market balance;
23. Points out that in areas in which the modernization of farms has led mainly to further intensification of production, for example in livestock breeding, and in which the market and prices policy provides a high level of guarantee in respect of products such as milk and beef and veal, there is a danger of giving encouragement to surplus products;
24. Stresses that the structural policy must in no event be allowed to give rise to an increase in the overall production capacity of products of which a structural surplus exists or to an unbridled expansion of the processing production not subject to the constraint of land area;
25. Believes that since the agricultural policy has, generally speaking, hitherto favoured areas in which a relatively good economic and social structure already exists, every effort must be made to devote most of the funds available under the structural policy to the backward areas of the Community, in particular the Mediterranean area, in order to reduce income disparities between producers in various regions of the Community.
26. Believes that many aspects of regional disparities must be recognized such as the special problem of regions where growth in the economy is very largely dependent on agricultural development and where particular agricultural activities may have a significant role to play in such development;
27. Asks the Commission to investigate thoroughly the reasons for which the common structural policy is still being implemented with difficulty and in some regions even with considerable delay, and to indicate the areas in which progress has been made and those in which measures still have to be taken;
28. Asks the Commission to indicate, in the light of this study, appropriate measures to render this policy more effective and more closely related to the economic and social situation in the regions concerned.

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#### RESOLUTION

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation laying down general rules for the financing of certain intervention by the EAGGF Guarantee Section**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 506/77),
  - having regard to the report of the Committee on Budgets (Doc. 78/78),
  - recalling the comments of the Audit Board,
- (a) aware of the preponderant share of the Community's budget that the EAGGF Guarantee Section constitutes,
  - (b) anxious to ensure that the common agricultural policy operates as efficiently and as smoothly as possible and hoping to see continuing improvements in the financing of EAGGF activities,
  - (c) wishing to remove imperfections in the system that result in certain intervention agencies making undue gains and others undue losses, whilst operating the arrangements laid down in the Regulations,
  - (d) conscious of the need to safeguard this central Community policy;

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<sup>(1)</sup> OJ No C 21, 26. 1. 1978, p. 6.

1. Recognizes that the present proposal, which is relatively limited in scope, represents an effort to secure a greater degree of equity in the operation of the EAGGF Regulations without, nevertheless, altering the existing basic framework;
2. Points out that the obligation to operate the EAGGF Regulations should not entail substantial additional costs for those Member States experiencing high interest rates due to unfavourable economic circumstances;
3. Appreciates that the proposal responds to the requirements of Article 1 of Regulation (EEC) No 709/76 <sup>(1)</sup> which required the Commission to put forward proposals for the development of the rules governing the financing of intervention purchasing, storage and disposal;
4. Is of the view that financing arrangements for intervention operations should take into account, as far as possible, the real cost of obtaining the necessary capital;
5. Accepts that a portion of the cost should continue to be borne by the Member States, in certain cases, so as to provide the incentive to restrain expenditure and to secure less expensive sources of capital;
6. Invites the Commission, in the interests of budgetary transparency, to present, as soon as possible, a breakdown of the budgetary lines under Titles VI and VII, so as to show separately the expenditure arising from normal storage costs, from deterioration in storage and from interest charges;
7. Approves the proposals for taking into account, at the time of entering into intervention, the subsequent deterioration in quality of products during warehousing;
8. Recalls that it has frequently urged that persistent surpluses of agricultural products — which entail a waste of resources and which reflect unfavourably on overall Community policy — be avoided;
9. Asks the Commission to prepare projections of longer-term Community production capacity and demand levels in relation to agricultural commodities so that (a) the best use may be made of Community agricultural resources, (b) production may be geared to likely demand, and (c) calls on the Community budget may be minimized;
10. Urges, once again, that a better balance be secured within the EAGGF between the guidance and guarantee parts;
11. Reiterates its call on the Commission to consolidate the Regulations in the EAGGF sphere, so that these may be made clearer and may be more readily comprehended by the general public concerned;
12. Considers that it is essential to carry out a comprehensive review of the intervention arrangements and asks the Commission to provide, by 1 December next, a report on the working of the system;
13. Urges the Commission to ensure that information on the more efficient administrative and commercial practices is communicated to the less efficient intervention agencies so that there may be a greater streamlining of methods and procedures together with a more economic use of capital;
14. Insists that, in accordance with its budgetary responsibility, Parliament be involved whenever budgetary measures are being formulated or whenever significant changes in the budget, as adopted, are envisaged;
15. Reiterates its conviction that the role of the Commission in regard to the implementation of the budget of the Communities, provided for in Article 205 of the EEC Treaty, should not be eroded; however, insists, in the present exceptional instance, on an amendment which puts forward a compromise solution in regard to the opinion of the Fund Committee, where significant budgetary considerations arise;

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<sup>(1)</sup> OJ No L 84, 31. 3. 1976, p. 5.

16. Calls on the Court of Auditors to comment in detail on the operations of the intervention agencies, in its annual report, from the viewpoints of regularity of procedures, economy in the use of resources and soundness of the financial management in responding to Community policy;

17. Stresses the need for a harmonized translation of the text of this Regulation into all the official languages of the Communities, so as to avoid possible misunderstandings arising;

18. Asks the Commission to incorporate the following amendments in its proposal, pursuant to the second paragraph of Article 149 of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (1)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Regulation laying down general rules for the financing of certain intervention  
by the EAGGF Guarantee Section**

Preamble, recitals and Article 1 unchanged

*Article 2*

*Article 2*

Paragraphs 1 and 2 unchanged

3. The Council, acting by a qualified majority on a proposal from the Commission shall determine in respect of the intervention referred to in paragraph 1 the items of expenditure and revenue to be entered in the annual accounts and, where necessary, in respect of the intervention referred to in paragraph 2, the items to be taken into account for purposes of financing, where these have not been fixed under the

3. The Council, acting by a qualified majority on a proposal from the Commission shall determine in respect of the intervention referred to in paragraph 1 the items of expenditure and revenue to be entered in the annual accounts and, where necessary, in respect of the intervention referred to in paragraph 2, the items to be taken into account for purposes of financing, where these have not been fixed under the

(1) For full text, see OJ No C 21, 26. 1. 1978, p. 6.

organization of the market. Until these items are determined and subject as otherwise provided in this Regulation, Regulation (EEC) Nos 786/69 <sup>(1)</sup>, 787/69 <sup>(2)</sup>, 788/69 <sup>(3)</sup>, 2334/69 <sup>(4)</sup>, 2305/70 <sup>(5)</sup>, 2306/70 <sup>(6)</sup>, 1697/71 <sup>(7)</sup>, 272/72 <sup>(8)</sup>, and 273/72 <sup>(9)</sup> relating to the financing of intervention expenditure in the various sectors shall remain in force.

organization of the market. Until these items are determined and subject as otherwise provided in this Regulation, Regulation (EEC) Nos 786/69 <sup>(1)</sup> of 22 April 1969, on the financing of intervention expenditure in respect of the domestic market in oils and fats; 787/69 <sup>(2)</sup> of 22 April 1969, on the financing of intervention expenditure in respect of the domestic market in cereals and rice; 788/69 <sup>(3)</sup> of 22 April 1969, on the financing of intervention expenditure in respect of the domestic market in pigmeat; 2334/69 <sup>(4)</sup> of 25 November 1969, on the financing of intervention expenditure in respect of the domestic market in sugar; 2305/70 <sup>(5)</sup> of 10 November 1970, on the financing of intervention expenditure in respect of the domestic market in beef and veal; 2306/70 <sup>(6)</sup> of 10 November 1970, on the financing of intervention expenditure in respect of the domestic market in milk and milk products; 1697/71 <sup>(7)</sup> of 26 July 1971, on the financing of intervention expenditure in the raw tobacco sector; 272/72 <sup>(8)</sup> of 7 February 1972, on the financing of intervention expenditure in respect of the market in fishery products and 273/72 <sup>(9)</sup> of 7 February 1972, laying down general rules for the financing of intervention expenditure in respect of the internal market in fruit and vegetables shall remain in force.

#### Article 2a

1. Where the procedure laid down in this Article is to be followed, the matter shall be referred to the Fund Committee set up under Article 12 of Regulation (EEC) No 729/70, by the chairman, either on his own initiative or at the request of the representative of a Member State.

2. The representative of the Commission shall submit a draft of the measures to be adopted. The Committee shall deliver its opinion on those measures within a time limit set by the chairman

<sup>(1)</sup> OJ No L 105, 2. 5. 1969, p. 1.

<sup>(2)</sup> OJ No L 105, 2. 5. 1969, p. 4.

<sup>(3)</sup> OJ No L 105, 2. 5. 1969, p. 7.

<sup>(4)</sup> OJ No L 298, 27. 11. 1969, p. 1.

<sup>(5)</sup> OJ No L 249, 17. 11. 1970, p. 1.

<sup>(6)</sup> OJ No L 249, 17. 11. 1970, p. 4.

<sup>(7)</sup> OJ No L 175, 4. 8. 1971, p. 8.

<sup>(8)</sup> OJ No L 35, 9. 2. 1972, p. 1.

<sup>(9)</sup> OJ No L 35, 9. 2. 1972, p. 3.

according to the urgency of the matters. An opinion shall be adopted by a majority of 12 votes.

3. In the light of the opinion, the Commission shall adopt measures which shall be immediately applicable. However, if such measures are not in accordance with the opinion delivered by the Committee they shall at once be communicated by the Commission to the Council and the European Parliament. In that case, the Commission may defer, for not more than one month from the date of such communication, application of the measures which it has adopted.

4. The Council, acting by a qualified majority, may adopt a different decision within one month. However, if the measure has significant budgetary consequences, the Council shall act only in agreement with the European Parliament.

*Article 3*

1. The intervention agencies and, where necessary, the Member States shall obtain the funds required for buying in goods. With regard to these funds, the amount of the interest charges to be financed by the EAGGF Guarantee Section shall be calculated using a method and an interest rate which are uniform throughout the Community, to be determined in accordance with the procedure laid down in *Article 13 of Regulation (EEC) No 729/70*. The interest rate thus fixed must be representative of the interest rates actually borne.

2. If, when the interest rate is being fixed in accordance with the preceding paragraph, a Member State records in respect of all intervention an interest rate higher by at least 10 % than that so determined, additional financing may be decided on in accordance with the procedure laid down in *Article 13 of Regulation (EEC) No 729/70* by increasing the standard rate fixed under paragraph 1 in respect of the Member State concerned.

This additional financing may be decided on only:

- at the request of the Member State concerned;
- on condition that that Member State provides proof that the interest rate recorded has been higher than that adopted under paragraph 1 for a

*Article 3*

1. The intervention agencies and, where necessary, the Member States shall obtain the funds required for buying in goods. With regard to these funds, the amount of the interest charges to be financed by the EAGGF Guarantee Section shall be calculated using a method and an interest rate which are uniform throughout the Community, to be determined in accordance with the procedure laid down in *Article 2a*. The interest rate thus fixed must be representative of the interest rates actually borne.

2. If, when the interest rate is being fixed in accordance with the preceding paragraph, a Member State records in respect of all intervention an interest rate higher by at least 10 % than that so determined, additional financing may be decided on in accordance with the procedure laid down in *Article 2a* by increasing the standard rate fixed under paragraph 1 in respect of the Member State concerned.

This additional financing may be decided on only:

- at the request of the Member State concerned;
- on condition that that Member State provides proof that the interest rate recorded has been higher than that adopted under paragraph 1 for a

period to be determined according to the procedure under *Article 13 of Regulation (EEC) No 729/70*;

- if the situation as regards the interest rate for that Member State is not likely to change in the near future, and
- if it is not possible for that Member State to obtain funds more cheaply.

period to be determined according to the procedure under **Article 2a**;

- if the situation as regards the interest rate for that Member State is not likely to change in the near future, and
- if it is not possible for that Member State to obtain funds more cheaply.

Paragraph 3 unchanged

*Article 4*

1. The operations in respect of storage and, where appropriate, the processing of intervention products shall be financed by the EAGGF Guarantee Section by means of standard amounts which are uniform throughout the Community and fixed in accordance with the procedure laid down in *Article 13 of Regulation (EEC) No 729/70* where necessary after examination of the matter by the management committee concerned.

2. However, if when the standard amounts are fixed it appears that the real costs to be borne by an intervention agency in respect of a given intervention operation are 15 % or more below the standard amounts to be applied, it may be decided in accordance with the procedure laid down in *Article 13 of Regulation (EEC) No 729/70* and under the conditions set out in the following paragraph, to reduce the standard amounts involved with respect to the intervention agency in question.

3. The reduction referred to in paragraph 2 shall apply only if it is established that:

- *real* costs were lower for a period of one year at least;
- the trend of costs does not suggest a change in this situation in the near future;

This reduction shall be equal to half the difference between:

- *real* expenditure and
- the standard amount or amounts to be fixed under paragraph 1 multiplied by 0.85

*Article 4*

1. The operations in respect of storage and, where appropriate the processing of intervention products shall be financed by the EAGGF Guarantee Section by means of standard amounts which are uniform throughout the Community and fixed in accordance with the procedure laid down in **Article 2a** where necessary after examination of the matter by the management committee concerned.

2. However, if when the standard amounts are fixed it appears that the real costs to be borne by an intervention agency in respect of a given intervention operation are 15 % or more below the standard amounts to be applied, it may be decided in accordance with the procedure laid down in **Article 2a** and under the conditions set out in the following paragraph, to reduce the standard amounts involved with respect to the intervention agency in question.

3. The reduction referred to in paragraph 2 shall apply only if it is established that:

- **actual** costs were lower for a period of one year at least;
- the trend of costs does not suggest a change in this situation in the near future;

This reduction shall be equal to half the difference between:

- **actual** expenditure and
- the standard amount or amounts to be fixed under paragraph 1 multiplied by 0.85

If, however, *real* expenditure is less than the standard amounts to be fixed under paragraph 1 multiplied by 0.65 they shall be increased to that level for the purposes of the calculation referred to in the preceding subparagraph.

Article 5 unchanged

Article 6

In the annual accounts referred to in Article 2 (1) the quantities of products in storage to be carried forward to the following financial year shall generally be valued at their purchase price. To this end, on the basis of the purchase prices paid by the intervention agencies during a given period and taking into account the depreciation in quality under Article 5, the prices to be applied for quantities to be carried forward to the following financial year are to be determined in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70

Paragraph 2 unchanged

Article 7

Where necessary, detailed implementing rules shall be adopted in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.

Article 8

Articles 2 (2) and 3 of Regulation (EEC) No 2824/72 are hereby repealed.

Article 9 unchanged

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If, however, *actual* expenditure is less than the standard amounts to be fixed under paragraph 1 multiplied by 0.65 they shall be increased to that level for the purposes of the calculation referred to in the preceding subparagraph.

Article 6

In the annual accounts referred to in Article 2 (1) the quantities of products in storage to be carried forward to the following financial year shall generally be valued at their purchase price. To this end, on the basis of the purchase prices paid by the intervention agencies during a given period and taking into account the depreciation in quality under Article 5, the prices to be applied for quantities to be carried forward to the following financial year are to be determined in accordance with the procedure laid down in Article 2a.

Article 7

Where necessary, detailed implementing rules shall be adopted in accordance with the procedure laid down in Article 2a.

Article 8

Articles 2 (2) and 3 of Regulation (EEC) No 2824/72 of 28 December 1972, laying down general rules for the financing of interventions by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund, are hereby repealed.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal of the Commission of the European Communities to the Council for a Financial Regulation concerning the EAGGF, Guarantee Section, for the periods 1967/68 to 1970

*The European Parliament,*

- having regard to its earlier resolutions,
- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 360/77),
- having regard to the report of the Committee on Budgets (Doc. 91/78),
- having regard to the opinion of the Court of Auditors,
  - (a) deploring the inordinately long delays in closing the EAGGF, Guarantee Section, accounts for earlier years;
  - (b) stressing, once again, the auditing importance that attaches to a speeding up of the procedures involved;
  - (c) accepting the present proposal as a step towards improving a most unsatisfactory situation;
  - (d) insisting that the Commission should make a greater effort to clear the accounts for more recent years;
- 1. Criticizes, once again, the long delays in clearing the EAGGF accounts;
- 2. Points out that these excessive delays tarnish the image of the Communities and make work in regard to the control of irregularities more difficult;
- 3. Notes that the present proposal represents a positive factor since it will clear the accounts for four periods in a single clearing;
- 4. Urges the Commission to take all necessary steps with a view to expediting the clearing of the accounts for 1973 and subsequent years;
- 5. Approves the proposal, taking account of the opinion of the Court of Auditors.

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## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the application of the provisions of the Financial Protocols concluded with Greece, Turkey and Portugal

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council (COM(78) 18 fin. and COM(78) 104 fin.),
- having been consulted by the Council (Doc. 44/78),
- having regard to the report of the Committee on Budgets and the opinion of the Committee on External Economic Relations (Doc. 93/78),

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<sup>(1)</sup> OJ No C 261, 29. 10. 1977, p. 2.

*As regards the division of responsibility between the EIB and the Commission for the administration of aid financed by the Community budget .*

1. Reminds the Commission of the views expressed by Parliament in its previous resolutions of July 1977 <sup>(1)</sup>, namely that:
  - (a) even for budgetized aid administered directly by the EIB, the Commission retains general responsibility for the implementation of the budget (as provided for in Article 205 of the EEC Treaty and the Financial Regulation) and must report thereon both to the budgetary authority and to the discharge authority;
  - (b) the EIB must report to the Commission on the administration of budgetized aid so that the Commission may in turn report regularly to Parliament and the Committee on Budgets;
2. Considers that in future, recourse to the general administrative mandate conferred on the EIB by the Commission will have to be replaced by the Bank's own technical aid machinery — notably for the administration of the appropriations in the fifth EDF following their budgetization;

*As regards the role of the management committees*

3. Recalls that the role of the management committees required to give their opinion on draft financial proposals must in no way infringe the Commission's powers and responsibilities in respect of the implementation of the budget <sup>(1)</sup>;
4. Believes therefore that the procedure proposed by the Commission in the two proposals for Regulations <sup>(2)</sup> on the application of the Financial Protocols concluded with most of the Mediterranean countries must be modified, with a view to ensuring that the role of these committees is simply to provide information and advice;

*As regards the ratification of the Financial Protocols*

5. Notes that it has not been possible to implement any of the Financial Protocols signed since 1976 with the Mediterranean countries, mainly because the Member States have been slow to ratify them;
6. Takes the view that the ratification of such Protocols by the Member States is in no way mandatory under Community law, since provision has been made, since 1976, for their financing by the Community budget;
7. Requests the Commission, therefore, to bring these Protocols into force as soon as the implementing Regulations, which form the subject of this report, have been adopted;
8. Requests the Commission to adopt the following amendments;
9. Reserves the right to invoke the conciliation procedure should the Council propose to depart from this opinion.

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<sup>(1)</sup> See Parliament's resolutions on:

— the application of the Financial Protocol with Malta (OJ No C 183, 1. 8. 1977, p. 10),  
— the application of the Financial Protocol with the Maghreb countries (OJ No C 183, 1. 8. 1977, p. 64).

<sup>(2)</sup> Proposals for Regulations on the application of the

— Financial Protocols concluded with the Maghreb and Mashrek countries and with Malta and Cyprus (COM(78) 18 fin.),  
— Financial Protocols concluded with Greece, Turkey and Portugal (Doc. 44/78).

**Amended proposal for a Council Regulation on the application of the provisions of  
Protocol 1 to the Cooperation Agreements concluded with Algeria, Morocco and Tunisia**

Points 1 to 12 unchanged

13. The second paragraph of Article 8 is amended to read as follows:

*'The Commission shall adopt decisions which shall apply immediately. However, if the Committee has not delivered a favourable opinion, these decisions shall forthwith be communicated by the Commission to the Council. In that event the Commission shall defer application of the decisions which it has adopted for not more than two months from the date of such communications.*

*The Council, acting by qualified majority, may take a different decision within two months.'*

13. The second paragraph of Article 8 is amended to read as follows:

**'Having received the opinion of the Article 6 Committee, the Commission shall adopt decisions which shall apply immediately.'**

**deleted**

Points 14 to 17 unchanged

(1) For full text see COM(78) 18 fin.

**Council Regulation on the application of the provisions of the Financial Protocols  
concluded with Greece, Turkey and Portugal**

Preamble, recitals and Articles 1 to 6 unchanged

*Article 7*

The draft financing proposals referred to in Article 6, together with the opinion of the Article 5 Committee, shall be submitted to the Commission for its decision.

The Commission shall take decisions and they shall be immediately applicable. *However, should the Committee not deliver a favourable opinion, the Commission shall communicate its decisions to the Council forthwith.*

*Article 7*

unchanged

**Having received the opinion of the Article 5 Committee, the Commission shall take decisions and they shall be immediately applicable.**

(1) For full text see COM(78) 104 fin.

*In that event, the Commission shall defer by not more than two months from the date of such communication the application of the decisions which it has taken.* deleted

*The Council, acting by a qualified majority, may take a different decision within two months.* deleted

Articles 8 to 11 unchanged

#### RESOLUTION

on the outcome of the Third European Community/Latin America Inter-Parliamentary Conference (Mexico, 24 to 27 July 1977)

*The European Parliament,*

- recalling its resolutions of 25 November 1969 <sup>(1)</sup>, 20 April 1971 <sup>(2)</sup>, 14 November 1972 <sup>(3)</sup> and 13 February 1976 <sup>(4)</sup> on the state of relations between the Community and Latin America,
- recalling its resolution of 15 November 1974 on the outcome of the First European Community/Latin America Inter-Parliamentary Conference (Bogota, 15 to 18 July 1974) <sup>(5)</sup>,
- having regard to the outcome of the Second European Community/Latin America Inter-Parliamentary Conference held in Luxembourg from 19 to 21 November 1975 <sup>(6)</sup>,
- having regard to the Final-Act of the Third European Community/Latin America Inter-Parliamentary Conference <sup>(7)</sup>,
- having regard to the report of the Committee on External Economic Relations and the opinions of the Political Affairs Committee, the Legal Affairs Committee and the Committee on Development and Cooperation (Doc. 574/77),

1. Notes the outcome of the Third European Community/Latin America Inter-Parliamentary Conference held in Mexico from 24 to 27 July 1977;
2. Notes that, particularly as a result of the participation of representatives of a number of Latin American parliaments dissolved by extra-constitutional procedures, the Conference was able to highlight the widespread infringements of fundamental human rights in these countries;
3. Feels however that political stability and expansion in the countries of Latin America cannot be guaranteed while the majority of these countries are unable to observe basic democratic principles and continue to disregard the economic and social rights of broad sectors of their populations;
4. Approves in this connection the proposal made by the Mexico Conference that a joint European Parliament/Latin-American Parliament working party should be set up on the safeguarding of human rights with particular concern for members of former parliaments dissolved by unconstitutional means who are the victims of repression;

<sup>(1)</sup> OJ No C 160, 18. 12. 1969, p. 16.

<sup>(2)</sup> OJ No C 45, 10. 5. 1971, p. 20.

<sup>(3)</sup> OJ No C 129, 11. 12. 1972, p. 20.

<sup>(4)</sup> OJ No C 53, 8. 3. 1976, p. 40.

<sup>(5)</sup> OJ No C 155, 9. 12. 1974, p. 81.

<sup>(6)</sup> PE 44.650.

<sup>(7)</sup> PE 49.917.

5. Favours wider economic and financial cooperation between the European Economic Community and the countries of Latin America based on the principle of complementary resources, equality and the mutual interests of both sides;
6. Takes the view that such cooperation will be facilitated by the implementation of a new world economic order more in line with the economic interests of the developing countries, and welcomes the important and positive role played by Mexico and Venezuela in promoting this principle;
7. Notes that the trade balance of the countries of Latin America with the Community is again positive and that the Community system of generalized preferences has made a significant contribution to this development;
8. Requests the competent bodies to reach a speedy decision on the Community aid for non-associated developing countries to be allocated to Latin America, which should be determined in the light of population size, the level of economic development and the relative needs of the various regions concerned;
9. Welcomes, moreover, the Community's decision to abolish, from 1 April 1977, the provisions prohibiting imports of beef and veal into the nine Member States which were seriously prejudicial to the trade of several Latin American States;
10. Feels that financial cooperation between the two sides could be arranged by authorizing the European Investment Bank to operate in the sub-continent in the first stage of a gradual process leading to the formation of a European/Latin-American Bank as requested by the Latin-American delegates;
11. Feels that such cooperation should be translated into projects that will make a real contribution to the development of the countries concerned, will benefit their populations as a whole and will be aimed at strengthening the process of regional and subregional integration in Latin America;
12. Views favourably the direct contacts established between the Community and the Latin-American Economic System (SELA) and the prospects for active participation by the Community in the programme of activities of this organization;
13. Requests the competent authorities to take all action necessary for the appropriate implementation of the provisions contained in the Final Act of the Mexico Conference and stresses the need for proper preparation of the next conference which, as stated in the Final Act, may be held in 1978 in a Community country;
14. Instructs its President to forward this resolution and the report of its committee to the Council and the Commission.

## RESOLUTION

embodying the opinion of the European Parliament on the draft from the Commission of the European Communities to the Council for a recommendation to the Member States regarding methods of evaluating the cost of pollution control to industry

*The European Parliament,*

- having regard to the draft from the Commission of the European Communities to the Council for a recommendation <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 484/77),
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 85/78),
1. Approves the Commission's draft;
  2. Requests the Commission to report to it at regular intervals on the basis of reports received from the Member States on progress made in harmonizing the evaluations of pollution control costs.

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## RESOLUTION

embodying the opinion of the European Parliament on the communication from the Commission of the European Communities to the Council on the programme of work to be carried out in the veterinary, zootechnical and animal protection spheres; staff required for such work

*The European Parliament,*

- having regard to the communication from the Commission of the European Communities to the Council (COM(78) 99 fin.),
  - having been consulted by the Council (Doc. 11/78),
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinions of the Committee on Agriculture and the Committee on Budgets (Doc. 96/78),
1. Approves provisionally the guidelines set out by the Commission to ensure the application and further progress of the measures already adopted by the Council in the sphere of veterinary inspection and to combat animal diseases;
  2. Trusts that the Commission will submit in good time and in the appropriate manner the requisite budgetary proposals for the work still to be carried out.

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<sup>(1)</sup> OJ No C 10, 12. 1. 1978, p. 6.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending the Annex to Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 45/78),
  - having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 100/78),
1. Considers that the proposed measures, the main purpose of which is to promote the use of Community milk products, will not result in any considerable reduction in the current stocks of these products;
  2. Points out that only increased consumption of milk products within the Community, combined with an extra effort in food aid, would bring about a substantial reduction in surpluses;
  3. Finally, approves the Commission's proposal despite its modest scope.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Directive on the approximation of the laws of the Member States concerning the general requirements of construction and certain types of protection for electrical equipment for use in potentially explosive atmospheres
- II. a Directive on the approximation of the laws of the Member States relating to common provisions for machine-tools and similar machines for the working of metals, wood, paper and other materials
- III. a Directive on the approximation of the laws of the Member States relating to hand-held, power-driven portable grinding machines

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council (COM(77) 660 fin. and COM(77) 656 fin.),
  - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Docs. 482/77 and 505/77),
  - having regard to its resolution of 12 December 1974 on the elimination of technical barriers to trade <sup>(2)</sup>,
  - having regard to the report of the Committee on Economic and Monetary Affairs and the opinion of the Committee on the Environment, Public Health and Consumer Protection (Doc. 61/78),
1. Approves these proposals while drawing attention to the Commission's responsibility to lay down standards relative to the safety risks arising from the use of power-driven grinding machines;
  2. Considers that, pending the Commission proposal for a change in the procedure for the elimination of technical barriers to trade, such proposals should in future be dealt with by Parliament by as simple a procedure as possible where there are no important political implications.

<sup>(1)</sup> OJ No C 90, 13. 4. 1978, p. 13.

<sup>(2)</sup> OJ No C 5, 8. 1. 1975, p. 41.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on the approximation of the laws of the Member States relating to hot-water meters

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 384/77),
- having regard to its resolution of 12 December 1974 on the elimination of technical barriers to trade <sup>(2)</sup>,
- having regard to the report of the Committee on Economic and Monetary Affairs and the opinion of the Legal Affairs Committee (Doc. 29/78),

1. Considers the harmonization of provisions relating to water meters a typical example of the slow and piecemeal procedure which is being followed for the elimination of technical barriers to trade;
2. Emphasizes once again therefore the need to introduce a streamlined procedure for the elimination of technical barriers to trade and recalls its earlier proposal for a procedure <sup>(2)</sup> whereby the Commission would systematically propose outline Directives in accordance with Article 100 of the EEC Treaty for individual sectors defined in action programmes and lay down on its own responsibility provisions for their implementation pursuant to Article 155 of the EEC Treaty;
3. Requests the Commission to submit at the earliest possible opportunity, together with the proposal for a first outline Directive and in accordance with Parliament's proposals for procedural simplification, a proposal for a Council Decision laying down the principles of the procedure;
4. Approves the proposal, with the abovementioned reservation on procedure.

## RESOLUTION

on the education allowance for local staff

*The European Parliament,*

- having regard to Article 79 of the conditions of employment of other servants of the European Communities,
- having regard to Article 15 (2) of the Regulation laying down the conditions of employment of local staff in Luxembourg,
- having regard to the report of the Committee on Budgets (Doc. 94/78),

Calls on the Bureau, in the exercise of its powers under Rule 49 (3) of the Rules of Procedure, to make a study grant available from 1 January 1978 to local staff employed by the institution, in accordance with the current practice in Luxembourg.

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<sup>(1)</sup> OJ No C 283, 24. 11. 1977, p. 6.

<sup>(2)</sup> OJ No C 5, 8. 1. 1975, p. 41.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation laying down certain measures for the conservation and management of fishery resources applicable to vessels registered in the Faroe Islands
- II. a Regulation laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway
- III. a Regulation laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Sweden
- IV. a Regulation allocating catch quotas between Member States for vessels fishing in Faroese waters
- V. a Regulation allocating certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council (COM(78) 142 fin. and COM(78) 172 fin.),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 106/78-I -- II -- III -- IV and V),
- having regard to the report of the Committee on Agriculture (Doc. 114/78),
- having regard to the Council resolutions of 3 November 1976 concerning certain external and internal aspects of the common fisheries policy,
- having regard to the amended proposal from the Commission to the Council establishing a Community system for the conservation and management of fishery resources, and in particular Article 4 thereof, which provides that, in apportioning the catch quotas between the Member States, particular attention shall be paid to 'the vital needs of the local populations of Ireland, of the northern parts of the United Kingdom and of Greenland which are particularly dependent on fishing and related industries' <sup>(1)</sup>,
- having regard to the report of the Committee on Agriculture on this proposal <sup>(2)</sup>, and the European Parliament's resolution of 16 February 1978, on the same subject <sup>(3)</sup>,
- having regard to the agreements concluded between the European Economic Community and the Faroe Islands, Norway and Sweden,
- considering that these agreements, which take account of both the volume of past catches by each of the signatories to the agreement and the interests of the European Economic Community — and, in particular, those of certain of its Member States — provide an equitable basis for the sharing of fishery resources between the European Economic Community on the one hand and the Faroe Islands, Norway and Sweden on the other,
- considering that the allocation of catch quotas among the Member States in respect of vessels fishing in the waters of the Faroe Islands and in Norway's exclusive economic zone takes account of the interests of fishermen in the Member States concerned and, in particular, the losses suffered by certain of them in the Community waters,

Approves the Commission's proposals.

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<sup>(1)</sup> COM(78) 5 fin.

<sup>(2)</sup> Doc. 543/77 — rapporteur: Mr J. Corrie.

<sup>(3)</sup> OJ No C 63, 13. 3. 1978, p. 31.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on a common interim measure for restructuring the inshore fishing industry

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (COM(78) 170 fin.),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 106/78 — VI),
- having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 115/78),
- having regard to the earlier report by the Committee on Agriculture on the proposal from the Commission of the European Communities to the Council (Doc. 438/75) for a Regulation on a programme for restructuring the non-industrial inshore fishing industry,
- having regard to the Council resolutions of 3 November 1976 on certain external and internal aspects of the common fisheries policy,
- having regard to Council Regulation (EEC) No 101/76 <sup>(1)</sup> laying down a common structural policy for the fishing industry, and in particular Article 9 thereof, which lays down an action programme for such restructuring measures,

1. Regrets that the Council has not yet adopted definitive measures for this sector, which is vital to the economies of certain peripheral regions of the Community;
2. Welcomes therefore the Commission's initiative in proposing interim measures for this sector pending implementation of a definitive programme.

### *Measures to finance the acquisition of fishing vessels*

3. Approves the financing of fishing vessels in regions where the fishing potential is such that the industry can be expanded;
4. Welcomes in particular the derogations provided for in the case of Greenland, the Republic of Ireland, Northern Ireland and the Mezzogiorno in order to help these less-favoured regions to increase their fishing potential, which will thus contribute to their economic development;
5. Feels that the measures finally adopted by the Council to aid the inshore fishing industry should take account of the conservation of fishery resources so that the survival of the fishermen is not jeopardized by measures leading to overcapitalization or excessive catches;

### *Measures to aid aquaculture*

6. Approves also the measures to encourage the development of aquaculture in regions particularly suitable to it;
7. Regrets nevertheless that no special measures have been taken to help in particular oyster farmers and shellfish breeders in Brittany, which was badly hit by the Amoco Cadiz disaster;

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<sup>(1)</sup> OJ No L 20, 28. 1. 1976, p. 19.

8. Considers that the development of aquaculture would be a valid alternative to inshore fishing in this peripheral region of the Community;
9. Recalls therefore its resolutions of 14 April 1978 calling for special measures to help the Breton population <sup>(1)</sup>;
10. Recalls the importance it attaches to the promotion of aquaculture as a means of developing the economies of the Community's coastal regions and safeguarding and ensuring the continuity of the Community's supplies of fish and other seafoods;
11. Hopes therefore that, in the definitive measures for restructuring the inshore fishing industry which the Commission will be proposing to the Council, it will include vigorous measures to encourage research into aquaculture, to set up relevant pilot projects and to allow this new activity to be developed on an industrial scale;
12. Requests the Commission to incorporate the following amendment in its proposal, pursuant to Article 149, second paragraph, of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (2)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

### Council Regulation on a common interim measure for restructuring the inshore fishing industry

Preamble, recitals and Articles 1 to 5 unchanged

*Article 6*

*Article 6*

Paragraphs 1, 2 and 3 unchanged

4. The Council, acting on a proposal from the Commission and after consulting the European Parliament, shall adopt by a qualified majority the measures needed to help coastal regions, hit by natural disasters or disasters caused by human agency and whose inshore fishing industries suffer serious losses as a result, to develop new activities to exploit marine resources, particularly in the field of aquaculture.

For such projects, the Community shall finance 50 % of the total investment needed.

Articles 7 to 13 unchanged

(1) OJ No C 108, 8. 5. 1978, pp. 59 and 60.

(2) For complete text see COM(78) 170 fin.

## RESOLUTION

embodying the opinion of the European Parliament on the draft resolution of the Council of the European Communities on a Community action programme on safety and health at work

*The European Parliament,*

- having regard to its resolution of 24 September 1975 <sup>(1)</sup>,
  - having regard to the draft Council resolution on an action programme <sup>(2)</sup>,
  - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 480/77),
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinions of the Committee on Budgets and the Committee on Social Affairs, Employment and Education (Doc. 97/78),
1. Expresses its satisfaction at the proposed action programme which is a genuine attempt to tackle one of the most difficult aspects of economic activity, namely the prevention of occupational accidents and diseases;
  2. Welcomes the fact that a programme to prevent damage to health is attempting to identify and keep under observation not only actual physical illnesses but also psychological factors;
  3. Considers, therefore, that measures at Community level are urgently needed to establish reliable statistical research methods to indicate the actual number of industrial accidents and diseases incurred as a result of working activity and the number of working days lost;
  4. Urges the Commission to concentrate its efforts to protect the workers' health principally on eliminating occupational hazards as far as possible;
  5. Welcomes the attempt to assign individuals to jobs for which they are most suited and to offer extra protection to migrant workers, particularly on first taking up work, young workers and women, not only in case of pregnancy, but during all their child-bearing years;
  6. Welcomes the statement that health protection should be considered an integral factor at the design stage for apparatus, equipment and machinery;
  7. Emphasizes the importance of more stringent and extensive execution of regular supervision and servicing of materials and equipment at the workplace;
  8. Urges that where dangerous substances and preparations are being handled, the risk level be clearly indicated;
  9. Urges further that as much attention should be devoted to the protection of workers' safety and health in secondary undertakings (subcontractors) and in small undertakings as in large undertakings;
  10. Considers it vital that an independent expert committee be set up and assigned to test the toxicological nature of each new chemical substance before it is employed in production and to review the characteristics of those already in common use;

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<sup>(1)</sup> OJ No C 239, 20. 10. 1975, p. 36.

<sup>(2)</sup> OJ No C 9, 11. 1. 1978, p. 2.

11. Looks for the early submission of a Directive on the handling and utilization of dangerous and toxic substances which will strike the optimal balance between safeguarding the health of the workers and that of persons dealing in such substances and protecting the environment;
12. Underlines the need for a central information system on safety procedures regarding toxic substances used in industry to which at least industrial medical officers, managerial staff and workers' representatives could have access;
13. Stresses the complete independence of industrial medical officers;
14. Considers it a *sine qua non* of this action programme that the workers should themselves be actively and positively involved in the various actions;
15. Hopes that in the implementation of this comprehensive programme, the Commission will obtain the full cooperation of all the social partners and make full use of the experience and expert knowledge available in industry;
16. Urges the Commission to take positive action as soon as possible and propose further measures within the framework of this programme and considers it a matter of urgency that the necessary funds and personnel should be made available at the earliest opportunity;
17. Considers that, in the interests of programme efficiency, it is essential that Parliament should receive regular, perhaps annual, progress reports;
18. Approves the action programme, subject to the abovementioned remarks — particularly those expressed in paragraphs 14 and 15.

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#### RESOLUTION

##### on fire safety regulations in hotels in the European Community

*The European Parliament,*

- deeply concerned at the number of citizens who have lost their lives in recent fires in hotels and similar establishments in the European Community,
  - having regard to the motion for a resolution tabled by Mr Noè (Doc. 167/77),
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Legal Affairs Committee (Doc. 95/78),
1. Notes that there are serious deficiencies in the fire safety regulations applicable to premises offering overnight accommodation in the European Community;
  2. Considers it essential for the Commission to effect the harmonization of minimum fire safety standards in order to prevent a recurrence of hotel fires and protect the steadily increasing number of people seeking overnight accommodation in hotels;
  3. Points out that such harmonization would also contribute to the abolition of unequal conditions of competition in the hotel business;
  4. Urges, since the preparation and effective implementation of a model Regulation is a long-term project, that a draft Directive be drawn up as quickly as possible so that instructions for actions in case of fire are posted in every room, fire extinguishers are positioned in public areas and fire exits are clearly marked;
  5. Feels that the inclusion in a model Regulation for premises offering overnight accommodation of provisions relating to
    - (a) the issue, inspection and withdrawal of licences,
    - (b) the prevention and containment of fire and the reduction of the risk of fire,
    - (c) the issue of European fire protection certificates to be displayed where they can be seen, could considerably improve fire safety standards in hotels;

6. Urgently requests the Commission to draw up a proposal for a Regulation on the basis of Article 100 and 235 of the EEC Treaty to provide the best possible protection for guests and workers in the hotel industry;
7. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

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#### RESOLUTION

embodying the opinion of the European Parliament on the initial list of requests for the carry-over of appropriations from the 1977 to the 1978 financial year (non-automatic carry-overs)

*The European Parliament,*

- having regard to the list submitted by the Commission to the European Parliament (COM(78) 189 final),
- having been consulted by the Council pursuant to Article 6 (3) of the Financial Regulation <sup>(1)</sup>, (Doc. 122/78),
- having regard to the report of the Committee on Budgets (Doc. 149/78),

1. Approves the non-automatic carry-over of appropriations requested by the Commission in respect of the following amounts <sup>(2)</sup>:
  - (a) 1 267 250 EUA (Chapters 12, 21 and 22) for Section I — Parliament;
  - (b) 11 331 595·44 EUA (Chapters 37, 94 and 96) for Section III — Commission;
  - (c) 61 798·42 EUA (Chapters 12, 13, 15, 22 and 23) for Section V — Court of Auditors;
2. Regrets that the Council did not agree to the abolition of this non-automatic carry-over procedure as was proposed by the Commission, and supported by Parliament, during the revision of the Financial Regulation;
3. Draws attention to the problem of the undermining of Parliament's rights illustrated by the failure to commit appropriations inserted in the budget by Parliamentary amendment and will return to this point when the full picture is known, and when it takes a decision on the granting of the discharge in respect of the 1977 financial year;
4. Requests that, in future, all the Institutions supply full explanations where underspending has taken place and where carry-overs are requested;
5. Will reassess the carry-over procedure at the time of its examination of the complete list of requests later in the financial year.

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<sup>(1)</sup> OJ No L 356, 31. 12. 1977.

<sup>(2)</sup> Throughout, your rapporteur refers to the EUA, although the amount was included in the 1977 budget in units of account. For the 1978 financial year, however, the budget is measured in EUAs.

## RESOLUTION

embodying the opinion of the European Parliament on the communication and proposals from the Commission of the European Communities to the Council on marine pollution arising from the carriage of oil ('Amoco Cadiz')

*The European Parliament,*

- having regard to the communication and proposals from the Commission of the European Communities to the Council (COM (78) 184 final),
- having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 121/78),
- having regard to the interim report of the Committee on Regional Policy, Regional Planning and Transport (Doc. 147/78) and the opinion of the Committee on the Environment, Public Health and Consumer Protection,
- gravely concerned by accidents and collisions at sea,
- having the intention to organize a public hearing on the most effective means of preventing accidents to shipping in Community waters, and the avoidance of consequential marine and coastal pollution,
- not wanting to delay a Council decision on such an important matter,

1. Approves in principle the Commission's proposals;

2. Does not want, however, to anticipate the proceedings of the public hearing which, on its initiative, is to be held in Paris on 20, 21 and 22 June next, and therefore reserves the right to produce a more considered opinion following that public hearing.

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## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive concerning the ratification of Conventions on Safety in Shipping

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Articles 84 (2) and 100 of the EEC Treaty (Doc. 161/78),
- having regard to the interim report of the Committee on Regional Policy, Regional Planning and Transport (Doc. 162/78),
- gravely concerned by accidents and collisions at sea,
- having the intention to organize a public hearing on the most effective means of preventing accidents to shipping in Community waters, and the avoidance of consequential marine and coastal pollution,
- not wanting to delay a Council decision on such an important matter;

1. Approves in principle the proposed Directive;

2. Does not want, however, to anticipate the proceedings of the public hearing which, on its initiative, is to be held in Paris on 20, 21 and 22 June next, and therefore reserves the right to produce a more considered opinion following that public hearing.

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(<sup>1</sup>) OJ No C 135, 9. 6. 1978, p. 5.

## RESOLUTION

### on certain violations of human rights in Argentina

*The European Parliament,*

- deeply concerned about the situation as regards human rights in Argentina where, according to some reports, there are 20 000 to 30 000 political prisoners, including 8 000 people whose fate is not known and who have either disappeared or are being held illegally,
  - noting that, according to the figures given by Amnesty International, over 100 citizens from the Member States of the European Community have disappeared or are being held in prison in Argentina, including two French nuns,
  - drawing attention to the information given by the President-in-Office of the Foreign Ministers meeting in political cooperation that he is unable to guarantee the security of citizens from the Member States of the European Community visiting Argentina for the world football championship,
  - drawing attention to the respect for human rights on which the standards of behaviour of the international community and the external relations of the European Community must be based,
  - drawing attention to its resolution of 9 July 1976 on the situation in Argentina following the suspension of constitutional guarantees,
1. Requests the Commission and Council and the Governments of the Member States urgently to take all appropriate measures to bring about an improvement in the situation as regards human rights and the respect of democratic freedoms in Argentina;
  2. Resolves to use all its contacts outside the Community, particularly with the Latin-American Parliament and the United States Congress, with a view to generating parallel and concerted action in this field, including action within the framework of the United Nations;
  3. Instructs its President to forward this resolution to the Council and Commission and to the Governments of the Member States.

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## RESOLUTION

### on European armaments procurement cooperation

*The European Parliament,*

- having regard to its resolution of 15 December 1975 <sup>(1)</sup> on the effects of a European foreign policy on defence questions,
- having regard to the proposal made by Mr Tindemans in his report to the European Council on European Union that the establishment of a European Armaments Agency should be considered,
- having regard to the draft resolution drawn up by the representatives of the Member States of the European Economic Community, meeting within the Council, relating to the purchase and development of aircraft weapon systems, appended to the Action Programme for the European Aeronautical Sector submitted by the Commission to the Council on 3 October 1975,
- having regard to its resolution of 6 July 1976 <sup>(2)</sup> on the report and proposals from the Commission to the Council on the European aeronautical sector,
- considering that the establishment of a jointly organized European armaments industry with a structured market is an essential element in developing a common industrial policy,
- considering that the civil and defence aspects of certain key industries, such as the construction of airframes and missiles, air engines, ship-building and electronics, cannot be separated in planning their future development,
- considering the need for European industry to remain technologically up-to-date and competitive,
- having regard to the report of the Political Affairs Committee and the opinion of the Committee on Economic and Monetary Affairs (Doc. 83/78),
- considering the need to achieve a better balance between United States arms sales to Europe and European arms sales to the United States,

1. Calls on the Commission to submit to the Council in the near future a European action programme for the development and production of conventional armaments within the framework of the common industrial policy;

2. Instructs its President to forward this resolution and the report of its committee to the Council and the Commission, the Foreign Ministers meeting in political cooperation and the Governments and Parliaments of the Member States.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation No 136/66/EEC on the establishment of a common organization of the market in oils and fats

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (COM(78) 203 fin.),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 153/78),
- having regard to the report of the Committee on Agriculture (Doc. 154/78),

approves the Commission's proposal.

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#### RESOLUTION

on the flood disaster in Baden-Württemberg, Bavaria and Rhineland Palatinate

*The European Parliament,*

- having regard to the havoc and destruction wrought by the flood disaster in Baden-Württemberg, Bavaria and Rhineland Palatinate,
- deeply concerned at the financial loss incurred particularly by individuals, small- and medium-sized businesses and the agricultural community, which is provisionally estimated at between 200 and 300 million units of account,
- wishing to assist the people of the Länder concerned with the task of making good the damage,

requests the Commission to make arrangements for the provision of immediate aid and for those affected to receive appropriate assistance from the disaster fund.

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(<sup>1</sup>) OJ No C 7, 12. 1. 1976, p. 10.

(<sup>2</sup>) OJ No C 178, 2. 8. 1976, p. 8.

**RESOLUTION**  
**on the draft estimates of revenue and expenditure of the European Parliament for the financial year 1979**

*The European Parliament,*

- having regard to Rules 49 and 50 of its Rules of Procedure,
- having regard to the draft estimates drawn up by its appropriate committee and the associated report (Doc. 156/78),

1. Stresses

- (a) that the draft estimates for 1979 are designed to cope with the normal development of parliamentary activities and the work of the Secretariat;
- (b) that the establishment plan satisfies the real and permanent needs arising from the special conditions of work of Parliament and its Secretariat (lack of a single seat and work done in several languages) which are not yet related to direct elections to the European Parliament, with the exception of the establishment plan for the Directorate-General for Information and Public Relations;
- (c) that it will review its budgetary forecast before the end of the year as part of the consideration of the Communities' budget and after its departments, which are at present carrying out studies on this matter, have been able to assess the demands associated with the operation of the directly elected European Parliament during the initial period and those relating to the continuity of the Parliamentary function;
- (d) that it will probably be necessary for the elected Parliament to draw up a supplementary draft budget during the year, having regard to the organization of its work;
- (e) that at this stage, in particular in anticipation of the additions which will be necessary in October to provide for the operation of the first few months of the elected Parliament, it has restricted the increase in appropriations more than in previous years by limiting it to 10.6 % compared with the financial year 1978.

**Changes in the establishment plan — Permanent staff establishment plan**

- 2. Creates 83 new permanent posts and 59 posts for the Directorate-General for Information whose special requirements it recognizes, and will take account of the Bureau's decisions during the budgetary procedure;
- 3. Converts:
  - (a) 29 local staff posts into established posts in application of a decision taken two years ago on the conversion of local staff posts into permanent staff posts;
  - (b) six auxiliary staff posts into permanent posts, since the duties involved are no longer temporary but permanent;
- 4. Creates four additional reserve posts for officials seconded to the political groups (one A 7/6, two C 3, one C 4) and abolishes three (one A 7, one C 1, one C 2);
- 5. Reclassifies 10 permanent posts in the establishment plan, since first of all the level of duties carried out is higher than the present level of these posts and, secondly, promotions are needed after a number of years;
- 6. Considers that certain posts in the least favoured career brackets of the various categories should be upgraded in order to promote officials who have reached the last step in the last grade in their career bracket and/or are also performing duties of a higher level than their own;
- 7. Instructs its authorities responsible to study the application of this principle and reserves the right to decide thereon in October when it examines the general budget of the Communities;

*Temporary staff establishment plan*

8. Creates six new posts and reclassifies five for the political group secretariats.
9. Allocates the permanent and temporary posts created, converted or reclassified as follows:

*As regards the estimates themselves*

10. Adopts its estimates of revenue and expenditure for 1979 at 111 089 905 EUA broken down as follows;
11. Instructs its President, pursuant to the budgetary provisions of the Treaties, to forward this resolution, the attached estimates and the report of its committee to the Commission and, for information, to the Council.

**Changes in the establishment plan**

(a) *breakdown of the 83 permanent posts:*

1 A 3
2 A 7/6
7 LA 4 revisers
10 LA 5 translators
3 LA 6 translators
3 LA 6/5 interpreters
3 LA 8/7 interpreters
1 B 1
3 B 3/2
9 B 5/4
5 C 1
22 C 3/2 (including 16 at C 2)
4 C 5/4
10 D 1
<hr/>
83

Unless otherwise specified above, the breakdown of posts within the various career brackets is generally on a 50/50 basis.

(b) *breakdown of the 59 posts in the Directorate-General for Information:*

1 A 5/4
15 A 7/6
5 B 1
12 B 3/2
4 B 5/4
5 C 1
14 C 3/2
1 C 5/4
2 D 3/2

(c) *conversion of 29 local staff posts into established positions:*

2 C 1
5 C 3/2
2 C 5/4
20 D 3/2

- (d) *conversion of six auxiliary posts into established positions:*  
 1 A 7/6  
 1 B 5/4  
 3 C 3/2  
 1 C 5/4
- (e) *temporary posts in the political group secretariats:*  
 1 A 5/4 (at A 5)  
 2 C 1  
 3 C 3/2 (total 6)
- (f) *changes in the reserve for officials seconded to the political group secretariats:*  
 + 1 A 7/6  
 — 1 A 7  
 — 1 C 1  
 — 1 C 2  
 + 2 C 3  
 + 1 C 4
- (g) *reclassification of permanent posts:*  
 2 A 7/6 to A 5/4  
 2 B 3/2 to B 1  
 1 B 5/4 to B 3/2  
 4 C 3/2 to C 1  
 1 C 5/4 to C 3/2
- (h) *reclassification of temporary posts in the political group secretariats:*  
 2 A 7 to A 6  
 1 B 3 to B 2  
 1 C 2 to C 1  
 1 C 3 to C 2

PRELIMINARY DRAFT OWN RESOURCES

	EUA
TITLE 4 — DEDUCTIONS FROM STAFF REMUNERATION	9 354 800
<i>Chapter 40 — Proceeds of taxation on the salaries, wages and allowances of officials and other servants</i>	6 591 300
— Parliament	6 591 300
— Share of the Audit Board	—
— Share of the ECSC Auditor	—
 Chapter 41 — Staff contributions to the pension scheme	 2 763 500
— Parliament	2 763 500
— Share of the Audit Board	—
— Share of the ECSC Auditor	—

TITLE 9 — MISCELLANEOUS REVENUE	995 000
<i>Chapter 90 — Proceeds of the sale of movable and immovable property</i>	70 000
Article 900    Proceeds of sale of movable property	token entry
Article 902    Sale of publications, printed works and films	70 000
<i>Chapter 93 — Repayment of miscellaneous expenditure</i>	650 000
Article 930    Repayment of expenditure on account of another institution	
— Parliament	650 000
— Share of the Audit Board	
<i>Chapter 95 — Miscellaneous income</i>	275 000
Article 950    Income from investments and loans, bank interest and other items	
— Parliament	275 000
— Share of the Audit Board	
— Share of the ECSC Auditor	
Article 951    Differences on exchange	token entry
<i>Chapter 99 — Other revenue</i>	<u>token entry</u>
Total of own resources	10 349 800
Contributions due	100 740 105

**PRELIMINARY DRAFT EXPENDITURE**

**TOTAL 111 089 905 EUA**

	EUA	EUA
TITLE 1 — EXPENDITURE RELATING TO PERSONS WORKING WITH THE INSTITUTION		73 112 527
<i>Chapter 10 — Members of the institution</i>	7 495 300	
Article 100    Salaries, allowances and payments related to salaries	4 945 000	
Item 1000    Basic salaries	—	
Item 1001    Residence allowances	—	
Item 1002    Family allowances	—	
Item 1003    Representation allowances	—	
Item 1004    Travel and subsistence allowances Notice of meetings and connected expenditure	4 945 000	
Article 101    Accident and sickness insurance and other social welfare expenditure	194 000	
Article 102    Temporary allowances	—	

		EUA	EUA
Article 103	Pensions	—	
Item 1030	Retirement pensions	—	
Item 1031	Invalidity pensions	—	
Item 1032	Survivors' pensions	—	
Article 105	Language courses for members	39 000	
Article 106	Members' secretarial expenses	2 215 400	
Article 109	Provisional appropriations for changes in the remuneration and allowances payable to Members of the European Parliament	101 900	
<i>Chapter 11</i>	<i>— Staff</i>	60 440 527	
Article 110	Officials and temporary staff holding a post provided for in the list of posts	50 754 300	
Item 1100	Basic salaries	40 940 300	
Item 1101	Family allowances	3 396 200	
Item 1102	Expatriation allowances (including those granted under Art. 97 of the ECSC Staff Regulations)	5 977 600	
Item 1103	Temporary fixed allowances	440 200	
Article 111	Other staff	2 413 300	
Item 1110	Auxiliary staff	1 700 000	
Item 1111	Auxiliary interpreters	—	
Item 1112	Local staff	700 000	
Item 1113	Special advisors	13 300	
Article 112	Pensions and severance grants	—	
Item 1123	Severance grants	—	
Article 113	Sickness and accident insurance and occupational diseases	1 605 900	
Item 1130	Sickness insurance	1 228 200	
Item 1131	Accident insurance and occupational diseases	337 700	
Article 114	Miscellaneous allowances and grants	473 427	
Item 1140	Childbirth allowances and death grants	32 000	
Item 1141	Travel expenses on annual leave	338 000	
Item 1142	Accommodation and transport expenses	—	
Item 1143	Fixed special duty allowances	55 500	
Item 1144	Fixed travel allowances	33 900	
Item 1145	Special allowance in accordance with Article 70 of the Financial Regulation	14 027	
Item 1149	Other allowances and refunds	token entry	
Article 115	Overtime	558 700	

		EUA	EUA
Article 116	Weightings	480 000	
Article 117	Supplementary services	1 664 900	
Item 1170	Freelance interpreters and conference officers	1 534 900	
Item 1171	Freelance proof-readers	—	
Item 1172	Other services and work sent out for translation and typing	130 000	
Article 119	Provisional appropriations for changes in the remuneration payable to officials and other servants	2 490 000	
<i>Chapter 12 — Allowances and expenses on entering and on leaving the service and on transfer</i>		1 731 500	
Article 120	Miscellaneous expenditure on staff recruitment	150 000	
Article 121	Travel expenses (including members of the family)	18 200	
Item 1211	Staff	18 200	
Article 122	Installation, resettlement and transfer allowances	555 000	
Item 1221	Staff	555 000	
Article 123	Removal expenses	332 500	
Item 1231	Staff	332 500	
Article 124	Temporary daily subsistence allowances	259 100	
Item 1241	Staff	259 100	
Article 125	Allowances for staff placed on non-active status, retired in the interests of the service or dismissed	350 000	
Article 129	Provisional appropriations for changes in the remuneration and allowances payable to officials and other servants	66 700	
<i>Chapter 13 — Expenditure relating to missions and duty travel</i>		2 803 500	
Article 130	Mission expenses, duty travel expenses and other ancillary expenditure	2 803 500	
Item 1301	Staff	2 803 500	
Item 1302	Special equipment for missions	—	
<i>Chapter 14 — Expenditure on social welfare</i>		381 700	
Article 140	Special assistance grants	12 100	
Article 141	Staff social relations	26 000	
Article 142	Restaurants and canteens	38 900	

		EUA	EUA
Article 143	Medical service	100 000	
Article 149	Other social expenditure	204 700	
Item 1490	Other expenditure	204 700	
Item 1491	Fitting out of an inter-Community sports centre	token entry	
<i>Chapter 15</i>	<i>— Internal training courses and vocational training of staff</i>	260 000	
Article 150	Cost of organizing internal training courses	85 000	
Article 151	Language courses, refresher courses, further vocational training and information of staff	175 000	
TITLE 2 — BUILDINGS, EQUIPMENT AND MISCELLANEOUS OPERATING EXPENDITURE			18 619 838
<i>Chapter 20</i>	<i>— Immovable property investments</i>	—	
Article 200	Acquisition of immovable property	—	
Article 201	Construction of buildings	—	
Article 202	Other expenditure preliminary to the acquisition of immovable property or to the construction of buildings	token entry	
<i>Chapter 21</i>	<i>— Rental of buildings and incidental expenditure</i>	8 566 950	
Article 210	Rent	5 683 800	
Item 2100	Rent	5 683 800	
Item 2101	Deposits	token entry	
Article 211	Insurance	25 000	
Article 212	Water, gas, electricity and heating	722 000	
Article 213	Cleaning and maintenance	1 093 650	
Article 214	Fitting out of premises	252 000	
Article 215	Security and surveillance of buildings	600 000	
Article 219	Other expenditure	190 500	
<i>Chapter 22</i>	<i>— Movable property and ancillary expenses</i>	2 600 798	
Article 220	Office machinery	325 200	
Item 2200	Initial equipment	143 200	
Item 2201	Renewals	89 500	
Item 2202	Hire	10 000	
Item 2203	Maintenance, use and repair	82 500	

		EUA	EUA
Article 221	Furniture	195 200	
Item 2210	Initial equipment	115 000	
Item 2211	Renewals	69 000	
Item 2212	Hire	1 200	
Item 2213	Maintenance, use and repair	10 000	
Article 222	Technical equipment and installation	1 280 150	
Item 2220	Initial equipment	585 500	
Item 2221	Renewals	136 250	
Item 2222	Hire	400 000	
Item 2223	Maintenance, use and repair	158 400	
Article 223	Transport equipment	562 700	
Item 2230	Initial equipment	73 350	
Item 2231	Renewals	133 250	
Item 2232	Hire	158 100	
Item 2233	Maintenance, use and repair	198 000	
Article 225	Documentation and library expenses	237 548	
Item 2250	Library expenses, purchase of books	56 300	
Item 2251	Special library documentation and reproduction equipment	14 500	
Item 2252	Subscriptions to newspapers, periodicals	60 260	
Item 2253	Subscriptions to news agencies	98 750	
Item 2254	Binding and storage of library books	7 738	
<i>Chapter 23</i>	<i>— Current administrative expenditure</i>	2 221 100	
Article 230	Stationery and office supplies	904 500	
Article 231	Postal charges and telecommunications	1 006 950	
Item 2310	Postage on correspondence and delivery charges	439 650	
Item 2311	Telephone, telegraph, telex, television	567 300	
Article 232	Financial charges	3 600	
Item 2320	Bank charges	3 500	
Item 2321	Differences on exchange	token entry	
Item 2329	Other financial charges	100	
Article 233	Legal expenses	20 000	
Article 234	Damages	token entry	

		EUA	EUA
Article 235	Other operating expenditure	286 050	
Item 2350	Miscellaneous insurance	14 050	
Item 2351	Uniforms and working clothes	82 000	
Item 2352	Miscellaneous expenditure on internal meetings	70 000	
Item 2353	Departmental removals	63 250	
Item 2354	Petty expenses	44 330	
Item 2359	Other operating expenditure (contribution to secretarial expenses of the President's Office)	12 420	
Article 239	Loan of services between institutions	—	
Item 2390	Services of the Official Publications Office	(1 596 980)	
Item 2391	Joint interpreting service	—	
Item 2393	Participation of the European Parliament in the Legal Information Service	token entry	
<i>Chapter 24</i>	<i>— Entertainment and representation expenses</i>	176 640	
Article 240	Entertainment and representation expenses	176 640	
Item 2400	Members of the institution	150 000	
Item 2401	Staff	11 000	
Item 2402	Fund for expenses in accordance with Article 53 of the Rules of Procedure of the European Parliament	15 640	
<i>Chapter 25</i>	<i>— Expenditure for formal and other meetings</i>	19 000	
Article 250	Formal and informal meetings	19 000	
Article 251	Committees	—	
Article 255	Miscellaneous expenditure on organization of and participation in conferences and congresses and in meetings organized outside the places of work of the institution	—	
<i>Chapter 26</i>	<i>— Expenditure on studies, surveys and consultations</i>	11 500	
Article 260	Limited consultations, studies and surveys	11 500	
<i>Chapter 27</i>	<i>— Expenditure on publishing and information</i>	3 745 350	
Article 270	Official Journal	1 500 000	
Article 271	Publications	2 111 250	
Item 2710	General publications	1 978 250	
Item 2719	Publications and information expenditure	133 000	

		EUA	EUA
Article 272	Expenditure on information and participation in public events	134 100	
Item 2720	Expenditure on information, publicity and participation in public events	133 000	
Item 2721	Participation of the Communities in international exhibitions	1 100	
<i>Chapter 29</i>	<i>— Subsidies and financial contributions</i>	1 278 500	
Article 290	Subsidies for research at institutions of higher education	token entry	
Article 294	Scholarships	228 500	
Item 2940	Scholarships granted for research and study	67 500	
Item 2941	Scholarships granted for further vocational training of conference interpreters	token entry	
Item 2942	Other scholarships	161 000	
Article 299	Other subsidies and financial contributions towards inspection costs	1 050 000	
Item 2990	Subsidies and financial contributions towards the cost of group visits	1 050 000	
Item 2991	Subsidies towards the cost of visits by high-ranking persons from the Member States	token entry	
TITLE 3 — EXPENDITURE RESULTING FROM THE INSTITUTION CARRYING OUT SPECIAL FUNCTIONS			2 499 140
<i>Chapter 37</i>	<i>— Expenditure relating to certain institutions and bodies</i>	2 499 140	
Article 370	Expenditure relating to the European Parliament	2 499 140	
Item 3700	Expenditure on interparliamentary institutions stipulated in the ACP-EEC Convention of Lomé	415 000	
Item 3701	Expenditure on the Joint Parliamentary Committee provided for within the framework of the Association with Greece	165 000	
Item 3702	Expenditure on the Joint Parliamentary Committee provided for within the framework of the Association with Turkey	165 000	
Item 3704	Expenditure on parliamentary contacts set up under the Association with Malta	25 000	
Item 3705	Contribution to secretarial expenses of the political groups of the European Parliament	1 088 705	
Item 3706	Other political activities	640 435	
Article 374	Share of the expenditure of the Audit Board		
Article 375	Share of the expenditure of the ECSC Auditor		
TITLE 10 — OTHER EXPENDITURE		16 858 400	
<i>Chapter 100</i>	<i>— Provisional appropriations</i>	16 132 000	
Article 1000		5 000 000	
Article 1001		11 132 000	

	EUA	EUA
<i>Chapter 101 — Contingency reserve</i>	726 400	
Article 1010	726 400	
Article 1011	—	
<i>Chapter 102 — Reserve to cover any shortfall in appropriations due to the difference between the estimated EUA conversion rates and the rates actually applied</i>		token entry

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**RESOLUTION**  
on the political situation in Africa

*The European Parliament,*

- deeply concerned by the seriousness of the events which have taken place in several African countries in recent months,
- aware of the European Community's special responsibilities towards the African continent,

Calls on the Foreign Ministers of the nine Member States of the European Community meeting in political cooperation to consider these problems and keep it informed of their conclusions.

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**RESOLUTION**  
on the legal basis and procedures for certain legal acts relating to the Community's fisheries policy

*The European Parliament,*

- having regard to Articles 137, 148 and 155 of the EEC Treaty,
- having regard to the repeated assurances by the Council and the Commission of their readiness to respect and extend the European Parliament's right to be consulted <sup>(1)</sup>,
- having regard to Article 190 of the EEC Treaty,
- having regard to Rule 11 of the Council's provisional Rules of Procedure,
- having regard to its resolution of 16 February 1978 on the right of the European Parliament to be consulted <sup>(2)</sup>,

1. Considers the Commission's and the Council's past practice of, in some cases, proposing or adopting Community Acts without specifying the Treaty Article on which that Act is meant to be based, to be in breach of the Treaty;

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<sup>(1)</sup> See Commission memorandum of 30 May 1973 (COM 73/999); minutes of the Council meeting of 24/25 February 1964; Council communication to the European Parliament of 16 October 1973 (Bull. EP No 34/73).

<sup>(2)</sup> OJ No C 63, 13. 3. 1978, p. 33.

2. Deprecates the fact that a possible requirement to consult the European Parliament has thus been by-passed;
3. Observes that, in many instances, legal acts have been adopted without the mandatory consultation of Parliament and are hence incorrect from a procedural point of view;
4. Stresses that it regards the failure to indicate the exact Treaty Articles on which a Community Act is based as an infringement of an essential procedural requirement for legal acts of the Community;
5. Calls on the Commission and the Council to make a practice in future of always citing the relevant legal basis of legal acts to enable the European Parliament and the European Court of Justice to verify their legality;
6. Emphasizes that Article 103 of the EEC Treaty may only be used as a legal basis for short-term measures to remedy situations of acute urgency;
7. Calls on the Council to consult Parliament in all cases of doubt concerning the legal basis of a legal act of the European Community;
8. Calls on the Council and the Commission to settle, in agreement with the European Parliament, any doubts about the procedure to be followed in respect of the adoption of a legal act, and to introduce appropriate procedural arrangements to that end;
9. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a decision on financial participation by the Community in respect of the inspection and surveillance operations in the maritime waters of Denmark and Ireland

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 460/77),
  - having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 39/78),
  - having regard to the previous reports drawn up by Mr Kofoed (Doc. 474/76), Mr Hughes (Doc. 150/77) and Mr Corrie (Doc. 442/77),
  - having regard to the European Council resolution of the Hague of 3 November 1976,
  - whereas very serious economic and social problems have been created by the depletion of fish stocks,
  - whereas the Community fisheries policy must seek to conserve the biological resources of the sea by means of scientifically derived management and conservation policies, including quotas,
1. Considers the rapid creation of an effective fisheries inspection and control system to be of the utmost importance;
  2. Approves, in consequence, the Commission's proposal, subject to the following reservations and observations;
  3. Rejects any proposal to restrict the financial participation of the Community, beyond the initial period, to two Member States;

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<sup>(1)</sup> OJ No C 307, 21. 12. 1977, p. 3.

4. Considers, furthermore, that, without increasing the total appropriations to be made available from the Community budget, the possibility should be created for the Community's financial participation to be increased;

(a) to 75 % where necessary to allow for a more rapid creation of inspection facilities;

(b) to 100 % for facilities to be devoted entirely to Community operations;

and considers that, where the Community's financial participation were to be so increased, the Community's role in determining the functions of these inspection facilities should be correspondingly developed;

5. Recalls the European Parliament's insistence that inspection vessels and aircraft and inspectors should be considered as agents of the Community;

6. Points out the ever-increasing need for greater coordination between the Member States in efforts to supervise agreements on maritime pollution, to draw up and enforce navigation rules on Community waters, to carry out maritime scientific research, to chart all new oil structures and closed fishing zones, and to develop a sea rescue capability as well as fisheries surveillance and is of the opinion that, in order to achieve this, the Commission should, in collaboration with the Member States and the European Parliament, investigate the possibility of setting up a Community coastguard service;

7. Points out that, given the high cost of the equipment required for fisheries surveillance facilities, no significant additional expenditure would be required to extend the function of aircraft and vessels to include:

- inspection and surveillance of fisheries,
- inspection and surveillance of agreements to control fisheries,
- scientific fisheries research,
- air and sea rescue operations,
- and identification of maritime installations endangering fisheries;

8. Considers, therefore, that to these ends a European Maritime Agency should be established, capable of coordinating the wide-ranging functions of a European coastguard authority;

9. Believes, in consequence, that proposals to provide for the financial participation of the Community in respect of inspection and surveillance facilities should be drawn up so as to take into account and provide a Community basis for inspection facilities and the requirements of a European Maritime Agency;

10. Is of the opinion that its Committee on Agriculture should give particular consideration to:

(a) inspection procedures, whether by means of:

- a generalized system of fishing licences in the short term,
- the progressive establishment of a body to patrol the fishing zones on behalf of the Community;

(b) the specialized facilities available within the Community which might be used for such inspection work;

11. Considers that the Commission and Budgetary authority must ensure that Community expenditure will be employed in the most economic way possible and, to this end, requires that the Commission:

(a) establish the functions to be fulfilled by vessels, aircraft and installations;

(b) draw up criteria, in conjunction with qualified authorities in Member States, in order to ensure that ships and aircraft selected shall be the best adapted to fulfil those functions;

(c) encourage the standardization of purchases so as to minimize total expenditure required; and refers in this connection to its resolution of 16 February 1978 on certain aspects of the final version of the common fisheries policy <sup>(1)</sup> and in particular paragraph 5 (d) of this resolution which recommends Member States to standardize the equipment used for patrolling the Community fishing zone in order to reduce procurement costs;

(d) inform the Budgetary authority of studies undertaken and decisions relating to expenditure;

12. Asks for the conciliation procedure to be opened with the Council, pursuant to Rule 22A of Parliament's Rules of Procedure, should the Council intend to depart from the opinion of the people's representatives;

13. Requests the Commission to incorporate the following amendments in its proposal, pursuant to Article 149, second paragraph, of the EEC Treaty.

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<sup>(1)</sup> OJ No C 63, 13. 3. 1978, p. 28.

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TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

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TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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**Council Decision on financial participation by the Community in respect of the inspection and surveillance operations in the maritime waters of Denmark and Ireland**

Preamble and recitals unchanged

*Article 1*

*Article 1*

Paragraphs 1 and 2 unchanged

3. This figure may be increased:

- to 75 % where it is essential that inspection and surveillance facilities should be established with the minimum of delay;
- to 100 % where the inspection and surveillance facilities are to be devoted entirely to Community operations.

*Article 2*

*Article 2*

The Council, in accordance with the procedure laid down in Article 43, paragraph 2, shall not later than 31 December 1982 take a decision on the sharing by the Community after that date of the expenditure of the Member States, referred to in Article 1, incurred in the inspection and surveillance of maritime waters within their jurisdiction.

The Council, in accordance with the procedure laid down in Article 43, paragraph 2, shall not later than 31 December 1982 take a decision on the sharing by the Community after that date of the expenditure of the Member States, incurred in the inspection and surveillance of maritime waters within their jurisdiction.

*This present Decision concerns the Kingdom of Denmark and the Republic of Ireland.*

Deleted

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<sup>(1)</sup> For full text see OJ No C 307, 21. 12. 1977, p. 3.

ANNEX

ANNEX

Paragraphs 1 to 5 unchanged

6. The Member States shall furnish the Commission with all information which it may request on the application of this Decision.
- If the Commission considers that the facilities for which Community financial aid was granted under this Decision are not being used for the purposes intended, the Member State concerned shall be so informed. The latter shall then initiate an administrative inquiry in which officials of the Commission may participate, and shall inform the Commission of the progress and the findings of the inquiry.
- The Commission may make inspections to verify application of this Decision by the Member States concerned. The latter shall assist the officials appointed by the Commission for this purpose.
7. Each year the Commission shall present to the Council and to the European Parliament a report based on information supplied by *Denmark and*
6. The Commission shall ensure that the expenditure will be employed in the most economic manner possible, and, to this end:
- shall establish the functions which are to be fulfilled by vessels, aircraft and installations,
  - draw up criteria, in conjunction with qualified authorities in Member States, to ensure that ships, aircraft and installations selected shall be the best adapted to fulfil those functions,
  - assure the standardization of purchases so as to minimize the total expenditure required, and
  - inform the Budgetary Authority of studies undertaken and decisions relating to expenditure.
7. The functions to be carried out may include:
- inspection and surveillance of fisheries,
  - inspection and surveillance of agreements to control pollution,
  - scientific fisheries research,
  - air and sea rescue operations,
  - and identification of maritime installations endangering fisheries.
8. U n c h a n g e d
9. Each year the Commission shall present to the Council and to the European Parliament a report based on information supplied by **Member States**

*Ireland* on the measures taken in respect of the maritime inspection and surveillance of the fishing zones off the coasts of Greenland and Ireland.

on the measures taken in respect of the maritime inspection and surveillance of the fishing zones off the coasts of Greenland and Ireland.

## RESOLUTION

### on the inter-institutional dialogue on certain budgetary questions

*The European Parliament,*

- having regard to the inter-institutional agreement on the procedure for annual joint consideration of certain budgetary questions,
- having regard to the reports on the inter-institutional dialogue in 1976 and 1977 (Doc. 97/76 and 119/77) <sup>(1)</sup>,
- having regard to the report of the Committee on Budgets (Doc. 150/78),

1. Approves the conclusions and recommendations of the Committee on Budgets as set out in the explanatory statement to this resolution and summarized below;

#### *Budgetization of loans*

2. Requests the Commission to draw up, before the end of this financial year, a report on the coordination of the various loan mechanisms and on the responsibilities of the various institutions for the operation of these mechanisms;
3. Invites the Commission once again to draw up a capital (or extraordinary) budget as the borrowing and lending authorization granted to the Commission by the budgetary authority for the financial year in question;
4. Invites the Commission also to inform the budgetary authority during the financial year of the main borrowing and lending operations it intends to arrange on the basis of the outline facility opened in the budget;

#### *Appropriations for cooperation with third countries*

5. Feels that all cooperation activities pursued by the Community should be financed by the general budget;
6. Expects in particular the cooperation activities connected with the Second Lomé Convention to be financed by the general budget in accordance with the rules laid down in the budgetary procedure and the Financial Regulation;
7. Asks to be consulted on the financial aspects of the brief given to the Commission to negotiate cooperation agreements (including the Second Lomé Convention) and considers that the directly elected Parliament must be called upon to ratify the financial protocols;

<sup>(1)</sup> OJ No C 125, 8. 6. 1976, p. 30, and OJ No C 163, 11. 7. 1977, p. 39.

### *Supplementary budgets*

8. Remains convinced that, in an integral system of own resources, supplementary budgets must not be introduced except in unavoidable and unforeseen circumstances;
9. Feels that in order to avoid supplementary agricultural budgets a reserve should be created in Chapter 100 with the appropriations allocated in detail to the various market organizations in accordance with their needs;
10. Considers also that proper coordination of legislative and budgetary operations should enable the need for non-agricultural supplementary budgets to be avoided;

### *Nomenclature*

11. Considers it necessary that Regional Fund appropriations be itemized, research appropriations simplified and EAGGF appropriations made more transparent in the 1979 budget;

### *Budgetary transparency*

12. Disapproves of the creation of too many decentralized bodies often governed by disparate rules and requests that a detailed classification be made of them;
13. Considers that bodies carrying out Community tasks should be financed by the general budget and remain under the control of the budgetary authority;

### *Implementation of the budget*

14. Considers that certain types of appropriations may be entered in the budget and used without any other prior legal basis and invites the Council to cooperate with it in drawing up a list of such appropriations, during the annual budgetary procedure;
15. Considers that Article 205 of the EEC Treaty gives the Commission authority to implement the budget without awaiting specific implementing decisions by the Council;
16. Considers the practice of freezing appropriations to be both useful and legitimate and invites the Council to come to an agreement with it on the procedure for the release of such appropriations;

### *Financial planning*

17. Proposes that the multiannual estimates be extended to cover a period of five years, that their political function be strengthened and that they be better coordinated with the Community's economic and monetary activities;
18. Requests that the budgetary authority should consider and adopt these estimates each year in conjunction with the annual budget;

### *ECSC budget*

19. Notes that the rigidity of the ECSC's operational budget no longer enables it to meet the increase in financial requirements caused by the expansion of the ECSC's activities;
20. Considers therefore that costs should be coordinated between the ECSC and EEC budgets, and that these budgets should be considered and adopted together;
21. Approves of the increased role played by the ECSC investment (borrowing/lending) budget but feels that Parliament should have total control over this budget and the activities financed from it;
22. Expects to pursue the inter-institutional dialogue in accordance with these conclusions;
23. Hopes strongly that this dialogue will enable the institutions concerned to reach agreement on the main questions in time for the opening of the budgetary procedure for the 1979 budget;
24. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

**RESOLUTION**  
**on the state of relations between the EEC and the East European State-trading  
countries and COMECON**

*The European Parliament,*

- drawing particular attention to the powers conferred on the Community in the field of commercial policy by Article 113 of the EEC Treaty,
- having regard to the fact that for almost three years commercial relations between the EEC and the State-trading countries have not been subject to any treaty,
- having regard to the report of the Committee on External Economic Relations and the opinion of the Committee on Regional Policy, Regional Planning and Transport (Doc. 89/78),

*in the matter of relations between the Community and the State-trading countries of Eastern Europe*

1. Hopes that the situation characterized by the lack of any treaty governing foreign trade with the State-trading countries will be rectified as soon as possible with a view to bringing trade based on different arrangements and independent Community measures within the framework of a commercial agreement;
2. Stresses that the current practice of resorting to bilateral cooperation agreements involves a constant risk of circumvention of the Community commercial policy provided for in Article 113 of the EEC Treaty;
3. Notes that, according to the figures available, the debts of the State-trading countries, which had been rising for many years, have in the last two years shown a declining growth rate;
4. Draws attention to the increase in barter transactions with the State-trading countries and stresses that such operations restrict the diversity of trade, place small and medium-sized undertakings at a disadvantage, and may lead to market disturbances in the Member States of the Community;
5. Notes that low-price exports and dumping practices on the part of State-trading countries are detrimental to the economies of the Member States, jeopardize employment and distort competition in the sea transport, inland shipping and road transport sectors;
6. Feels, therefore that the Council and the Commission should:
  - continue energetically to pursue their current objectives in the field of trade with the State-trading countries, i.e. the achievement of balanced mutual advantages, the harmonious development of trade, the application of the most-favoured nation clause and the liberalization of imports,
  - include in trade treaties a stipulation to the effect that the exchange of goods and services between the parties to such treaties shall take place on the basis of normal market prices and tariffs,
  - coordinate the Community's commercial policy *vis-à-vis* the State-trading countries with any future industrial policy, in particular as regards products originating from licences or industrial plant exported to those countries,
  - take steps, in keeping with their spheres of competence, to accelerate the process of harmonization in the field of export credits and insurance,
  - extend the consultation procedure in the field of export aid measures and transfer it gradually to the Community framework,
  - take steps to ensure the strict application of GATT rules in so far as they are applicable to State-trading countries, and the introduction of various arrangements better suited to State-trading and to conclude clear agreements on these matters with State-trading countries which are not members of GATT,
  - call a halt to the infiltration of the Community's transport markets by the State-trading countries, secure for the Community transport sector a balanced share in the mutual trade with these countries, and take steps to ensure that Community transport undertakings are not forced out of third markets,
  - press for some relaxation of the overcentralized arrangements governing purchases by State-trading countries, with all the obstacles to trade and bureaucratic hindrances involved;

*in the matter of the Community's participation in the now concluded CSCE follow-up conference in Belgrade*

7. Hopes that the Council and Commission will submit a review of the results achieved since the Helsinki Conference in the field of cooperation between the Community and the State-trading countries, with particular reference to:

- the introduction and safeguarding of a system of reciprocity which will generally permit a balanced apportionment of advantages and obligations in commercial relations,
- the potential for cooperation and coordination in the field of development aid,
- measures with regard to cooperation on the solution of world economic problems in UN organizations and in the context of the North-South dialogue;

8. Calls on the Council and Commission to report to it on the position adopted by the Community in Belgrade and on the proposals and progress made at the Conference, with particular reference to the problems of trade and industrial cooperation dealt with in 'Basket Two';

*in the matter of institutional contacts between the EEC and COMECON*

9. Welcomes the interinstitutional contacts between the Community and COMECON, the most recent of which, on 21 September 1977 in Brussels, gave the Community, represented by the President of the Council and the appropriate Commissioner, the opportunity to explain its position to the President of the Executive Committee of COMECON and resulted in an agreement to open negotiations in the near future with a view to the conclusion of a treaty;

10. Supports the Commission's efforts to negotiate commercial agreements with individual State-trading countries in accordance with its proposed trade agreements scheme and welcomes its intention of concluding an outline agreement to develop, and perhaps subsequently extend, cooperation with COMECON in areas of mutual competence; stresses, however, that differing interpretation of the question of competence should not be allowed to impede the development of such contacts;

11. Instructs its President to forward this resolution and the report of its committee to the Council and Commission and to the Governments of the Member States.

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## RESOLUTION

### on the multilateral negotiations in GATT

*The European Parliament,*

- having regard to the Commission memorandum on an overall approach to the multilateral negotiations in GATT (COM(73) 556 and 556/2),
- having regard to the declaration on the GATT negotiations made by seven of the major industrialized countries at the summit conference held in London on 8 May 1977,
- having regard to the conclusions of the meeting of 6 January 1978 between Mr Jimmy Carter, *President of the United States*, and the Commission of the European Communities under its President, Mr Roy Jenkins,

— having regard to the outcome of the visit to Japan by Mr Haferkamp, *Vice-President of the Commission of the European Communities*, from 22 to 24 March 1978,

— having regard to its resolution on the Community's position in the GATT negotiations <sup>(1)</sup>,

— having regard to the report of the Committee on External Economic Relations and the opinions of the Committee on Agriculture and the Committee on Development and Cooperation (Doc. 86/78),

1. Notes that after four years the so-called 'Tokyo Round' of the GATT negotiations has moved beyond the stage of technical preparation and embarked on real negotiations on the basis of offers and requests submitted by the member countries of GATT;

2. Is concerned about the threat to world trade from increasing discriminating protectionist measures in the various countries and is convinced that overt and latent forms of protectionism hamper the expansion of international trade;

3. Points out that the shortcomings in the present international monetary system could jeopardize even the most favourable outcome of the current multilateral negotiations in GATT;

4. Draws attention to the unprecedented changes which have taken place in the international division of labour and patterns of trade, which require greater international economic discipline to allow an orderly expansion of trade, not only in the overall supply of raw materials and energy but also in key sectors of manufacturing industries currently affected by serious disturbances of the market;

5. Believes that — in the interests of the consumer and world trade — the changes in the world economy and the threat to the Community's economy from massive, cheap imports must be taken into account in the final phase of the current GATT negotiations, and hopes that a 'social clause' will be drawn up, fixing as the minimum requirements the ILO rules for the protection of workers;

6. Considers it urgent in view of the increase in restrictive practices by various trading nations to consolidate and gradually extend the agreements which have proved their worth in GATT and are designed to promote the international division of labour and free market economy, particularly those on tariff and non-tariff measures;

7. Urges that any concessions which the Community might grant should be brought more closely into line with those granted by the other industrialized nations in view of the predominantly open nature of the Community market and the problems this causes for the economies of the Member States;

8. Emphasizes the importance of trade with the developing countries and calls for the drafting of fair rules for such trade, the key note of which should be improved market organization, in order to achieve the structural adjustments necessary within the Community in the light of social requirements and to prevent, or at least keep within reasonable limits, any disturbance of the market;

9. Considers — while reaffirming the need for the GATT negotiations to result in further advantages for the developing countries as advocated in the Tokyo Declaration of 12 September 1973 — that, on the question of trade with those countries

— the EEC's system of generalized preferences should be reviewed in consultation with all the other governments and intergovernmental organizations concerned,

— access to the Community market for exports from the poorest developing countries should be facilitated,

— there should be comprehensive coordination of the generalized preferences granted by the industrialized countries;

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(1) OJ No C 157, 14. 7. 1975, p. 26.

10. In relations with State-trading countries, calls for the ending of all dumping practices (i.e. with regard to both commodities and services) and for the stricter observance of the principle of reciprocity save with regard to those State-trading nations which are members of the 'Group of 77' or which benefit from the system of generalized preferences;

11. Considers it necessary, given the increasing number of nations involved in world trade and the varying interpretations and methods of application of the existing rules, to make full use of the procedures for settling disputes in GATT and, where appropriate, to improve them;

12. Notes the offers submitted by the Community in GATT in January 1978, particularly in the tariff, non-tariff and agricultural fields and emphasizes the importance of updating the safeguard clause (Article XIX of GATT);

#### *Agricultural negotiations*

13. Stresses the importance of negotiations in the agricultural sector to the reaching of a final agreement in the current round of multilateral trade negotiations and the political importance of trade between the USA and the Community;

14. Points out the efforts made by the Community to take into account the demand by developing countries to participate more equitably in world trade in the framework of the GATT and UNCTAD negotiations;

Notes that the Community has not requested reciprocity from the least developed countries and urges that the other industrialized countries must also contribute to recognizing the special needs of the least developed countries;

Considers that it is essential to conclude a series of international commodity agreements covering the major products;

15. Points out the increasing trade imbalance in favour of the United States in the agricultural sector;

Recognizes, however, the serious deterioration in the American trade balance following increases in oil prices; nevertheless insists that there should be greater reciprocity in agricultural trade between the major industrialized countries and in particular that the United States should import greater quantities of processed products from the Community;

16. Believes it essential that there be concluded multilateral and bilateral agreements on the major agricultural products, for example, bilateral agreements on dairy products and agreements with the United States to liberalize the regime for cheese imports from the Community;

17. Notes the problems of deconsolidating the Community's tariff rate on soya and considers that this can only be achieved eventually in the framework of a far-reaching review of EEC-US agricultural trade relations;

18. Notes that the Commission believes that an initial agreement in the agricultural sector can be achieved by July 1978;

19. Considers that much greater attention must be paid in the multilateral trade negotiations in the agricultural sector to trade with the Eastern Bloc countries;

20. Supports the Community's efforts

— to create a customs assessment code laying down a simple and precise universal system,

— to create a code of conduct to suppress technical obstacles to trade and prevent protectionism shifting to spheres other than customs,

— to create a code for government procurement;

calls on the Commission to take into consideration in the current negotiations the essential points mentioned above;

21. Emphasizes that in the absence of appropriate common industrial policies and structural adjustments, the Community may be unable to remain competitive and retain its present position in world trade;
22. Given the prospect of increasing competition on world markets, calls on the Commission to keep under constant review the problem of how best to maintain a high level of employment within the Community;
23. Instructs its President to forward this resolution and the report of its committee to the Council and the Commission.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Seventh Directive pursuant to Article 54 (3) (g) of the EEC Treaty concerning group accounts

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 54 of the EEC Treaty (Doc. 116/76),
- having regard to the report of the Legal Affairs Committee and the opinion of the Committee on Economic and Monetary Affairs (Doc. 103/78),

1. Welcomes the submission of the present proposal for a Directive which is related to the amended proposal for a Fourth Directive regarding the annual accounts of limited liability companies and which provides for the consolidation in a single group account of the individual accounts of all undertakings belonging to a group in order to obtain a true and fair view of the economic and financial position of the group itself and hence a fuller picture of the position of each undertaking belonging to it;

2. Approves the use of the concepts of 'significant influence' and 'dominant influence' in Articles 1 and 2 which bring within the scope of the Directive the many methods used in practice to create associated undertakings and groups;

3. Endorses the principle established by Article 3 of 'a central and unified management', since this is a suitable qualitative criterion for defining undertakings that constitute a group for which group accounts are to be drawn up;

4. Approves the proposal in Article 4 to extend the requirement for consolidation to cover associations between undertakings which constitute, primarily on an international level, 'horizontal groups' or consortia;

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<sup>(1)</sup> OJ No C 121, 2. 6. 1976, p. 2.

5. Considers, therefore, that it is consistent with the aims of the Directive to require undertakings to be included in group accounts regardless of where their registered offices are situated, i.e. of whether they are within or outside the Community;
6. Is of the opinion that a universal requirement for the submission of consolidated accounts by sub-groups in the Community is unduly onerous and of limited value under present circumstances;
7. Considers, therefore, that when a dominant group undertaking publishes group accounts in accordance with the provisions of the Directive, sub-group accounts need not be drawn up;
8. Approves of the requirement in Article 6 (2) (b) that sub-group accounts should be drawn up where several dependent group undertakings or sub-groups are established on the same level within the Community in relation to the dominant undertaking the registered office of which is situated outside the Community, but is of the opinion that provision should also be made to permit as an alternative the drawing up of adequate consolidated accounts on a world-wide basis incorporating the necessary information in respect of the group's operations within the Community;
9. Considers that banks and insurance companies should be included in the Directive but not subjected to specified Articles which would cause difficulty in view of the particular manner in which banks and insurance companies draw up their accounts;
10. Considers that even in the absence of central and unified management, a dominant undertaking should provide information equivalent to a consolidation as regards certain undertakings, namely those presumed to be dependent under Article 2 (2). These are those undertakings in which the dominant undertaking holds the major part of the subscribed capital; or in which it controls the majority of the votes attaching to the shares issued by the dependent undertaking; or as to which it can appoint more than half the members of the administrative, managerial or supervisory body;
11. Welcomes the omission from consolidation of undertakings which are only of minor importance for the essential purposes of the Directive, but suggests that at each of the audits within the meaning of Article 23 of this Directive, a verification should also be made to ascertain whether the requirements for exemption from the consolidation are still being met;
12. Considers that the audit of the interim accounts provided for in Article 14 (1) (e) would place an additional burden on undertakings and that it would therefore be sufficient to verify, at the time of the audit of the annual accounts, that the interim accounts conform to the principles laid down in the Fourth Directive on the annual accounts of limited liability companies;
13. Approves the general principles governing the valuation of items in the group accounts, but points out that the provision of Article 15 (d) on deferred taxation needs to be more clearly defined;
14. Considers that it would be desirable to provide in the second paragraph of Article 16 that Member States may authorize consolidation differences which cannot be entered wholly or in part against the various items in the group consolidated balance sheet to be written off over a period exceeding five years provided that this period does not exceed the useful economic life of the assets concerned, it is disclosed in the notes to the accounts and the reasons for it are given;
15. Approves on the whole the provisions concerning the notes to be attached to group accounts, but points out that the wording of Article 20 (7) and (10) should be made clearer;
16. Welcomes the fact that the Member States may waive the compulsory audit of group accounts if the criteria set out in Article 49 (2) of the amended proposal for a Fourth Directive are met by the group and if none of the group undertakings is established under any of the forms specified in Article 1 (1) (a) of that Directive;

17. Draws attention to paragraph 20 of its resolution on the proposal for a Fourth Directive <sup>(1)</sup> which proposed that the criteria for the balance sheet total should be increased to 250 000 units of account, the net turnover to 500 000 units of account and the number of workers to 50;

18. Welcomes the fact that the Member States may permit the publication of an abridged consolidated balance sheet, provided that the requirements laid down in Article 50 (2) (a) of the amended proposal for a Fourth Directive are satisfied and none of the undertakings is established under any of the forms specified in Article 1 (1) (a) of that Directive;

19. Draws attention to paragraph 21 of its resolution on the amended proposal for a Fourth Directive which proposed that the criteria for balance sheet total should be increased to 2 500 000 units of account, the net turnover to 5 000 000 units of account and the number of workers to 250;

20. Calls upon the Commission to adopt, pursuant to the second paragraph of Article 149 of the EEC Treaty, the following amendments;

21. Approves the entire proposal for a Directive subject to the foregoing remarks and the amendments it has proposed.

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<sup>(1)</sup> OJ No C 129, 11. 12. 1972.

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TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

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TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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**Seventh Council Directive pursuant to Article 54 (3) (g) of the EEC Treaty concerning  
group accounts**

Preamble, recitals and Articles 1 to 5 unchanged

*Article 6*

*Article 6*

Paragraph 1 unchanged

2. (a) Each dependent group undertaking having its registered office within the Community and through which other group undertakings are dominated shall draw up consolidated sub-group accounts and a sub-group annual report where one of those undertakings is established as one of the types of company referred to in paragraph 1 (a). *However, this requirement does not apply to a dependent group undertaking which has not been established as one of those types of company provided that the dominant group undertaking publishes group accounts in conformity with the provisions of this Directive.*

2. (a) Each dependent group undertaking having its registered office within the Community and through which other group undertakings are dominated shall draw up consolidated sub-group accounts and a sub-group annual report where one of those undertakings is established as one of the types of company referred to in paragraph 1 (a), **unless the dominant undertaking publishes group accounts in accordance with the provisions of this Directive.**

The annual accounts of all undertakings forming part of the sub-group without regard

Unchanged

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<sup>(1)</sup> For complete text see OJ No C 121, 2. 6. 1976, pp. 2-10.

to where their registered offices are situated, shall be consolidated. The consolidated sub-group accounts shall be drawn up as of the same date as the annual accounts of the dependent group undertaking which has to draw up the consolidated sub-group accounts.

- (b) Consolidated sub-group accounts and a sub-group annual report shall also be drawn up where the registered office of the dominant group undertaking is situated outside the Community and one or more dependent group undertakings having their registered office within the Community are placed at the same level towards the dominant group undertaking, and where one of those dependent group undertakings dominated through them is established as one of the types of companies referred to in paragraph 1 (a). This requirement applies to each dependent group undertaking which is placed at the same level within the group and nearest to the dominant group undertaking. However, where none of these undertakings is established as one of the types of companies referred to in paragraph 1 (a), only one of them needs to draw up the consolidated sub-group accounts and the sub-group annual report.

In the consolidated sub-group accounts referred to in the preceding subparagraph shall be consolidated the annual accounts of all the dependent group undertakings referred to in the second sentence of the preceding subparagraph as well as of all other group undertakings dominated through them without regard to where their registered offices are situated. The second sentence of paragraph 2 (a) applies.

- (c) The provisions of Article 9 to 25 also apply to the consolidated sub-group accounts and the sub-group annual report referred to in (a) and (b) of this paragraph.

- (b) U n c h a n g e d

Instead of consolidated annual accounts for the sub-group referred to in the two preceding subparagraphs, sound consolidated accounts may be drawn up on a world-wide basis for the whole group, incorporating the required information in respect of the group's activities in the Community. This information shall at least include data on financial resources within the Community, new investments, number of employees and costs of research and development in the Community.

- (c) U n c h a n g e d

Article 7 unchanged

Article 8

*In so far as is possible, the Member States shall apply the provisions of this Directive regarding the presentation of group accounts and consolidation principles where a group undertaking is a credit institution or an insurance company.*

Article 8

Pending subsequent coordination, the Member States may waive application of Articles 11, 15 and 16 of this Directive where a group undertaking is a credit institution or an insurance company.

Article 9

Paragraphs 1 and 2 unchanged

3. They shall be presented *clearly and* in conformity with the provisions of this Directive.

3. They shall be presented in conformity with the provisions of this Directive.

4. Information shall be given on holdings in undertakings that meet the conditions referred to in Article 2 (2) (a), (b) and (c), but are not considered as dependent because their activities are not managed on a central and unified basis. This information shall be equivalent to that which would have been available if the concerns were consolidated as group undertakings.

Article 10

1. A group undertaking may be omitted from a consolidation if its of only minor importance for the purposes of Article 9 (2) of this Directive. Application of this provision must be indicated in the notes to the accounts.

2. Where several group undertakings satisfy the requirement of paragraph 1, they shall nevertheless be consolidated if those undertakings taken as a whole are of certain importance for the purposes of Article 9 (2) of this Directive.

Article 10

1. Unchanged

2. Unchanged

3. The audit of group accounts within the meaning of Article 23 of this Directive shall also include verification that the requirements for the application of the above paragraphs are being met.

Articles 11 to 13 unchanged

*Article 14*

1. Group accounts shall be drawn up in accordance with the following general principles:

- (a) the methods of consolidation may not be changed from one year to the next;
- (b) debts and claims between group undertakings whose accounts are consolidated shall be eliminated;
- (c) income and expenditure relating to transactions between group undertakings whose accounts are consolidated shall be eliminated;
- (d) profits relating to transactions between group undertakings whose accounts are consolidated shall be eliminated;
- (e) annual accounts which are included in the consolidation shall, in so far as is possible, be drawn up as of the same date as the group accounts. Where the financial year of a group undertaking does not coincide with that adopted for the group accounts, the accounts of that undertaking may be consolidated only on the basis of *audited* interim accounts drawn up as at year-end for the group.

*Article 14*

1. Group accounts shall be drawn up in accordance with the following general principles:

- (a) the methods of consolidation may not be changed from one year to the next;
- (b) debts and claims between group undertakings whose accounts are consolidated shall be eliminated;
- (c) income and expenditure relating to transactions between group undertakings whose accounts are consolidated shall be eliminated;
- (d) profits relating to transactions between group undertakings whose accounts are consolidated shall be eliminated;
- (e) annual accounts which are included in the consolidation shall, in so far as is possible, be drawn up as of the same date as the group accounts. Where the financial year of a group undertaking does not coincide with that adopted for the group accounts, the accounts of that undertaking may be consolidated only on the basis of interim accounts drawn up as at year-end for the group.

The interim accounts of the undertaking shall also be verified on the occasion of the audit of the group accounts referred to in Article 23 of this Directive for conformity with the principles laid down in Directive No ... of ...<sup>(1)</sup>.

- (f) profits made by a dependent undertaking during the financial year in which the undertaking was acquired shall be included in the consolidated profit and loss account only from the date of acquisition. Similarly, in the financial year in which an undertaking is sold, the profits made by that undertaking shall be included in the consolidated profit and loss account only up until the date at which it was sold.

Paragraph 2 unchanged

*Article 15*

Valuation of items in the group accounts shall be carried out in accordance with the following general principles:

*Article 15*

Valuation of items in the group accounts shall be carried out in accordance with the following general principles:

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<sup>(1)</sup> Amended proposal for a Fourth Directive on annual accounts.

- (a) items included in the consolidation shall be valued in conformity with Articles 28 to 39 of Directive No ... <sup>(1)</sup> of ...;
- (b) the same valuation rules must be applied in drawing up annual accounts to be included in the consolidation. Departures from this principle shall be permitted in exceptional cases. Where the principle is departed from this shall be indicated, together with the reasons therefor, in the notes to the accounts, and items valued in accordance with different rules shall be consolidated only after having been valued in accordance with the valuation rules applied by the dominant group undertaking;
- (c) without prejudice to the provisions of Article 12 (1) (a), 14 (1) (d), paragraphs (a) and (b) above and Articles 17 and 18, the same values must be ascribed to the items incorporated in the group consolidated balance sheet as in the balance sheets of group undertakings;
- (d) *deferred taxation arising in consolidation shall be taken into account. Such taxation shall be shown separately either in the group consolidated balance sheet and profit and loss account or in the notes to the accounts.*
- (a) items included in the consolidation shall be valued in conformity with Articles 28 to 39 of Directive No ... <sup>(1)</sup> of ...;
- (b) the same valuation rules must be applied in drawing up annual accounts to be included in the consolidation. Departures from this principle shall be permitted in exceptional cases. Where the principle is departed from this shall be indicated, together with the reasons therefor, in the notes to the accounts, and items valued in accordance with different rules shall be consolidated only after having been valued in accordance with the valuation rules applied by the dominant group undertaking;
- (c) without prejudice to the provisions of Article 12 (1) (a), 14 (1) (d), paragraphs (a) and (b) above and Articles 17 and 18, the same values must be ascribed to the items incorporated in the group consolidated balance sheet as in the balance sheets of group undertakings;
- (d) the difference between the charge to tax for the financial year and earlier years on the one hand, and on the other, the amount of tax to be paid on account of those years shall be shown, provided that the difference is material in view of probable future tax liability. This difference shall be shown either in the balance sheet as a cumulative amount under a separate item with an appropriate heading, or in the profit and loss account or in the notes to the accounts.

Article 16

Differences arising in consolidation which, pursuant to Article 12 (1) (a), have been entered against the relevant items in the group consolidated balance sheet shall be dealt with in accordance with the rules laid down in Articles 29 to 39 of Directive No ... <sup>(1)</sup> of ...

Where consolidation differences cannot be entered wholly or in part against the various items in the group consolidated balance sheet and are shown as such as a separate item on the assets side, the value of that item shall be written off over a maximum period of five years.

<sup>(1)</sup> Amended proposal for a Fourth Directive on annual accounts.

Article 16

Unchanged

Unchanged

Member States may, however, authorize items to be written off systematically over a period exceeding five years provided that this period does not exceed the useful economic life of the assets concerned, it is disclosed in the notes to the accounts and the reasons for it are given.

Articles 17 to 19 unchanged

*Article 20*

In addition to the information required under other provisions of this Directive, the notes to the accounts shall in any event include information in respect of the following matters:

Paragraphs 1 to 6 unchanged

7. the net amount of the group's turnover, broken down by category of product and activity, and by geographical market. The amount contributed by each category and market to the group's result for the year must be indicated;

Paragraphs 8 and 9 unchanged

10. the amount of the changes in the group's result for the year due to the application of tax laws.

*Article 20*

In addition to the information required under other provisions of this Directive, the notes to the accounts shall in any event include information in respect of the following matters:

7. the net amount of the group's turnover broken down into the principal categories of products and activities and into geographical markets;

10. the extent to which the calculation of the result for the year has been affected by a valuation of items which was made in the financial year in question or in an earlier financial year with a view to obtaining tax relief for the group in question.

Articles 21 to 27 unchanged

RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 1192/69 on common rules for the normalization of the accounts of railway undertakings

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 75 of the EEC Treaty (Doc. 462/77),
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport (Doc. 142/78),

<sup>(1)</sup> OJ No C 307, 21. 12. 1977, p. 5.

1. Reiterates its previous position <sup>(1)</sup> expressing the desirability, in order to prevent distortions of competition, of extending the scope of Regulation (EEC) No 1192/69 <sup>(2)</sup> to all railway undertakings operating in comparable circumstances to national railway companies;
2. Is of the opinion that the proposed amendments may lead to greater transparency in the accounts of railway undertakings;
3. Wishes to take this opportunity of requesting the Commission to draw up further proposals aimed at placing the finances of railway undertakings on a sounder footing and the bringing about closer cooperation between national railway companies;
4. Approves the Commission's proposal.

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#### RESOLUTION

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Ninth Directive on the harmonization of the laws of the Member States relating to turnover taxes (derogation from Article 1 of the Sixth Council VAT Directive of 17 May 1977)**

*The European Parliament,*

- having regard to the Sixth Directive on the uniform basis of assessment of value added tax <sup>(3)</sup>,
  - having regard to the proposal for a Ninth Directive (COM(78) 246 fin.) modifying the date of entry into force of the Sixth Directive for certain Member States,
  - having been consulted by the Council (Doc. 155/78),
  - having regard to the report of the Committee on Budgets (Doc. 168/78),
1. Points out that according to the decision of 21 April 1970, ratified by all the Member States, Community VAT should have been introduced from 1 January 1975;
  2. Points out also that according to Article 1 of the Sixth VAT Directive, adopted unanimously by the Council on 17 May 1977, the Member States 'shall adopt the necessary laws, regulations and administrative provisions so that the systems as modified enter into force at the earliest opportunity and by 1 January 1978 at the latest';
  3. Notes that the infringement of Article 1 of the Sixth VAT Directive by certain Member States has not only delayed by one year the introduction of the full Community own resources system but has also given rise to a confused legal situation in the tax systems of those States;
  4. Considers that the derogation should not be renewable and should not be allowed to affect the rights and liabilities of tax-payers arising between 1 January 1978 and the entry into force of the Ninth Directive;
  5. Calls upon the Commission to initiate the procedure laid down in Article 169 (failure by a Member State to fulfil an obligation) against any Member State failing to comply with the Sixth and the Ninth Directives at 1 January 1978;

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<sup>(1)</sup> OJ No C 37, 4. 6. 1973, p. 54.

<sup>(2)</sup> OJ No L 156, 28. 6. 1969, p. 8.

<sup>(3)</sup> OJ No L 145, 13. 6. 1977, p. 1.

6. Formally instructs the Commission to draw up a detailed statement of the progress of national measures implementing the Sixth Directive in the Member States concerned and to submit this statement to it at the July 1978 part-session;
7. Reserves the right to request that a conciliation procedure be initiated should the Council intend to depart from this opinion;
8. Instructs its President to forward this resolution to the Council and Commission and to the parliaments of the Member States concerned.

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#### RESOLUTION

embodying the opinion of the European Parliament on the amended proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 804/68 on the common organization of the market in milk and milk products

*The European Parliament,*

- having regard to the amended proposal from the Commission of the European Communities to the Council,
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 133/78),
  - having regard to the Report of the Committee on Agriculture (Doc. 167/78),
  - whereas the common agricultural policy must seek to stabilize markets and seek a balance between production and consumption,
  - whereas it is in the interest of the Community to maintain and increase consumption of milk and milk products,
  - whereas the Community must assure the free circulation of agricultural produce within the Community,
  - whereas producer organizations provide an important means of increasing the efficiency of agricultural production and marketing,
1. Considers that the milk marketing boards, in so far as they have helped to channel a major proportion of milk produce in the United Kingdom towards direct human consumption, have contributed to improving the Community's market balance in the dairy sector;
  2. Considers at the same time that careful attention should be paid to ensuring that the United Kingdom's marketing boards are compatible with Community law and the provisions of the Treaty, and do not obstruct Community trade,
  3. Notes the deep concern expressed in a number of Member States that the milk marketing boards may hinder free trade, either directly through the boards' monopoly position or indirectly by means of the differentiation in prices;
  4. Stresses, however, that United Kingdom imports of dairy produce from other Member States have more than doubled since 1973, while there is no evidence that the special powers granted to the milk marketing boards will in any way restrict imports;
  5. Points out, further, that the modified proposal includes provisions to ensure that differentiation of milk prices according to intended use will not cause any distortion in competition between the United Kingdom and other Member States, and that, to that end, no United Kingdom milk selling price may be below the lowest price of milk products imported into the United Kingdom;

6. Requests that for all Member States there be provided the possibility for the setting up of comparable organizations and likewise conferring special rights in all the Member States, taking into account the structure of the market in the State concerned;
7. Requests the Council, therefore, to take account of the views expressed above when adopting this proposal.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 2759/75 on the common organization of the market in pigmeat

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 164/78),
  - having regard to the report of the Committee on Agriculture (Doc. 171/78),
  - having regard to the report drawn up by Mr Hoffmann on a proposal for a Regulation relating to the fixing of representative conversion rates in agriculture (Doc. 104/78),
  - having regard to the report drawn up by Mr Tolman on a proposal for a Regulation amending Regulation (EEC) No 974/71 as regards the price level to be taken into consideration for the calculation of monetary compensatory amounts (Doc. 102/78),
  - having regard to the very serious situation facing pigmeat producers in a number of Member States,
  - whereas the existing basis for calculating monetary compensatory amounts in the pigmeat sector has led to distortions in trade,
1. Notes that the purpose of the proposal is to allow the Commission to reduce the buying-in price for pig carcasses, used for calculating MCAs in the pigmeat sector, from 85 % to 78 % of the basic price;
  2. Notes that the Commission intends to withdraw its proposals to dismantle existing MCAs over a period of seven years and to modify the price level to be taken into consideration for the calculation of MCAs, despite the European Parliament's support for those proposals;
  3. Expresses its dissatisfaction with
    - (a) the slowness of progress on the Commission's proposals to reform the existing system of MCAs and so contribute to restoring the unity of the common agricultural market;
    - (b) the tardiness with which the Parliament was asked to express its opinion on the present proposal;
    - (c) the consequential need to use the emergency procedure for a question which should have received more timely and more careful consideration, and which, even after the passing of this resolution, will require further consideration;
  4. Approves, however, as a limited and initial step, the Commission's proposal, on condition that the Commission reconsider the whole pigmeat sector support Regulations urgently.

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<sup>(1)</sup> OJ No C 140, 15. 6. 1978, p. 7.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive amending Directive 75/106/EEC on the approximation of the laws of the Member States relating to the making-up by volume of certain prepackaged liquids

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 335/77),
  - having regard to the report by the Committee on the Environment, Public Health and Consumer Protection (Doc. 92/78),
1. Approves the Commission's proposal;
  2. Considers however that a series of Directives on unit pricing could make a valuable contribution towards furthering consumer interests in this field;
  3. Reminds the Commission of its opinion expressed in 1972 <sup>(2)</sup> pointing out that total harmonization was essential for this type of measure.

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## RESOLUTION

on residential adult education as an element of the European Community's education policy

*The European Parliament,*

- having regard to the motion for a resolution tabled by Mr Waltmans, Mr Früh and Mr Albers on residential adult education as an element of the European Community's education policy (Doc. 281/77),
  - having regard to the report of the Committee on Social Affairs, Employment and Education and the opinion of the Committee on Budgets (Doc. 158/78),
1. Accepts that this is a positive contribution to the improvement of education policy in the Community and that the idea of residential adult education springs from an idealistic desire to bring the European Community closer to the people;
  2. Refers in this connection to the programme of action in the field of education which expressly states the intention of the Council and Education Ministers to engage in European cooperation in the field of education;
  3. Is of the opinion that residential adult education, whilst forming only one element of the European Community's education policy, can, nevertheless, play its part in strengthening confidence in the Community;
  4. Does not consider that the creation of residential adult education centres should be forced, since their existence must be the result of a spontaneous desire on the part of the people: consequently, pilot projects should as a first step be created with local support and participation in the Member States in order to ascertain the real demand;
  5. Is of the opinion that a large number of establishments would have to be set up in the various member countries if a broad section of the population were to be offered residential adult education, a development which must be regarded as impracticable within the foreseeable future;

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<sup>(1)</sup> OJ No C 250, 19. 10. 1977, p. 7.

<sup>(2)</sup> OJ No C 56, 2. 6. 1972, p. 35.

6. Therefore considers that it is absolutely essential to ensure that the students attending the provisionally limited number of establishments should be drawn from all sections of society;
7. Feels that the contribution to European understanding which can be made by the 'Europe Houses' must not be underestimated;
8. Endorses the view that Community assistance should be granted not only to existing institutions already running European education programmes or planning to offer them, but also to group initiatives for establishing new institutions for European residential adult education in those areas of the Community where 'Europe Houses' or residential adult education centres do not yet exist;
9. Is of the opinion that a sum in the region of 350 000 units of account should be made available for implementation of such a programme in the 1979 budget, to be amended in the light of experience in each succeeding budget;
10. Instructs its President to forward this resolution to the Council and Commission and, for information, to the Ministers of Education of the Member States.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation on the opening, allocation and administration of the Community tariff quota of 38 000 head of heifers and cows, not intended for slaughter, of certain mountain breeds falling within subheading ex 01.02 A II b) of the Common Customs Tariff
- II. a Regulation on the opening, allocation and administration of the Community tariff quota of 5 000 head of bulls, cows and heifers, not intended for slaughter, of certain Alpine breeds falling within subheading ex 01.02 A II b) of the Common Customs Tariff

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 42/78),
- having regard to the report of the Committee on External Economic Relations and the opinion of the Committee on Agriculture (Doc. 62/78),

Approves the Commission's proposals.

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<sup>(1)</sup> OJ No C 90, 13. 4. 1978, p. 4.

## RESOLUTION

embodying the opinion of the European Parliament on a draft Council Regulation on the conclusion of the Supplementary Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus and the Protocol laying down certain provisions relating to trade in agricultural products between the European Economic Community and the Republic of Cyprus

*The European Parliament,*

- having regard to the draft Council Regulation,
  - having been consulted by the Council pursuant to Article 238 of the EEC Treaty (Doc. 135/78),
  - having regard to the report of the Committee on External Economic Relations and the opinion of the Committee on Agriculture (Doc. 146/78),
1. Expresses its satisfaction at the signing of the Supplementary Protocol to the Agreement establishing an Association between the European Economic Community and the Republic of Cyprus and of the Protocol laying down certain provisions relating to trade in agricultural products between the European Economic Community and the Republic of Cyprus;
  2. Draws attention to the fact that these two Protocols are of vital importance to the Cypriot economy;
  3. Believes that these Protocols and all other Agreements with the Republic of Cyprus should take full account of the interests of all the people of Cyprus;
  4. Approves the Protocols in question.

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## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation opening, allocating and providing for the administration of a Community tariff quota for wines of fresh grapes falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Cyprus
- II. a Regulation opening, allocating and providing for the administration of a Community tariff quota for liqueur wines falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Cyprus
- III. a Regulation opening, allocating and providing for the administration of a Community tariff quota for table grapes falling within subheading ex 08.04 A I of the Common Customs Tariff, originating in Cyprus

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 160/78),
- having regard to the report of the Committee on External Economic Relations and the opinion of the Committee on Budgets (Doc. 170/78),

Approves the Commission's proposals.

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(<sup>1</sup>) OJ No C 134, 8. 6. 1978, p. 4.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation laying down the customs procedure applicable to the stores of vessels, aircraft and international trains

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 12/78),
- having regard to the fact that the proposal concerns the customs procedure applicable to goods intended for consumption on vessels, aircraft and international trains, and does not affect the rules governing goods sold to passengers for subsequent consumption elsewhere,
- having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 129/78),

Approves the Commission's proposal.

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## RESOLUTION

on the unfreezing of appropriations entered under Chapter 21 of the budget of the European Communities for the 1978 financial year

*The European Parliament,*

- having regard to its Amendment No 29 to Item 2100 adopted when considering the draft budget of the European Communities for the 1978 financial year,
  - having regard to the budget of the European Communities for the 1978 financial year and, in particular, Item 2100 of Section III, Commission,
  - having regard to its resolution of 18 June 1976 <sup>(2)</sup> concerning a procedure for the unfreezing of appropriations,
  - having regard to the Commission's request for the unfreezing of the appropriations frozen at Item 2100,
  - having regard to the report of the Committee on Budgets (Doc. 144/78),
- (a) appreciating the usefulness of the procedure for the freezing of appropriations as an element which adds to Parliament's scope for flexible control;
  - (b) believing that the provisions for rent of offices should be fully justified and that the need for such expenditure should be set out in an overall statement of policy with regard to external offices;
  - (c) considering that the additional material provided in relation to the sum at Item 2100 is appropriate and acceptable,
1. Notes that the conditions set by it in relation to Item 2100 when adopting the 1978 budget have been satisfied;
  2. Authorizes the unfreezing of the 244 450 EUA at Item 2100 (increased rent and two new external offices) referred to in its Amendment No 29 of 15 December 1977.
  3. Instructs its President to forward the resolution contained in the report of its committee to the Council and the Commission.

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<sup>(1)</sup> OJ No C 73, 23. 3. 1978, p. 4.

<sup>(2)</sup> OJ No C 159, 12. 7. 1976, p. 37.

## RESOLUTION

### on parliamentary control of the financial operations of the European Development Fund

*The European Parliament,*

- noting that the combined application of, firstly, the provisions of the Internal Agreement on the financing and administration of Community aid <sup>(1)</sup>, put into effect in implementation of the Convention of Lomé, and, secondly, the provisions of the Treaty of 22 July 1975 <sup>(2)</sup>, results in its acquiring exclusive responsibility for the discharge in respect of the operations of the Fourth EDF,
  - taking the view that responsibility for the discharge cannot be dissociated from the responsibility for adopting the budget, except during a transitional period,
  - desiring to take stock of the budgetary control and financial problems in this area so as to be in the best possible position to assume its new responsibilities,
  - having regard to the report of the Committee on Budgets and the opinion of the Committee on Development and Cooperation (Doc. 203/78),
1. Attaches the highest importance, in the context of the renewal of the Convention of Lomé, to the improvement of the budgetary control procedures in view of Parliament's increased powers in this area;
  2. Notes the eminently political character of the responsibilities assumed by the Commission in connection with the administration of the EDF and considers that, without wishing to interfere in these administrative responsibilities, it would be failing in its duty if it did not give the Commission political backing based in particular on experience acquired through budgetary control;
  3. Is of the opinion that for effective Community financing it is essential in the first place to draw up a Community plan for development aid policy coordinated with national policies; believes that financing by Member States contributions is an obstacle to the working out and implementation of such a plan;
  4. Considers it indispensable that the Community adopt a clear position on the principle of the budgetization of the Fifth EDF before the negotiations for the renewal of the Lomé Convention get under way, and therefore calls upon the other institutions concerned, having regard to their earlier standpoints, to reaffirm solemnly their commitment to this principle;
  5. Considers that the Council and Parliament, as the budgetary authority, should forthwith begin an examination of the techniques of such budgetization on the basis of Commission proposals;
  6. Pledges its political support to the Commission in its effort to reduce and eliminate the sources of imbalance as regards access for nationals of the different Member States to the markets financed by the EDF;
  7. Notes the decisive role played by the Commission's delegations in the control and supervision of the implementation of projects;
  8. Considers, however, that the financial rules applicable to these delegations suffer from an anomaly in that their operating expenses are charged to the EDF allocation received by the ACP State concerned;
  9. Restates the criticism it has made of the budgetary, accounting, fiscal and personnel aspects of the statute and operation of the European Agency for Cooperation and will judge the reforms proposed by the Commission on the basis of the extent to which they are likely to eliminate the present shortcomings;

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<sup>(1)</sup> Internal Agreement of 11 July 1975.

<sup>(2)</sup> OJ No L 359, 31. 12. 1977, p. 1.

10. Calls upon its Committee on Budgets and its Control Subcommittee, acting in liaison with its Committee on Development and Cooperation, to maintain their efforts to establish continuous budgetary control by Parliament of EDF activities;

11. Will state its views in due course on the various budgetary problems to be faced in connection with the renewal of the Convention of Lomé — budgetization of the EDF, the size of the appropriation to be allocated to it, the administrative and financial rules applicable to the services responsible for its management, etc.; will examine to that end, on the basis of the work of its appropriate committees, the documents forwarded by the Commission;

12. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

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#### RESOLUTION

##### on the Sixth Financial Report on the European Agricultural Guidance and Guarantee Fund for the year 1976

*The European Parliament,*

— having regard to the Sixth Financial Report submitted by the Commission of the European Communities to the Council and the Parliament (COM(77) 591 fin.),

— having regard to the report of the Committee on Budgets and the opinion of the Committee on Agriculture (Doc. 202/78),

(a) noting that expenditure on the EAGGF accounts for some 75 % of the budget; that this imbalance in the budget is, however, due to the lack of other financially effective policies and that the expenditure resulting from the lack of a coordinated monetary policy is a drain on the agricultural budget,

(b) considering that the political assessment of the Community's financial activity in this area calls for a global view of the effect of these funds on agriculture and the overall economy of the Community,

(c) recalling the special importance it attaches to retrospective control of expenditure,

1. Approves the objectives of the common agricultural policy as set out in Article 39 of the EEC Treaty;

2. Considers that a number of financial mechanisms are in need of reform so that they may be adapted more closely to the general objectives;

3. Notes that the report examines EAGGF expenditure sector by sector, that it is technical in nature and contains very little political analysis;

4. Notes further that other major reports <sup>(1)</sup> on aspects of the EAGGF examine budgetary management aspects, and takes the view that their joint consideration would enable a more comprehensive assessment to be made of the management of Community resources in connection with the common agricultural policy;

5. Notes that currency fluctuations within the Community are seriously hampering the implementation of the common agricultural policy and have made it necessary to apply monetary compensatory amounts; takes the view, however, that the gradual abolition of the monetary compensatory amounts should be assisted by the implementation of a consistent economic and monetary policy;

6. Takes the view that one of the conditions for solving these problems would be the gradual, general extension of the EUA to the agricultural section of the budget;

7. Feels that the Member States' administrations and the management committees prevent the Commission from exercising in full its specific responsibilities for the implementation of the budget;
8. Considers that appropriate measures in the areas of market policy, structural policy and in the social and economic sectors must be taken to put an end to costly and persistent surpluses of certain agricultural products if the common agricultural policy is not to be jeopardized;
9. Points out that the appropriations for the EAGGF, Guidance Section, must be increased, particularly since the appropriations actually entered were exceeded in 1978 and will again be exceeded in 1979;
10. Notes with concern that sales of goods from stocks have resulted in a loss of about 500 million units of account; takes the view that these losses should be shown separately in the budget <sup>(2)</sup>;
11. Instructs its Control Subcommittee to devote special attention to the problem of the use of appropriations to cover various intervention costs;
12. Recalls that it has frequently advocated more rapid closure of the accounts for past financial years and urges the Commission to expedite the steps necessary to improve the situation so as to permit responsible checks on accounting operations;
13. Stresses once again the advantages from the point of view of budgetary transparency of entering expenditure on refunds for food aid separately under Title 9 (in a chapter on 'Food Aid Expenditure');
14. Welcomes the Commission's efforts, in cooperation with the national administrations, to strengthen control measures; considers, however, that summaries and tables of cases of irregularities can be misleading if they do not provide details of all the Member States;
15. Will deliver its opinion on questions relating to fraud and irregularities in a report of its Control Subcommittee on the discharge for the 1976 financial year and on the basis of *ad hoc* reports on specific problems;
16. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

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(<sup>1</sup>) Report on the agricultural situation in the Community; Report on the effect of monetary measures in the agricultural sector; Report on the effects of the different premiums; Report of the Audit Board on the discharge, etc.  
(<sup>2</sup>) Figures for 1976 are given in an Annex to this report (Doc. 202/78).

## RESOLUTION

embodying the opinion of the European Parliament on the second list and recapitulation of the complete list of requests for the carry-over of appropriations between the financial years 1977 and 1978 (non-automatic carry-overs)

*The European Parliament,*

- having regard to the list submitted by the Commission to the European Parliament (COM(78) 256 fin.),
  - having been consulted by the Council, pursuant to Article 6 (3) and Article 108 (3) (b) of the Financial Regulation <sup>(1)</sup> (Doc. 175/78),
  - having regard to the report of the Committee on Budgets (Doc. 210/78),
1. Approves the non-automatic carry-over of appropriations requested by the Commission in respect of the following amounts <sup>(2)</sup>:
    - (a) 21 783 000 EUA, (Chapter 62) for Section III — Commission;
    - (b) 2 217 000 EUA (Chapter 79) also for Section III — Commission;
  2. Welcomes the fact that the amounts carried over have decreased and that they now concern only a very small percentage of the Community budget;
  3. Calls upon the Commission to reduce progressively recourse to the carry-over procedure which weakens budgetary transparency and over which Parliament's powers are disproportionately small;
  4. Calls on the Commission, in conformity with the Financial Regulation, to produce only one list annually;
  5. Asks the Commission to provide a written statement concerning carry-overs for the Guidance Section of the EAGGF as regards years prior to 1977;
  6. Will re-examine the general problem of the under-spending of appropriations and the undermining of Parliament's rights which it represents at the time of the taking of a decision on the granting of a discharge with respect to the 1977 financial year.

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## RESOLUTION

on the postponement of the decision on the discharge in respect of the financial year 1976

*The European Parliament,*

- having regard to the Treaty establishing the European Economic Community, and in particular Article 206b thereof,
- having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 180b thereof,
- having regard to the Treaty amending certain financial provisions of the Treaties establishing the European Communities, and in particular Article 28 (2) thereof,
- having regard to the Financial Regulation of 25 April 1973, and in particular Article 91 thereof,

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<sup>(1)</sup> OJ No L 356, 31. 12. 1977.

<sup>(2)</sup> The report refers to the EUA throughout, although the amount was included in the 1977 budget in units of account. For the 1978 financial year, however, the budget is measured in EUAs.

- having regard to the Financial Regulation of 21 December 1977, and in particular the first paragraph of Article 85 thereof,
  - whereas the report of the Audit Board on the accounts for the financial year 1976 was completed on 24 October 1977, not on 15 July as prescribed, and was forwarded to Parliament and to the Council on 7 December 1977;
  - whereas the replies of the Institutions to the comments in the Audit Board's report were forwarded to Parliament on 18 May 1978,
  - whereas the Council has not yet forwarded the recommendation specified in Article 85 of the Financial Regulation of 21 December 1977,
1. Postpones to its October part-session the decision on the discharge to be given in respect of the implementation of the budget for the financial year 1976;
  2. Demands that all the institutions comply with the obligations imposed by the Financial Regulation, in particular as regards the time limits for the submission of the documents preparatory to the discharge decision and as regards the submission of replies to the comments contained in the report;
  3. Instructs its President to notify the Commission of this resolution and to forward it to the other institutions.

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#### RESOLUTION

**embodying the opinion of the European Parliament on the Council's proposal that the election of representatives to the European Parliament by direct universal suffrage should be held from 7 to 10 June 1979**

*The European Parliament,*

- whereas the provisions of the Act of 20 September 1976 <sup>(1)</sup> on the election of representatives to the Assembly by direct universal suffrage came into effect, after completion of the procedures provided for, on 1 July 1978,
- whereas Article 10 of this Act requires the Council, acting unanimously after consulting the European Parliament, to determine the date of the first direct elections,
- having been consulted by the Council, pursuant to the abovementioned Article, on the proposal that the first election of representatives to the European Parliament by direct universal suffrage should be held from 7 to 10 June 1979,
- stressing that this first direct election of the European Parliament, in application of the provisions of the Treaties establishing the Community, fulfils a deep-felt desire of the peoples of the Member States to take an active part in the construction of Europe, and represents the achievement of the aim constantly pursued by the European Parliament for over 20 years to hold such direct elections,
- conscious of the new responsibility which will devolve upon the directly elected Parliament, representing the peoples of the States united in the Community, to give a new, democratic impulse to Community activity,

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<sup>(1)</sup> OJ No L 278, 8. 10. 1976.

— recalling its previous resolutions of 14 January 1975 (Doc. 368/74) <sup>(1)</sup>, 11 March 1976 (Doc. 11/76) <sup>(2)</sup>, 7 April 1976 (Doc. 45/76) <sup>(3)</sup>, 16 June 1976 (Doc. 174/76) <sup>(4)</sup>, 15 September 1976 (Doc. 288/76) <sup>(5)</sup>, 15 November 1977 (Doc. 386/77) <sup>(6)</sup>, 16 December 1977 (Doc. 449/77) <sup>(7)</sup>, 16 February 1978 (Doc. 537/77) <sup>(8)</sup>, and 11 May 1978 (Doc. 65/78) <sup>(9)</sup>,

— having regard to the report of its Political Affairs Committee (Doc. 221/78),

1. Approves the Council's proposal that the first election of the European Parliament by direct universal suffrage should be held from 7 to 10 June 1979;
2. Welcomes the fact that the formal fixing of a date by the Council, following this consultation, will enable the peoples of the States united in the Community to elect their representatives directly to the European Parliament;
3. Instructs its President to forward this resolution to the Council and Commission and to the Parliaments and Governments of the Member States.

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#### RESOLUTION

on the reactivation and updating of the EEC—Turkey Association and the present state and future prospects of relations between Turkey and the European Community

*The European Parliament,*

— having regard to the special significance of relations between Turkey and the European Community under the Association,

1. Welcomes the fact that the visit by the Turkish Prime Minister to the Commission in Brussels on 25 May 1978 heralds the reactivation of the EEC—Turkey Association;
2. Points out that the development of the Association in recent years has led to some disappointment among the Turkish people;
3. Requests, therefore, the Council and Commission, in close cooperation with the Turkish Government, immediately to instigate the reactivation of the Association, not only to help Turkey to overcome its present economic difficulties but also to promote economic development in that country which will facilitate future accession to the Community;
4. Calls on the Turkish Government to submit its specific objectives for the reactivation of the EEC—Turkey Association and proposals for achieving them;
5. Hopes that the consultations on the enlargement of the Community, provided for in Article 56 of the Additional Protocol to the EEC—Turkey Association Agreement, will begin as soon as possible within the Association Council;

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<sup>(1)</sup> OJ No C 32, 11. 2. 1975, p. 15.

<sup>(2)</sup> OJ No C 79, 5. 4. 1976, p. 27.

<sup>(3)</sup> OJ No C 100, 3. 5. 1976, p. 24.

<sup>(4)</sup> OJ No C 159, 12. 7. 1976, p. 23.

<sup>(5)</sup> OJ No C 238, 11. 10. 1976, p. 25.

<sup>(6)</sup> OJ No C 299, 12. 12. 1977, p. 23.

<sup>(7)</sup> OJ No C 6, 9. 1. 1978, p. 145.

<sup>(8)</sup> OJ No C 63, 13. 3. 1978, p. 35.

<sup>(9)</sup> OJ No C 131, 5. 6. 1978, p. 55.

6. Hopes that the Foreign Ministers of the Member States of the European Community meeting in political cooperation will examine the real possibilities of enabling Turkey to participate in their work, so as to take account of the significance of EEC—Turkey relations;

7. Instructs its President to forward this resolution to the Council and Commission, the Foreign Ministers of the Member States of the European Community meeting in political cooperation and the Turkish Government and the Grand National Assembly of Turkey.

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## RESOLUTION

### on the realization of the customs union and the internal market

*The European Parliament,*

— having regard to the Commission's answer to oral question Doc. 185/78,

1. Emphasizes the importance of an efficiently operating customs union for the creation of conditions similar to a national market for the movement of persons, goods and capital within the Community;
2. Points out that the unsatisfactory situation as regards trans-frontier goods traffic has an adverse effect on the productivity and competitiveness of Community industry and undermines the efforts to bring about Community structural and employment policies;
3. Urges the Council:
  - (a) to make up without delay the backlog in decisions on proposals, which have lain before it for years, on the harmonization of national rules on customs and fiscal legislation;
  - (b) to summon up at last the political will which alone will enable it to implement European legislation both in spirit and in letter in the Member States;
4. Calls on the Commission, in view of the present situation, to submit to the Council proposals for bringing back to normal the transit traffic between the northern and southern parts of the Community held up in Austria since 1 July 1978;
5. Instructs its President to forward this resolution to the Council and the Commission.

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## RESOLUTION

**embodying the opinion of the European Parliament on the communication from the Commission of the European Communities to the Council on the reorganization of the Community shipbuilding industry**

*The European Parliament,*

— having regard to the communication from the Commission of the European Communities to the Council <sup>(1)</sup>,

— having been consulted by the Council (Doc. 471/77),

— aware of the seriousness of the situation in the Community shipbuilding industry,

— having regard to the interim report of the Committee on Economic and Monetary Affairs and the opinions of the Committee on Budgets, the Committee on Social Affairs, Employment and Education and the Committee on Regional Policy, Regional Planning and Transport (Doc. 182/78),

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<sup>(1)</sup> OJ No C 10, 12. 1. 1978, p. 5.

1. Welcomes the fact that the Commission has produced proposals to begin to deal with the problems facing the Community's shipbuilding industry;
2. Appreciates that the crisis in the Community shipbuilding industry is caused amongst other things by:
  - (a) the slump in world trade and the low Community and international economic growth;
  - (b) the considerable amount of surplus shipping;
  - (c) the abnormally low prices charged by the shipyards of certain countries;
  - (d) considerable growth in shipbuilding capacity to meet export production;
  - (e) the considerable state subsidies which have been given to the shipbuilding industry;
  - (f) the lack of a shipbuilding policy, or a misguided policy, in all countries including the Community;
3. Recognizes that adjustment to a reduced world demand will require international and Community agreements necessitating a uniform Community approach;
4. Feels nevertheless that the Commission's proposals for reorganization are as yet insufficiently detailed in so far as redundancies, capital requirements and assessments of reduction in capacity are concerned;
5. Stresses moreover that the figure of 2.4 million cgrt mentioned by the Commission as a likely level of tonnage to be built in Community shipyards in 1980 should not be considered, as the Commission has emphasized, a target figure for the following reasons:
  - (a) it is out of date, being based on a hypothesis made in October 1976 regarding the volume of new orders which in the light of subsequent developments needs to be revised;
  - (b) it implies that world activity in 1980 will be split into three equal parts between Japan, the AWES countries (Western Europe) and the rest of the world, which would imply agreements both with Japan and with other countries to limit their production, agreements which, as the Commission admits, are unlikely to be reached;
  - (c) even were the figure to be roughly accurate, with the EEC countries maintaining their traditional share of Western European shipbuilding, it would be foolish to try to shape the Community shipbuilding industry to a level of demand which is certain to increase during the 1980s;
6. Suggests that the Commission should study and promote the adoption both inside the Community and at international level of measures which could increase world demand both for new ships and for modifications to existing ships such as scrap and build policies, better means of avoiding maritime pollution, and higher safety standards;
7. Realizes that EEC shipyards must be reorganized with inevitably some reduction in capacity, this being necessary in view of the need to increase efficiency and specialization, to take into account public orders, and to match the lower amount of world orders they are likely to obtain;
8. Points out that such a reduction cannot take the form of an across-the-board cutback for all yards, there being a certain size and mix of production necessary for optimum efficiency, and regrets the lack of any analysis in the Commission's document which could indicate a more efficient way of achieving this aim; suggests that the Commission should also take into account here, apart from regional and social factors, recent production trends in the different Member States as well as the division between production for the home market and production for export;

9. Considers that price can only continue to fulfil its function of regulating the market if
- (a) a worldwide balance is also sought between supply and demand;
  - (b) Community producers can compete from the outset on more or less even terms with third-country producers;
  - (c) the aids required to this end are harmonized within the Community;
- emphasizes in this connection the importance of the Council Directive of 4 April 1978 concerning the conditions governing national subsidies <sup>(1)</sup>;
10. Welcomes the fact that the Commission in its communication devotes a comparatively large amount of attention to the social aspects and, not least, the employment aspects of the industry's problems;
11. Calls the Commission's attention in particular to the major challenge which the disastrous effects on employment represent, and considers that positive proposals should provide both for the creation of new jobs and for measures to attenuate the social effects of restructuring;
12. Considers that much better statistical data will be needed than those provided by the Commission in order to ascertain the age distribution and qualifications of those affected, with a view to determining realistically the possibilities for the early retirement of workers or their retraining;
13. Believes, also, that in order to assess the practical possibilities for effective action, statistical data must be collected on the consequences of the proposed reorganization for subcontractors supplying the shipbuilding industry and on the chances of creating new jobs within the ship repair industry;
14. Proposes that consideration should be given to the possibility of concluding readaptation agreements for workers in the shipbuilding industry, by analogy with the provisions of the ECSC Treaty, which would make possible, *inter alia*:
- the payment of tide-over allowances so that unemployed workers could retain their full pay while waiting for a new job;
  - the payment of allowances to compensate workers for loss of wages, to cover removal expenses, training and retraining costs and to facilitate early retirement;
15. Regrets that the Commission has made no reference to national redundancy schemes in the shipbuilding sector, which will affect the relevance and the cost of the Commission proposals;
16. Cannot make any meaningful assessment of the financial consequences of the proposals as only the most general information has been provided; regrets that the Commission's work with the Member States and the professional associations has not made sufficient progress to provide an initial breakdown between capital and current expenditure or between the Community budget, national budgets and private investment;
17. Believes that any Community support in this sector should not lead to a reduction in finance available for other sectors within the existing funds, such as the European Regional and Social Funds;
18. Regards it as essential that the Regional Fund allocations and in particular the proposed 'hors-quota' section of the Fund take fully into account the developments in the shipbuilding industry;

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<sup>(1)</sup> OJ No L 98, 11. 4. 1978, p. 19.

19. Believes that the Commission should submit new proposals accompanied by realistic financial estimates, taking full account of the regional and social factors involved;
20. Draws attention to the serious impact there would be on particular regions of the Community, often already economically depressed, a fact which the Commission communication does not analyse, and which makes its proposals for alternative employment seem rather unrealistic;
21. Stresses yet again the need for a maritime policy to embrace the interdependent sectors of shipping, shipbuilding and repairing and trade policy, a need not met by the Commission proposals;
22. Points out that the Community is taking action in these other sectors by negotiating trade agreements and, as far as shipping is concerned, envisaging action to protect Community fleets from undercutting by the expanding fleets of the Comecon countries and, it is to be hoped, action to deal with the growing menace of flags of convenience;
23. Considers that if no international agreement on shipbuilding orders is reached, the Community will have to review its whole shipbuilding policy, and also study the possibility of orders based on exercising 'Community preference' as outlined in Parliament's resolution of 10 February 1977 <sup>(1)</sup>;
24. Emphasizes the crucial importance of establishing a strong shipbuilding industry within the Community which in the short term will involve use of financial aids as recommended by the Commission and therefore calls for a decision on the application of the 'Intervention Fund';
25. Expresses serious doubts about limiting the membership of the proposed Shipbuilding Committee to civil servants, considering that representatives of the unions and management involved should also take part;
26. Instructs its President to forward this resolution, the report of its committee and the attached opinions to the Council and Commission and to the Governments and Parliaments of the Member States.

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<sup>(1)</sup> OJ No C 57, 7. 3. 1977, p. 57.

## RESOLUTION

embodying the opinion of the European Parliament on the communication from the Commission of the European Communities to the Council on the introduction of a Community aid system for intra-Community trade in power-station coal

*The European Parliament,*

— having regard to the communication from the Commission of the European Communities to the Council (COM(78) 70 final),

having been consulted by the Council (Doc. 9/78),

recalling its previous resolutions in the energy policy field, viz.

- (a) on future guidelines for the Community's coal policy in the framework of the overall concept of a Community energy policy <sup>(1)</sup>,
- (b) on the proposal from the Commission of the European Communities to the Council for a Regulation on Community financial measures to promote the use of coal for electricity generation <sup>(2)</sup>,
- (c) on the proposal from the Commission of the European Communities to the Council for a Regulation concerning Community aid for financing cyclical stocks of hard coal, coke and patent fuel <sup>(3)</sup>,
- (d) on the second report from the Commission of the European Communities to the Council on the achievement of Community energy policy objectives for 1985, together with a draft Council resolution <sup>(4)</sup>,

having regard to the report of the Committee on Energy and Research and the opinion of the Committee on Budgets (Doc. 199/78),

1. Reaffirms that the achievement of the Community's objectives of security of energy supplies and reduced dependence on imported energy call for maximum utilization of the Community's own sources of energy;
2. Considers it essential that the production of coal, which is the Community's largest indigenous source of energy, should at least be maintained at its present level;
3. Regrets, therefore, that the Council has not yet adopted the latest proposals submitted to it for measures to support the coal sector;
4. Considers that financial aid to support intra-Community trade in power-station coal may be one of the effective means of maintaining coal production capacity;
5. Requests, however, that in future proposals for an aid system, the competent Community institution should justify the need for and extent of the proposed aid by providing a more detailed assessment of the outlets for power-station coal;
6. Asks that equal conditions of trade and competition be ensured on the market when the aid system is introduced;
7. Therefore requests the competent Community institution to consider more closely the distribution of subsidized intra-Community trade;
8. Expresses some doubt as to whether the granting of a standard amount of aid per tonne of coal delivered under the aid system is realistic or will further the desired objective;
9. Points out that, as coal production is being planned further and further ahead, the advisability of a short-term support measure such as that proposed is open to doubt;

(1) OJ No C 159, 12. 7. 1976, p. 33.

(2) OJ No C 133, 6. 6. 1977, p. 18.

(3) OJ No C 241, 10. 10. 1977, p. 14.

(4) OJ No C 6, 9. 1. 1978, p. 12.

10. Asks that the proposed Regulation on aid should lay down clearly the rules for controlling the proper utilization of the aid system;
11. Requests that the amount to be granted under the aid system should be entered in the general budget of the Communities to enable the European Parliament to exercise its budgetary powers;
12. Requests an assurance, when the final proposal is submitted, that producers and/or Member States are prepared to make up the difference resulting from adjusting prices to the world market price and not covered by the Community aid system;
13. Asks the Commission to report to it on the results obtained one year after the implementation of the aid system;
14. Supports, therefore, in principle the objectives set out in the outline plan for an aid system for intra-Community trade in power-station coal and requests the Commission to submit a formal proposal within the next few months.

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#### RESOLUTION

**on the conviction of the physicist Yuri Orlov, co-founder of the 'Public Group to assist the Fulfilment of the Helsinki Accords in the Soviet Union'**

*The European Parliament,*

- deeply disturbed at the renewed attacks on freedom of thought in the USSR and the accompanying wave of repression,
  - appalled by the parodies of justice which serve as a pretext for this repression,
  - pointing out that one of the principles laid down in the Final Act of the Helsinki Conference, which was signed by the Soviet Union, is 'respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief',
  - having regard to its resolutions
    - (a) of 9 July 1976 on the ill-treatment of Vladimir Bukovsky (Doc. 228/76) <sup>(1)</sup>,
    - (b) of 11 May 1977, on the protection and defence of human rights in the world (Doc. 89/77) <sup>(2)</sup>,
    - (c) of 18 November 1977 on the abuse of psychiatric medicine in the Soviet Union (Doc. 373/77) <sup>(3)</sup>,
    - (d) of 18 January 1978 on compliance by the signatory States with their obligations under the Final Act of the Helsinki Conference, with particular reference to the reunification of families (Doc. 424/77) <sup>(4)</sup>,
  - having regard to the report of its Political Affairs Committee (Doc. 197/78),
1. Expresses its solidarity with the physicist Yuri Orlov, co-founder of the 'Public Group to assist the Fulfilment of the Helsinki Accords in the Soviet Union', who has been sentenced to a long term of imprisonment for defending the principle of respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief;
  2. Deplores the fact that the Soviet authorities are resorting more and more often to legal, administrative, medical and other measures to repress those who speak out and act in support of respect for human rights and fundamental freedoms in the Soviet Union;

<sup>(1)</sup> OJ No C 159, 12. 7. 1976, p. 33.

<sup>(2)</sup> OJ No C 133, 6. 6. 1977, p. 18.

<sup>(3)</sup> OJ No C 241, 10. 10. 1977, p. 14.

<sup>(4)</sup> OJ No C 6, 9. 1. 1978, p. 12.

3. Urges the Foreign Ministers of the Member States meeting in political cooperation to make every effort to ensure that the Soviet Union, in common with the other signatories of the Final Act of the Helsinki Conference, fulfils all the obligations contained in the Act;
4. Instructs its President to forward this resolution to the Foreign Ministers of the Member States meeting in political cooperation and to the Council and Commission.

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#### RESOLUTION

on violations of human rights in Argentina and on the procedures to be followed in the European Parliament to combat such violations throughout the world

*The European Parliament,*

- on the basis of the declarations made during a public hearing, organized by the Socialist Group of the European Parliament on 25 May 1978 <sup>(1)</sup>, by representatives of Amnesty International and the International Commission of Jurists, by Latin American politicians and by individuals who themselves suffered imprisonment and torture in Argentina, or who have relatives that suffered imprisonment, torture or death in Argentina,
  - having heard testimony in these declarations and in further questioning of:
    - (a) the disappearance of thousands of Argentinian citizens in recent years,
    - (b) the imprisonment of Argentinian citizens without warrant, trial or sentence,
    - (c) the disappearance and imprisonment of over 100 citizens from the Member States of the European Community,
  - having regard to the motion for a resolution on certain violations of human rights in Argentina (Doc. 456/77),
  - having regard to the report of the Political Affairs Committee (Doc. 200/78),
1. Requests once more the Foreign Ministers of the Member States meeting in political cooperation, the Commission and the Council urgently to take all appropriate measures to bring about an improvement in the situation as regards the respect of human rights and democratic freedoms in Argentina;
  2. Resolves to use all its contacts outside the Community, particularly with the Latin-American Parliament and the United States Congress, with a view to generating parallel and concerted action in this field, including action within the framework of the United Nations;
  3. Instructs its Political Affairs Committee to follow closely the question of the violation of fundamental human rights in the world, to draw up suitable procedures for this purpose and to report regularly to it on this matter;
  4. Intends in this framework to consider the further use of public hearings in order to inform the citizens of the Community and the world about the breaches of fundamental human rights wherever they occur and particularly where citizens of the Member States of the European Community are involved;
  5. Notes that a public hearing on human rights recommended by its Political Affairs Committee can be prevented only by a resolution of Parliament itself;
  6. Requests its enlarged Bureau as soon as possible to draw up procedures for financing public hearing which the committees responsible decide to hold;
  7. Instructs its President to forward this resolution to the Foreign Ministers of the Member States meeting in political cooperation, the Council and Commission.

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<sup>(1)</sup> See Annex II to report Doc. 200/78.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation establishing Community fishing plans for directed herring fishing in certain zones

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 172/78),
- having regard to the report of the Committee on Agriculture (Doc. 206/78),
- having regard to Regulation (EEC) No 101/76 laying down a common structural policy for the fishing industry <sup>(2)</sup>,
- having regard to Articles 100 to 103 of the Treaty of Accession,
- having regard to the fact that Article 1 of Regulation (EEC) No 101/76 concerning a common structural policy for the fishing industry lays down that common rules should be established for the promotion of the harmonious and balanced development of the fishing industry within the general economy and to encourage the rational use of the biological resources of the sea,
- having regard to the fact that Article 102 of the Treaty of Accession lays down that from the sixth year after accession, at the latest, the Council, acting on a proposal from the Commission, shall determine conditions for fishing with a view to ensuring protection of the fishing grounds and conservation of the biological resources of the sea,
- having regard to the proposal from the Commission of the European Communities to the Council for a Regulation establishing a Community system for the conservation and management of fishery resources <sup>(3)</sup>,
- having regard to the resolution of the Council of 3 November 1976 adopted at The Hague,
- having regard to the reports drawn up by Mr Kofoed, Mr Hughes and Mr Corrie on behalf of the Committee on Agriculture (Docs 474/76, 280/77, and 442/77),
- whereas the fishing industry is of critical importance to the economies of certain regions of the Community and very serious problems have been created by the depletion of fish stocks,
- whereas an internal fisheries policy must seek to conserve the biological resources of the sea by means of scientifically derived management policies, quotas and conservation policies,

### *General considerations*

1. Emphasizes once more the European Parliament's support for the main lines of a common fisheries policy as proposed by the Commission, and in particular:
  - (a) a fishery stock conservation policy based on the most complete scientific evidence;
  - (b) management policies including quotas and control of fishing methods and equipment in closely defined zones;
  - (c) the need to minimize the economic and social problems in those regions most dependent upon the fishing industry caused by the adaptation of the Community's fishing effort to the requirements of conservation;
  - (d) the need for effective control and recording of catches of species covered by quota arrangements;

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<sup>(1)</sup> OJ No C 141, 16. 6. 1978, p. 10.

<sup>(2)</sup> OJ No L 20, 28. 1. 1976, p. 19.

<sup>(3)</sup> COM(78) 5 fin. — Corrie report, Doc. 543/77.

2. Urges once more that the fullest consideration be given to the needs of the smaller inshore fishermen, particularly by means of zones reserved for particular categories of boats and types of equipment, and by means of fishing plans;

Welcomes therefore the fact that the Commission's fishing plan takes into account the particular interest of the coastal State, by giving priority to vessels which, due to their limited range of operation, can only exercise their activities close to the coast;

3. Is greatly disturbed by the imprecise wording of the Regulation and the possibility of difficulties for both fishermen and lawyers in implementing it;

4. Approves the Commission's proposal on condition that it undertakes to take into account the reservations and observations made below;

5. Points out that the Commission's proposal constitutes the implementation of the provisions laid down by the draft resolution of the Council concerning the introduction of fishing plans, upon which no discussions have been held between the European Parliament and the other institutions;

Requests therefore that the European Parliament be consulted on all resolutions laying down guidelines for future policy in the fisheries sector;

6. Rejects absolutely the Commission's intention, once the proposed Regulation laying down certain measures of control for fishing activities by Community vessels has received the agreement of the Council, to introduce new fishing plans according to the 'Management Committee Procedure', thus excluding consultation of the European Parliament;

declares such a procedure, on matters of very great economic and political importance, to be contrary to the democratic principles underlying the Community;

draws attention to the political tensions generated inevitably by the establishment of strict quotas and fishing plans;

considers it therefore essential for the European Parliament to be consulted on the introduction of any new fishing plans, in any zone, in order

— that the issues involved be made clear and understandable to all those affected by fishing plans;

and

— to facilitate the emergence of the political consensus necessary for agreement upon the principles and the means of implementation of a common fisheries policy;

7. Requests that in all future proposals for fishing plans complete statistical information be provided, including a breakdown by Member States of past catches of the relevant species according to the areas and types of vessels referred to in the proposals, and requests furthermore that future proposals for fishing plans should contain the following:

(a) a summary of the scientific evidence used in determining the total allowable catch for the areas and species covered by the fishing plan;

(b) the total amount of fishing of the species concerned that each Member State will be permitted to catch directly;

(i) according to the categories of vessels covered by the fishing plan

(ii) according to all categories of vessels;

#### *Management of stocks and control measures*

8. Stresses once more the importance of effective measures for the conservation of herring, in view of the clear scientific evidence demonstrating the dangerous state of stocks; and requests that fishing plans be introduced for other areas covered by the Community's fishing zone;

9. Notes that vessels under 12 metres have been excluded from the provisions of the proposed fishing plan;  
 Agrees with the principle of giving priority to the smaller inshore fishermen of the coastal State;  
 Considers, at the same time, that simplified reporting and control procedures should apply to vessels of less than 12 metres, except where there are clear marine biological reasons for not doing so;
10. Emphasizes the importance of demonstrating that the procedures for controlling quota arrangements work effectively in order to facilitate the reaching of a political agreement between all Member States on the establishment of a common fisheries policy;
11. Welcomes the fact that the Commission intends to introduce licences to facilitate the policing of the fishing plan;
12. Requests, therefore, that the Commission draw up a draft Regulation providing for a system of licences for fishing vessels within the Community fishing zone, and that such licences should cover:
- boats, equipment, skippers and owners;
  - numbers of days on which the boats may operate and that species may be caught;
  - a log-book for each vessel in which are recorded catches by species, area and equipment employed, and which shall be considered Community property and available for scientific research;
  - freezing, carrier and support vessels not directly engaged in taking fish;
13. Believes that the fishing plans should also lay down detailed reporting procedures, and requirements for Member States to impose adequate and uniform sanctions in the case of violations of the provisions of the fishing plans, until such a time as the general arrangements covering these matters shall have been adopted by the Council.

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#### RESOLUTION

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation laying down certain conservation and management measures for common fishery resources off the West Greenland coast applicable in 1978 to vessels flying the flag of Canada**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council [COM(78) 293 fin.],
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 217/78),
  - having regard to the report of the Committee on Agriculture (Doc. 227/78),
  - whereas it is necessary to secure agreements with third countries on mutual fishing rights even if no agreement has been reached on an internal fisheries policy,
1. Approves the Commission's proposal subject to the following observations and reservations;
  2. Believes that it is not possible to consider measures to allocate quotas to Canadian vessels in Community waters, without at the same time examining measures to grant quotas to Community vessels in Canadian waters;
  3. Considers at the same time that there should be included explicit reference to a requirement for Canadian vessels to report:
    - their entry into the Community zone;
    - the amount of fish on board at the moment of entry into the Community zone;
    - catches according to quantities of each species caught, the date, location and the type of gear used;
    - transfer of fish to other vessels; and
    - the amount of fish on board when leaving the zone;

4. Welcomes the fact that Canadian vessels shall be required to keep a log-book and a licence;  
Believes that a licence should also be required on vessels not directly taking fish, such as carrier or freezer vessels;
5. Believes that it should be consulted on any major revision of the present proposal, including the annual fixing of quotas, and also upon the establishment of the number of licences to be issued;
6. Points out that the enforcement of the present proposal will be dependent upon the existence of an effective surveillance fleet;  
Therefore urges the Council to adopt with a minimum delay the proposal for the Community financing of surveillance and control vessels, as modified by the European Parliament;
7. Requests the Commission to incorporate the following amendments in its proposal pursuant to Article 149, second paragraph, of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Regulation laying down certain conservation and management measures for the common fishery resources off the West Greenland coast applicable in 1978 to vessels flying the flag of Canada**

Preamble, recitals and Article 1 unchanged

*Article 2*

*Article 2*

1. Vessels fishing under the quotas established in accordance with Article 1 shall comply with the conservation and control measures and all other provisions governing fishing activities in the zones referred to in Article 1.

1. Vessels fishing under the quotas established in accordance with Article 1 shall comply with the conservation and control measures and all other provisions governing fishing activities in the zones referred to in Article 1, **including the reporting procedures.**

Paragraphs 2 to 4 unchanged

*Article 3*

*Article 3*

Paragraph 1 unchanged

2. The Council shall, acting on a proposal from the Commission, establish the number of licences to be issued after consultations with the Canadian Authorities so that they are commensurate with the quotas set out in Annex I.

2. The Council shall, acting on a proposal from the Commission, **and according to the procedure laid down in Article 43 of the EEC Treaty**, establish the number of licences to be issued after consultations with the Canadian Authorities so that they are commensurate with the quotas set out in Annex I.

Articles 4 to 8 unchanged

Annexes unchanged

<sup>(1)</sup> For complete text, see COM(78) 293 fin.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation laying down for 1978 measures for the conservation and management of fishery resources including the establishment of catch quotas for herring stocks
- II. a Regulation allocating certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone
- III. a Regulation allocating certain catch quotas between Member States for vessels fishing in the waters of the Faroe Islands

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council (COM(78) 206 final), (COM(78) 322 final), (COM(78) 324 final),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Docs. 211/78, 220/78 and 224/78),
- having regard to the report of the Committee on Agriculture (Doc. 228/78),
- having regard to the proposal from the Commission of the European Communities to the Council for a Regulation establishing a Community system for the conservation and management of fish resources (Doc. 373/76) <sup>(1)</sup>;
- having regard to the opinion of the European Parliament thereon (Doc. 474/76) <sup>(2)</sup>,
- having regard to the resolution of the Council of 3 November 1976 adopted at The Hague,
- whereas it is essential to conserve the biological resources of the sea by means of a fishing policy based on the establishment of scientifically derived quotas and management policies,
- whereas there exists a very dangerous depletion of herring stocks in the North Sea, the Irish Sea and the North East Atlantic, which threatens the continued existence of the herring fishing industry,
- whereas the Council has failed to adopt a policy for the conservation and management of fish resources,
- whereas that failure prevents the reaching of agreements with third countries to allow for mutual fishing in the respective exclusive economic zones,

### *Conservation measures for herring*

1. Believes that all measures required to conserve herring stocks in Community waters should be taken immediately;
2. Regrets the delay on the part of the Community in adopting measures to preserve herring stocks;
3. Approves the Commission's proposal to ban herring fishing off West Scotland and for the Mourne and Manx stocks, until 31 December 1978, and to maintain the zero quota in the North Sea and herring quotas in the West Celtic Sea, the Irish Sea and off West Ireland;
4. Considers that the ban on herring fishing off West Scotland should apply to all fishermen and not merely to Community fishermen;

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<sup>(1)</sup> OJ No C 255, 28. 10. 1976, p. 3.

<sup>(2)</sup> OJ No C 57, 7. 3. 1977, p. 44.

5. Believes it essential, at the same time, to adopt all necessary measures to restrict bycatches of herring to the absolute minimum which is technically possible;
6. Points out, at the same time, that such measures would create serious social problems in regions particularly dependent upon herring fishing and the related processing industries, but believes that the repercussions should be limited by suitable structural measures;
7. Requests the Commission to come forward before the end of 1978 with a communication on measures which will be required beyond 1978 to maintain herring stocks, and the problems facing other principal fish species;

*Control measures*

8. Reminds the Council that quotas in themselves are not sufficient to ensure control of fishing levels, and calls for effective permits and licensing to cover boats, equipment, fishing skippers, and the number of days on which boats may operate, as a basic minimum;
9. Believes, furthermore, that fishing plans, similar to those proposed for West Ireland, should be drawn up for each zone for which quotas for herring fishing have been proposed;

*Allocation of quotas in Norwegian and Faroese waters*

10. Points out that the Commission base their proposed allocation of quotas to Member States for fishing in Norwegian and Faroese waters upon recent fishing patterns, while taking into account losses suffered by fishermen as a result of the implementation of a Community fisheries conservation policy and the extension of fishing zones by third countries;
11. Approves, therefore, the Commission's proposals;
12. Requires greater information from the Commission concerning the means by which overfishing of quotas by Community fishermen in third country zones is to be prevented; and considers that the control and reporting procedures should be strengthened along the lines proposed by the Commission in the basic regulations for fishing in the Community's zone;
13. Urges the Commission to ensure that overfishing in the Norwegian and Faroese zones by fishermen of individual Member States will not lead to a reduction in quotas granted to fishermen from other Member States;
14. Requests the Commission to adopt the following amendments pursuant to Article 149, second paragraph, of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (1)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

I

**Council Regulation laying down for 1978 measures for the conservation and management of fishery resources including the establishment of catch quotas for herring stocks**

Preamble, recitals and Article 1 unchanged

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(1) For complete text see COM(78) 206 fin.

*Article 2*

Direct fishing for herring shall be prohibited for *Community fishermen* until 31 December 1978 in division VI(a) as defined by the International Council for the Exploration of the Sea.

*Article 2*

Direct fishing for herring shall be prohibited until 31 December 1978 in division VI(a) as defined by the International Council for the Exploration of the Sea.

Articles 3 to 8 unchanged

Annexes unchanged

RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation concerning the conclusion of the Agreement on fisheries between the European Economic Community and the Government of Sweden
- II. a Regulation concerning the conclusion of the Agreement on fisheries between the European Economic Community and the Government of Denmark and the Home Government of the Faroe Islands

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 174/78 and Doc. 176/78),
  - having regard to the report of the Committee on Agriculture (Doc. 232/78),
  - having regard to the report by Mr Klinker on behalf of the Committee on Agriculture on the proposals from the Commission of the European Communities to the Council for:
    - I. a Regulation laying down certain measures for the conservation and management of fishery resources applicable to vessels registered in the Faroe Islands,
    - II. a Regulation laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway,
    - III. a Regulation laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Sweden,
    - IV. a Regulation allocating catch quotas between Member States for vessels fishing in Faroese waters,
    - V. a Regulation allocating certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone,(Doc. 114/78),
1. Approves the proposals for an Agreement settling the issue of fishing rights between the Community and Sweden and between the Community and the Government of Denmark and the Home Government of the Faroes;

<sup>(1)</sup> OJ No C 146, 21. 6. 1978, pp. 11 and 14.

2. Draws attention to the fact that consultation of the European Parliament on this question is a pure formality as these Agreements have in fact been in force since they were signed;
3. Wonders whether it would not be possible for it to be consulted at an earlier stage to ensure that account can actually be taken of its opinion;
4. Feels that it should be consulted on the annual fixing of the Community quota in waters under the jurisdiction of Sweden and the Faroes and the allocation thereof among the Member States, and that it should be kept regularly informed of the application of the Agreement;
5. Expresses satisfaction at the fact that the Commission has undertaken to submit to it an annual report on the application of the Agreements with the Government of Sweden, the Government of Denmark and the Home Government of the Faroe Islands.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the conclusion of the Agreement on fisheries between the European Economic Community and the Kingdom of Norway

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (COM(78) 56 final),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 213/78),
- having regard to the report of the Committee on Agriculture (Doc. 231/78),
- having regard to the report by Mr Klinker on behalf of the Committee on Agriculture on the proposals from the Commission of the European Communities to the Council for:
  - I. a Regulation laying down certain measures for the conservation and management of fishery resources applicable to vessels registered in the Faroe Islands,
  - II. a Regulation laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Norway,
  - III. a Regulation laying down certain measures for the conservation and management of fishery resources applicable to vessels flying the flag of Sweden,
  - IV. a Regulation allocating catch quotas between Member States for vessels fishing in Faroese Islands,
  - V. a Regulation allocating certain catch quotas between Member States for vessels fishing in the Norwegian exclusive economic zone,(Doc. 114/78),
- 1. Notes that by issuing fishing licences, the Parties are aiming at the establishment by 1982 of a satisfactory balance between the Community and Norway and that this will entail a gradual reduction of Community quotas;

2. Points out that the Agreement is limited in scope since it merely lays down general rules and provides no basis for the settlement of fisheries disputes between the Community and Norway;
3. Considers that the provisions in the draft Agreement relating to surveillance and inspection are not explicit enough and points out that measures must be taken to ensure effective inspection in the interests of the observance of quotas and management of fish stocks;
4. Approves the draft Regulation nonetheless since it does not wish to hinder the progress of the very necessary negotiations with Norway, although with the proviso that the European Parliament should be regularly consulted on all important matters concerning the Community's internal and external fisheries policy;
5. Welcomes the fact that the Commission has undertaken to submit a report to it every year on the implementation of the Agreement with the Kingdom of Norway.

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#### RESOLUTION

**embodying the opinion of the European Parliament on Article 6 of the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 816/70 laying down additional provisions for the common organization of the market in wine**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 564/77),
- having regard to the report of the Committee on Agriculture (Doc. 229/78),

1. Reserves its position on paragraphs 1 and 5 of Article 6 since it considers that these policy measures should be incorporated in the new proposals designed to regulate the Community market in table wine;
2. Approves the technical measures set out in paragraphs 2, 3, 4, 6 and 7 of Article 6;
3. Advocates, however, with regard to paragraph 3 of Article 6, the retention of the present wording of Regulation (EEC) No 816/70;
4. Invites the Commission, therefore, to adopt the following amendment pursuant to the second paragraph of Article 149 of the EEC Treaty.

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<sup>(1)</sup> OJ No C 71, 22. 3. 1978, p. 2.

**Article 6 of the Council Regulation amending Regulation (EEC) No 816/70 laying down additional provisions for the common organization of the market in wine**

*Article 6*

*Article 6*

Paragraphs 1 and 2 unchanged

3. Article 24 (2) is amended as follows:

3. Article 24 (2) is amended as follows:

'2. With the exception of the producers referred to in paragraph 5 and except by way of derogation decided by the Council, acting *by a qualified majority* on a proposal from the Commission, any natural or legal person or group of such persons who produces:

- grape must or concentrated grape must from fresh grapes,
- wine from fresh grapes, grape must, grape must in fermentation or new wine still in fermentation,

shall be required to distil the wine lees and grape marc which result from the process or, failing that, a corresponding quantity of wine from his own harvest.'

'2. With the exception of the producers referred to in paragraph 5 and except by way of derogation decided by the Council, acting on a proposal from the Commission, **in accordance with the voting procedure laid down in Article 43 (2) of the Treaty**, any natural or legal person or group of such persons who produces:

- grape must or concentrated grape must from fresh grapes,
- wine from fresh grapes, grape must, grape must in fermentation or new wine still in fermentation,

shall be required to distil the wine lees and grape marc which result from the process or, failing that, a corresponding quantity of wine from his own harvest.'

Paragraphs 4 to 7 unchanged

(<sup>1</sup>) For complete text see OJ No C 71, 22. 3. 1978, p. 2.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on a common measure for forestry in certain dry Mediterranean zones of the Community

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 130/78),
- having regard to the report of the Committee on Agriculture and the opinions of the Committee on Budgets and the Committee on Regional Policy, Regional Planning and Transport (Doc. 201/78),

1. Urges the Council to take a favourable decision on this proposal by 30 September 1978 at the latest, in order to ensure early implementation of these measures which are of fundamental importance to the economy, the ecological balance and the soil protection in the Mediterranean regions;
2. Approves the Commission's proposal subject to its adopting the following amendments pursuant to Article 149, second paragraph, of the EEC Treaty.

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<sup>(1)</sup> OJ No C 117, 20. 5. 1978, p. 2.

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TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

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TEXT AMENDED BY THE EUROPEAN PARLIAMENT

### Council Regulation on a common measure for forestry in certain dry Mediterranean zones of the Community

Preamble, recitals and Articles 1 to 14 unchanged

#### *Article 15*

1. Where the procedure laid down in this Article is to be followed, the Chairman shall refer the matter to the Standing Committee on Agricultural Structures, either on his own initiative or at the request of the representative of a Member State.

2. The representative of the Commission shall submit a draft of the measure to be taken. The Committee shall deliver its opinion on such measures within a time limit to be set by the Chairman according to the urgency of the questions under consideration. An opinion shall be adopted by a majority of 41 votes, the votes of the Member States

#### *Article 15*

1. Where the procedure laid down in this Article is to be followed, the Chairman shall refer the matter to the Standing Committee on Agricultural Structures, either on his own initiative or at the request of the representative of a Member State.

2. The representative of the Commission shall submit a draft of the measure to be taken. The Committee shall deliver its opinion on such measures within a time limit to be set by the Chairman according to the urgency of the questions under consideration. An opinion shall be adopted by a majority of 41 votes, the votes of the Member States

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<sup>(1)</sup> For complete text see OJ No C 117, 20. 5. 1978, p. 2.

being weighted as provided for in Article 148 (2) of the Treaty. The Chairman shall not vote.

3. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the Committee, the Commission shall forthwith notify them to the Council. In that event the Commission may defer their application for not more than one month from the date of such communication.

The Council, acting by a qualified majority, may take a different decision within one month.

*Article 16*

The Council, *acting* in accordance with the procedure of Article 43 of the Treaty, may amend or add to the conditions set out in Articles 2 and 11 (2)

being weighted as provided for in Article 148 (2) of the Treaty. The Chairman shall not vote.

3. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the Committee, the Commission shall forthwith notify them to the Council **and the European Parliament**. In that event the Commission may defer their application for not more than one month from the date of such communication.

The Council, acting by a qualified majority, may take a different decision within one month. **However, if the measure has significant budgetary consequences, the Council shall act only in agreement with the European Parliament.**

*Article 16*

The Council, **after consulting the European Parliament**, in accordance with the procedure of Article 43 of the Treaty, may amend or add to the conditions set out in Articles 2 and 11 (2).

Article 17 unchanged

RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation amending Regulation (EEC) No 804/68 on the organization of the market in milk and milk products
- II. a Regulation on the sale of butter at reduced prices to persons receiving social assistance

*The European Parliament,*

— having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,

<sup>(1)</sup> OJ No C 148, 23. 6. 1978, p. 2.

- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 177/78),
- having regard to the report of the Committee on Agriculture (Doc. 225/78),

1. Points out that, in its resolution on prices for 1978 <sup>(1)</sup>, it advocated measures for the sale of butter at subsidized prices to socially disadvantaged groups as well as increased aid for cheese production and for 'Provolone' cheese in particular, the aim being to promote greater utilization of milk by the dairy industry and to reduce existing surpluses;

2. Approves, therefore, the Commission's proposals.

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#### RESOLUTION

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision authorizing the United Kingdom to grant a national aid to milk producers in Northern Ireland**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (COM(78) 273 final),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 212/78),
- having regard to the report of the Committee on Agriculture (Doc. 226/78),

1. Approves the Commission's proposal only as a temporary measure limited in duration until the end of the 1978/79 marketing year;
2. Emphasizes once more the very serious market and social problems being created by the present system and level of monetary compensatory amounts;
3. Calls therefore upon the Commission and the Council to implement effective and lasting solutions to the problems created in the agricultural sector by monetary fluctuations and to the market problems facing the dairy sector, so as to avoid the need for recourse to unsatisfactory temporary expedencies which do nothing to solve the true problems.

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<sup>(1)</sup> OJ No C 85, 10. 4. 1978, p. 31.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation amending Regulation (EEC) No 1035/72 on the common organization of the market in fruit and vegetables
- II. a Regulation amending Regulation (EEC) No 1035/77 laying down special measures to encourage the marketing of products processed from lemons

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 207/78),
- having regard to the report of the Committee on Agriculture (Doc. 208/78),

Approves the Commission's proposals.

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## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for a Directive amending Directive 73/173/EEC of 4 June 1973 on the approximation of Member States' laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous preparations (solvents)

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(2)</sup>,
- having been consulted by the Council (Doc. 511/77),
- having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 181/78),

1. Welcomes the Commission's proposal which aims to provide increased protection for persons who may come into contact with dangerous solvents;
2. Considers that the term 'solvent' should be more clearly defined;
3. Feels that Directives of this kind should not only aim primarily at limiting as far as possible any damage to the environment or human health caused by the manufactured substances but also at restricting the harmful effects of these products during their manufacture and local application;

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<sup>(1)</sup> OJ No C 159, 5. 7. 1978, p. 8.

<sup>(2)</sup> OJ No C 25, 31. 1. 1978, p. 4.

4. Requests the Commission to review the existing Directives and those in preparation and to submit appropriate proposals on them in due course;
5. Is therefore already of the opinion that over a specific period a general registration system similar to that provided for in the American Toxic Substance Control Act must be inserted into Directives which govern the marketing and utilization of dangerous substances;
6. Stresses the importance of stipulating that child-proof closures must be used to prevent the all-too-easy wrongful use of such dangerous substances;
7. Is strongly in favour of the general labelling of dangerous substances with explicit pictorial illustrations;
8. Considers that in order to prevent the very large number of accidents, many of which are unfortunately fatal, each dangerous solvent brought into circulation should bear directions for administering first aid in case of wrongful use;
9. Regrets that the Commission has not made available the opinions of the working party composed of experts in the fields of public health, hygiene and industrial safety, industry and trade and relevant professional organizations;
10. Requests the Commission to give Parliament detailed information as soon as possible on the actual enforcement of all Directives relating to the classification, packaging and labelling of dangerous preparations, with particular reference to solvents;
11. Requests the Commission to incorporate the following amendments in its proposal pursuant to Article 149 second paragraph, of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

Council Directive amending Directive 73/173/EEC on the approximation of Member States' laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous preparations (solvents)

Council Directive amending Directive 73/173/EEC on the approximation of Member States laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous solvents

P r e a m b l e u n c h a n g e d

Whereas, for the better protection of the general public and in particular of persons who come into contact with dangerous *solvent preparations* in the course of their work or in the pursuit of a hobby, it is necessary to extend the scope of the existing Directive of 4 June 1973 (73/173/EEC) on the approximation of Member States' laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous *preparations* (solvents) <sup>(2)</sup>;

Whereas, for the better protection of the general public and in particular of persons who come into contact with dangerous *solvents* in the course of their work or in the pursuit of a hobby, it is necessary to extend the scope of the existing Directive of 4 June 1973 (73/173/EEC) on the approximation of Member States' laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous solvents <sup>(1)</sup>;

<sup>(1)</sup> For complete text see OJ No C 25, 31. 1. 1978, p. 4.

<sup>(2)</sup> OJ No L 189, 11. 7. 1973, p. 7.

Whereas the Directive will henceforth apply not only to mixtures of two or more solvents but also to mixtures of solvents with other non-dangerous substances when they are intended to be used as solvents; whereas corrosive, irritant and easily flammable solvents are now likewise brought within the scope of the Directive;

Whereas it is desirable that the scope of the Directive be more clearly defined with respect to other Directives relating to products which likewise contain solvents;

Whereas certain provisions of the Directive have also to be brought into line with Council Directive 67/548/EEC of 27 June 1967 on the approximation of Member States' laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances <sup>(1)</sup>, as last amended by Directive 76/907/EEC <sup>(2)</sup>, notably in respect of the information appearing on the label, the dimensions of the label and the assignment of the various danger symbols;

Whereas it is furthermore necessary to impose upon manufacturers the obligation to notify the poisons information centres of the composition of toxic solvent mixtures in order that prompt and effective aid may be rendered in the event of accidents;

Where the necessary amendment and amplification of the Annex to *Council Directive 73/173/EEC of 4 June 1973 (solvents)* will be effected under the procedure provided for in Article 10 thereof;

Whereas the Directive will henceforth apply not only to mixtures of two or more **dangerous** solvents but also to mixtures of solvents with other non-dangerous substances when they are intended to be used as solvents; whereas corrosive, irritant and easily flammable solvents are now likewise brought within the scope of the Directive;

Whereas it is desirable that the scope of the Directive be more clearly defined with respect to other Directives relating to products which likewise contain **dangerous** solvents;

u n c h a n g e d

Whereas it is furthermore necessary to impose upon manufacturers the obligation to notify the poisons information centres of the composition of toxic solvent mixtures **and to supply directions for first aid in case of wrongful use** in order that prompt and effective aid may be rendered in the event of accidents;

Whereas the necessary amendment and amplification of the Annex to **basic Directive (73/173/EEC)** on solvents will be effected under the procedure provided for in Article 10 thereof;

Article 1 u n c h a n g e d

Article 2

1. Article 1 (1), (2) and (3) (a) shall be replaced by the following:

- '(1) This Directive concerns:
- the classification,
  - the packaging, and
  - the labelling,

<sup>(1)</sup> OJ No 196, 16. 8. 1967, p. 1.

<sup>(2)</sup> OJ No L 360, 30. 12. 1976, p. 1.

Article 2

1. Article 1 (1), (2) and (3) (a) shall be replaced by the following:

- '(1) This Directive concerns:
- the classification,
  - the packaging, and
  - the labelling,

of the following preparations which are placed on the market in the Member States of the Community and are regarded as dangerous within the meaning of Article 2 of this Directive;

- (a) *preparations intended for use as solvents and* containing only the constituents listed in the Annex hereto, including those which contain impurities in quantities exceeding the limits laid down in Article 2 (5);
- (b) *preparations intended for use as solvents and* containing, in addition to the constituents listed in the Annex hereto, other non-dangerous substances within the meaning of Article 2 (2) of Council Directive 67/548/EEC of 27 June 1967 (hereinafter referred to as "the Directive of 27 June 1967").

of **dangerous solvents** which are placed on the market in the Member States of the Community and are regarded as dangerous within the meaning of Article 2 of this Directive:

- (a) **dangerous solvents** containing only the constituents listed in the Annex hereto, including those which contain impurities in quantities exceeding the limits laid down in Article 2 (5);
- (b) **dangerous solvents** containing, in addition to the constituents listed in the Annex hereto, other non-dangerous substances within the meaning of Article 2 (2) of Council Directive 67/548/EEC of 27 June 1967 (hereinafter referred to as "the Directive of 27 June 1967");
- (c) for the purpose of this Directive, a solvent shall be defined as a liquid capable of absorbing other substances to form a single dangerous liquid phase.

Rest of Article 2 unchanged

Articles 3 and 4 unchanged

*Article 5*

1. Article 5 (1) to (4) shall be replaced by the following:

Subparagraphs (1) to (4) unchanged

(5) Directions for first aid in case of wrongful use of dangerous solvents shall be added to the packaging after consultation with the poisons information centres.

Paragraph 2 unchanged

Articles 6 to 11 unchanged

## RESOLUTION

on the stage reached in the preparation of the analytical and summary working documents to be drawn up by the Commission of the European Communities for the 1978 Community Tripartite Conference

*The European Parliament,*

- having regard to the documents drawn up by the Commission of the European Communities on Work-sharing, the meeting of the Standing Committee on Employment (March 1978) (SEC (78) 740),  
and  
the role of the tertiary (including public) sectors in the achievement of growth, stability and full employment (SEC(78) 1526 final 2),
  - having regard to the interim report of the Committee on Social Affairs, Employment and Education (Doc. 179/78),
1. Is dismayed to note that of the four documents announced by the Commission as long ago as mid-1977 and containing its proposal on subjects for discussion at the 1978 Tripartite Conference, only two are as yet available to the European Parliament and its committees;
  2. Notes with increasing concern that this tactic is being repeatedly used by the Commission, although it has been sharply criticized by Parliament on several occasions, and therefore for the November 1978 Tripartite Conference the European Parliament is again left with no scope for serious discussion of the Commission's final summary document, which is scheduled to appear by the end of September 1978 at the earliest;
  3. Calls, in the interests of a credible European policy, for the submission without delay of practical and flexible proposals, which take account of justified social interests, to enable the Member States to reduce unemployment and stimulate economic activity;
  4. Believes that, because the Commission's summary document is at present still unavailable, political conclusions will be extremely hard to draw, so that it would appear advisable to reconsider November 1978 as the date for holding the Tripartite Conference and to give serious thought to postponing it until spring 1979;
  5. Instructs its President to forward this resolution to the Council and Commission.

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## RESOLUTION

on the restriction of competition in the air transport sector

*The European Parliament,*

- having regard to the Commission's answer to the oral question with debate on the restriction of competition in the air transport sector (Doc. 193/78),
  - having regard to the increasingly urgent need for a Community policy in the air transport sector,
1. Calls on the Commission to submit, as soon as possible and before 1 January 1979, practical proposals for rules on competition in the air transport sector;
  2. Instructs its President to forward this resolution to the Commission.

## RESOLUTION

### on the Council's failure to agree on measures to promote youth employment

*The European Parliament,*

- having regard to its resolution <sup>(1)</sup> based on the report by Mr Lezzi (Doc. 88/78) on the Commission's proposals for Community aid to promote the employment of young people (Doc. 60/78),
  - having regard to the declaration of the European Council in London concerning youth employment,
  - having regard to the invitation issued by the Council at its meeting of 28 October 1977 to the Commission to develop proposals concerning youth employment,
1. Expresses its deep dismay at the Council's inability to reach a decision;
  2. Warns of the negative effect this inability to reach a decision will have on public opinion in view of the expectations which have been raised by the considerable publicity given to the proposed Community measures;
  3. Demands a full report on the situation concerning the outcome of the discussion of the Council's report to the European Council in Bremen, and concrete proposals for immediate implementation;
  4. Instructs its President to forward this resolution to the Council and Commission and the European Council.

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## RESOLUTION

### on the situation in the iron and steel industry

*The European Parliament,*

- in view of the fact that the Council is shortly due to consider the Commission's new proposals for restructuring the Community's iron and steel industry,
  - having regard to the revision of the General Objectives for Steel 1980 — 1985 — 1990, and to certain estimates by the Commission providing for the phasing out of at least 100 000 jobs by 1980, unless corrective measures are taken,
  - whereas, since the entry into force of its measures to combat the serious difficulties facing the iron and steel industry, the Commission has proved its determination to proceed simultaneously with the restructuring of the iron and steel industry, regional reconversion and social readjustment projects, in order to counter the effects of the world steel crisis on the workers,
  - in view, however, of the inadequacy of these measures and of the need to strengthen considerably the Commission's activities in respect of the application of all the Articles of the ECSC Treaty,
1. Asks the Commission for prompt and comprehensive information concerning its proposals for restructuring projects and for social measures to accompany these projects;
  2. Instructs its President to forward this resolution to the Commission.

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<sup>(1)</sup> OJ No C 131, 5. 6. 1978, p. 22.

## RESOLUTION

### on the position of the European Communities in Public International Law

#### *The European Parliament,*

- having regard to the Treaty establishing the European Coal and Steel Community, and in particular Article 6 thereof,
  - having regard to the Treaty establishing the European Economic Community, and in particular Articles 113, 114, 210, 228, 235 and 238 thereof,
  - having regard to the Treaty establishing the European Atomic Energy Community, and in particular Articles 101, 184, 203 and 206 thereof,
  - noting the increasing activity of the European Communities in international relations, and fully aware of the role of the European Communities with regard to third countries and international organizations,
  - having regard to the specific legal characteristics of the European Communities which set them apart from intergovernmental organizations of the traditional type, both as regards the objectives assigned to them by the Treaties establishing them, and as regards the distribution of powers between the Communities and the Member States, particularly in foreign affairs,
  - considering that in the true Community spirit the Treaties should be interpreted both in the light of their objectives and having regard to the provisions in the text,
  - having regard to the report of the Legal Affairs Committee (Doc. 567/77),
1. Reaffirms that the activities of each of the European Communities in the area of international relations have their legal basis in the provisions of the respective Treaties;
  2. Fully supports the principles laid down and affirmed in the opinions <sup>(1)</sup> of the Court of Justice, whereby:
    - (a) the power of the Communities to enter into commitments with third countries derives implicitly from the provisions of the Treaties granting the Communities powers over internal matters provided that the aim is the achievement of one of the objectives of the Communities;
    - (b) all Community powers to conclude trade agreements with third countries preclude — by their very existence — the exercise of any concurrent powers by the Member States;
  3. Emphasizes the implications of the judgments <sup>(2)</sup> of the Court of Justice asserting the Communities' authority to negotiate and conclude external agreements whenever the international objectives are directly related to internal Community objectives;
  4. Notes that such Community authority derives from the Treaties, that is to say, from the explicit provisions read in the context of the Treaties as a whole and their specified objectives, and from the necessary implications which flow from the provisions of the Treaties;
  5. Urges the Council and the Commission, therefore, to use the instruments available to the Communities in such a way that the Communities' international relations further the achievement of the objectives laid down in the Treaties of Paris and Rome;
  6. Reaffirms the need to ensure democratic control of all Community action, and recalls its previous resolutions aimed — particularly in the light of the budgetary powers it now possesses — at greater and more effective participation by the European Parliament in the conclusion of the Communities' external agreements;
  7. Notes that the Heads of State and of Government meeting at the Hague summit of December 1969, went beyond a literal interpretation of the Treaties establishing the Communities and set up the machinery for political cooperation between the Member States, thus paving the way for a true foreign policy, which is an essential feature of any future European union;

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<sup>(1)</sup> OJ No C 268, 22. 11. 1975, p. 18 and OJ No C 107, 3. 5. 1977, p. 4.

<sup>(2)</sup> Court of Justice 31. 3. 1971 (AETR, case 22/70), Court Reports 1971, p. 263. Court of Justice, 12. 12. 1972 (International Fruit Company), cases 21-24/72). Court Reports 1972, p. 1219. Court of Justice, 30. 4. 1974 (Haegeman, case 181/73), Court Reports 1974, p. 449. Court of Justice, 14. 5. 1974 (J. Nold, case 4/73), Court Reports 1974, p. 491. Court of Justice, 24. 7. 1976 (Kramer, cases 3, 4 and 6/76), Court Reports 1976, p. 1279. Court of Justice, 15. 12. 1976 (Donckerwolcke, case 41/76), Court Reports 1976, p. 1921.

8. Stresses the special contribution which the European Parliament has always made to the Communities' international relations, both through meetings between its delegations and the parliamentary delegations of third countries, and through its well-established and continuous cooperation with the Council of Europe and in particular its Parliamentary Assembly;
9. Solemnly reaffirms the position it has adopted in numerous resolutions supporting resolute action by the Communities in their relations in international law, both as regards Community measures and those concerning the coordination of Member States' foreign policies;
10. Instructs its President to forward this resolution and the report of its committee to the Council and Commission and, for information, to the parliaments and the governments of the Member States.

#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive to coordinate the laws of the Member States relating to (self-employed) commercial agents

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 57 (2) and Article 100 of the EEC Treaty (Doc. 514/76),
  - having regard to the report of the Legal Affairs Committee and the opinion of the Committee on Economic and Monetary Affairs (Doc. 222/78),
1. Welcomes the submission of this proposal for a Directive, which prescribes measures to harmonize the laws, regulations and administrative provisions of the Member States governing the relations between self-employed commercial agents and their principals;
  2. Stresses the need to coordinate national laws in the matter of commercial representation subsequent to the abolition by Council Directive 64/224/EEC of 25 February 1964 of the restrictions on freedom of establishment and freedom to provide services in respect of the activities of intermediaries in commerce, industry and small craft industries;
  3. Notes the categories expressly excluded by Article 3 from the field of application of the Directive, but feels that part-time agents involved in mail-order sales of a wide range of goods from catalogues published periodically should also be excluded;
  4. Expects the Commission to submit in the near future the promised proposal for a Directive to harmonize the Member States' laws applicable to commercial travellers, whose functions are similar to those of commercial agents;
  5. Hopes also that the Commission will submit without delay a proposal for a Directive concerning insurance agents and agents of financial institutions, who, although they should have been included, are, in fact, excluded from the field of application of this Directive, by reason of the fact that in many countries the activities of these agents are governed by special provisions and fall outside the scope of regulations relating to commercial agents;
  6. Approves the principle whereby the parties are required to act fairly and in good faith but feels that specific mention should be made of the requirement on the commercial agent to make reasonable efforts to conduct and conclude the business with which he is entrusted and not to use the principal's commercial or industrial secrets where this would be contrary to professional ethics;
  7. Regards as satisfactory, subject to some clarification, the provisions of the proposed Directive relating to the remuneration of the commercial agent and his right to commission and the reimbursement of expenses incurred by him in carrying out special tasks in accordance with the principal's instructions;

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<sup>(1)</sup> OJ No C 13, 18. 1. 1977, p. 2.

8. Considers provisions are necessary for the protection of the commercial agent where a *del credere* clause is stipulated;
9. Feels that the provisions of the Directive relating to bankruptcy of the principal and other proceedings initiated against the principal should be deleted, since these provisions do not have proper legal justification;
10. Stresses the need for the provisions concerning proof of the contractual relationship to be more carefully worded, since the Directive, which leaves the parties free to choose the contractual form most suitable for them, must expressly lay down, if one of the parties so requests, that the contract be drawn up in writing;
11. Considers that the period of notice laid down in the Directive for the termination of the contract is too long since it is unreasonable that the parties should continue to be mutually bound for this time once their will to cooperate has ceased to exist;
12. Approves the provisions of the proposed Directive concerning the termination of the contract without prior notice where one of the parties has committed a serious fault that warrants such cessation or in the case of *force majeure*, but suggests that the Directive should also lay down express provisions on the case of repeated faults by one of the parties;
13. Considers it desirable for the principle to be introduced into all the Member States' legislation of the right of the commercial agent or his heirs to be paid under certain conditions, on termination of the contract, a goodwill indemnity calculated fairly on the basis of the average remuneration earned by the agent while the contract was in force;
14. Considers appropriate the provisions of the Directive governing the restrictions which the principal may impose on the business activities of the business agent in the period following cessation of the contract and stresses that it is imperative for an agreement restricting competition to be made in writing, failing which it must be null and void;
15. Considers it acceptable that when the commercial agent is a legal person or a company with a paid-up capital of more than 100 000 European units of account, the parties may derogate from the provisions relating to payment on account of commission and remuneration, the *del credere* clause, the period of notice and the goodwill indemnity;
16. Suggests that the limitation period on parties' rights should be reduced in order to relieve them of the need to keep space-consuming material on file solely because of the requirement to preserve proof;
17. Considers that the provisions designed to protect the commercial agent from the consequences of his economically weak position *vis-à-vis* his principal are in line with the principles of Article 117 of the EEC Treaty referred to in the fifth recital of the Directive, but feels that the long list of provisions contained in Article 35 makes the Directive too inflexible and therefore requests the Commission to submit a revised version of this Article;
18. Approves, subject to the foregoing observations, the proposal for a Directive in its entirety;
19. Invites the Commission, pursuant to Article 149, second paragraph, of the EEC Treaty, to adopt the following amendments:

**Council Directive to coordinate the laws of the Member States relating to (self-employed)  
commercial agents**

Preamble, recitals and Article 1 unchanged

*Article 2*

For the purposes of this Directive the expression 'commercial agent' means a self-employed intermediary who has continuing authority for a fixed or indeterminate period to negotiate and/or to conclude an unlimited number of commercial transactions in the name and for account of another person (who is hereinafter called 'the principal').

*Article 2*

For the purposes of this Directive the expression 'commercial agent' means a self-employed intermediary who has continuing authority for a fixed or indeterminate period to negotiate and/or to conclude an unlimited number of commercial transactions in the name and for account of another person (who is hereinafter called 'the principal').

**The agent may arrange his activities and use his time independently and as he thinks fit.**

*Article 3*

This Directive does not apply

- to intermediaries who are wage or salary earning employees within the meaning of Directive 64/224/EEC of 25 February 1964,
- to intermediaries who act in their own name,
- to intermediaries appointed to negotiate or to conclude in the name of the principal a specified transaction or a number of specified transactions only,

*Article 3*

This Directive does not apply:

- to intermediaries who are wage or salary earning employees within the meaning of Directive 64/224/EEC of 25 February 1964,
- to intermediaries who act in their own name,
- to intermediaries appointed to negotiate or to conclude in the name of the principal a specified transaction or a number of specified transactions only,

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<sup>(1)</sup> For full text see OJ No C 13, 18. 1. 1977, p. 2.

- to intermediaries who carry on their activities in the insurance or credit fields.

*Article 4*

The Member States are at liberty:

1. not to apply Articles 15 (4), *last sentence*, 19, 26 (2), 30 and 31 to persons who act as commercial agents but by way of secondary activity only; the question whether the activity is carried on in that way being determined in accordance with commercial usage in the State whose law governs the relations between principal and agent;

paragraph 2 unchanged

*Article 5*

2. Without prejudice to and in pursuance of the general duty specified in paragraph 1 the commercial agent shall:

- (a) at all times supply to the principal the information he needs in order to conduct the business satisfactorily, especially as regards the solvency of third parties in current commercial transactions of which the agent is aware;
- (b) keep separately from his own moneys all sums received for the principal and pay them over to him without delay;
- (c) keep proper accounts relating to the accounts receivable and assets of his principal;
- (d) look after such property as is given into his possession with the care which a sound businessman would exercise;

- to intermediaries who carry on their activities in the insurance or credit fields,
- to **part-time agents involved primarily in mail-order sales to consumers from catalogues published periodically, at least twice a year, offering a wide range of goods for sale by cash or hire purchase,**
- to intermediaries who carry on their activities in the aviation sector.

*Article 4*

The Member States are at liberty:

1. not to apply Articles 15 (4), **second subparagraph**, 19, 26 (2), 30 and 31 to persons who act as commercial agents but by way of secondary activity only; the question whether the activity is carried on in that way being determined in accordance with commercial usage in the State whose law governs the relations between principal and agent;

paragraph 1 unchanged

*Article 5*

2. Without prejudice to and in pursuance of the general duty specified in paragraph 1 the commercial agent shall:

- (a) **make reasonable efforts to conduct and conclude the business with which he is entrusted;**
- (b) unchanged
- (c) unchanged
- (d) unchanged
- (e) unchanged

- (e) comply with all instructions given to him by the principal for attaining the object of the agency, provided they do not basically affect the agent's independence. *The agent may arrange his activities and use his time as he thinks fit.*

- (f) comply with all instructions given to him by the principal for attaining the object of the agency, provided they do not basically affect the agent's independence.

paragraph 3 unchanged

*Article 6*

*Article 6*

The *commercial* agent shall not, even after the contract has come to an end, *divulge to third parties* or turn to account any commercial or industrial secrets which were disclosed to him or of which he became aware because of his relationship with the principal, unless *he proves that his doing so is* consistent with the principles of a sound businessman.

**In his relations with third parties**, the agent shall not, even after the contract has come to an end, turn to account any commercial or industrial secrets which were disclosed to him or of which he became aware because of his relationship with the principal, unless **such conduct is generally accepted to be consistent** with the principles of a sound businessman.

Article 7 unchanged

*Article 8*

*Article 8*

paragraphs 1 and 2 unchanged

3. The commercial agent shall inform the principal of any legal action to be taken against him in respect of the breaches referred to in paragraphs 1 and 2 above.

Article 9 unchanged

*Article 10*

*Article 10*

paragraph 1 unchanged

2. Without prejudice to the general duty specified in paragraph 1, the principal shall make available to the agent in suitable quantity such materials, information and documents as are necessary for the performance of his activities. He shall in particular:

2. Without prejudice to the general duty specified in paragraph 1, the principal shall make available to the agent in suitable quantity such materials, information and documents as are necessary for the performance of his activities. He shall in particular:

- (a) supply the agent with samples, designs, price lists, printed advertising material, conditions of contract and other documents relating to the goods and services for which he has been appointed agent;
- (b) provide the commercial agent with all information *which is requisite* for the performance of the contract, particularly as

- (a) unchanged

- (b) provide the commercial agent with all information **necessary** for the performance of the contract, particularly as regards current and

regards current and perspective production, and inform the agent without delay when the principal foresees that the volume of commercial transactions that the principal will be able to execute will be considerably lower than the commercial agent could normally expect;

- (c) inform the commercial agent *without delay* of the acceptance, refusal or, in appropriate cases, the partial performance of a commercial transaction.

*Article 11*

1. The principal shall remunerate the commercial agent by paying him *commission or a fixed sum or both*. Any variable *item of* remuneration which is calculated by reference to turnover shall be deemed to be commission.

paragraphs 2 and 3 unchanged

*Article 12*

1. The commercial agent shall be entitled to commission on commercial transactions entered into during the currency of the contract:

- (a) where the transaction is procured by the commercial agent, or
- (b) where the transaction is entered into with a third party *with whom the agent has previously negotiated or* agreed a transaction falling within the terms of his agency, or
- (c) where the commercial agent is appointed to cover a specific geographical area or a specific group of people and the transaction is entered into in that geographical area or with a person belonging to that group, notwithstanding that the transaction was negotiated or agreed otherwise than by the commercial agent.

paragraph 2 unchanged

*Article 13*

The commercial agent shall be entitled to commission on commercial transactions entered into after the contract has come to an end:

- (a) where the transaction was negotiated by him, or

prospective production, and inform the agent without delay when the principal foresees that the volume of commercial transactions that the principal will be able to execute will be considerably lower than the commercial agent could normally expect;

- (c) inform the commercial agent **in good time** of the acceptance, refusal or, in appropriate cases, the partial performance of a commercial transaction.

*Article 11*

1. The principal shall remunerate the commercial agent by paying him a **fixed sum, fixed commission and/or variable commission**. The parties may agree for a **proportion of the remuneration to be paid in kind**.

Any variable remuneration **factor** which is calculated by reference to turnover shall be deemed to be commission.

*Article 12*

1. The commercial agent shall be entitled to commission on commercial transactions entered into during the currency of the contract:

- (a) **unchanged**
- (b) where the transaction is entered into with a third party **whom the agent had previously acquired as a client or with whom he had agreed a transaction** falling within the terms of his agency, or
- (c) **unchanged**

*Article 13*

The commercial agent shall be entitled to commission on commercial transactions entered into after the contract has come to an end:

- (a) **unchanged**

- (b) where, the preparatory work having been done by him, the transaction was entered into mainly as a result of his efforts during the currency of the contract; in these cases, however, he shall be entitled to commission only if the transaction was entered into within a reasonable period after the contract came to an end, a 'reasonable period' being one which is proportionate to the type of transaction in question and to the volume thereof.

- (b) where, the preparatory work having been done by him, the transaction was entered into mainly as a result of his efforts during the currency of the contract; in these cases, however, he shall be entitled to commission only if the transaction was entered into within a reasonable period after the contract came to an end, a 'reasonable period' being one which is proportionate to the type of transaction in question and to the volume thereof. **The parties may fix this period of time by common accord.**

Article 14 unchanged

Article 15

Article 15

paragraph 1 unchanged

2. The commission shall be payable upon the happening of either of the two following events:

2. The commission shall be payable upon the happening of either of the two following events:

- (a) as soon as and to the extent that the principal has performed his part of the transaction, even if he fails to carry out his obligations fully in the manner agreed or satisfies some of them only partially, or
- (b) as soon as and to the extent that the *third party has performed his part of the transaction.*

(a) unchanged

- (b) as soon as and to the extent that the **client has fulfilled the obligations laid down in the contract.**

paragraph 3 unchanged

4. The parties may agree that so long as the third party has not performed his obligations the commission shall be payable at a later time than that provided for in subparagraph (a) of paragraph 2 above. The commission shall, however, be payable in all cases not later than the last day of the third month following the month during which the principal completed the performance of his part of the contract. Where the parties agree as aforesaid that agent shall be entitled to receive a payment on account, of suitable amount, not later than the last day of the month following the month during which the principal completed the performance of his part of the contract.

4. The parties may agree that so long as the third party has not performed his obligations the commission shall be payable at a later time than that provided for in subparagraph (a) of paragraph 2 above.

Where the parties agree as aforesaid the agent shall be entitled to receive a payment on account, of suitable amount, not later than the last day of the month following the month during which the principal completed the performance of his part of the contract.

The commission shall, however, be payable in all cases not later than the last day of the third month following the month during which the principal completed the performance of his part of the contract.

5. *The principal shall each month supply the commercial agent with a statement of the amount of commission earned and the amount of commission payable. The statement shall set out the essential data used in calculating the amounts of commission. The statement shall be prepared promptly and in any event not later than the last day of the month following that in which the commission in question was earned. The parties may agree that this period shall be extended to three months.*

5. deleted (see Article 18)

Article 16

1. The right to commission shall be extinguished:
  - (a) Where the commercial agent has not fulfilled his obligations under Article 5 (2) (a), the principal having entered into the commercial transaction without being aware of the third party's insolvency and it being established that the third party has not or will not perform his part of the transaction, or
  - (b) if and to the extent that it has become impossible to perform the transaction, this being in no way attributable to the principal, or
  - (c) if performance of the transaction cannot reasonably be required of the principal, particularly where there exist in relation to the third party serious grounds for non-performance.

Paragraph 2 unchanged

Article 17 unchanged

Article 18

1. The commercial agent shall be entitled to be supplied with all necessary extracts from the copies of the principal's books of account, together with explanations thereof, to enable him to check the amounts of commission to which he is entitled. *Article 6 shall apply 'mutatis mutandis'.*

2. If there exist proper grounds for thinking that the *items referred to in paragraph 1* which the principal has supplied are incorrect or incomplete, or if the principal refuses to supply them, the agent shall be entitled to require that either the agent himself or some person designated by the agent (being a person qualified for that purpose in accordance with the requirements of the national law applicable in the State where the books of account are kept), at the option of the principal, be given access to the books of account and the accounting documents for the

Article 16

1. The right to commission shall be extinguished:
  - (a) Where the commercial agent has not fulfilled his obligations under Article 5 (2) (b), the principal having entered into the commercial transaction without being aware of the third party's insolvency and it being established that the third party has not or will not perform his part of the transaction, or
  - (b) unchanged
  - (c) unchanged

Article 18

1. The principal shall each month supply the commercial agent with a statement of the amount of commission earned and the amount of commission payable. The statement shall set out the essential data used in calculating the amounts of commission. The statement shall be prepared promptly and in any event not later than the last day of the month following that in which the commission in question was earned. The parties may agree that this period shall be extended to three months.

2. The commercial agent shall be entitled to be supplied with all necessary extracts from the copies of the principal's books of account, together with explanations thereof, to enable him to check the amounts of commission to which he is entitled.

3. If there exist proper grounds for thinking that the *statement of the amount of commission earned referred to in paragraph 1* or the *information which the principal has supplied* are incorrect or incomplete, or if the principal refuses to supply such information, the agent shall be entitled to require that either the agent himself or some person designated by the agent (being a person qualified for that purpose in accordance with the requirements of the national law applicable in the State where the books of account are kept), at the option of the principal, be

purpose of examining them. This right may be exercised to the extent necessary for checking the correctness or completeness of the commission statement or of the said items.

given access to the books of account and the accounting documents for the purpose of examining them. This right may be exercised to the extent necessary for checking the correctness or completeness of the commission statement or of the said items. The prohibition contained in Article 6 shall apply in the cases referred to in paragraphs 2 and 3 of the present Article.

Articles 19 and 20 unchanged

Article 21

Article 21

1. Every agreement whereby the commercial agent guarantees in favour of his principal that a third party will pay the price of goods or services forming the subject-matter of commercial transactions which the agent has negotiated or agreed, shall be evidenced in writing or by cable, telex or telegram. This type of agreement is hereinafter referred to as a 'del credere' agreement.

1. deleted

2. (a) A 'del credere' agreement covering transactions which were not negotiated or agreed by the commercial agent shall be void.

2. (a) deleted

(b) A 'del credere' agreement shall be concluded in relation only to a particular commercial transaction, or in relation to a series of such transactions with particular third parties who are specified in the agreement.

(b) deleted

(c) Any 'del credere' agreement which amounts to an unlimited guarantee on the part of the commercial agent for transactions falling within the first sentence of paragraph 1 shall be void.

(c) deleted

3. The commercial agent shall be entitled to be paid a separate commission, of reasonable amount, for transactions entered into to which his 'del credere' guarantee applies.

3. deleted

4. The parties may derogate from the provisions of paragraphs 1 to 3 as regards transactions:

4. deleted

(a) in which the place of business of the principal or of the third party is outside the territory of the Community or, if the principal or third party has no place of business, then his place of habitual residence is outside that territory, or

(a) deleted

(b) which the agent has been given full power to agree and to carry out.

(b) deleted

Article 22

Article 22

1. Natural persons whose income is mainly derived from a commercial agency shall as regards sums owing to them for remuneration and

1. deleted

*reimbursement of expenses be treated as employees of the principal where bankruptcy or an arrangement, composition or other procedure is in progress with the principal's creditors.*

2. *The natural persons to whom paragraph 1 applies shall in relation to sums owing to them by the principal on account of remuneration and reimbursement of expenses enjoy those rights to which employees are entitled as regards the amount of income for which execution cannot issue where third parties obtain an order for execution against the principal.*

3. *The provisions of national law relating to employees shall apply 'mutatis mutandis' to the natural persons referred to in paragraph 1 as regards assignment of sums owing to them by the reimbursement of expenses.*

4. *The Member States may fix maximum figures of income for purposes of the application of paragraph 1.*

*Article 23*

*Each party shall be entitled to receive from the other a signed written document setting out the terms of the contract and any terms subsequently agreed. Any purported waiver of this right shall be invalid.*

*Article 24*

*Article 23 shall apply 'mutatis mutandis' where by mutual agreement the agency contract is terminated.*

*Article 25*

Subject to Articles 27 and 28 a contract for a fixed or determinable period shall terminate upon the expiration of the period for which it was made. Unless otherwise agreed a contract for a fixed or determinable period which continues to be performed after that period has expired shall be deemed to be converted into a contract for an indeterminate period.

2. deleted

3. deleted

4. deleted

*Article 23*

If requested by either party, the contract between the commercial agent and the principal and any terms subsequently agreed shall be made in writing.

If the contractual relationship between the commercial agent and the principal does not arise from a written contract, each party shall be entitled to receive from the other party, either during the currency of the contract or upon its cessation, a signed written document setting out all the rights and obligations of the parties. Any purported waiver of this right shall be invalid.

*Article 24*

deleted

*Article 25*

Subject to Articles 27 and 28 a contract for a fixed period or a period to be determined by the parties shall terminate upon the expiration of the period for which it was made. Unless otherwise agreed a contract for a fixed or determinable period which continues to be performed after that period has expired shall be deemed to be converted into a contract for an indeterminate period.

*Article 26*

*Article 26*

paragraph 1 unchanged

2. During the first year of the contract the notice shall be of not less than two months. After the first year the period of notice shall be increased by one month for each additional year which has begun. The Member States may prescribe a maximum period of notice which shall in no case be less than 12 months. Periods of notice shall coincide with the end of a calendar month.

2. The period of notice shall not be less than one month during the first year in which the contract enters into force. After the first year, it shall be increased by 14 days for each additional year which has begun. The Member States may prescribe a maximum period of notice which shall in no case be less than three months.

*Article 27*

*Article 27*

1. Either party may terminate the contract at any time:

1. Either party may terminate the contract at any time:

(a) where the other party has in relation to the contract committed a fault such that the party who terminates cannot be required to keep it in being until the end of the period of notice or until the end of its agreed period of duration, or

(a) where the other party has in relation to the contract committed a fault **once or repeatedly** such that the party who terminates cannot be required to keep it in being until the end of the period of notice or until the end of its agreed period of duration, or

(b) where some circumstance arises which makes it impossible to perform the contract, or which seriously prejudices its performance, or which substantially undermines the commercial basis of the contract, so that the party who terminates cannot be required to keep it in being until the end of the period of notice or until the end of its agreed period of duration.

(b) unchanged

paragraphs 2 and 3 unchanged

Article 28 unchanged

*Article 29*

*Article 29*

paragraph 1 unchanged

2. To secure the rights of the commercial agent as regards remuneration and reimbursement of expenses, he shall have a lien over such movables and other property of the principal as are in his possession pursuant to the contract, which lien shall continue after cessation of the contract.

2. To secure the rights of the commercial agent as regards remuneration and reimbursement of expenses, he shall have a lien over such movables and other property of the principal as are in his possession pursuant to the contract, which lien shall continue after cessation of the contract. **When exercising this right, the agent shall maintain the principal's movables and other property in good condition.**

Article 30

Article 30

paragraph 1 unchanged

2. The goodwill indemnity shall be reasonable in amount having regard to all the circumstances. It shall be equal to *not less than* one-tenth of the annual remuneration calculated on the basis of the average remuneration during the preceding five years, including transactions on which commission arises under Article 13, multiplied by the number of years for which the contract has been in existence. If the contract was concluded less than five years previously the indemnity shall be calculated on the average remuneration received during the period which has actually run.

2. The goodwill indemnity shall be reasonable in amount having regard to all the circumstances. It shall be equal to one-tenth of the annual remuneration during the preceding five years, including transaction on which commission arises under Article 13, multiplied by the number of years for which the contract has been in existence. If the contract was concluded less than five years previously the indemnity shall be calculated on the average remuneration received during the period which has actually run.

3. The amount of the indemnity shall not exceed *twice* the average annual remuneration calculated in the manner provided in paragraph 2. Subject always to this maximum, either party may request that the amount of the indemnity be calculated otherwise than as provided in paragraph 2 where, having regard to all the circumstances, it would be equitable so to calculate it.

3. The amount of the indemnity shall not exceed the average annual remuneration calculated in the manner provided in paragraph 2. Subject always to this maximum, either party may request that the amount of the indemnity be calculated otherwise than as provided in paragraph 2 where, having regard to all the circumstances, it would be equitable so to calculate it.

4. *Where the agent terminates the contract by notice the period of which is consistent with the period of notice required by the contract or by law, he shall be entitled to an indemnity not exceeding the amount provided for in paragraph 2. If such termination is justified having regard to the principal's conduct, or for reasons which are particular to the agent, such that the agent cannot be required to continue his activities, the indemnity may be fixed at the maximum amount provided for in paragraph 3 if this is equitable.*

4. The agent shall not be entitled to an indemnity where he terminates the contract by notice, unless termination is justified having regard to the principal's conduct, or the agent cannot be required to continue his activities on grounds of age or illness. Nor shall he be entitled to an indemnity, where the principal terminates the contract by notice and such notice has been shown to be substantially justified on grounds of the agent's culpable conduct.

Paragraphs 5 and 6 unchanged

Articles 31 and 32 unchanged

Article 33

Article 33

1. Where the commercial agency is undertaken by a company or legal person whose most recent annual accounts show that it has a paid-up capital exceeding the equivalent of 100 000 European Units of Account, the parties may derogate from the provisions of Articles 15 (4), 19, 21, 26 (2) and 30.

1. Where the commercial agency **either** is undertaken by a company or legal person whose most recent annual accounts show that it has a paid-up capital exceeding the equivalent of 100 000 European Units of Account, **or has a turnover which exceeds 500 000 European Units of Account**, the parties may derogate from the provisions of Articles 15 (4), 19, 21, 26 (2) and 30.

Paragraph 2 unchanged

*Article 34*

1. Claims which arise under the foregoing provisions shall be subject to a limitation period of *four* years. The limitation period shall begin to run from the end of the year during which the claim arose.

2. As regards claims which arise during the last 10 years of the contract for commission which has not been included in the statement referred to in Article 15 (5), or for reimbursement of expenses under Article 20, the limitation period shall begin to run from the end of the year during which the contract came to an end.

*Article 35*

1. *Any stipulation whereby the parties derogate, to the detriment of the agent, from the provisions next hereinafter mentioned shall be void: Article 5 (1), 8, 10 (1), 10 (2) (b) and (c), 11 (1) and (3), 12 (1), 13, 14, 15, 16 (1), 18, 19 (1) and (2), 20 (2), 21 (1), (2) and (3), 23, 26, 27, 28, 29 (2), 30, 32 and 34.*

2. *In addition to the cases of derogation permitted under Article 21 (4) and Article 33, the parties may derogate from the compulsory provisions specified in the foregoing paragraph in relation to those activities which the commercial agent carries on outside the Community.*

*Article 34*

1. Claims which arise under the foregoing provisions shall be subject to a limitation period of **three** years. The limitation period shall begin to run from the end of the year during which the claim arose.

2. As regards claims which arise during the last 10 years of the contract for commission which has not been included in the statement referred to in Article 18 (1), or for reimbursement of expenses under Article 20, the limitation period shall begin to run from the end of the year during which the contract came to an end.

*Article 35*

1. **deleted**

2. **deleted**

Articles 36 and 37 unchanged

RESOLUTION

on the trade agreement between the European Economic Community and the People's Republic of China

*The European Parliament,*

— having regard to its resolution of 5 July 1977 on economic and trade relations between the European Community and the People's Republic of China <sup>(1)</sup>,

<sup>(1)</sup> OJ No C 183, 1. 8. 1977, p. 28.

- having regard to the trade agreement concluded between the European Economic Community and the People's Republic of China <sup>(1)</sup>,
- having regard to the report of the Committee on External Economic Relations and the opinion of the Political Affairs Committee (Doc. 198/78),

1. Welcomes the signing on 3 April 1978 of a trade agreement between the European Economic Community and the People's Republic of China and the speed with which it was brought into force on 1 June 1978;
2. Notes that this agreement is an important stage in the process, begun in 1975, of forging closer links between the two parties and is further proof of the importance attached by the People's Republic of China to the building of a strong and dynamic European Community;
3. Considers that the agreement provides an appropriate legal framework for the promotion of trade and the achievement of wide-ranging cooperation between the signatories, based on the principle of mutual advantage and facilitated by the complementarity of their resources;
4. Notes that the promotion of balanced trade between the two parties will largely depend on the efforts made by the Community to ensure easier access for Chinese products to the markets of the nine Member States and on supplies of goods from the People's Republic of China geared to the Community market, and accordingly welcomes the progress achieved in recent years to liberalize trade;
5. Emphasizes the importance, for the strengthening of relations between the two parties, of the provisions of the agreement relating to the promotion of visits by persons and groups representing economic, trade and industrial circles;
6. Is of the opinion that the Joint Committee responsible for the administration of the agreement will play a decisive role in fostering closer relations and, with this in mind, calls upon the Commission of the European Communities to begin forthwith its preparations for the first meeting of this body, having regard in particular to the possibilities for Community participation in developing the use of China's resources of raw materials and having regard in general to China's needs in each sector of the economy and to the need for working groups to assist the Joint Committee;
7. Welcomes the existence of a price clause provided for in Article 7 of the agreement which will enable the Community, through the Joint Committee, to refuse to admit goods exported at prices fixed, for political reasons, below those obtaining on the market, a practice that causes serious disturbance to the Community market;
8. Recommends that the Commission study how far the implementation of measures to facilitate the financing of exports can contribute to the intensification of trade relations between the two parties and is in the interests of the Community;
9. Considers it essential for the Commission of the European Communities to keep it regularly informed of the outcome of the meetings of the Joint Committee and of the prospects for the development of trade between the Community and the People's Republic of China;
10. Instructs its President to forward this resolution and the report of its committee to the Council and the Commission.

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<sup>(1)</sup> OJ No L 123, 11. 5. 1978, p. 2.

## RESOLUTION

on the implications of the European Council in Bremen and the Bonn Economic Summit for the preparation of the general budget of the Communities for the 1979 financial year

*The European Parliament,*

- having regard to its two resolutions on the guidelines for the 1979 budget <sup>(1)</sup>,
  - having regard to the preliminary draft budget submitted by the Commission (COM(78) 250),
  - having regard to the draft budget submitted by the Council (Doc. 296/78),
  - considering that, in its guidelines for the 1979 budget:
    - (a) it recommended that the Community budget should be more closely coordinated with the Community's economic policy in order to enhance the effectiveness of and increase the resources available for that policy;
    - (b) it expressed the view that a more balanced relationship should be established between the size of the budget and the extent of the problems aggravated by the crisis;
    - (c) it regarded the primary objective of the 1979 budget as being to help promote a balanced, harmonious and consistent economic recovery by taking appropriate measures to improve structures in the social, regional, industrial and energy sectors and in relation to Community policy for the next few years,
1. Reiterates its approval of the guidelines proposed by the Commission for the Community budget, in particular where it proposes:
    - (a) that actions and policies which would benefit therefrom should be pursued at Community level;
    - (b) that the volume of the Community budget should be increased in accordance with these criteria so as to give it a redistributive function in economic and social terms;
  2. Notes, however, that — even without considering the decisions taken in Bremen and Bonn — the volume of the Commission's preliminary draft budget and the Council's draft budget is too small and the measures proposed therein too unambitious to enable either the Commission's guidelines or the priorities established by Parliament to be implemented;
  3. Stresses that the decisions of the European Council in Bremen and the Bonn Economic Summit endorse Parliament's guidelines in that they expressly lay down that the objective of Community policy is to combat unemployment through economic recovery;
  4. Considers that the Community budget must contribute to the joint effort required from the national budgets, in order to respond to the economic situation and implement the political decisions to promote economic recovery;
  5. Points out that the growth of the Community budget must reflect the progress in Community integration and that in most of the areas covered by the budget the volume of appropriations is still not sufficient for them to have an economic and political impact;

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<sup>(1)</sup> OJ No C 85, 10. 4. 1978, p. 52 and OJ No C 108, 8. 5. 1978, p. 63.

6. Will take the necessary budgetary steps — in the hope that the dialogue within the Budgetary Authority will continue in the spirit of the meeting of 18 July 1978 — to enable the objectives established at the highest political level of the Community to be achieved and to exploit to the full the opportunities offered by the Treaties and the Financial Regulation;

7. Instructs its President to forward this resolution to the Council and Commission.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the common organization of the market in sheepmeat

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 56/78),
- having regard to the report of the Committee on Agriculture, drawn up by Mr Gibbons, on the Commission's proposal for a transitional common organization of the market in sheepmeat (Doc. 432/75),
- having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 249/78),

1. Deplores the prolonged delay in the submission of proposals on the common organization of the market in sheepmeat;

2. Stresses the critical importance of sheepmeat production to the economic and social viability of the more disfavoured and peripheral and upland regions of the Community;

3. Points out that, in view of the substantial Community deficit, there are clear and valuable opportunities for a steady expansion of Community production of sheepmeat; this would have important social and economic consequences, especially for certain regions, and would offer, at the same time, real alternatives to producers in sectors which are going through temporary difficulties;

4. Believes that the fundamental principles of the common agricultural policy:

- (a) free trade within the Community,
- (b) Community preference,
- (c) financial solidarity,

should be the basis for establishing a common organization of the market in sheepmeat similar to those now governing the market in other meats;

5. Does not consider the Commission's proposals to offer the prospect of reasonable and stable prices for Community producers and consumers while at the same time being costly to the Community's budget;

6. Believes, therefore, that the Community should establish a regime enabling a realistic price level to be fixed which takes sufficient account of production costs, so as to make sheep production at least comparable with other forms of agricultural production, backed up by arrangements which would adequately support that price level; such arrangements should include a special system of premiums to sheep producers, aids for private storage and the provision of export refunds;

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<sup>(1)</sup> OJ No C 93, 18. 4. 1978, p. 5.

7. Urges, in addition, that measures be adopted to encourage production, and, in particular:
- (a) measures under the Directives on the modernization of farms and on mountain and hill farming and farming in less-favoured areas, such as more attractive incentives and larger headage payments,
  - (b) extension of certain measures contained in those Directives to include sheep farming in other suitable areas;
8. Believes furthermore that the market organization needs to be supported by a range of structural measures:
- (a) to improve breeds, grassland techniques and installations,
  - (b) to improve the marketing of sheepmeat, processing and distribution;

Urges that measures to improve production and marketing provided for in the Commission's proposal be implemented without delay;

9. Considers that there will be ample scope for imports from third countries but that such imports must be closely monitored and subjected to adequate controls;

10. Notes that sheep- and goatmeat production is of great importance in the three countries applying for accession to the EEC and expresses concern at the possible implications of enlargement for the market organization now under discussion;

11. Points out that, in accordance with the principles laid down in Article 43 (3) of the EEC Treaty, Community producers must not be adversely affected by the adoption of a Regulation on sheepmeat;

12. Recognizes that the transition to a common organization of the market in sheepmeat may give rise to certain difficulties and therefore calls on the Commission to take effective action to alleviate these difficulties over a transitional period;

Doubts the effectiveness of the measures proposed in Articles 26 and 27 to solve the problems which would arise from the immediate introduction of the free movement of goods within the Community, since there is still a wide gulf between the situations on the national markets;

13. Requests the Commission and the Council to take into account the proposals and reservations made above and to incorporate the following amendments in its proposal, pursuant to Article 149, second paragraph, of the EEC Treaty; on that condition approves the Commission's proposal.

**Council Regulation on the common organization of the market in sheepmeat**

Preamble, recitals and Articles 1 to 11 unchanged

*Article 12*

*1. The importation into the Community or exportation therefrom of any of the products listed in Article 1 (1) (a) and (c) shall be subject to the submission of an import or export licence which issued by the Member States to any applicant irrespective of the place of his establishment in the Community.*

*Such import or export licence shall be valid throughout the Community.*

*The issue of such licences shall be conditional on the provision of security as a guarantee that import or export will be effected during the period of validity of the licence. The security shall be wholly or partially forfeit if the operation is not carried out, or is only partially carried out, within that period.*

*2. The detailed rules for the application of this Article which may in particular lay down a time limit of the issue of the licences, shall be adopted in accordance with the procedure laid down in Article 21.*

*Article 12*

1. deleted

2. deleted

Articles 13 to 20 unchanged

*Article 21*

paragraphs 1 and 2 unchanged

*Article 21*

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(1) For complete text see OJ No C 93, 18. 4. 1978, p. 5.

3. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the committee, they shall forthwith be communicated by the Commission to the Council. In that event the Commission may, for not more than one month from the date of such communication, defer application of the measures which it has adopted.

The Council, acting by a qualified majority, may take a different decision within one month.

3. The Commission shall adopt measures which shall apply immediately. However, if these measures are not in accordance with the opinion of the committee, they shall forthwith be communicated by the Commission to the Council and the European Parliament. In that event the Commission may, for not more than one month from the date of such communication, defer application of the measures which it has adopted.

The Council, acting by a qualified majority, may take a different decision within one month. However, if the measure has significant budgetary consequences, the Council shall act only in agreement with the European Parliament.

Articles 22 to 25 unchanged

Article 26

The Commission may adopt appropriate measures to facilitate the transition from the system in force in each Member State before the application of this Regulation to the system established by this Regulation.

*Detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 21 and, should the occasion arise, in accordance with the procedure laid down in Article 13 of Regulation (EEC) No 729/70.*

Article 27

2. The unit amount of the premium, which may vary with time and be differentiated by region, may in no circumstances exceed a maximum to be laid down.

This maximum may be revised each year when the basic price referred to in Article 3 is fixed.

paragraphs 3 and 4 unchanged

5. The Commission shall submit a report on the application of this Article to the Council not later than 31 December 1981.

The Council shall examine this report and, acting by a qualified majority on a proposal from the

Article 26

The Council shall adopt, on a proposal from the Commission and in accordance with the procedure laid down in Article 43 (2) of the EEC Treaty, appropriate measures to facilitate the transition from the system in force in each Member State before the application of this Regulation to the system established by this Regulation.

deleted

Article 27

2. The unit amount of the premium, which may vary with time and be differentiated by region, may in no circumstances exceed a maximum to be laid down.

This maximum may be revised each year when the basic price referred to in Article 3 is fixed, in accordance with the same procedure.

5. The Commission shall submit a report on the application of this Article to the Council and the European Parliament not later than 31 December 1981.

The Council shall examine this report and, acting in accordance with the procedure laid down in Article

Commission, may take a decision before 31 March 1982, in the light of experience gained and the economic situation of the sector in question, to extend or amend the system provided for by this Article.

43 (2) of the EEC Treaty, on a proposal from the Commission, may take a decision before 31 March 1982, in the light of experience gained and the economic situation of the sector in question, to extend or amend the system provided for by this Article.

Article 28 unchanged

Annexes unchanged

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## RESOLUTION

on taxes applicable to wine and alcoholic beverages

*The European Parliament,*

- having regard to Article 95 of the EEC Treaty which reads 'No Member States shall impose, directly or indirectly, on the products of other Member States any internal taxation of any kind in excess of that imposed directly or indirectly on similar domestic products',
- having regard to the discriminatory measures applied to alcoholic beverages, which impede intra-Community trade and prevent free competition, to the considerable disadvantage of both consumers and producers,
- considering that alcoholic beverages imported into certain Member States are subject to discrimination, compared with domestically produced beverages,

1. Considers that the motion for a resolution (Doc. 379/77) represents a practical and appropriate approach to the serious and delicate problems arising at Community level from discrimination in taxation and other fields between various alcoholic beverages;

2. Believes that it constitutes a valuable basis for discussion and that the solution proposed therein is valuable because it is comprehensive, simple, and can be applied within a short time, reconciling as it does the often conflicting interests of the individual Member States;

3. Therefore approves and supports the resolution;

4. Welcomes in particular the suggested outline for a proposal for a Directive to be presented by the Commission as soon as possible and to be based on the following points:

- (a) the drawing up by the Community of groups of alcoholic beverages in competition or of a similar nature,
- (b) the freedom for individual Member States to fix the VAT rate which they see fit, provided it is the same for the individual groups of beverages or for all beverages,
- (c) in the case of excise duties, the establishment at Community level, for each group of beverages, of a bracket (with a minimum rate of zero) within which Member States would be free to choose the rate applied,
- (d) the establishment, again at Community level, of maximum differences, litre by litre, for beverages in the different groups, of comparable alcoholic strength having regard to normal drinking habits, which the individual States may not exceed,
- (e) the abolition of any other tax burden or any normative discrimination;

5. Calls upon the Commission to present a proposal for an overall Directive and to withdraw its previous proposals for harmonization in this sector which are now out of date;

6. Calls upon the Council to issue a statement of policy committing it to examining and approving as quickly as possible the proposal for a Directive based on the above principles;
7. Instructs its President to forward this resolution and the report of its committee to the Council and the Commission.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive amending Directives 66/401/EEC, 66/402/EEC, 66/403/EEC, 69/208/EEC, 70/458/EEC and 70/457/EEC on the marketing of fodder plant seed, cereal seed, seed potatoes, seed of oil and fibre plants, vegetable seed and on the common catalogue of varieties of agricultural plant species

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (COM(78) 288 final),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 239/78),
- having regard to the report by the Committee on Agriculture (250/78),

1. Urges that the proposed dates for the entry into force of the Community equivalence decisions for seed and propagating material produced in third countries be strictly observed and that there be no further delay in the entry into force of Community standards which have to ensure a high level of protection for agricultural and horticultural plant species against harmful organisms;
2. Draws attention to the need to maintain uniform rules and strict control on the quality of seed and propagating material with a view to promoting the productiveness of agricultural and horticultural plant species and vine varieties in the Community;
3. Considers that any departure from the common standards in the marketing of seed and propagating material ought, in principle, to be of a temporary nature and to be subject to strict supervision by the Community authorities;
4. Approves the proposal, subject to the above considerations.

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#### RESOLUTION

on the effects of the Community's trade policy on the level of economic activity in the nine Member States

*The European Parliament,*

- recalling its resolutions of 11 April 1978 on the practice of dumping and the threat posed to Europe by uncontrolled competition <sup>(1)</sup> and 16 June 1978 on the multilateral negotiations in GATT <sup>(2)</sup>,
- having regard to the report of the Committee on External Economic Relations (Doc. 143/78),

1. Notes the growing number of difficulties with which more and more sectors of world trade have had to contend for several years, particularly those threatened by increased competition from third countries;

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<sup>(1)</sup> OJ No C 108, 8. 5. 1978, p. 21.

<sup>(2)</sup> OJ No C 163, 10. 7. 1978, p. 57.

2. Considers that this situation is partly due to the inadequacies in international agreements governing world trade and the disappearance of an international monetary system based on stable exchange rates;
3. Feels, therefore, that the commercial policy measures should be accompanied by measures to promote the gradual restoration of monetary stability in international economic relations, and in particular the stabilization of relations between the Community currencies and *vis-à-vis* the dollar;
4. Feels that the Community should prevent the collapse of certain important sectors in the nine Member States as a result, in particular, of increased competition from imports from third countries;
5. Requests the Commission and the Council to make use of the supervisory and intervention powers conferred on them by the Treaties;
6. Trusts that, in future, greater account will be taken of the effects of external agreements concluded by the Community on the level of activity of sectors in difficulty in the nine Member States, and that all appropriate measures will be taken to enable them to overcome disadvantages resulting from such agreements;
7. Believes that temporary unilateral import restrictions should be introduced only as an exceptional measure and in the absence of any other solution;
8. Approves the market organization agreements recently concluded by the Community with a number of third countries, which have enabled the Community temporarily to curtail the losses suffered by producers in the nine Member States and welcomes, in this connection, the beneficial effects of such agreements on the Community's textile and iron and steel industries;
9. Considers, however, that it is only by implementing an industrial policy involving the organized restructuring and redeployment of the activities of the Nine that the Community will be able to adapt to the requirements of the new world economic order now evolving;
10. Draws, moreover, the attention of the Commission and the Council to the need to ensure strict observance of the existing provisions relating to certificates of origin and inward and outward processing and to end the abuses which have come to light in this connection;
11. Reiterates the importance it attaches to ensuring that the current multilateral negotiations in GATT enable the provisions of the safeguard clauses in Article XIX to be applied more flexibly, above all with regard to the principle of the selective application of these clauses;
12. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the development of an agricultural advisory service in Italy

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 242/78),
- having regard to the report of the Committee on Agriculture and the opinions of the Committee on Regional Policy, Regional Planning and Transport and the Committee on Budgets (Doc. 305/78),

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<sup>(1)</sup> OJ No C 169, 14. 7. 1978, p. 7.

1. Stresses the extreme importance and desirability of Community action to develop an agricultural advisory service in Italy with a view to implementing the structural policy, and in particular Directive No 159, as well as the various measures provided for in the 'Mediterranean package';
2. Approves, therefore, the Commission's proposal subject to the following reservations;
3. Points out that at present, under Italian national law, the regions are responsible for all advisory matters, whereas the centralized administration outlined in the proposal deprives them of this responsibility;
4. Points out that a centralized body with a rigid hierarchy and identical training courses for all is extremely ill-suited to prepare technical advisers who will have to work in widely varying situations and carry out programmes at regional and area level;
5. Considers it undesirable to provide for the establishment of a completely new advisory institute which would involve pointless duplication of expenditure, decision-making centres and bureaucratic complications;
6. Suggests therefore that, within the framework of the outline plan it is to draw up, the Italian Government should be allowed to decide which institutes, either new or already in existence, would be most suitable for implementing the Community measure;
7. Considers that advisory work should be concentrated in the areas where it is most needed and that priority should therefore be given to the Mezzogiorno;
8. Is of the opinion that the qualification required for admission to the courses should be specified, this being either a degree in agricultural science or a diploma from an agricultural technical institute;
9. Considers it essential to provide for a periodic review of the programme, thus leaving the way open for any changes which may prove necessary in the course of the practical implementation of the programme and for adjustments to the fixed amounts to bring them into line with increased costs;
10. Calls upon the Commission to incorporate the following amendments in its proposal pursuant to the second paragraph of Article 149 of the EEC Treaty.

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TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (1)

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TEXT AMENDED BY THE EUROPEAN PARLIAMENT

### Council Regulation on the development of an agricultural advisory service in Italy

Preamble, first and second recitals unchanged

*Third recital*

Whereas, because of economic and budgetary constraints, Italy does not have sufficient means to

*Third recital*

Whereas, because of **natural, structural**, economic and budgetary constraints, Italy does not have

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(1) For complete text see OJ No C 169, 14. 7. 1978, p. 7.

establish a system comparable to those already highly developed in the other Member States;

sufficient means to establish a system comparable to those already highly developed in the other Member States;

Recitals 4 to 8 and Article 1 unchanged

Article 2

1. The outline plan of agricultural advisory work shall cover:

- the establishment of arrangements for the training of agricultural advisers *by a public agricultural advisory institute, hereafter called 'institute', comprising inter-regional training centres, hereafter called 'centres'*;
- the assignment of trained advisers to the task of carrying out programmes and measures for the balanced development of agriculture.

Article 2

1. The outline plan of agricultural advisory work shall cover:

- the establishment of arrangements for the training of agricultural advisers;
- the assignment of trained advisers to the task of carrying out programmes and measures for the balanced development of agriculture.

Paragraph 2 unchanged

Article 3

The outline plan of agricultural advisory work shall contain all the information required for its assessment, including:

1. as regards the training of advisers:

- (a) the legal status and the organization, function and detailed rules of operation of the *institute and the centres referred to in Article 2 (1)* including:

- *the composition, function and detailed rules of operation of the institute's Administrative Board;*
- *the location of the centres* taking into account the specific advisory needs of the different parts of Italy;
- the numbers and qualifications of the teaching staff planned;
- the arrangements to ensure the financing of the *institute and the centres*.

Article 3

The outline plan of agricultural advisory work shall contain all the information required for its assessment including:

1. as regards the training of advisers:

- (a) the legal status and the organization, function and detailed rules of operation of the **public institutes already in existence or to be newly established which shall be responsible for the training of advisers** including:

- ~~deleted~~
- **their location**, taking into account the specific advisory needs of the different parts of Italy;
- the numbers and qualifications of the teaching staff planned;
- the arrangements to ensure the financing of the **institutes**.

Subparagraphs (b), (c), (d) and paragraph 2 unchanged

Articles 4 and 5 unchanged

Article 6

1. The principal functions of the *institute*, including the *centres*, referred to in Article 2 (1), shall be:

Article 6

1. The principal functions of the institutes referred to in Article 2 (1), shall be:

Subparagraphs (a), (b), (c), (d) and paragraph 2 unchanged

Article 7 unchanged

Article 8

The training courses referred to in Article 7 shall be open to candidates who:

- *have an appropriate university degree for agricultural advisory work; and*
- are otherwise suitably qualified to carry out agricultural advisory work and have adequate experience of farming problems.

Article 8

The training courses referred to in Article 7 shall be open to candidates who:

- **have a degree in agricultural science or a diploma from an agricultural technical institute;**
- are otherwise suitably qualified to carry out agricultural advisory work and have adequate experience of farming problems.

Articles 9, 10 and 11 unchanged

Article 12

2. The total estimated cost of the common measure to the Fund is 79 million European units of account.

Article 12

2. The total estimated cost of the common measure to the Fund is 79 million European units of account, 50 % of which shall be reserved for implementation of the common measure in the Mezzogiorno.

Paragraph 1 unchanged

Paragraph 3 unchanged

Article 13

2. The Fund shall reimburse to the Italian Republic 75 % of:

- *the running expenses of the institute including the centres referred to in Article 2 (3), first indent, up to a maximum eligible amount of 310 000 EUA/year;*

Article 13

2. The Fund shall reimburse to the Italian Republic 75 % of:

- **the expenses incurred by the institutes indicated in the Italian Republic's outline plan for implementation of the common measure, up to a maximum eligible amount of 310 000 EUA/year;**

- expenditure incurred by way of course attendance allowances or grants, up to a limit of 3 000 EUA/year per participant and a maximum eligible amount of 600 000 EUA/year;
- expenditure incurred in the specialized training of teachers, up to a maximum eligible amount of 195 000 EUA.

— unchanged

— unchanged

Paragraphs 3 and 4 unchanged

Article 14

Article 14

Paragraph 1 unchanged

2. Advances may be granted by reference to the arrangements established by the Italian Republic for the financing of the *institute and centres*.

2. Advances may be granted by reference to the arrangements established by the Italian Republic for the financing of the **institutes**.

Paragraphs 3, 4 and 5 unchanged

Article 15

Article 15

Before 1 August of *each year* the Commission shall submit to the Parliament and to the Council a report on the progress of this common measure. The Italian Government shall provide the Commission with all the documentation needed for this purpose.

Before 1 August of **every third year** the Commission shall submit to the Parliament and to the Council a report on the progress of this common measure. The Italian Government shall provide the Commission with all the documentation needed for this purpose.

**Proposals for review of the programme to implement the common measure in the following three years may be submitted with the report; such proposals must be submitted to Parliament and approved by the Council.**

Article 16

Article 16

Paragraphs 1 and 2 unchanged

3. The Commission shall adopt measures which shall be immediately applicable. However, if such measures are not in accordance with the opinion delivered by the Standing Committee on Agricultural Structures, they shall at once be communicated by the Commission to the Council. In that case, the Commission may defer, for not more than one month from the date of such communication, application of the measures which it has adopted.

3. The Commission shall adopt measures which shall be immediately applicable. However, if such measures are not in accordance with the opinion delivered by the Standing Committee on Agricultural Structures, they shall at once be communicated by the Commission to the Council. In that case, the Commission may defer for not more than one month from the date of such communication, application of the measures which it has adopted.

The Council, acting by a qualified majority, may adopt a different decision within one month.

The Council, acting by a qualified majority, may adopt a different decision within one month.

However, if the measure has substantial financial implications, the Council shall act only in agreement with the European Parliament.

Article 17 unchanged

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Directive concerning the flood protection programme in the Hérault valley;
- II. a Directive concerning the programme for the acceleration and guidance of collective irrigation works in Corsica

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 265/78 and Doc. 266/78),
- having regard to the report of the Committee on Agriculture and the opinions of the Committee on Regional Policy, Regional Planning and Transport and the Committee on Budgets (Doc. 306/78),

1. Approves the Commission's proposals, which are among the measures introduced by the Community to assist the Mediterranean regions and which will serve principally to create the conditions necessary in these two regions for the successful implementation of the other structural measures already planned;

2. Asks the Commission and the Council to keep it informed both of the practical implementation of the proposed measures and of the agricultural changes brought about through these measures.

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<sup>(1)</sup> OJ No C 197, 18. 8. 1978, p. 4 and OJ No C 200, 22. 8. 1978, p. 3.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation opening, allocating and providing for the administration of Community tariff quotas for certain wines having a registered designation of origin, falling within subheading ex 22.05 C of the Common Customs Tariff, originating in Tunisia (1978/79)

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 216/78),
  - having regard to the report of the Committee on External Economic Relations and the opinion of the Committee on Agriculture (Doc. 301/78),
1. Approves the Commission's proposal;
  2. Draws attention, however, to the need to establish effective control of the level of imports so as to ensure that the quotas provided for in this proposal are not exceeded.

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## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation extending the period of validity of Regulation (EEC) No 2862/77 on levies applicable to imports of certain adult bovine animals and beef from Yugoslavia

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(2)</sup>,
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 256/78),
  - having regard to the report of the Committee on External Economic Relations, and the opinions of the Committee on Budgets and the Committee on Agriculture (Doc. 302/78),
- approves the Commission's proposal.

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<sup>(1)</sup> OJ No C 161, 7. 7. 1978, p. 8.

<sup>(2)</sup> OJ No C 183, 1. 8. 1978, p. 3.

**RESOLUTION**  
**on aid to the Sahel regions**

*The European Parliament,*

- concerned by the deterioration of the situation in the Sahel countries, affected by increasing and continuing desertification which has resulted in catastrophic drought conditions in the regions in which the inhabitants must live and work,
- noting that as a result of this drought thousands have died of hunger and whole herds of livestock, which constitute the population's only means of subsistence, have been wiped out,

1. Asks the Commission:

- (a) to draw up an emergency aid scheme to help the starving population;
- (b) to adopt a multiannual structural plan to help the Sahel countries to overcome their present difficulties by providing them with the Community technical and financial aid needed particularly to combat the problem of soil erosion and take effective action against the drought;

2. Instructs its President to forward this resolution to the Council and Commission.

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**RESOLUTION**  
**on Community aid to the flood victims of the Ganges and Yamuna rivers**

*The European Parliament,*

- considering the present distress of the people of the Ganges and Yamuna valleys, in India, Bangladesh and Nepal as a result of the disastrous flooding,
- concerned that the outbreak of epidemics, particularly cholera, is already magnifying the relief operations of the governments concerned,

1. Calls on the Commission to give urgent consideration to granting funds to the victims of the floods in these countries from the budget allocation for food aid and Community aid to disaster victims in developing and other non-member countries;

2. Instructs its President to forward this resolution to the Commission and Council.

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## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities

*The European Parliament,*

- having regard to its resolutions of 14 December 1976 and 13 December 1977 <sup>(1)</sup>,
  - having regard to the reports of the Committee on Budgets dealing with the Financial Regulation (Docs 305/75, 296/76, 469/76, 168/77 and 434/77),
  - having regard to the outcome of the conciliation procedure on the Financial Regulation as described in the report of the Committee on Budgets (Doc. 434/77),
  - having regard to the proposal from the Commission of the European Communities to the Council <sup>(2)</sup>,
  - having regard to the conciliation procedure on the new borrowing facilities (COM(78) 201 fin.),
  - having been consulted by the Council (Doc. 214/78),
  - having regard to the report of the Committee on Budgets (Doc. 353/78),
  - considering the Financial Regulation to be of fundamental importance to the efficient management of Community finances, the implementing of the budget and the presenting and auditing of accounts,
  - recalling changes brought about by the Treaty of 22 July 1975, which came into force on 1 June 1977,
  - appreciating that urgency attaches to the early completion of the revision of the Financial Regulation,
  - considering that special importance attaches to the provisions relating to the authorization to effect borrowing and lending operations, the presentation of research and investment appropriations and the arrangements for appropriations carried over,
  - recognizing that it is essential that this proposal for a Regulation be adopted before, or, at the latest, at the same time as, the adoption of the 1979 budget;
1. Believes that the Commission's proposal gives effect to undertakings entered into during the 1977 conciliation procedure in regard to the Financial Regulation, improves budgetary control and adds to budgetary clarity;
  2. Approves, therefore, the proposal put forward by the Commission;
  3. Undertakes to return to a further examination of the Financial Regulation in the light of fresh proposals which the Commission will put forward as a result of the opinion of the Court of Auditors on certain aspects.

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<sup>(1)</sup> OJ No C 6, 10. 1. 1977, p. 18; OJ No C 6, 9. 1. 1978, p. 19.

<sup>(2)</sup> OJ No C 160, 6. 7. 1978, p. 11.

## RESOLUTION

on the numerous deaths and extensive damage caused by floods in the region of Ossola in northern Italy

*The European Parliament,*

- shocked by the consequences of the torrential rains and disastrous floods which swept the region of Ossola in northern Italy last August, causing the death or disappearance of numerous persons, destroying villages and devastating crops,
  - considering that in similar circumstances the European Community has demonstrated its solidarity with the victims of such calamities,
  - having regard to the appropriations entered in the 1978 budget to provide aid in such circumstances,
1. Calls on the Commission:
    - (a) to adopt urgent measures to provide emergency aid for the victims of the floods,
    - (b) subsequently to propose prompt financial aid commensurate with the losses incurred and the repairs required;
  2. Instructs its President to forward this resolution to the Council and Commission.

## RESOLUTION

embodying the opinion of the European Parliament on the amended proposal from the Commission of the European Communities to the Council for a Directive on the approximation of the legislation of the Member States to combat illegal migration and illegal employment

*The European Parliament,*

- having regard to the amended proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 58/78),
- having regard to its resolution of 15 November 1977 <sup>(2)</sup>,
- having regard to the report of the Committee on Social Affairs, Employment and Education and the opinion of the Legal Affairs Committee (Doc. 238/78),

1. Expresses its keen satisfaction that the Commission, in response to Parliament's requests <sup>(3)</sup> and in accordance with the wish expressed by the Council in its resolution of 9 February 1976 <sup>(4)</sup>, has accepted and enacted in particular the principle whereby illegal migration and illegal employment should be effectively combated not only by means of preventive and penal measures but also by ensuring that the rights of illegal migrant workers relating to the work they have carried out are protected and that employers fulfil their obligations in this respect;
2. Approves, subject to the following amendments, the Commission's proposals and in view of the extreme seriousness and urgency of the phenomena and problems which they are intended to combat, appeals urgently to the Council to adopt them within the shortest possible time;
3. Requests the Commission to adopt the following amendments to its proposal pursuant the second paragraph of Article 149 of the EEC Treaty.

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<sup>(1)</sup> OJ No C 97, 22. 4. 1978, p. 9.

<sup>(2)</sup> OJ No C 299, 12. 12. 1977, p. 16.

<sup>(3)</sup> See in particular paragraphs 3 and 15 of Parliament's resolution of 15 November 1977 (OJ No C 299, 12. 12. 1977, p. 16).

<sup>(4)</sup> Council resolution on an action programme for migrant workers and members of their families (OJ No C 34, 14. 2. 1976, p. 3, paragraph 5 (b)).

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TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

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TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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### Council Directive concerning the approximation of the legislation of the Member States, in order to combat illegal migration and illegal employment

Preamble and recitals unchanged

Article 1

Article 1

Paragraph 1 unchanged

2. This Directive is intended to approximate the legislation of the Member States:

2. This Directive is intended to approximate the legislation of the Member States:

(a) unchanged

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<sup>(1)</sup> For complete text, see OJ No C 97, 22. 4. 1978, p. 9.

(b) to mitigate the hardships suffered by illegal migrants by reason of their situation, except in the case of illegal workers *whose bad faith has been recognized by the juridical authorities concerned*.

(b) to mitigate the hardships suffered by illegal migrants by reason of their situation, except in the case of illegal workers **whom the juridical authorities show to have persistently engaged in illegal employment**.

Articles 2 to 4 unchanged

Article 5

Member States shall take the necessary measures to ensure that in the case of deportation of an illegal migrant, repatriation costs are borne:

- (a) by the employer(s) concerned;
- (b) in the absence of an employer, or in the case of his (their) default, by any other persons *known to be* guilty of having organized, aided and abetted or participated in the act of illegal immigration or illegal employment.

Article 5

Member States shall take the necessary measures to ensure that, in the case of deportation of an illegal migrant **who has not been recognized as acting in bad faith by the judicial authorities concerned**, repatriation costs are borne:

- (a) by the employer(s) concerned **unless he (they) did not and could not reasonably have known that the employment was illegal**;
- (b) in the absence of an employer, or in the case of his (their) default, or if he (they) **did not and could not reasonably have known that the employment was illegal**, by any other person(s), **proven** guilty of having organized, aided and abetted or participated in the act of illegal migration or illegal employment;

**and, where an illegal migrant has two or more employers or employments, Member States shall be free to determine the extent of each employer's liability, if any.**

Article 6 unchanged

Article 7

2. Member States shall take measures to ensure that migrant workers who are subject to deportation shall receive treatment no less favourable than that accorded their own nationals as regards *credit or reimbursement of social security contributions paid by such persons and their employers*.

Article 7

2. Member States shall take measures to ensure that migrant workers who are subject to deportation shall receive treatment no less favourable than that accorded their own nationals as regards **benefits for which the contributions have been paid or are due, for as long as the illegal migrant remains in the territory of the Member States**.

Paragraph 3 unchanged

Articles 8 and 9 unchanged

*Article 10*

1. Member States shall institute the necessary provisions in laws, regulations and administrative acts to comply with this Directive within *24 months* of the date of its notification and shall inform the Commission thereof without delay.

*Article 10*

1. Member States shall institute the necessary provisions in laws, regulations and administrative acts to comply with this Directive within **12 months** of the date of its notification and shall inform the Commission thereof without delay.

Paragraph 2 unchanged

Articles 11 and 12 unchanged

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## RESOLUTION

### on the forthcoming 1978 Tripartite Conference

*The European Parliament,*

- having regard to the reports already submitted on behalf of the Committee on Social Affairs, Employment and Education on issues raised by the Tripartite Conference by Mr Glinne (Doc. 160/76) and Mr Santer (Docs 143/77/rev. and 345/77),
  - having regard to the interim report by Mr Albers (Doc. 179/78),
  - having regard to the report by the Committee on Social Affairs, Employment and Education (Doc. 326/78),
1. Notes with increasing concern that once again this year the Commission has not seen fit to notify it of its intentions concerning the forthcoming Tripartite Conference to be held in November 1978;
  2. Draws particular attention to the declaration by the Heads of State or Government of the European Community — made at the Paris Summit in October 1972 and stressed at all subsequent summits since that date — that social progress should not simply be an adjunct to economic growth but should at the same time be a guiding principle of our action;
  3. Is therefore surprised that, particularly in view of the imminent direct elections to the European Parliament, neither the Council nor the Commission seems prepared to allow Parliament to carry out its democratic responsibilities in connection with the Tripartite Conference;
  4. Fears that the mere repetition of banalities on this subject, particularly at the last Tripartite Conference, scarcely does justice to the human and political problems involved;
  5. Points out in this connection that the current analyses of the employment market show a disturbing tendency to treat workers as objects, and not to take their rights as individuals into sufficient account, as is borne out by the customary use by officialdom of such euphemisms as 'substitution' and 'the lower qualifications of unemployed persons registered at employment offices';
  6. Draws particular attention once again to the comments and requests put forward by it in 1976 and 1977 and notes that at the time of drawing up the 1978 report the concern expressed in these earlier reports has become even more well-founded, particularly as regards the problem groups, such as young people and women;
  7. Considers, in view of the fact that the Commission's definitive proposals for stimulating investment and planning measures to create new jobs are not available, that the debate will have to be intensified, and conclusions reached in respect of:
    - shorter weekly working hours,
    - restriction of overtime and shiftwork,
    - lowering of retirement age,
    - longer annual leave,
    - raising of the school leaving age and extended training,
    - 'family' leave or release from employment for further training,
    - extension of part-time work,
    - promotion of the tertiary sector;

8. Points out that ideas about social, psychological and financial security will have to be radically revised as working habits and systems change;

9. Asks to be provided with immediate information on the current contacts between the national employment departments and the Commission on the following topics:

(a) improvement of the employment market:

- experience with job creation schemes,
- experience with short-time work,
- experience with measures to promote vocational training, further training, conversion and induction courses,
- experience with financial aid to undertakings for the placing of trainees and difficult placements;

(b) measures to reduce the discrepancy between supply and demand on the employment market:

- success rate of employment agencies in filling vacant positions, adaptability of workers and undertakings in filling vacant positions;

(c) employment and advisory services:

- efficiency of systems and procedures,
- employment policy measures for 'problem' groups,
- mass redundancies,
- secondment (loan of staff) and action to combat unlicensed employment agencies,
- vocational rehabilitation of the handicapped,
- employment counselling and arranging places on training courses (in particular problems of transition from the educational system to employment),
- statistical survey methods,
- employment market observation and reports,
- employment and careers research,
- aid to the unemployed and the effects of unemployment (experience of the psychological and social effects of unemployment and measures to counteract such effects);

10. Is seriously concerned at the growing tendency to protectionism in certain sectors of the economy, also referred to in the Glinne report, and points out that the 'compartmentalization' of the markets only protects industries which are uneconomic in the long term and therefore cannot be the right way to safeguard employment; on the contrary, as a result of redistribution through the tax system, it not only works to the detriment of the whole population but also places the more productive industries in jeopardy;

11. Takes the view that the increased involvement of the social partners is of the utmost importance to the continued development of social and economic policy in the Community;

12. Calls on the Commission to draw up proposals for improving the structure of the consultative machinery between the Council, the Commission and the Standing Committee on Employment and the Economic and Social Committee;

13. Considers it desirable to extend the number of European joint committees of employers and workers to cover, at least, all the main sectors in the European Community;

14. Notes that there has still been too little reaction to the proposal made by the trade union movement at the very first Tripartite Conference, for the establishment of sectoral joint committees;

15. Takes the view that, in the negotiations on the restructuring of industrial sectors, the Commission should make the establishment of joint committees a condition for the granting of financial support;
16. Instructs its Committee on Social Affairs, Employment and Education and its Committee on Economic and Monetary Affairs to report on the results of the Tripartite Conference;
17. Instructs its President to forward this resolution to the Council and Commission, to the social partners and to the Governments of the Member States.

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### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision adopting joint research programmes and programmes for coordinating agricultural research

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 247/78),
- having regard to the report of the Committee on Agriculture and the opinions of the Committee on Budgets and the Committee on the Environment, Public Health and Consumer Protection (Doc. 318/78),
- having regard to the report to the Council and the Parliament on the common research programmes and coordinated research programmes for 1975 to 1979 (COM(78) 53 fin.),
- having regard to its report on the Commission's price proposals for the 1978/79 marketing year (Doc. 579/77),
- whereas disparities in agricultural incomes between the more-favoured and less-favoured regions are increasing,
- whereas regional development programmes are required to assist the less-favoured regions,
- whereas serious market imbalances exist in a number of agricultural sectors,
- whereas it is essential to ensure a better market balance and reduce imports by measures to encourage production of crops for which the Community is in deficit,
- whereas the present market organization has failed to provide adequate incomes for certain sectors, in particular the beef sector, and additional measures are required,
- whereas enlargement of the Community will accentuate the problems presently facing the common agricultural policies,
- whereas the Community should ensure the most economic use of pesticides, fertilizers and foodstuffs, and should prevent unnecessary harmful consequences to the environment,
- whereas the quality and variety of food products should be improved so as to encourage consumption,

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<sup>(1)</sup> OJ No C 176, 25. 7. 1978, p. 2.

1. Believes that the increasing disparity in agricultural incomes in the Community requires effective measures to improve the use of land and water resources in the less-favoured regions of the Community, and to encourage the production of new crops and improved varieties;
2. Considers that price policy alone is not sufficient to improve agricultural incomes and to achieve a better market balance, so that the production of crops for which the Community is in deficit should be encouraged, the productivity of stock-breeding increased and obstacles to trade caused by animal diseases eliminated;
3. Considers that the Community's research programmes can make a substantial contribution towards these aims, while avoiding costly and unnecessary duplication of effort;
4. Welcomes, in consequence, the Commission's proposal;
5. Considers that the objective of Community agricultural research should not be to increase scientific knowledge for its own sake, nor to develop highly sophisticated methods applicable only by the larger 'industrial' farms, and which, at the same time, may be dangerous to the land and even to the consumer; considers rather that the objective should be directed to improving the standard of living of the farming community as a whole, notwithstanding differences in regions and production, particularly in the less-favoured and peripheral regions;
6. Considers, furthermore, that these improvements in farming methods should be directed to: increasing quality as well as quantity; reducing the need for high input levels of energy, fertilizers, feed and pesticides, and the resulting high levels of investment; and to developing production methods particularly suited to local conditions;
7. Believes, at the same time, that agricultural research programmes should inform the producer of the possible dangers of new techniques to the land and the genetic potential of livestock and plants, as well as the advantages;
8. Regrets that the Council reduced the appropriations proposed by the Commission for the existing programmes;
9. Requests that the Commission report to the European Parliament on an annual basis and open a dialogue with the European Parliament at the moment of examining possible measures to be included in future programmes;
10. Requests that the Commission include, in future programmes, research on such problems as investment requirements and the identification and prevention of fish diseases, which are hindering the development of fish farming in the Community;
11. Considers it essential that the results of agricultural research programmes should be effectively applied, and that to this end the Commission:
  - (a) should ensure the proper publication and dissemination of results so as to ensure them a wider audience and greater relevance, and
  - (b) should strengthen contacts and improve the exchange of information with national agricultural advisory services;
12. Urges that the Commission ensure a proper coordination between its departments concerned with research on agriculture, the environment and public health;
13. Points out that, in order to ensure a proper scientific and financial control of research programmes to be carried out in Member States, the creation of the additional posts envisaged in Annex III will be essential; emphasizes that, in the absence of a positive decision by the Council, it will be necessary to revise and reduce

the programmes presently proposed; insists, in the event of such a revision, that the European Parliament be consulted by the Council on the drawing-up of new priorities;

14. Requests the Commission to incorporate the following amendments in its proposal pursuant to the second paragraph of Article 149 of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (1)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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**Council Decision adopting joint research programmes and programmes for coordinating  
agricultural research**

Preamble, recitals and Articles 1, 2 and 3 unchanged

*Article 4*

*On 1 July 1981 and, after conclusion of the programme, not later than 31 July 1984* the Commission shall report to the European Parliament and the Council on the results of the activities carried out under the programmes covered by this Decision and on the use of the funds allocated for these measures.

*Article 4*

The Commission shall report annually to the European Parliament and the Council on the results of the activities carried out under the programmes covered by this Decision, on the use of the funds allocated for these measures and, not later than 1 January 1983, on the programmes envisaged for the period 1984 to 1989.

Annexes unchanged

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(1) For complete text, see OJ No C 176, 25. 7. 1978, p. 2.

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**RESOLUTION**

**on the massacre of seals**

*The European Parliament,*

1. Urges the Commission to make representations to the British Government to make public the scientific evidence on which they base their decision to allow the culling of seals in the Orkney Islands by commercial hunters from Norway, and allow time for it to be tested by representatives of conservation organizations, before and not after allowing the massacre of seals and seal pups to proceed and urges Governments of Member States to enter into discussions about the decrease in the grey seal population in their own waters;
2. Instructs its President to forward this resolution to the Commission and the Council.

## RESOLUTION

### on the outcome of the Camp David Summit

*The European Parliament,*

- in the desire to see a just and lasting peace in the Middle East,
- aware of the responsibilities of the countries of Europe in this matter and, in particular, of the Member States of the European Community,
- referring to its resolution of 15 December 1977 on the historic meeting between Mr Anwar el-Sadat, *President of the Arab Republic of Egypt*, and Mr Menahem Begin, *Head of the Government of the State of Israel*.

1. Welcomes the successful outcome of the Camp David Summit;
2. Promises its full support for the negotiations to follow, so that they may lead to a just and lasting peace in the whole region;
3. Calls urgently on the other parties involved in the conflict to join in the negotiations;
4. Invites the Council and Commission to draw up, in consultation with the Arab Republic of Egypt and the State of Israel, practical proposals for multilateral cooperation aimed at speeding up the economic, technical and social development of the region;
5. Calls upon the Foreign Ministers meeting in political cooperation to adopt a constructive attitude to the process of achieving peace and to all measures aimed at helping that process, not only within the Community, but also in the international organizations to which they belong;
6. Instructs its Political Affairs Committee to follow developments in the Middle East and to report to it when it judges necessary;
7. Instructs its President to forward this resolution to the Council and Commission and to the Foreign Ministers meeting in political cooperation.

**RESOLUTION**  
**on the situation in Lebanon**

*The European Parliament,*

- deeply disturbed by current events in Lebanon where repeated acts of brutality are threatening the life of the country and the very survival of vital sectors of the Lebanese community,
1. Appeals urgently to the Commission, the Council and the Foreign Ministers meeting in political cooperation, earnestly requesting them to:
    - take all possible measures as a matter of extreme urgency to help to maintain the cease-fire and further a return to peace based on respect for the country's unity and the preservation and security of all the communities living in Lebanon,
    - grant immediate humanitarian aid to Lebanon, together with the economic and technical resources essential for it to rebuild democratically a sovereign State within its own frontiers;
  2. Instructs its Political Affairs Committee to follow developments in Lebanon closely and to report to it regularly;
  3. Instructs its President to forward this resolution to the Council, the Commission and the Foreign Ministers meeting in political cooperation.

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**RESOLUTION**  
**on the situation in Nicaragua**

*The European Parliament,*

- denouncing unequivocally the long continuing oppression of the Nicaraguan people by the Dictator Somoza, which recently manifested itself particularly horribly in a massacre of citizens struggling for their legal rights,
  - learning that thousands of refugees, mainly women and children, are arriving daily in Costa Rica,
  - reaffirming the conclusions of the third European Community-Latin America Inter-Parliamentary Conference in Mexico in July 1977 on the question of human rights,
1. Calls on the Commission and the Governments of the Member States:
    - to give immediately all possible aid to the refugees — in the form of food aid, medicines etc.,
    - to give all possible assistance to the Government of Costa Rica to enable it to cope with the thousands of Nicaraguan refugees;
  2. Supports the democratic Latin-American Governments in their joint efforts to put an end to a repression which is taking on the appearance of genocide;
  3. Calls for the release of all political prisoners;
  4. Appeals to the Government and the Congress of the United States of America to exert all its influence to put an end to the oppression in Nicaragua and generally in favour of the respect of human rights throughout Latin America;

5. Requests the Foreign Ministers meeting in political cooperation to make jointly the diplomatic approaches necessary, both to the Government of Nicaragua and to the UN, to facilitate intervention by the Red Cross and all other humanitarian measures and to support mediation by certain countries of the OAS in order to establish a dialogue with the democratic opposition and a return to respect for human rights and fundamental freedoms;

6. Instructs its President to forward this resolution to the Commission, the Council and the Foreign Ministers meeting in political cooperation.

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**RESOLUTION**  
**on the introduction of summer time**

*The European Parliament,*

1. Calls on the Council and Commission to adopt without delay a Decision to ensure that a common summer time is introduced in 1979;
2. Instructs its President to forward this resolution to the Council and Commission.

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**RESOLUTION**  
**on adapting the objectives of the Community's energy policy to the latest developments**

*The European Parliament,*

- having regard to the Community's increasingly precarious energy supply situation,
- in view of the Commission's insufficient forecasts in its document 'Objectives for 1985',
- anxious to pursue as realistic a Community energy policy as possible,
- aware of the decisions of the European Council of 6 July 1978,

1. Requests the Commission, without prejudice to the establishment of new objectives for 1990 in addition to those already drawn up for 1985, to draw up as soon as possible a complete medium-term differentiated energy model for the European Community that also takes social and economic conditions into account;
2. Requests the Council to devote special attention to the preparation of this energy policy study in a practical way reflecting its outstanding importance for the Community's economic development over the next 20 years, and at the same time urges the Commission to submit appropriate proposals to the Council to assist in drawing up this document;
3. Calls on the Council to follow up as soon as possible the European Council's Directives on energy policy of 6 July 1978 which to some extent only repeat the decisions of the summits of 14 and 15 December 1973 and 9 and 10 December 1974, and to take these into account in its practical decisions on the common energy policy, departing in the process from the principle of unanimity;
4. Instructs its President to forward this resolution to the Council and Commission.

## RESOLUTION

### on the need for urgent Council Decisions on outstanding Commission proposals

*The European Parliament,*

- recalling its numerous previous resolutions calling for the full implementation of a Community energy policy,
  - considering that future economic stability can only be based on the Community being assured of adequate supplies of energy at reasonable prices,
  - concerned that the Community remains at present heavily dependent on external energy supplies,
  - recognizing the efforts which the Commission has made to produce a series of proposals to face up to the Community's energy vulnerability,
  - aware that the Council has made only limited progress towards the adoption of an overall energy policy,
  - disappointed, in particular, at the results of the meeting of the Council of Energy Ministers on 30 May 1978,
  - encouraged, nevertheless, by the emphasis given by the European Council meeting in Bremen to the need to intensify efforts at all levels to resolve long-term energy problems,
1. Calls on the Council of Energy Ministers, at its forthcoming meeting, to accelerate its progress towards adopting an overall Community energy policy;
  2. Expects, in particular, that the Council will be able to adopt the Commission's outstanding proposals on support for the Community's coal industry and for joint hydrocarbon exploration projects as well as to agree on a Community approach to the refining sector;
  3. Stresses the need for the Council to deal with these matters in a Community spirit in order to overcome the real problem arising from differences in individual Member States' energy supply patterns;
  4. Reiterates its view that a Community approach is needed to the problems of nuclear technology, especially regarding reprocessing, radioactive waste, and the development of fast breeder reactors;
  5. Instructs its President to forward this resolution to the Council and Commission.

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## RESOLUTION

### on the draft Commission Decision establishing Community rules for aids and interventions by Member States in favour of the iron and steel industry

*The European Parliament,*

- having regard to the draft Commission Decision (COM(78) 175 fin.),
  - having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 335/78),
1. Emphasizes that the restructuring of the Community iron and steel industry is the key factor in the Commission's anti-crisis policy; calls on the Commission to apply the rules governing aids in such a way as to assist the restructuring of the Community iron and steel industry;
  2. Points out that the lack of a Community framework for national aids and interventions could seriously jeopardize this restructuring policy;
  3. Approves, therefore, the principle of a framework procedure for aids and interventions by Member States in favour of the iron and steel industry, based on Article 95 of the ECSC Treaty and similar to the procedure provided for in Article 93 of the EEC Treaty;

4. Considers that the criteria set out in the draft Decision for determining the compatibility of the aids reflect the need for effective restructuring without disregarding regional and social requirements;
5. Calls on the Commission to ensure that the application of the framework procedure for aids to restructuring does not result in any discrimination between undertakings, whatever their legal form of ownership;
6. Requests, however, the Commission, which in accordance with this procedure rightly has special responsibility for coordinating national restructuring plans, to interpret strictly the Community rules laid down in the present draft Decision;
7. Emphasizes that a return to increased competitiveness in the iron and steel industry implies that the aid to restructuring will be degressive and temporary;
8. Requests the Commission also to keep under close review the actual implementation of the restructuring plans and the utilization of the aids granted for this purpose;
9. Emphasizes that the framework procedure for these aids should contribute effectively towards structural improvements in the iron and steel sector without jeopardizing the restoration of free competition; in this connection, urgently requests the Commission to forward to it the reports on the operation of the present Decision referred to in Article 8;
10. Approves the draft Commission Decision, subject to these reservations, and requests the Commission to incorporate the following amendments in its text pursuant to the second paragraph of Article 149 of the EEC Treaty;
11. Asks the Commission to submit to it at the November part-session a report on its action in this field and a programme for 1979 and subsequent years;
12. Instructs its President to forward this resolution to the Council and Commission.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Commission Decision establishing Community rules for aids and interventions by  
Member States in favour of the iron and steel industry**

Preamble and Articles 1 to 7 unchanged

*Article 8*

The Commission shall prepare regular reports on the operation of this Decision for discussion with experts from the Member States. It may also seek the views of these experts in the case of the more important aid and intervention plans notified to it before taking a position on these plans.

*Article 8*

The Commission shall prepare regular reports on the operation of this Decision for discussion with experts from the Member States **and for the information of the European Parliament.** In may also seek the views of these experts in the case of the more important aid and intervention plans notified to it before taking a position on these plans.

Articles 9 and 10 unchanged

<sup>(1)</sup> For complete text, see COM(78) 175 fin.

## RESOLUTION

### on the seventh report of the Commission of the European Communities on competition policy

#### *The European Parliament,*

- having regard to the seventh report of the Commission of the European Communities on competition policy (Doc. 101/78),
  - having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 334/78),
1. Reaffirms that competition policy plays a fundamental part in the proper functioning of the market;
  2. Notes that in the present economic context, whose features include a low rate of growth, changing world economic trends and a need for structural change, the application of the rules of competition is difficult and all the more essential if a resurgence of protectionism is to be avoided;
  3. Emphasizes therefore, mainly with the Commission in mind, seeing that the latter holds extensive powers in this area, the need to pursue as effective, comprehensive and well-adjusted a policy of competition as possible;
  4. Considers that, to be comprehensive, competition policy should not be confined solely to the application — to which the Commission rightly devotes its efforts — of the rules of competition laid down in the Treaties, but should also comprise greater equalization of the conditions of competition as a whole;
  5. Looks forward, in view of the present lack of legal certainty in the matter, to the submission by the Commission, in the first half of 1979 at the latest, of its proposal for a Regulation exempting certain categories of patent licences which, as the European Parliament has been assured, will not contain restrictive provisions likely to obstruct the transfer of technology within the Community, while affording every protection to small and medium-sized undertakings;
  6. Asks the Commission that, in the forthcoming revised Regulation No 67/67/EEC of 22 March 1967 on the application of Article 85 (3) of the EEC Treaty to certain categories of exclusive distribution agreements, it should bear in mind the wishes expressed by the European Parliament concerning the exclusion from block exemption solely of manufacturers who are actually in competition and concerning the territorial definition of the market;
  7. Invites the Commission resolutely to pursue its work on the preparation of trademark legislation applicable throughout the Community;
  8. Regrets that the Commission has still not submitted proposals for a new procedure which would promote the elimination of technical and administrative barriers to trade — a fundamental necessity if fair competition and equal chances for small and medium-sized undertakings are to be ensured;
  9. Notes that insufficient tax harmonization encourages tax evasion and seriously impairs the equality of competition conditions; and therefore expects the Commission, and even more so the Council, to take resolute action in this area, particularly in the matter of transfer prices;
  10. Asks the Commission to endeavour to draw practical conclusions from its annual analysis of developments in national competition policies by taking the necessary action to ensure that inconsistencies or loopholes in the control exercised in the individual Member States do not adversely affect trade and to implement the case law already established by the Court of Justice;
  11. Expects the Commission to ensure the strict application of the rules of competition to the air and sea transport sector, and to coordinate its policies with regard to third countries;
  12. Also expects the Commission to continue its work to ensure the application of competition rules in the finance sector, and requests that a progress report on this subject be included in the next report on competition policy;

13. Emphasizes that greater coordination at Community level of sectoral and regional aids to employment is needed and stresses the Commission's responsibility for ensuring that these aids are compatible and consistent with the objective of restructuring our economy and the need to maintain its competitiveness; calls upon the Commission to take special care to ensure that these aids are degressive and temporary;
14. Is of the opinion that, at this period of structural change, insufficient regulation of aids and inadequate prior and retrospective control of their actual destination may lead to serious distortions of competition; invites the Commission to make the necessary modifications in its services responsible for these affairs so they may cope with the growing number of cases with which they have to deal, considering them in the light of the general economic objectives of the Community;
15. Expects the Commission to submit shortly the proposal for a Directive, now in preparation, to introduce greater transparency in the financial relations between the States and the undertakings to which Article 90 of the EEC Treaty refers; is of the opinion that, while they should be enabled to fulfil their particular tasks efficiently, private and public undertakings should be placed on a footing of complete parity as regards conditions of competition, the efficiency of public undertakings being meanwhile ensured;
16. Regrets once again that, despite the urgent requests made by the European Parliament, the Council has still not adopted the Regulation on the prior control of concentrations;
17. Recalls that multinational companies must pursue their activities within the framework of appropriate rules which strike a balance between the obligations that have to be imposed upon them and the need to avoid discrimination against them; expects the Commission to provide in the next report a more detailed account of its work in this area;
18. Notes the measures taken by the Commission and the work which it has been doing for one year now to take account of the special nature of small and medium-sized undertakings, whether in respect of agreements of minor importance, exclusive dealing agreements, patent licensing agreements or subcontracting agreements; reaffirms the need to promote the activities of small and medium-sized undertakings which make an essential contribution to the dynamism of the economy, to innovation and to the safeguarding of democracy; and invites the Commission to continue unceasingly its efforts;
19. Has noted with interest the findings and the Commission's conclusions in its investigations on price differences; calls on the Commission not to confine its activities to the publication of these investigations but to take the necessary steps to combat the causes of excessive and artificial price disparities, for competition policy is of value only if it contributes effectively to protecting the consumers' purchasing power;
20. Calls on both the Commission and the Council to override administrative compartmentalization or habitual procedures in order to give greater consistency to the various activities which should, directly or indirectly, contribute to the effective implementation of competition policy and to its credibility;
21. Warns the Commission that if the creation of 'crisis cartels' is countenanced, this may jeopardize the ultimate restoration of free competition;
22. Instructs its President to forward this resolution to the Council and Commission and to the Parliaments of the Member States.

**RESOLUTION**  
**on air traffic control**

*The European Parliament,*

- having regard to the serious disruption of communications caused by the recent go-slow by French air traffic controllers,
- having regard to the fact that this brought hardship to thousands of passengers and — what is even more serious — endangered human life by increasing the risk of collisions between aircraft, as evidenced by the near airmiss in the Lyons airspace,
- referring to its resolution of 10 May 1978 <sup>(1)</sup> calling for improved air traffic control,

Calls upon the Commission and the Council to take as soon as possible, in accordance with Articles 84 and 100 of the EEC Treaty, appropriate measures and action to improve ground and on-board equipment and to resolve the problems of the organizations responsible for control.

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<sup>(1)</sup> OJ No C 131, 5. 6. 1978, p. 31.

**RESOLUTION**

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision concerning the memorandum of understanding of 2 March 1978 between certain maritime authorities on the maintenance of standards on merchant ships

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 84 (2) of the EEC Treaty (Doc. 252/78),
- having regard to the report from the Committee on Regional Policy, Regional Planning and Transport and the opinion from the Committee on the Environment, Public Health and Consumer Protection (Doc. 348/78),
- gravely concerned by accidents and collisions at sea,
- noting that the proposed Decision forms part of a series of Commission proposals which have been or are to be made with the intention of preventing accidents to shipping and consequential pollution,

1. Approves the proposed Decision as being one of the measures necessary to improve safety at sea;
2. Asks the competent authorities of the parties to the memorandum of understanding of 2 March 1978 to submit a report to the Commission as soon as possible on the degree of success achieved by them in observing the standards laid down in that understanding during the first year of its operation.

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<sup>(1)</sup> OJ No C 176, 25. 7. 1978, p. 8.

## RESOLUTION

on the sixth, seventh, eighth and ninth reports of the Steel Industry Safety and Health Commission and the 12th, 13th and 14th reports of the Mines Safety and Health Commission

*The European Parliament,*

- having regard to the sixth, seventh, eighth and ninth reports of the Steel Industry Safety and Health Commission and the 12th, 13th and 14th reports of the Mines Safety and Health Commission,
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 327/78),
1. Confirms that for the period under review both the Steel Industry Safety and Health Commission and the Mines Safety and Health Commission have managed well, but that because of the staffing, administrative and partly financial difficulties that have arisen they have been unable to cover the whole field of safety and health at work;
  2. Is concerned about the shortage of staff in both organizations considering that the working population is the mainspring of development in the Community and that it should be safeguarded for humanitarian and economic reasons by every possible means;
  3. Deplores the fact that the Mines Safety and Health Commission because of shortage of staff has not been able to extend the correlation of the statistics of the Community of the Six and the United Kingdom to all mineral extracting industries;
  4. Notes that the Steel Safety and Health Commission due to serious administrative difficulties was unable to hold any meetings of the Commission or its working parties in 1976;
  5. Deplores that for financial reasons it has been impossible for the Steel Industry Safety and Health Commission to organize a planned colloquy in 1978 and that its realization in 1979 depends on whether the Council finally will provide the necessary funds in the next year's budget;
  6. Emphasizes the importance of completing the special study into serious accidents started in 1976 by the Steel Industry Safety and Health Commission and scheduled to enter an important and expensive phase in 1979;
  7. Notes that the Mines Safety and Health Commission, whose responsibility was extended in 1974 to all mineral extracting industries, because of staffing reasons has made little progress in implementing this new area;
  8. Invites the Mines Safety and Health Commission to devote in the near future more time and attention to health questions, especially to the major problem of dust faced by miners;
  9. Calls upon the Steel Industry Safety and Health Commission to report in its next annual report on the different studies carried out or being carried out, i.e. the study on the significance of accident statistics, their comparability and their trends and the special study on major accidents initiated in 1976;
  10. Calls upon the Commission and the Council of the European Communities to provide the necessary staff and funds to both Safety and Health Commissions to enable them to operate properly and efficiently;
  11. Points out that until the question of the staffing of these two Commissions is settled, proposing new areas of study or new fields of action is not considered useful;
  12. Requests its President to forward this resolution and the report of its committee to the Council and Commission.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 3164/76 on the Community quota for the carriage of goods by road between Member States

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 75 of the EEC Treaty (Doc. 260/78),
  - having regard to the report of the Committee on Regional Policy, Regional Planning and Transport (Doc. 321/78),
1. Expresses its dissatisfaction at the fact that for the third consecutive time <sup>(2)</sup> the Council has taken no account whatsoever of the Commission's proposals <sup>(3)</sup> and Parliament's opinions <sup>(4)</sup> concerning an increase in the Community quota for the carriage of goods between Member States;
  2. Considers the Council's attitude to be totally unacceptable;
  3. Recalls that since 1964 it has repeatedly emphasized the significance of the Community authorization system as an instrument for the effective monitoring and control of capacity in the transfrontier carriage of goods by road, a more rational use of the various modes of transport and fair competition between the Community's transport undertakings;
  4. Deplores the fact that this time the Commission has not proposed that the Community quota should be doubled for the following year — as it did in 1975 and 1977 — but that on the contrary it has felt obliged to limit the 1979 increase to 20 %;
  5. Is of the opinion that this increase is insufficient and by no means meets the demand for transport which has increased with the growth in intra-Community trade;
  6. Notes further that transport undertakings in the Member States have made widespread use of Community transport authorizations in recent years;
  7. Considers it essential, therefore, that the Community quota for 1979 should be doubled;

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<sup>(1)</sup> OJ No C 186, 4. 8. 1978, p. 6.

<sup>(2)</sup> OJ No L 329, 23. 12. 1975, p. 9; OJ No L 357, 29. 12. 1976, p. 1; OJ No L 358, 31. 12. 1977, p. 4.

<sup>(3)</sup> OJ No C 1, 5. 1. 1976, p. 28; OJ No C 220, 15. 9. 1977, p. 3.

<sup>(4)</sup> OJ No C 280, 8. 12. 1975, p. 47; OJ No C 299, 12. 12. 1977, p. 57.

8. Emphasizes also the need in future to prevent the Community quota from being extended unchanged for one or more years as a result of the Council's failure to reach agreement, and proposes, therefore, that where the Council has not taken a decision before the end of the November of the preceding year, the number of authorizations should be automatically increased by 25 %;

9. Requests the Commission to incorporate the following amendments in its proposal pursuant to the second paragraph of Article 149 of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (\*)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Regulation amending Regulation (EEC) No 3164/76 on the Community quota  
for the carriage of goods by road between Member States**

Preamble and recitals unchanged

*Article 1*

Regulation (EEC) No 3164/76 is amended as follows: in Article 3, paragraphs 1 and 2 shall be replaced by the following:

1. The Community quota shall comprise 3 402 authorizations.

2. The number of Community authorizations allocated to each Member State shall be as follows:

Belgium	378
Denmark	251
Federal Republic of Germany	621
France	573
Ireland	69
Italy	480
Luxembourg	98
Netherlands	549
United Kingdom	383

3. The Council, acting on a proposal from the Commission, shall decide, by 30 November of each year, on any increase in the Community quota and on the allocation to the Member States of the extra authorizations resulting therefrom.

4. Paragraphs 1 and 2 shall remain applicable until the Council has taken a decision on a proposal for a Regulation reviewing the amount and/or the allocation of the quota.

*Article 1*

Regulation (EEC) No 3164/76 is amended as follows: in Article 3, paragraphs 1, 2 and 4 shall be replaced by the following:

1. The Community quota shall comprise 5 670 authorizations.

2. The number of Community authorizations allocated to each Member State shall be as follows:

Belgium	617
Denmark	441
Federal Republic of Germany	1 057
France	903
Ireland	106
Italy	871
Luxembourg	152
Netherlands	912
United Kingdom	611

3. unchanged

4. If, by the date fixed in paragraph 3 above, the Council has reached no decision in respect of any later year, the current quota and numbers of authorizations shall be increased by 25 %.

Article 2 unchanged

(\*) For complete text, see OJ No C 186, 4. 8. 1978, p. 6.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending:

- Regulation (EEC) No 1191/69 on action by Member States concerning the obligations inherent in the concept of a public service in transport by rail, road and inland waterway, and
- Regulation (EEC) No 1107/70 on the granting of aids for transport by rail, road and inland waterway

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 75 of the EEC Treaty (Doc. 165/78),
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport (Doc. 322/78),

Approves the Commission's proposal.

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<sup>(1)</sup> OJ No C 139, 14. 6. 1978, p. 3.

## RESOLUTION

on the sentencing of Tunisian trade unionists

*The European Parliament,*

- concerned at the heavy sentences passed on the Tunisian trade unionists, and in particular those imposed on Mr Habib Achour, General Secretary of the UGTT and Vice-President of the ICFTU, and on Mr Aderrazak Ghorbal,
- reaffirming that, under a democratic regime, social conflicts cannot be resolved by the use of arms and the imprisonment of trade unionists,

1. Asks that, as a gesture of clemency, an amnesty be declared and all political prisoners released;
2. Recalls the need to preserve the basic freedoms and in particular trade union freedom, freedom of association and freedom of the press, to which all Tunisian citizens should have the right;
3. Requests the Foreign Ministers meeting in political cooperation to make jointly the diplomatic approaches necessary to secure the immediate release from jail of the trade unionists;
4. Instructs its President to forward this resolution to the Commission, the Council and the Foreign Ministers meeting in political cooperation.

## RESOLUTION

### on the amendment of the Rules of Procedure of the European Parliament

*The European Parliament,*

- having regard to Rule 54 of its Rules of Procedure,
- having regard to the report of the Committee on the Rules of Procedure and Petitions (Doc. 538/77),

1. Decides to amend its Rules of Procedure as follows;
2. Instructs its President to have this resolution published in the *Official Journal of the European Communities* and to forward it for information to the Council and Commission and to the Foreign Ministers meeting in political cooperation and instructs its Secretary-General to have published a new edition of the Rules of Procedure thus amended, making sure there is perfect concordance between the texts in the six official languages;
3. Decides that the Rules of Procedure thus amended shall enter into force at the beginning of the next part-session.

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#### EXISTING TEXT OF THE RULES

##### *Rule 7*

1. The President and Vice-Presidents shall be elected by secret ballot; *Parliament may, however, decide to depart from this rule for any election if the number of nominations does not exceed the number of seats to be filled.*

Four tellers chosen by lot shall count the votes cast in a secret ballot; candidates shall not act as tellers.

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#### NEW TEXT

##### *Rule 7*

1. The President and Vice-Presidents shall be elected by secret ballot **on the nomination of a political group or at least 10 Members**; however, **when the number of nominations does not exceed the number of seats to be filled, the candidates may be elected by acclamation.**

u n c h a n g e d

2. The President shall be elected first. Nominations shall be handed before each ballot to the oldest Member, who shall announce them to Parliament. If after three ballots no candidate has obtained an absolute majority of the votes cast, the fourth ballot shall be confined to the two Members who have obtained the highest number of votes in the third ballot. In the event of a tie the elder candidate shall be declared elected.

3. As soon as the President has been elected, the oldest Member shall vacate the chair.

4. The Vice-Presidents shall then be elected on a single ballot paper. Those who on the first ballot obtain an absolute majority of the votes cast shall be declared elected. Should the number of candidates elected be less than the number of seats to be filled, a second ballot shall be held under the same conditions *among candidates not yet elected*. Should a third ballot be necessary, a relative majority shall suffice for election to the remaining seats, and in the event of a tie the oldest candidates shall be declared elected.

5. The Vice-Presidents shall take precedence in the order in which they were elected, and, in the event of a tie, by age.

Where they are not elected by secret ballot, the order in which their names are read out to the House by the President of the sitting shall determine the order of precedence.

6. Should it be necessary for the President or a Vice-President to be replaced, his successor shall be elected in accordance with the above provisions.

A newly elected Vice-President shall take the place of his predecessor in the order of precedence.

7. Should the seat become vacant during an adjournment of the session, the political group to which the Member whose seat has become vacant belonged shall nominate a candidate for temporary membership of the Bureau pending the election referred to in paragraph 6.

The nomination shall be placed before the enlarged Bureau for ratification.

A temporary member of the Bureau shall enjoy the same rights as a Vice-President.

Should the President's seat become vacant, the first Vice-President shall act as President.

2. unchanged

3. unchanged

4. The Vice-Presidents shall then be elected on a single ballot paper. Those who on the first ballot, **up to the number of 12**, obtain an absolute majority of the votes cast shall be declared elected **in the numerical order of their votes**. Should the number of candidates elected be less than the number of seats to be filled, a second ballot shall be held under the same conditions **to fill the remaining seats**. Should a third ballot be necessary, a relative majority shall suffice for election to the remaining seats. In the event of a tie the oldest candidates shall be declared elected.

5. **Subject to the provisions of paragraph 6, second subparagraph below**, the Vice-Presidents shall take precedence in the order in which they were elected and, in the event of a tie, by age.

unchanged

6. unchanged

7. unchanged

*Rule 12*

1. On receipt of a preliminary draft agenda prepared by the President after consulting the political groups, the enlarged Bureau shall draw up the draft agenda.

The Commission and the Council may attend the enlarged Bureau's deliberations on the draft agenda at the invitation of the President.

2. Parliament shall decide on the draft agenda submitted to it by the enlarged Bureau.

Once adopted, the agenda shall not be amended, except in application of Rules 14 and 32 or on a proposal from the President.

If a procedural motion to amend the agenda is rejected, it shall not be tabled again during the same part-session.

3. Before suspending the sitting the President shall announce the date, time and agenda of the next sitting.

*Rule 14*

1. A request that a debate be treated as urgent may be made to Parliament by the President, by at least 10 Members, or by the Commission or Council.

As soon as the President receives a request for urgent debate, he shall inform Parliament of the fact; the vote on that request shall be taken at the beginning of the next sitting.

2. Where a request for urgent debate relates to the placing of a report on the agenda, only the person making the request or one speaker in favour, one

*Rule 12*

1. On receipt of a preliminary draft agenda prepared by the President after consulting the political groups, the enlarged Bureau shall draw up the draft agenda.

**The draft agenda shall specify voting times for all motions for a resolution down for consideration.**

The Commission and the Council may attend the enlarged Bureau's deliberations on the draft agenda at the invitation of the President.

2. **At the beginning of each part-session, Parliament shall decide on the draft agenda submitted to it by the enlarged Bureau without alteration other than such alterations as may be proposed by the President or proposed to him in writing by a political group, or by at least 10 Members. Any such proposals must be received by the President at least one hour before the opening of the part-session. On such a proposal only the mover, one speaker in favour and one speaker against may be heard.**

u n c h a n g e d

u n c h a n g e d

3. u n c h a n g e d

*Rule 14*

1. A request that a debate be treated as urgent may be made to Parliament by the President, by at least 10 Members, or by the Commission or Council. **This request shall be in writing and supported by reasons.**

u n c h a n g e d

2. Where a request for urgent debate relates to the placing of a report on the agenda, only the person making the request, one speaker in favour, one

speaker against, and the chairman or rapporteur of the committee responsible may be heard, in each case for a maximum of *five* minutes.

speaker against, and the chairman or rapporteur of the committee responsible may be heard, in each case for a maximum of **three** minutes.

In all other cases the spokesmen of the political groups may also be heard, at their request and for a maximum of three minutes each, unless they have already spoken on that request for urgent debate.

u n c h a n g e d

3. Questions to be dealt with by urgent procedure shall be given priority over other items on the agenda, and accorded a place for urgent debate at the discretion of *Parliament*.

3. Questions to be dealt with by urgent procedure shall be given priority over other items on the agenda, and accorded a place for urgent debate at the discretion of **the President**. **The vote on a motion for a resolution tabled under urgent procedure shall be taken at voting time following the debate.**

4. An urgent debate may be held without a report or on the basis of an oral report by the appropriate committee.

4. u n c h a n g e d

*Rule 23*

*Rule 23*

1. *The following documents shall be printed and distributed:*

**Implementing procedures for examination of the general budget of the European Communities and supplementary budgets, in accordance with the Budgetary Provisions of the Treaties setting up the European Communities and the Treaty of 22 July 1975, shall be adopted by resolution of Parliament and annexed to these Rules.**

— *the draft budget of the European Communities;*

— *the documents drawn up by the Commission pursuant to Articles 49 and 50 of the ECSC Treaty, and in particular the report of the Commission to the Council on the basis of which the latter adapts the portion of expenditure covered by the ECSC levies to the budget of the Communities;*

— *any request for advice made by the Council before the draft budget is finally adopted;*

— *the report of the Audit Board of the Communities;*

— *the report of the ECSC auditor.*

## Rule 23A

## Rule 23A

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| <p>1. <i>Subject to the conditions set out below, any Member may table and speak in support of proposed modifications to the draft budget of the Communities.</i></p> <p>2. <i>Such proposals shall be admissible only if they are presented in writing, bear the signatures of at least five Members and specify the budget heading to which they refer.</i></p> <p>3. <i>The President shall fix a time limit for the tabling of proposed modifications.</i></p> <p>4. <i>The appropriate committee shall deliver its opinion on the proposed modifications before they are discussed in plenary sitting.</i></p> <p>5. <i>Proposed modifications to the section of the draft budget relating to Parliament which are similar to those already rejected by Parliament at the time the estimates were drawn up shall be discussed only where the appropriate committee has delivered a favourable opinion.</i></p> <p>6. <i>Notwithstanding Rule 26 (1), Parliament shall take separate and successive votes on:</i></p> <ul style="list-style-type: none"> <li><i>— each proposed modification;</i></li> <li><i>— each section of the draft budget;</i></li> <li><i>— the draft budget as a whole;</i></li> <li><i>— any motion for a resolution concerning the draft budget.</i></li> </ul> <p>7. <i>If Parliament adopts the draft budget as submitted to it by the Council, the President shall declare it to have been finally adopted.</i></p> <p>8. <i>The President shall forward to the Council and Commission the minutes of proceedings of the sitting at which Parliament reached a decision on the draft budget.</i></p> <p>9. <i>Where Parliament has adopted modifications, the draft budget, modified accordingly, shall be annexed to the minutes of proceedings and printed. The President shall forward it to the Council and notify the Commission.</i></p> <p>10. <i>The procedure laid down in Rule 23 and 23A shall also apply to draft supplementary budgets.</i></p> | <p>1. <b>deleted</b></p> <p>2. <b>deleted</b></p> <p>3. <b>deleted</b></p> <p>4. <b>deleted</b></p> <p>5. <b>deleted</b></p> <p>6. <b>deleted</b></p> <p>7. <b>deleted</b></p> <p>8. <b>deleted</b></p> <p>9. <b>deleted</b></p> <p>10. <b>deleted</b></p> |
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*Rule 26*

1. The debate shall be based on the report of the appropriate committee. Parliament shall vote only on the motion for a resolution.

2. Reference to committee may be requested at any time. Such a request shall always be granted if it is made by the chairman or rapporteur of the committee responsible, or where, pursuant to Rule 33 (3), two votes have been taken with a request that the number of those present be ascertained, without the required number being reached.

Parliament may fix a time limit within which the committee shall report its conclusions.

3. Once the general debate and consideration of the texts have been concluded, only explanations of vote shall be permitted before the matter as a whole is put to the vote.

*Rule 29*

1. Any Member may table amendments.

On a proposal from the President, Parliament may fix a time limit for the tabling of amendments.

Parliament shall not deliberate on any amendment unless it is moved during the debate.

2. Amendments shall relate to the text it is sought to alter. They shall be tabled in writing and signed by one or more authors. The President shall decide whether they are in order.

No amendment shall be admissible if it is established that the wording in at least one of the official languages of the text it is sought to alter does not call for amendment; in that case the President shall seek out a suitable linguistic remedy jointly with those concerned.

Unless Parliament decides otherwise, amendments shall not be put to the vote until they have been printed and distributed in the official languages.

3. Amendments shall have priority over the text to which they relate and shall be put to the vote before that text.

*Rule 26*

1. unchanged

2. Reference to committee may be requested at any time. Such a request shall always be granted if it is made in person by the chairman or rapporteur of the committee responsible, or where, pursuant to Rule 33 (3), two votes have been taken with a request that the number of those present be ascertained, without the required number being reached.

unchanged

3. unchanged

*Rule 29*

1. unchanged

2. unchanged

3. unchanged

4. If two or more mutually exclusive amendments are moved to the same part of a text, the amendment that departs furthest from the text submitted by the committee shall have priority and shall be put to the vote first. If it is adopted the other amendments shall stand rejected. If it is rejected, the amendment next in priority shall be put to the vote and similarly for each of the remaining amendments. In case of doubt as to priority, the President shall decide.

4. unchanged

5. Reference of an amendment to committee may be requested at any time. Such a request shall always be granted if it is made by the chairman or rapporteur of the committee responsible. Parliament may fix a time limit within which the committee shall report its conclusions on the amendments referred to it. When an amendment is referred to committee, its discussion in plenary sitting, but not necessarily the general debate, shall be *interrupted*.

5. Reference of an amendment to committee may be requested at any time. Such a request shall always be granted if it is made **in person** by the chairman or rapporteur of the committee responsible. Parliament may fix a time limit within which the committee shall report its conclusions on the amendments referred to it. When an amendment is referred to committee, its discussion **and vote** in plenary sitting **and the vote on the motion for a resolution**, but not necessarily the general debate shall be **suspended**.

*Rule 31A*

*Rule 31A*

No Member may speak for more than *five* minutes on any of the following: the minutes of proceedings, explanations of vote, procedural motions and personal statements or, unless Parliament decides otherwise, *for more than three minutes on amendments*.

No Member may speak for more than **three** minutes on any of the following: the minutes of proceedings, explanations of vote, procedural motions, **alterations to the draft agenda or to the agenda**, and, unless Parliament decides otherwise, amendments **and personal statements**.

*Rule 33*

*Rule 33*

1. Parliament may deliberate, settle its agenda and approve the minutes of proceedings, whatever the number of Members present.

1. unchanged

2. A quorum shall exist when one-third of the current Members of Parliament are present.

2. unchanged

3. All votes *other than votes by roll call* shall be valid whatever the number of voters unless, before the voting has begun, the President *has been requested* by at least 10 Members *to ascertain the number of those present*.

3. All votes shall be valid whatever the number of voters unless the President, **on a request made** before voting has begun by at least 10 Members, **ascertains that a quorum is not present**. If a quorum is not present, the vote shall be placed on the agenda of the next sitting.

4. A vote by roll call shall be valid only if one-third of the current Members of Parliament have taken part in it. However, if so requested before the voting has begun by at least 30 Members present, it shall be valid only if a majority of the current Members of Parliament have taken part in it.

5. Should this not be the case, the vote shall be placed on the agenda of the next sitting.

### Rule 35

1. Normally Parliament shall vote by show of hands.

2. If the result of the show of hands is doubtful, a fresh vote shall be taken by sitting and standing.

3. If the result of this last vote is doubtful, or whenever 10 or more Members so desire, the vote shall be taken by roll call. Rule 33 (2) and (4) shall not apply if the vote by roll call is taken merely to clarify a doubtful result.

4. The roll shall be called in alphabetical order, beginning with the name of the Member drawn by lot. The President shall be the last to be called to vote.

Voting shall be by word of mouth and shall be expressed by 'Yes', 'No', or 'I abstain'. In calculating whether a motion has been adopted or rejected, account shall be taken only of votes cast for and against. The President shall establish the result of the count and announce it.

Votes shall be recorded in the minutes of proceedings of the sitting in the alphabetical order of Members' names.

5. Without prejudice to Rules 2 (2), 7 (2) and (4), 21 (4), 24 (2) and (3), 41 (5) and 54, motions put to the vote shall be declared adopted only if they have secured a majority of the votes cast.

4. If so requested before the voting has begun by at least 30 Members present, a vote shall be valid only if a majority of the current Members of Parliament have taken part in it. Should this not be the case, the vote shall be placed on the agenda of the next sitting.

5. deleted

### Rule 35

1. unchanged

2. If the President decides that the result of the show of hands is doubtful, a fresh vote shall be taken by sitting and standing.

3. If the President decides that the result of this last vote is doubtful, the vote shall be taken by roll call.

4. If so requested by at least 10 Members before the voting has begun, the vote shall be taken by roll call.

5. unchanged

6. Without prejudice to Rules 2 (2), 7 (2) and (4), 21 (4), 24 (2) and (3), 41 (5), 54 and the provisions of the Budgetary Procedure, motions put to the vote shall be declared adopted only if they have secured a majority of the votes cast.

## EXISTING TEXT OF THE RULES

## NEW TEXT

In the event of a tie, the motion shall stand rejected.

unchanged

6. In the case of appointments, voting shall be by secret ballot without prejudice to Rules 7 (1), 37 (2) and 41 (5), second subparagraph. Only ballot papers bearing the names of persons who have been nominated shall be taken into account in calculating the number of votes cast.

7. unchanged

*Rule 37**Rule 37*

1. Parliament shall set up standing or temporary, general or special committees, and shall define their powers. The Bureau of each committee shall consist of a chairman and one, two or three vice-chairmen. A member of a national government may not be a member of the Bureau of a committee.

1. unchanged

2. Committee members shall be elected at the beginning of the session which opens each year on the second Tuesday of March. Candidatures shall be addressed to the Bureau of Parliament, which shall place before Parliament proposals designed to ensure fair representation of Member States and of political views.

2. unchanged

3. *Should any dispute arise, Parliament shall decide thereon by secret ballot.*

3. An amendment to the proposals of the Bureau shall be admissible only if it is tabled by at least 10 Members. Parliament shall vote on the amendment by secret ballot.

4. The Bureau of Parliament may provisionally decide to fill any vacancy on a committee with the agreement of the persons *concerned* and having regard to paragraph 2.

4. The Bureau of Parliament may provisionally decide to fill any vacancy on a committee with the agreement of the persons **to be appointed** and having regard to paragraph 2.

5. Any such changes shall be placed before Parliament for ratification at its next sitting.

5. unchanged

*Rule 47**Rule 47*

1. Questions may be put to the Commission, to the Council or to the Foreign Ministers meeting in political cooperation by a committee, a political group or five or more Members for placing on the agenda of Parliament in order that they may be dealt with by oral procedure with debate.

1. unchanged

Such questions which may also relate to problems of a general nature shall be submitted in writing to the President, who shall place them before the enlarged Bureau at the next meeting held for the purpose of drafting the agenda.

Subject to the provisions below, during each part-session each political group shall have the right to have not more than one question dealt with by the procedure with debate.

Oral questions with debate shall not be included in the agenda of a part-session if that agenda already provides for the subject to be discussed with the participation of the institutions concerned; they will, however, be included in the debate. If a question relates to a report submitted by a committee but not yet considered by Parliament, Parliament shall vote on whether it shall be placed on the agenda.

The enlarged Bureau shall, taking account of the above requirements, exercise its discretion in deciding the order on the agenda of all oral questions with debate.

2. The enlarged Bureau shall decide whether the Commission or Council is to be consulted. It shall decide whether the question is to be converted into a question for written answer, for oral answer at Question Time, or is to be dealt with either by oral procedure without debate under Rule 46 or by the procedure provided under this Rule.

2. unchanged

The decision of the enlarged Bureau shall be notified immediately to the questioner and to the institutions concerned.

The procedure for oral questions with debate may be proposed only where notice of the question can be given within the following time limits: if the question is addressed to the Commission, at least one week and if to the Council at least five weeks before the opening of the sitting on whose agenda it is to appear.

In urgent cases, the President may propose direct to Parliament that a question which could not be placed before the enlarged Bureau under the foregoing conditions be placed on the agenda. Such questions, together with any that could not be notified within the time limits specified above, may be placed on the

agenda only with the agreement of the institutions to which they are addressed.

3. Questions may be put to the Foreign Ministers meeting in political cooperation under the same conditions as laid down in this Rule for questions to the Council.

4. One of the questioners may speak on the question for not more than 10 minutes. One member of the institution concerned shall answer. Other Members of Parliament may speak for not more than five minutes, and may do so only once.

One of the questioners may, at his request, *briefly* comment on the answer given.

5. In order to wind up the debate on a question *put to the Commission*, any committee or political group, or five or more Members, may place before the President a motion for a resolution with a request that a vote be taken on it *immediately*.

As soon as the motion for a resolution has been distributed, Parliament shall first decide, if necessary after hearing one of the movers, whether a vote is to be taken *immediately*. *Thereafter only explanations of vote shall be permitted.*

Should an *immediate* vote be decided upon, the motion for a resolution shall be put to the vote without reference to committee. Only explanations of vote shall be permitted.

6. The enlarged Bureau may ask the authors of questions to reword them.

7. At the request of the author of an oral question with debate acting in agreement with any co-authors, the question may be withdrawn by them, but may be immediately taken over by any other Member, under the conditions set out in paragraph 1 above, with the agreement of Parliament deciding by vote without debate.

#### Rule 47A

1. Question Time shall be held *normally on the second and third sitting day of each part-session of Parliament, and shall in each case not exceed one and a half hours.*

3. *unchanged*

4. *unchanged*

One of the questioners may, at his request, comment **for not more than five minutes** on the answer given.

5. In order to wind up the debate on a question **under this Rule**, any committee or political group, or five or more Members, may place before the President a motion for a resolution with a request that an **early** vote be taken on it.

As soon as the motion for a resolution has been distributed, Parliament shall first decide, if necessary after hearing one of the movers, whether an **early** vote is to be taken.

Should an **early** vote be decided upon, the motion for a resolution shall be put to the vote **at voting time on the next sitting day** without reference to committee. Only explanations of vote shall be permitted.

6. *unchanged*

7. *unchanged*

#### Rule 47A

1. Question Time shall be held **at each part-session at such times as may be decided by Parliament on a proposal from the enlarged Bureau.**

EXISTING TEXT OF THE RULES	NEW TEXT
<p>2. Questions shall be submitted in writing to the President, who shall decide whether they are admissible; he shall determine the order in which they will be taken, and how they will be grouped.</p> <p>The questioner shall be notified of the President's decision.</p>	2. unchanged
<p>3. During Question Time any Member may put oral questions to the Commission or Council, in accordance with the provisions of this Rule.</p>	3. unchanged
<p>4. Questions may be put to the Foreign Ministers meeting in political cooperation under the same conditions as laid down in this Rule for questions to the Council.</p>	4. unchanged
<p>5. Questions put to the Council and the Foreign Ministers meeting in political cooperation shall be taken first on the second day of Question Time.</p>	5. unchanged
<p>6. At each part-session, any Member may put only one question respectively to the Commission, the Council, and the Foreign Ministers meeting in political cooperation.</p>	6. unchanged
<p>7. The procedure for the conduct of Question Time shall be governed by guidelines.</p>	7. unchanged

#### RESOLUTION

##### on the draft general budget of the European Communities for the 1979 financial year

*The European Parliament,*

- having regard to the preliminary draft general budget of the European Communities for 1979 and in particular the general introduction to Section III (Commission) (COM(78)250) and the letter of amendment (COM(78)450),
- having regard to the draft general budget of the European Communities for 1979 drawn up by the Council and the Council's explanatory memorandum (Doc. 296/78) and to the letter of amendment (Doc. 377/78),
- having regard to the budgetary dialogue undertaken with the Commission and Council, and in particular the outcome of the meeting between the delegation from the European Parliament and the Council on 18 July 1978,
- having regard to the guidelines adopted (Doc. 3/78 and Doc. 54/78),

— having regard to the report of the Committee on Budgets, the opinions of the other committees and the draft amendments and proposed modifications annexed to this report (Doc. 400/78),

### I. Political significance of the 1979 budget

1. Points out that the budgetary procedure for 1979 is the last before direct elections and for this reason represents the conclusion of a stage in the evolution of budgetary policy characterized by

- (a) the first steps towards financial autonomy,
- (b) the establishment of the Court of Auditors and
- (c) the extension of Parliament's budgetary powers

and has created a solid basis for the future work of the directly-elected Parliament in the budgetary and financial spheres;

### II. Cooperation between the institutions in the budgetary sector

#### *Discussions on the guidelines*

2. Hopes that the dialogue on the guidelines of the Commission and the Parliament will be incorporated to a greater extent in the budgetary procedure proper;

#### *The dialogue between the two parts of the budgetary authority*

3. Also advocates a pragmatic and political dialogue between the two parts of the budgetary authority directed towards the political and economic needs of the financial year in question;

#### *The Commission's right of initiative*

4. Points out with concern that in some cases the Commission has not taken initiatives in time and has thereby put the Council in a position to delete appropriations from the preliminary draft budget on the grounds that there was as yet no proposal on which a decision could be based;

#### *Budgetary powers and legislative powers*

5. Rejects the Council's view, which the Commission unfortunately supports, that as a rule appropriations must be justified by material legislative decisions; consequently insists that Regulations should not be allowed to anticipate budgetary decisions;

#### *Improvement of the conciliation procedure*

6. Insists that the fundamental problems of the relationship between legislative and budgetary powers should be resolved as soon as possible by way of conciliation; will meanwhile ensure that it participates in the legislative process, through the conciliation procedure provided for in the joint declaration of 1975, wherever the financial implications may prejudice budgetary decisions;

#### *Implementation of the budget*

7. Urges that the dialogue between the two parts of the budgetary authority on the validity of the budget decision as a specific authorization to incur expenditure be pursued until a satisfactory conclusion is reached, so as to strengthen the functions of the Commission under Article 205 of the EEC Treaty; to this end has formulated the 'remarks' in such a way as to distinguish those budget lines which can be directly implemented;

8. Deplores the fact that the inadequate rate at which appropriations are utilized deprives the executive power of the Commission of virtually any meaning, and urges that the Commission should remedy the situation by taking appropriate measures and making appropriate proposals;

### III. Progress on the structure of the budget

#### *Loans policy*

9. Expresses once again its support for the budgetization of loans so that a coherent Community policy can be pursued in this area, and is of the opinion that Part II of Section III — Commission — of the preliminary draft budget represents a first step in this direction;

#### *Global nature of the budget*

10. Again affirms its desire to bring together all the political activities of the Community in one budget and intends therefore to incorporate the European Cooperation Association (ECA) into the general staff structure of the Commission;

#### *Budget transparency*

11. Points out in connection with the necessary budget transparency that the meagre outflow of appropriations must lead to notional appropriations in the budget;

#### *Nomenclature*

12. Considers that the following comments are called for on the nomenclature employed:

- (a) regards the presentation of research appropriations in Chapter 33 as correct as this limits the number of budgetary lines and lends clarity to the layout of Section III, which in turn makes it easier for the budgetary authority to take decisions on research appropriations and staff;
- (b) is unable to accept the nomenclature in respect of fishing policy, and in particular the overlapping (Articles 860-862) of expenditure on the EAGGF (Guidance Section) with expenditure on the new fisheries policy under Title 8 since this artificially inflates the agricultural structure policy conducted until now by introducing a completely new and different series of measures; proposes therefore the inclusion of policy on the sea including fisheries policy in a new Chapter 38;
- (c) considers inadmissible the inclusion in the expenditure section of an appropriation entitled 'negative expenditure' to cover revenue from the milk producers' co-responsibility levy (Article 628) under Regulation (EEC) No 1079/77; these funds should be entered in the revenue section even if they are not subject to the principle that revenue should not be earmarked for a specific purpose;

#### *Financial estimates*

13. Demands that a more pronounced political slant be given to the financial estimates while acknowledging that the alternative calculations presented this year have increased the budgetary authority's political options; urges however that the estimates should be linked more closely to the budgetary guidelines and other Community economy data, which is not possible without a five-year planning period;

#### *European unit of account*

14. Takes the view that the European unit of account has a central role to play in the new move towards greater monetary cooperation in the Community;

supports in this connection the increased introduction of the European unit of account in agricultural policy as this makes it possible to remove the largest agro-monetary difficulties (monetary compensatory amounts) on condition that undesirable effects for price policy and social policy can be headed off in time;

therefore proposes that the European unit of account should be used progressively not only as an accounting unit but also as a transaction unit and monetary unit;

#### *Revenue side of the budget*

15. Issues a warning that any further delay in the implementation of the Sixth VAT Directive will jeopardize the financial autonomy of the Community; points to its resolution of 16 June 1978 in which the Commission is called upon to initiate the procedure provided for in Article 169 of the EEC Treaty against the defaulting Member States;

16. Fears that, with regard to the future extent of the budget as a result of the budgetization of the European Development Fund and other Community activities, the possibility of financing the Community budget within the ceiling of 1 % of the basis for assessing VAT laid down in the Treaties will soon be exhausted; therefore considers it essential that the Commission should present forthwith its promised study of new sources of finance for the Community budget;

### IV. 1979 Budget

#### *Volume*

17. Rejects the idea of an 'austerity budget' and points out that this concept adopted by the Commission has been inappropriate from the start and was also clearly rejected by the European Council in Bremen;

18. Notes that both the preliminary draft and the triennial financial estimates no longer correspond to the present political situation after the two summit meetings in Bremen and Bonn and that the budgetary authority must try to update the draft as far as possible by submitting amendments;

19. Criticizes the Council for cutting down even this minimum Commission draft instead of modelling it on the decisions of the Heads of State and Government;

20. Points out that in view of the existing economic interdependence no effective stimulation of investment activity will be achieved without Community participation;

#### *Community structural policy*

21. Sees the 1979 Community budget mainly as an instrument of medium-term structural policy, giving particular emphasis to regions and sectors; is convinced that on the one hand a common structural policy can further those projects which will obviate the need for the temporary stabilization of unprofitable branches of industry at great cost to national economies and on the other hand that a Community structural policy can give greater support to sectors of growth than would be possible by using market mechanisms alone;

### V. The main aims of Community activity

#### *Social policy*

22. Emphasizes that in the present difficult economic and labour market conditions European social policy must be directed towards measures which will increase the direct outflow of appropriations and the direct effect of the policy on those concerned; hopes that the Community package for combating unemployment amongst young people and women will be implemented on this basis;

### *Regional policy*

23. Calls for tangible strengthening of the regional policy effort to be expressed in an increase of appropriations for the Regional Fund, including the non-quota appropriations;

### *Agricultural structures*

24. Calls for an extension of the agricultural structures policy since

(a) despite efforts of Member States in this sphere there is still a fundamental incongruity between agricultural price policy and agricultural structures policy,

(b) an improvement of agricultural structures could help to solve structural surpluses,

(c) an improvement of this kind is an absolute prerequisite for the accession of Greece, Portugal and Spain;

therefore considers the letter of amendment inadequate;

### *Transport*

25. Takes the view that the common transport policy deserves much greater attention than hitherto and demands concrete action in infrastructure policy; is therefore prepared to give a clear indication to the public, in the run-up to direct elections, that the technocratically ponderous approach of the other institutions should be overcome;

### *Policy on the sea*

26. Considers it necessary to launch a uniform Community policy on the sea embracing fishery policy, surveillance of maritime waters including the possibility of compulsory pilots on loaded tankers, inspection of sea routes and protection of the maritime environment;

### *Energy policy*

27. Considers it urgent that, on the basis of the outcome of the summit conferences, the common energy policy should pursue three general aims:

(a) to reduce dependence on energy imports partly by creating a European reserve of primary energy stocks,

(b) to encourage alternative sources of energy,

(c) to push through energy conservation programmes;

### *Industry*

28. Urges that announcements of a common industrial policy should at long last be converted into practical policy; otherwise expectations are aroused which cannot be fulfilled;

### *Environment and consumer protection*

29. Calls on the Commission to move on from the stage of preliminary investigations and research work to a stage of realization of tangible results in the field of environment and consumer protection;

### *Research*

30. Believes that the separation of direct and indirect actions frequently leads to artificial distinctions, which must be avoided, and that programmes must be more closely linked to the Community's political objectives;

### *Education*

31. Calls for a coherent education policy and has consequently undertaken budgetary initiatives
- (a) to finance the European Foundation from Community resources from the outset,
  - (b) to provide a broader financial basis for the University Institute in Florence and
  - (c) to encourage language teaching and the exchange of teachers and pupils;

### *Cooperation and development aid*

32. Notes that the traditional development policy of the Community is being complemented by a policy towards the non-associated developing countries, towards the countries of the Maghreb, Mashreg and Israel, by cooperation with non-governmental organizations, by an increase in food aid and by cooperation with the developing countries in respect of energy policy;

33. Therefore believes that the Community should reformulate the general principles of its policy and sees a good opportunity for this in the renegotiation of the Lomé Convention; here the following questions must be answered:

- (a) what importance does the Community give to the maintenance of human rights and how is it to ensure that human rights are observed,
- (b) what forms of economic cooperation (energy, raw materials, seabed mining) can be developed,
- (c) what opportunities for evaluation exist and can be utilized,
- (d) what development policy activities carried on by Member States could be transferred to Community level;

34. Asks at all events for an increase in appropriations to give this aid real political significance and for an improvement in allocation procedures to speed up the outflow of funds; from the technical point of view, proposes the use in the future for food aid of commitment authorizations and a different formulation for the 'remarks';

### *Enlargement*

35. Calls for the creation of a special reserve in Title 10, Chapter 101, to fund the financial preparations for enlargement in the period leading up to accession itself;

## **VI. The development of agricultural expenditure**

36. Points to the various solutions proposed in the past to monitor and curb agricultural expenditure; considers however that there must first be a pragmatic approach to develop closer links between budgetary and agricultural policy, as symbolized by the creation of a joint working party of the committees responsible;

37. Takes the view that in the preliminary stage an information system should be set up to sound an alarm when during the budgetary year certain budgetary appropriations are relatively overdrawn; this warning would make it possible to resort more rapidly to politically acceptable and feasible measures;

## **VII. Staff and material expenditure**

38. Regrets that the staff policy of the institutions and in particular of the Commission is characterized by a very low level of internal and inter-institutional mobility and in this respect calls for increased efforts regarding vocational training measures and the connected promotion opportunities;

39. Recognizes that the new areas of Commission activity cannot be tackled by staff transfers alone; is however unable to approve blanket increases in the number and grade of posts, since such increases result in an uncontrolled personnel policy; has therefore—without interfering with the Commission's organizational prerogatives—approved extra posts in respect of new operations, to be allocated specifically to certain departments;

40. Considers it necessary to make greater savings in material expenditure particularly on

(a) recruitment costs,

(b) rents,

and therefore proposes:

(a) the holding of inter-institutional competitions and

(b) investigation of the possibilities of taking over ownership of buildings;

### VIII. Prospects for the directly elected Parliament

#### *Separation of powers*

41. Notes that the directly elected Parliament will find that the terrain as regards budgetary and financial policy has been well prepared and that budgetary powers have been established which can be further developed; a basis has been laid by the two parts of the budgetary authority for a kind of two-chamber system; apart from budgetary decisions proper, budgetary powers are also exerted in the material legislative sphere through the conciliation procedure applied in the case of legal acts with appreciable financial implications;

42. Therefore considers that future developments should be based on the present situation rather than on futile attempts to produce abstract models, and stresses in this connection the special nature of the development of the European Community which does not admit imitation of national models;

43. Proposes that in taking this path the following principles should be observed:

(a) the decision-making process of the Community must be made transparent and clearly subject to democratic scrutiny,

(b) it must not be allowed to be blocked by the inaction of one body,

(c) the policy of the Community should not be seen only as a complement to or coordination of national policies,

(d) to the extent to which it takes over tasks from the Member States it must provide for suitable scrutiny;

#### *The 1980 budgetary procedure*

44. Believes that the budgetary procedure for the 1980 budget must conform with the present conditions irrespective of the date of direct elections;

#### *Administrative structures*

45. Calls on the administrations of all the institutions to adjust their administrative structures to the new characteristics of a directly elected European representative assembly;

### IX. Conclusions

46. Therefore proposes:

(a) that the nomenclature of the budget should be amended in accordance with the amendments adopted,

- (b) that appropriations for payments should be fixed at a level of 14 052 775 322 EUA;
- (c) that consequently the percentage level of the basis of assessment for VAT should be fixed at 0.763 %;

47. Instructs its President to forward to the Council

- the amended draft budget,
- the resolution,
- the minutes of today's sitting and
- the report of the Committee on Budgets.

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#### RESOLUTION

on the amendments to the estimates of revenue and expenditure of the European Parliament for the 1979 financial year (Section I of the draft general budget of the European Communities)

*The European Parliament,*

- having regard to Rules 23A, 49 and 50 of its Rules of Procedure,
  - having regard to the report of the Committee on Budgets (Doc. 413/78) and the draft amendments relating thereto,
  - whereas the increase in the number of its Members from 198 to 410 will involve, notably at the technical and operational level, an expansion of the activities both of the general secretariat and of the political groups' secretariat which will be substantial even in the first half of 1979,
  - whereas, furthermore, it is advisable to enable the directly elected Parliament to meet increased requirements as soon as it begins work — and since it will also be necessary to vote during the first three months of 1979 a supplementary budget which will be frozen and available for that Parliament to use as it considers appropriate,
1. Decides to modify as specified in the amendments adopted its establishment plan and its estimates, including those of the political groups, in order to provide, at the technical and operational level, the frozen posts and certain appropriations needed to meet, from the beginning of the financial year, the immediate requirements of a Parliament of 410 Members, and to ensure the necessary continuity of parliamentary activities;
  2. Decides, further, to introduce an amending or supplementary budget early in the 1979 financial year in order to make the qualitative and structural changes needed from the beginning of the new Parliament's activities, in the light of the detailed studies and findings that will be submitted to it by its competent bodies.

## RESOLUTION

on Section II (Council) and Annex I (Economic and Social Committee) thereto of the draft general budget of the European Communities for the 1979 financial year

*The European Parliament,*

- having regard to the draft general budget for the 1979 financial year drawn up by the Council (Section II — Council — and Annex I — Economic and Social Committee — thereto) and its explanatory memorandum (Doc. 296/78),
- having regard to the report of the Committee on Budgets (Doc. 394/78),

Approves Section II of the draft budget relating to the revenue and expenditure of the Council, subject to the amendments it has adopted.

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## RESOLUTION

on Section IV (Court of Justice) of the draft general budget of the European Communities for the 1979 financial year

*The European Parliament,*

- having regard to the draft general budget for the 1979 financial year drawn up by the Council (Section IV — Court of Justice) and its explanatory memorandum (Doc. 296/78),
- having regard to the report of the Committee on Budgets (Doc. 395/78),

Approves Section IV of the draft budget relating to the revenue and expenditure of the Court of Justice.

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## RESOLUTION

### on Section V (Court of Auditors) of the draft general budget of the European Communities for the 1979 financial year

*The European Parliament,*

- having regard to the draft general budget for the 1979 financial year drawn up by the Council (Section V — Court of Auditors) and its explanatory memorandum (Doc. 296/78),
  - having regard to the report of the Committee on Budgets (Doc. 396/78),
  - considering the reasons that prompted the Court of Auditors to draw up its estimates,
  - considering inadequate the reasons given by the Council when drawing up the draft budget for 1979 (Section V), for reducing the amounts requested by the Court,
  - considering that the Court should be in a position to assume its responsibilities and that any reservations regarding its activities and organization should be made after its activities have been reviewed rather than when its estimates are submitted,
1. Considers it essential to grant the Court of Auditors most of the staff it has requested for 1979 — and in any case all the posts for the auditing sectors — in the light of the detailed auditing programme it submitted to Council and Parliament and the corresponding breakdown over the 16 priority areas of intervention which the Court has now laid down;
  2. Reinstates some of the appropriations requested, particularly with regard to the posts it feels the Court should be granted;
  3. Freezes some of the posts requested and instructs its Committee on Budgets to release them at the end of the first and second quarters of 1979 in collaboration with the Court of Auditors depending on the establishment of or progress made by the Court with the programmes.

## RESOLUTION

embodying the opinion of the European Parliament on the communication from the Commission of the European Communities to the Council on the procedures for the management of food aid

*The European Parliament,*

- having regard to the communication from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 237/78),
- having regard to the report of the Committee on Development and Cooperation and the opinion of the Committee on Budgets (Doc. 414/78),

1. Approves the Commission's proposal for a Regulation to amend the decision-making and implementing procedures relating to food aid;
2. Considers that, by this means, it will be possible to improve the management and speed up the supply of Community food aid, and emphasizes the point that under Article 205 of the EEC Treaty, the Commission is responsible for the implementation of the budget;
3. Attaches great importance to the new arrangements for managing food aid, in view of the frequent delays in the past, especially as aid from the Community is intended mainly for the poorest countries in the world;
4. Considers that the basis for the Community's food aid policy should be Article 235, not Article 43, of the EEC Treaty, since agricultural policy and food aid policy are founded on entirely different concepts, and feels in this connection that attention should be drawn to the voluntary aspect of food aid policy and the non-automatic nature of its financing;
5. Considers that it is the responsibility of the budgetary authority, and not only the Council, to decide on the financial contribution to be made by the Community and to translate it into annual or multiannual global quantities on the basis of the food aid products defined by the Council;
6. Regards in principle the Committee on Food Aid provided for in Article 4 of the proposal for a Regulation as important since it will facilitate, by close cooperation between the Member States and the Commission, the application of certain measures and coordinate Community and national schemes;
7. Takes exception, however, to the provision that, if there is disagreement with the Commission, the Council may take a different decision within two months, as this would automatically transfer responsibility for the management of food aid back to the Council, and would cause unnecessary delays;
8. Hopes that the Commission, after consulting the Committee, will have the last word in the procedures for the implementation of EEC food aid, and therefore calls upon the Commission to amend its proposal for a Regulation accordingly;
9. Wishes the conciliation procedure with the Council and Commission to be initiated should the Council depart from the opinion of the European Parliament;
10. Requests information from the Commission as to whether the present structure of services dealing with food aid would be adequate to apply the new procedures;
11. Regards the reports by representatives of the Commission and of the recipient organizations and countries as essential to the planning of effective food aid, and therefore requests the Commission to inform it of the present criteria and procedures for assessment, and of any improvements which have been made to date;

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<sup>(1)</sup> OJ No C 168, 13. 7. 1978, p. 3.

12. Calls upon the Commission to initiate the decision-making procedure as soon as possible, so that food aid may be provided in good time, having regard to the budgetary provisions in force;
13. Regards the Commission's proposals, taken as a whole, as calculated to improve radically the implementation of the Community's food aid and requests the Commission to be as flexible as possible in administering the food-aid programme;
14. Approves the Commission's proposals to amend Regulation (EEC) No 1703/72 on the Community financing of expenditure arising from the implementation of the Food Aid Conventions and to amend Decision 72/335/EEC on the Community financing of certain special expenditure arising from the implementation of the Food Aid Convention of 1971;
15. Requests the Commission to adopt, pursuant to the second paragraph of Article 149 of the EEC Treaty, the following amendments, which are aimed at preserving the budgetary powers of the European Parliament and the Commission's responsibilities for implementing the budget:

I

**Council Regulation on the management of food aid**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas, in order to ensure better management of food aid, the decision-making and implementing procedures should be amended;

Whereas, in order to facilitate the application of certain of the envisaged measures, provision should be made for close cooperation between the Member States and the Commission within a Committee on Food Aid;

Whereas these procedures and the subsequent decisions take account of the division of responsibilities between the institutions as laid down in the Treaty, and in particular Article 205 thereof;

Whereas this Regulation does not concern the procedures provided for in the context of the common market organizations or Council Regulation (EEC) No 2681/74 of 21 October 1974 on Community financing of expenditure incurred in respect of the supply of agricultural products as food aid (2);

HAS ADOPTED THIS REGULATION:

*Article 1*

In the field of food aid, the Council, acting by a qualified majority on a proposal from the Commission, and following the opinion of the European Parliament, shall:

— define the basic products to be supplied as aid,

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,

u n c h a n g e d

Whereas, in order to facilitate the application of certain of the envisaged measures, provision should be made for close cooperation between the Member States and the Commission within an Advisory Committee on Food Aid;

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u n c h a n g e d

**Whereas the Treaty does not provide for the powers of action required for this purpose,**

HAS ADOPTED THIS REGULATION:

*Article 1*

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(1) For complete text, see OJ No C 168, 13. 7. 1978, p. 3.

(2) OJ No L 288, 25. 10. 1974, p. 1.

- *decide on the total quantities of each product on an annual or multiannual basis and distribute cereals aid between Community and national operations,*
- determine before the 31 of October each year, the general guidelines which will govern the aid for the following year and the criteria (needs, *per capita* GNP, etc.) for examining requests from countries and organizations.

*Article 2*

The Commission following consultations with the Committee foreseen in Article 4, shall take decisions *in accordance with the procedure laid down in Article 5* on:

- the annual or multiannual distribution of the quantities available among countries and organizations, and the volume of the reserve,
- the derived products to be supplied as food aid,
- matters relating to the transport of the products,

*Article 3*

*The Commission, in pursuance of the Council Decisions referred to in Article 1 and of the decisions taken on completion of the consultation procedure provided for in Article 2:*

- *shall decide on emergency action for countries facing serious difficulties as a result of natural disasters or comparable abnormal circumstances,*
- *shall decide on the conditions governing the supply of aid and, in particular, on the general conditions in exchanges of letters with recipients.*

- **decide, in the light of the budgetary decisions taken pursuant to Article 1a, on the volume of national cereal aid,**
- determine before the 31 of October of each year, the general guidelines which will govern the aid for the following year and the **general** criteria (needs, *per capita* GNP, etc.) for examining requests from countries and organizations.

**Article 1a**

**The budget shall lay down the total annual or multiannual quantities of the products defined, by the Council pursuant to the first indent of Article 1.**

*Article 2*

The Commission, with reference to the decisions and **general guidelines of the Council**, following consultations with the Committee foreseen in Article 4, shall take decisions on:

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- **emergency action for countries facing serious difficulties as a result of natural disasters or comparable abnormal circumstances;**
- **the conditions governing the supply of aid and, in particular, the general clauses to be applied with regard to recipients.**

*Article 3*

deleted

Article 4

1. A Committee on Food Aid shall be set up, chaired by a representative of the Commission and composed of representatives of the Member States. The secretariat of the Committee shall be provided by the Commission.
2. *Where recourse is had to the procedure defined in Article 5, the votes of the Member States shall be weighted as set out in Article 148 (2) of the Treaty. The chairman shall not vote.*
3. *The Committee shall draw up its rules of procedure.*

Article 5

1. *Where recourse is had to the procedure defined in this Article, the Committee shall be duly informed by its chairman, either on the latter's own initiative or at the request of a representative of a Member State.*
2. *The Commission representative shall submit drafts of decisions to be taken. The Committee shall deliver its opinion on these drafts within a time limit which may be fixed by the chairman according to the urgency of the matters under examination. It shall act by a majority of 41 votes.*
3. *The Commission shall take decisions which are immediately applicable. If, however, such decisions are not in accordance with the opinion delivered by the Committee, they shall be communicated to the Council by the Commission forthwith. In that event, the Commission shall postpone, for not more than a month following the date of said communication, the application of the decisions taken by it. The Council, acting by a qualified majority, may take a different decision within two months.*

Articles 6 and 7 unchanged

Article 8

The European Parliament will be informed of the management of food aid by the communication *from* their adoption of the decisions referred to in *Articles 1 to 3* and by the annual presentation of progress reports on the implementation of the various operations for the relevant financial years. The decisions referred to in *Articles 2 and 3* as well as the reports mentioned above will be sent to the Council at the same time.

Article 4

1. An Advisory Committee on Food Aid shall be set up, chaired by a representative of the Commission and composed of representatives of the Member States. The secretariat of the Committee shall be provided by the Commission.
2. **Except in cases of emergency, the Commission shall consult the Committee before taking the decisions referred to in Article 2.**
3. **deleted**

Article 5

1. **deleted**
2. **deleted**
3. **deleted**

Article 8

The European Parliament will be informed of the management of food aid by the communication, on their adoption, of the decisions referred to in **Articles 1 and 2** and by the annual presentation of progress reports on the implementation of the various operations for the relevant financial years. The decisions referred to in **Article 2** as well as the reports mentioned above will be sent to the Council at the same time.

Article 9 unchanged

II

**Council Regulation amending Regulation (EEC) No 1703/72 as regards the Community financing of expenditure arising from the implementation of Food Aid Conventions**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

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,

Recitals and Articles 1 and 2 unchanged

III

**Council Decision amending Decision 72/335/EEC on the Community financing of certain special expenditure arising from the implementation of the Food Aid Convention of 1971**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 43 and 209 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 Court of Auditors,

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Articles 235 and 209 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 Court of Auditors,

Recitals and the Sole Article unchanged

(1) For complete text, see OJ No C 168, 13. 7. 1978, p. 5.

## RESOLUTION

on the present state of commercial and economic relations between the EEC and Yugoslavia

*The European Parliament,*

- having regard to the Belgrade declaration issued by the European Community and Yugoslavia on 2 December 1976 on cooperation between the two parties,
  - having regard to the report by the Committee on Social Affairs, Employment and Education on the mandate for the negotiations between the EEC and Yugoslavia (Doc. 32/78),
  - having regard to the oral question on behalf of the Committee on External Economic Relations and the Committee on Development and Cooperation to the Commission on external Agreements concluded by the Community (Doc. 404/77),
  - having regard to the interim report by the Committee on External Economic Relations (Doc. 408/78),
1. Points out that Yugoslavia's importance to the European Community is more than simply a matter of commercial and economic relations;
  2. Is concerned at the disappointing trend in Yugoslavia's exports to the Community and the resultant increase in that country's trade deficit;
  3. Stresses therefore the need for closer cooperation to improve the structure of trade between the two parties on the basis of the complementarity of their economies, and to promote development in the various sectors of the Yugoslav economy;
  4. Is closely following the current negotiations for a new Cooperation Agreement;
  5. Is aware of the difficulties, especially in the commercial and economic field, but urges — bearing in mind existing agreements with the other Mediterranean countries — that it be made easier for Yugoslavia to export to the Community, thus providing revenue to pay for its imports from the Community;
  6. Hopes that the settlement of social questions will be an integral part of the new Agreement, and again calls for the removal of discrimination against Yugoslav migrant workers in the Community, and for specific Community aid for their reintegration into their country's economy;
  7. Hopes that the future Agreement will include a provision for the organization of regular contacts between the European Parliament and the Federal Assembly of Yugoslavia, these to take forms to be defined by the two institutions concerned;
  8. Calls on the Commission and the Council to take account in the present negotiations of problems which might arise from the establishment of the Trieste free zone provided for in the Osimo Agreements;
  9. Points out once more, on the occasion of these negotiations, the inadequacy of present arrangements for parliamentary supervision of the external economic affairs of the Community, especially as regards the conclusion of association and Trade Agreements;

10. Points out that there is a similar legal vacuum in respect of parliamentary powers of supervision and ratification where the Community and third countries conclude Commercial or Cooperation Agreements with financial implications for the Community budget;

11. Hopes therefore that, when it puts forward specific proposals, the Commission and Council will engage in constructive discussions with the European Parliament, thus allowing it to discharge its parliamentary responsibilities in this area too;

12. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision adopting a programme of research for the European Atomic Energy Community on safety in thermal water reactors (indirect nuclear action)

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 124/78),
  - having regard to the report of the Committee on Energy and Research and the opinions of the Committee on Budgets and the Committee on the Environment, Public Health and Consumer Protection (Doc. 411/78),
  - referring to the Council resolution of 22 July 1975 on the technological problems of nuclear safety <sup>(2)</sup>,
  - recalling its previous resolutions in which it stressed the need for the Community to adopt a policy on research into the safety of nuclear plants and in particular that contained in the report by Mr Willi Müller (Doc. 49/75),
1. Agrees on the enormous political, environmental and economic importance of safety problems in the management of nuclear plant for the production of electrical energy;
  2. Approves the proposed method of implementation through indirect action on the basis of contracts;
  3. Recommends systematic links and close harmonization between the indirect action programme and the direct action programme already under way, to ensure that the programme are coordinated and complementary;
  4. Recommends further that the choice and financing of specific research projects be based on an objective evaluation of priorities, avoiding too broad a spread of support for isolated and unproductive activities;
  5. Insists that the closest possible cooperation be maintained between the various centres involved in the research and requests the Commission to explore the possibilities for concerted research and development with other nations known to be supporting work in this field;
  6. Calls for the widest possible exchange of information within the Community on the progress and results of research;
  7. Welcomes the role conferred by the Commission on the Advisory Committee on Management of the programme on reactor safety, which will allow a more direct link between direct and indirect action;
  8. Approves the Commission's proposal but asks it to adopt the following amendment pursuant to the second paragraph of Article 119 of the Euratom Treaty, and calls upon the Council to adopt the programme as soon as possible so that it may get under way by 1979:

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<sup>(1)</sup> OJ No C 146, 21. 6. 1978, p. 2.

<sup>(2)</sup> OJ No C 185, 14. 8. 1975, p. 1.

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Council Decision adopting a programme of research for the European Atomic Energy  
Community on safety in thermal water reactors (indirect nuclear action)

Preamble, recitals and Article 1 unchanged

*Article 2*

For implementation of this programme, the amount of the expenditure commitments is estimated to be 8 800 000 EUA *and the Commission staff shall be five persons.*

*Article 2*

The upper limit for the expenditure necessary for the implementation of this programme is estimated at 8 800 000 EUA, as defined in Article 10 of the Financial Regulation of 21 December 1977, and the number of staff is estimated at five. These figures are intended simply as guidelines.

Articles 3 and 4 unchanged

Annex unchanged

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<sup>(1)</sup> For the complete text, see OJ No C 146, 21. 6. 1978,  
p. 2.

## RESOLUTION

### on the situation of the Jewish community in the Soviet Union

*The European Parliament,*

- pointing out that the obligations laid down in the Helsinki Final Act, of which the Soviet Union is a signatory, include 'respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief', and an undertaking to promote the reunification of families,
- pointing out that the Soviet Union has ratified the International Covenant on Civil and political rights adopted by the General Assembly of the United Nations on 16 December 1966, Article 27 of which provides that: 'in those States in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practise their own religion or to use their own language',
- seriously perturbed at the deterioration in the situation of the ethnic, religious, cultural, linguistic and political minorities, especially that of the Jewish community in the Soviet Union, as regards both the exercise of national, cultural and religious rights and freedoms and compliance with the principles laid down in the Final Act of the Helsinki Conference,
- deeply deploring the resurgence of antisemitic propaganda in certain circles in the USSR, the administrative and legal harassment to which members of the Jewish community are subjected in the USSR and the parodies of justice which have resulted in the imposition of heavy sentences on, for example, Anatoly Shcharansky, Alexander Ginsburg, Ida Nudel, Vladimir Slepak, Josif Begun and Gregory Goldstein,
- having regard to its resolutions:
  - of 9 July 1976, on the ill-treatment of Vladimir Bukovsky <sup>(1)</sup>,
  - of 11 May 1977, on the protection and defence of human rights <sup>(2)</sup>,
  - of 18 November 1977, on the abuse of psychiatric medicine in the Soviet Union <sup>(3)</sup>,
  - of 18 January 1978, on compliance by the signatory States with the obligations under the Final Act of the Helsinki Conference, with particular reference to the reunification of families <sup>(4)</sup>,
  - of 6 July 1978, on the conviction of the physicist Yuri Orlov, co-founder of the Public Group to Assist the Fulfilment of the Helsinki Accords in the Soviet Union <sup>(5)</sup>,
- having regard to the report of its Political Affairs Committee (Doc. 430/78),

1. Deplores the constant violation of the human rights and basic freedoms of the Jewish community in the Soviet Union — particularly as regards the right to emigrate, the exercise of national, religious, cultural and educational rights and freedoms — and the parody of justice which serves as a pretext for repression and antisemitic propaganda;

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<sup>(1)</sup> OJ No C 178, 2. 8. 1976, p. 65.

<sup>(2)</sup> OJ No C 113, 6. 5. 1977, p. 30.

<sup>(3)</sup> OJ No C 299, 12. 12. 1977, p. 60.

<sup>(4)</sup> OJ No C 36, 13. 2. 1978, p. 26.

<sup>(5)</sup> OJ No C 182, 31. 7. 1978, p. 40.

2. Urgently appeals to the Foreign Ministers meeting in political cooperation, the Council and Commission to do all in their power to persuade the Soviet authorities to release the men and women who have been convicted for expressing their determination to exercise the rights laid down in the Final Act of Helsinki;
3. Asks that in the context of the preparations for the Madrid meeting in November 1980, at which the implementation of the provisions of the Helsinki Final Act on Security and Cooperation in Europe is to be reviewed, Member States' Governments should insist on compliance by the Soviet Union, and all the signatories of the Final Act, with the obligations laid down therein;
4. Instructs its Political Affairs Committee to follow the development of the situation of the ethnic, religious, cultural, linguistic and political minorities, especially that of the Jewish community in the Soviet Union and to report to it regularly on the situation;
5. Instructs its President to forward this resolution to the Council and Commission and to the Foreign Ministers meeting in political cooperation.

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## RESOLUTION

### on the outcome of the Tripartite Conference

*The European Parliament,*

- having regard to the unsatisfactory outcome of the Tripartite Conference,
  - having regard to the need for a rapid solution to be found to the poor economic position of the Community,
1. Deeply regrets that the discussions between the social partners did not produce any positive results;
  2. Refers to the warning given by the Committee on Social Affairs, Employment and Education that the preparations for the Tripartite Conference were inadequate;
  3. Considers that in the future the negotiations between the social partners must be intensified with a view to achieving an appropriate distribution of the available work, this being one of the most important elements in the establishment of a genuine employment policy;
  4. Calls on the Commission to take the necessary action to this end;
  5. Also requests the Commission to draw up appropriate social policy proposals to accompany proposals for the harmonization of the European monetary policy;
  6. Instructs its President to forward this resolution to the Commission and Council.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision adopting a second research and development programme of the European Economic Community in the sector of medical and public health research consisting of five multiannual concerted projects

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 295/78),
  - having regard to its resolution of 17 November 1977 on a first research programme in the field of medicine and public health <sup>(2)</sup>,
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Committee on Budgets (Doc. 406/78),
1. Warmly welcomes the submission of this second research and development programme in the medical sector as a further incentive towards the international coordination of costly national efforts to treat physical handicaps and the diseases of modern civilization;
  2. Is in general agreement with the detailed description of the five multiannual programmes to be coordinated, for each of which a special concerted action Committee should be established;
  3. Approves the prominence given in this research programme to the treatment and prevention of cardiovascular diseases, in line with the European Parliament's recent request;
  4. Points out that, in order to achieve a new quality of life, it is important to awaken an awareness of health problems centred on measures to prevent accidents and addiction to drugs (tobacco and alcohol, excessive use of pharmaceutical products) and on the pathological and socio-economic effects of pollution and environmental disturbances;
  5. Would appreciate the provision in the near future of statistics, even though they may not be entirely comparable, on the three projects in the first and the five in the second programme so that it may assess the need for appropriate Community measures;
  6. Regrets, however, that it has been unable to obtain access to the opinions of the Committee on Medical Research on these joint research projects;

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<sup>(1)</sup> OJ No C 213, 7. 9. 1978, p. 3.

<sup>(2)</sup> OJ No C 299, 12. 12. 1977, p. 47.

7. Considers that it should receive regular reports on the implementation of all these projects and in particular that it should be consulted in good time on a possible review of some of the projects;
8. Hopes that at an early date the Commission will also be able to turn its attention to the treatment of eye diseases, lumbar complaints, talipes equinus and periodontosis;
9. Calls on the Commission, when it is submitting and reviewing multiannual programmes in the public health and other sectors, to ensure that Parliament is enabled to consider their financial implications during the annual debates on the general budget;
10. Approves the Commission's proposal subject to the above observations and requests it to adopt the following amendment pursuant to the second paragraph of Article 149 of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Decision adopting a second research and development programme of the  
European Economic Community in the sector of medical and public health research  
consisting of five multiannual concerted projects**

Preamble, recitals and Articles 1 and 2 unchanged

*Article 3*

*The financial contribution of the Community for the duration of the programme is estimated at 2.7 million European units of account and the staff allocation at four servants. The European unit of account is defined by the relevant Financial Regulation.*

*Article 3*

**The total amount required for the duration of the programme is estimated at 2.7 million European units of account, as defined in Article 10 of the Financial Regulation of 21 December 1977 and the staff allocation at four servants. These figures are merely intended as a guide.**

Articles 4 to 7 unchanged

Annexes unchanged

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(1) For complete text, see OJ No C 213, 7. 9. 1978, p. 3.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on the protection of groundwater against pollution caused by certain dangerous substances

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 545/77),
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 403/78),
1. Stresses the importance and urgency of proper protection of groundwater, which meets a large proportion of the Community's water requirements;
  2. Considers that this Directive must respect the principle set out in the Council resolution of 17 May 1977 <sup>(2)</sup> which states that 'the best ecological policy is to avoid pollution and other disturbances in the first place instead of fighting their effects later on';
  3. Approves the appeal to Member States to take more stringent measures than those provided for under the Directive but regrets that the Commission has not shown such stringency in its proposal;
  4. Considers that effective protection of groundwater resources requires provisions to prevent any risk of deterioration of the natural characteristics of such water;
  5. Maintains, furthermore, that special measures should be taken for the protection of groundwater in karst zones which are extremely vulnerable to pollution;
  6. Notes a number of terminological inaccuracies in the Directive which could lead to ambiguities of interpretation and calls for a more precise definition of the concept of 'normal agricultural activities' and of waters 'unusable for any purpose';
  7. Invites the Commission to submit, as soon as possible, proposals for Directives on discharges from agricultural activities
  8. Is astonished that the proposal for a Directive allows, even subject to prior authorization, indirect discharge of the substances on the 'black list', and considers that revision of Lists I and II of the substances is essential to ensure genuine protection for groundwater;
  9. Maintains that the practice of replenishing aquifers is useful for improving water supplies and that as such, it should be permitted, subject to control by the authorities of the individual Member States;
  10. Expresses the view that groundwater should be monitored and regulated in conjunction with the surface water which feeds it;
  11. Considers it advisable for controls to be carried out by the appropriate authorities in the Member States to ascertain the purifying capacity of the soil and subsoil and the quality of the water receiving the discharge;

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<sup>(1)</sup> OJ No C 37, 14. 2. 1978, p. 3.

<sup>(2)</sup> OJ No C 139, 13. 6. 1977, p. 1.

12. Considers that information on the nature, quantity and concentration of the substances discharged into the soil and subsoil and the place at which the discharge is being made should not be kept secret and that consequently the Directive should make specific provision for the disclosure of such information;

13. Considers that efforts should be made to encourage a different approach to environmental problems by establishing a balance between industrial development and protection of the environment and public health, having regard also to the large number of unemployed in the Member States for whom jobs could be created through environmental protection programmes and depollution measures as shown by studies carried out by the Commission <sup>(1)</sup> and the programmes to combat unemployment submitted to the Tripartite Conference <sup>(2)</sup>;

14. Invites the Commission, pursuant to the second paragraph of Article 149 of the EEC Treaty, to incorporate the following amendments in its proposal.

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<sup>(1)</sup> ENV/185/78, DE.

<sup>(2)</sup> V/825/78, FR.

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TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (\*)

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TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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### Council Directive on the protection of groundwater against pollution caused by certain dangerous substances

#### Preamble and first five recitals unchanged

Whereas substances discharged *are*, by virtue of the purifying capacity of the soil and subsoil, subjected to processes *capable of reducing* their pollutant capacity; *whereas a distinction should therefore be made between direct and indirect discharge into the groundwater;*

Whereas, in order to ensure effective protection of the groundwater of the Community, it is necessary to prohibit the *direct* discharge of the substances *enumerated* in List I and to make *the indirect discharge of the substances on this List and the direct or indirect discharge of the substances on List II* subject to prior authorization;

Whereas the following should be excluded from the scope of this Directive: domestic effluent from isolated dwellings, on account of the low risk of pollution and the difficulty of controlling the discharge of such effluent; wastes arising from normal agricultural activities; wastes generated by the titanium dioxide industry, *which will be the subject of special Community rules*; radioactive substances and wastes, since they are already covered by Council Directive 76/579/EEC of 1 June 1976 laying down

Whereas, by virtue of the purifying capacity of the soil and subsoil, substances discharged *may be* subjected to processes *which reduce* their pollutant capacity; *whereas the existence of this capacity should be verified and monitored in order to avoid any risk of pollution of the groundwater;*

Whereas, in order to ensure effective protection of the groundwater of the Community, it is necessary to prohibit the discharge of the substances on List I and to make *all* direct and indirect discharges of the substances on List II subject to prior authorization;

Whereas the following should be excluded from the scope of this Directive: domestic effluent from isolated dwellings, on account of the low risk of pollution and the difficulty of controlling the discharge of such effluent; wastes arising from normal agricultural activities *which will be the subject of special Community rules*; wastes generated by the titanium dioxide industry *which are already covered by Council Directive 78/176/EEC of 20 February 1978* <sup>(1)</sup>, radioactive substances and

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(\*) For complete text, see OJ No C 37, 14. 2. 1978, p. 3.

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<sup>(1)</sup> OJ No L 54, 25. 2. 1978, p. 19.

the revised basic safety standards for the health protection of the general public and workers against the dangers of ionizing radiation <sup>(1)</sup>;

Whereas exceptions should be permitted to allow certain dangerous substances to be removed from the ecosystem, 'discharge' of which into aquifers *isolated from the biosphere* is effective and ecologically harmless;

Whereas it is necessary to provide for other exceptions to the prohibition on the direct discharge of substances on List I in view of the scientific and practical benefit which certain discharges may offer, or because they do not affect groundwater quality;

wastes, since they are already covered by Council Directive 76/579/EEC of 1 June 1976 laying down the revised basic safety standards for the health protection of the general public and workers against the dangers of ionizing radiation <sup>(1)</sup>;

Whereas exceptions should be permitted to allow certain dangerous substances to be removed from the ecosystem, 'discharge' of which into aquifers **unusable for any present or future purpose** is effective and ecologically harmless;

Whereas it is necessary to provide for other exception to the prohibition on the direct discharge of substances on List I in view of the scientific and practical benefit which certain discharges may offer, or because they do not affect groundwater quality **precisely since they only contain traces of such substances**;

Whereas replenishment of groundwater for the purpose of improving water supplies, carried out under the permanent supervision of the appropriate authorities in the Member States, guarantees continuous supplies for the population;

Whereas, in view of their vulnerability to pollution, karst soil and subsoil require special protection measures;

Three remaining recitals unchanged

Article 1

Article 1

Paragraph 1 unchanged

2. For the purposes of this Directive:

(a) 'groundwater' means all water which is below the surface of the ground in the *water* saturation zone and in direct contact with the ground;

(b) unchanged

(c) 'direct discharge' means the introduction into the groundwater of substances in Lists I or II without *passage* through the ground;

2. The Member States shall take all possible measures to ensure that the discharge into groundwater of the substances on Lists I and II is prohibited or strictly limited.

3. For the purposes of this Directive:

(a) 'groundwater' means all water which is below the surface of the ground in the saturation zone and in direct contact with the ground;

(c) 'direct discharge' means the introduction into the groundwater of substances in Lists I or II without **seepage** through the ground;

<sup>(1)</sup> OJ No L 187, 12. 7. 1976, p. 1.

<sup>(1)</sup> OJ No L 187, 12. 7. 1976, p. 1.

(d) 'indirect discharge' means the introduction into the groundwater of substances in Lists I or II after *passage* through the ground.

(d) 'indirect discharge' means the introduction into the groundwater of substances in Lists I or II after seepage through the ground;

(e) 'traces' means concentrations of a substance on List I still remaining after the wastes have been treated with the best technical means available, in quantities which exclude any risk of pollution or alteration of the natural qualities of the groundwater;

(f) 'normal agricultural activities' means the use of substances which are specifically required for agricultural production in quantities recommended by the appropriate authorities of the Member States. This excludes all agricultural-industrial activities such as intensive livestock breeding.

*Article 2*

*Article 2*

This Directive shall not apply to the following discharges:

This Directive shall not apply to the following discharges:

- domestic effluents from isolated dwellings;
- discharges arising from normal agricultural activities;
- discharges of the titanium dioxide industry;
- discharges containing radioactive substances;

- u n c h a n g e d
- u n c h a n g e d
- u n c h a n g e d
- u n c h a n g e d

— in so far as the above involve seepage through banks or infiltration into surface water intended for subsequent use as drinking water.

*Article 3*

*Article 3*

1. The Member States shall prohibit all direct discharge of substances in List I.

1. The Member States shall prohibit all direct **and indirect** discharge of substances in List I.

2. Notwithstanding the foregoing provision, Member States may, under a system of prior authorization, provide for exceptions in the case of:

2. Notwithstanding the foregoing provision, Member States may, under a system of prior authorization, provide for exceptions in the case of:

(a) discharges into aquifers which are *isolated from the biosphere and unusable for any purpose*, especially domestic or agricultural;

(a) discharges into aquifers which are **permanently unusable for other purposes**, especially domestic or agricultural, **provided that such discharges do not harm the quality of other water resources and do not hinder the exploitation of other natural resources**;

(b) u n c h a n g e d

(c) discharges due to the injection of waste water used in the exploration for, and working of,

(c) change not affecting the English text

resources contained in the ground and discharge  
due to the exploitation of these resources;

(d) and (e) unchanged

(f) discharges containing only traces of substances in  
Lists I and II.

Article 3a

The Member States shall prohibit all direct and  
indirect discharge of the substances on Lists I and II  
in areas where the groundwater is at present used, or  
will be used in future, as drinking water.

Article 4

The Member States shall make *all indirect discharges  
of substances in List I and* all direct and indirect  
discharges of substances in List II subject to prior  
authorization.

Article 4

The Member States shall make all direct and indirect  
discharges of substances in List II subject to prior  
authorization.

Article 4a

The Member States shall make discharges for the  
purpose of improving water supplies through  
replenishment of groundwater subject to prior  
authorization.

Article 5

The authorizations referred to in Articles 3 (2) and 4  
may be granted only after consideration of the  
hydrogeological conditions of the area concerned and  
on condition that any *significant* risk of pollution is  
eliminated. The authorizations may be amended or  
withdrawn.

Article 5

The authorizations referred to in Articles 3 (2) and 4  
may be granted only after consideration of the  
hydrogeological conditions of the area concerned **and  
of the purifying capacity of the soil and subsoil and**  
on condition that any risk of pollution **or of  
alteration of the natural qualities of the groundwater**  
is eliminated. The authorizations may be amended or  
withdrawn.

Article 6

1. *The authorizations granted for the discharges  
referred to in Article 3 (2) and for the indirect  
discharges of substances in List I and the direct  
discharges of substances in List II shall be subject to  
supplementary requirements.*

Article 6

1. **deleted**

2. The authorizations shall specify, in particular:

- place of discharge,
- method of discharge,
- essential precautions in each individual case, taking particular account of the nature and concentration of the substances contained in the discharge and the characteristics of the receiving environment.

2. The authorizations shall specify, in particular:

- place of discharge,
- method of discharge,
- essential precautions in each individual case, taking particular account of the nature and concentration of the substances contained in the discharge and the characteristics of the receiving environment,
- measures for control of the quality of the receiving groundwater.

Paragraph 3 unchanged

4. Authorizations granted for the discharge into karst water of substances in Lists I and II shall lay down special protection measures made necessary by the vulnerability of such water.

Articles 7, 8 and 9 unchanged

Article 10

Article 10

Paragraphs 1 to 3 unchanged

4. The provisions of paragraphs 2 and 3 of this Article shall not prevent publication of *general information or surveys not containing data relating to particular undertakings or associations of undertakings*.

4. The provisions of paragraphs 2 and 3 of this Article shall not prevent publication of information concerning the nature, quantity and concentration of the substances and the place of discharge.

Article 11

Article 11

The application of the measures taken pursuant to this Directive may on no account be permitted to *increase*, either directly or indirectly, the pollution of groundwater.

The application of the measures taken pursuant to this Directive may on no account be permitted to **cause**, either directly or indirectly, the pollution of groundwater **or the alteration of the natural qualities of such water**.

Articles 12 to 15 unchanged

ANNEX

List I of families and groups of substances

Introductory phrase and 1 to 7 unchanged

8. Chromium
9. Lead and its compounds
10. Arsenic and its compounds
11. Cyanides

List II of families and groups of substances

Introductory phrase unchanged

1. delete '4. Chromium; 5. Lead; 7. Arsenic'.

2 unchanged

3. Substances which have a *deleterious* effect on the taste and/or odour of groundwater, and compounds liable to cause the formation of such substances in water.
3. Substances which have a **negative** effect on the taste and/or odour of groundwater, and compounds liable to cause the formation of such substances in water, thus making it **unsuitable for human consumption**.

4 and 5 unchanged

6. delete; 'Cyanides'.

7 unchanged

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision reviewing the second multiannual research and development programme for the European Economic Community in the environmental field (indirect action) adopted by Decision 76/311/EEC

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 245/78),
  - having regard to its resolution of 14 November 1975 on the proposal for a Council Decision on a second multiannual research programme <sup>(2)</sup>,
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinions of the Committee on Budgets and the Committee on Energy and Research (Doc. 409/78),
1. Notes that this proposal means that contract work over the period 1976 to 1980 is being considerably increased on the basis of a thorough assessment of research requirements;
  2. Shares the Commission's view that the implementation of the environmental action programme should continue at the present level and that its success still largely depends on the scientific and technical support of specialized national laboratories;
  3. Requests the Commission, in observance of the principle that preventive action must be taken against all forms of pollution, to concentrate environmental research increasingly on pinpointing 'nuisances' in good time so as to be able to combat them effectively;
  4. Reiterates its request to the Commission to aim at increasing coordination of national and Community environmental research activities, so that indirect and direct actions may complement each other in an optimal manner;
  5. Points out that research programmes must be accompanied by the political will of the Council, which will find expression in the early adoption of the Directives on the environment long since approved by Parliament;
  6. Urges the Commission always to include the financial consequences of new multiannual programmes and of reviews of such programmes in the general budget of the European Communities;
  7. Calls on the Council to approve the review of this research programme without delay;
  8. Approves the Commission's proposal subject to the above comments and requests it to adopt the following amendment pursuant to the second paragraph of Article 149 of the EEC Treaty.

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<sup>(1)</sup> OJ No C 173, 20. 7. 1978, p. 3.

<sup>(2)</sup> OJ No C 280, 8. 12. 1975, p. 59.

**Council Decision reviewing the second multiannual research and development programme for the European Economic Community in the environmental field (indirect action) adopted by Decision 76/311/EEC**

Preamble, recitals and Article 1 unchanged

*Article 2*

*The overall expenditure commitments estimated at 16 million units of account shall be replaced by the overall expenditure commitments estimated at 20.8 million European units of account, the European unit of account being defined in accordance with the Financial Regulations in force. The staff assigned to the programme remains fixed at 10 Community servants.*

*Article 2*

**The total amount required for the duration of the programme is estimated at 20.8 million European units of account, as defined in Article 10 of the Financial Regulation of 21 December 1977. The above figure, which is merely intended as a guide, replaces the corresponding figure in the programme adopted by Decision 76/311/EEC.**

Annex unchanged

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<sup>(1)</sup> For complete text, see OJ No C 173, 20. 7. 1978, p. 3.

## RESOLUTION

### on problems of education in the European Community

*The European Parliament,*

- having regard to the report on education in the European Community, 1976 and 1977, drawn up by the Commission <sup>(1)</sup>,
  - having regard to the communication from the Commission to the Council on the education action programme at Community level and on the teaching of languages in the Community (COM(78) 222 fin.),
  - having regard to the communication from the Commission to the Council on educational activities with a European content: the study of the European Community in schools (COM(78) 241 fin.),
  - having regard to the motion for a resolution tabled by Mr Wawrzik, Mr Schyns, Mr Fuchs, Mr Früh, Mr Aigner, Mr Jahn, Mr Schwörer and Mr H.-W. Müller on foreign language teaching in the Community (Doc. 118/78),
  - having regard to the motion for a resolution tabled by Mr Pisoni, Mr Zagari, Mr Bersani and Mr Fioret on the possible adoption of Esperanto as the working language of the European Community (Doc. 178/78),
  - having regard to the report of the Committee on Social Affairs, Employment and Education (Doc. 410/78),
1. Welcomes the Commission's latest initiatives in the educational field, as this is clearly an area where cooperation and coordination across national frontiers will benefit the individual European citizen;
  2. Considers it important to maintain a continuing exchange of views with the Commission on all questions of educational policy on which the Community can exert a positive and useful influence;
  3. Recommends to the Commission, with a view to future cooperation, that it draw up at suitable intervals documents on specific and clearly defined subjects in the field of educational policy so as to ensure that the discussions do not become too general in nature;
  4. Draws attention in this connection to the whole complex of problems associated with the teaching of migrant workers' children, who should be given high priority in acquiring an education that will enable them both to continue living in their host country and to return to their country of origin, it being essential that the latter recognize the education they have received;
  5. Warmly advocates further studies and pilot projects in the field of foreign language teaching since a common means of communication must be created if prejudice is to be broken down and mutual trust and understanding established among the peoples of Europe;
  6. Feels, therefore, that every child in the European Community should have the opportunity of acquiring working knowledge of at least one Community language apart from his or her mother tongue;
  7. Welcomes the proposal to establish a series of pilot projects to help in introducing guidelines relating to the teaching of a foreign language to less able pupils or those with little interest in languages, but believes that these should be given priority and a scheme of Community support created;
  8. Does not believe that it is practical to select Esperanto or any real language as a compulsory first foreign language;

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<sup>(1)</sup> See PE 49.167.

9. Does not wish to see the creation of common means of communication impose cultural uniformity on the citizens of Europe, as it is of great importance to protect the languages and cultures of all the Community countries, including those of ethnic and linguistic minorities and, particularly, those in serious danger of extinction:

10. Is of the opinion that the citizens in a community with a directly-elected parliamentary assembly need to be better informed about the European Community and that Community studies should therefore form an integral part of the teaching programmes in all schools;

11. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council concerning:

- I. a draft Decision amending Council Decision 78/774/EEC concerning the activities of certain third countries in the field of cargo shipping
- II. a draft Decision on the implementation of Article 2 of Decision 78/744/EEC concerning the activities of certain third countries in the field of cargo shipping

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 84 (2) of the EEC Treaty (Doc. 415/78),
- having regard to the interim report of the Committee on Regional Policy, Regional Planning and Transport (Doc. 429/78),
- referring to its previous resolutions on the establishment of a common sea transport policy, in particular with regard to certain third countries <sup>(2)</sup>,

1. Considers it vital that the Community's shipping interests be protected against various practices of certain third countries which are undermining the competitive position of the Community's merchant fleets;

2. Shares the Commission's view that it would be appropriate to establish an information system for a two-year period with a view to obtaining a clearer insight into the actual situation in the field of cargo liner transport;

3. Approves the Commission's proposals which are an essential supplement to the Decision adopted by the Council on 19 September 1978 <sup>(3)</sup>;

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<sup>(1)</sup> OJ No C 259, 1. 11. 1978, p. 6.

<sup>(2)</sup> OJ No C 57, 7. 3. 1977, p. 57; OJ No C 118, 16. 5. 1977, p. 40; OJ No C 131, 5. 6. 1978, p. 40; OJ No C 163, 10. 7. 1978, p. 49.

<sup>(3)</sup> OJ No L 258, 21. 9. 1978, p. 35.

4. Points out, however, that the establishment of an information system must not be used as a pretext for not taking joint counter-measures, in the meantime, should the restrictive practices of certain countries prove to be jeopardizing the Community's maritime interests;

5. Instructs its appropriate committees to keep a close watch on developments and to submit a report thereon at an early date.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 525/77 establishing a system of production aid for tinned pineapple

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the Treaty establishing the EEC (Doc. 258/78),
- having regard to the report by the Committee on Agriculture and the opinions of the Committee on Budgets and the Committee on Development and Cooperation (Doc. 352/78),

Approves the Commission's proposal.

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(1) OJ No C 183, 1. 8. 1978, p. 4.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on temporary importation arrangements

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Articles 28, 43 and 235 of the EEC Treaty (Doc. 244/78),
  - having regard to the report of the Committee on External Economic Relations (Doc. 405/78),
1. Approves the Commission's proposal, to which practical importance must be attached because the introduction of temporary import arrangements will mean:
    - (a) progress towards the uniform application of the Common Customs Tariff (CCT),
    - (b) simplification of the movement within the customs territory of the Community of goods to which the arrangements apply,
    - (c) distortion of the conditions of competition being countered;
  2. Feels that adequate resources must be available to the Commission to ensure the correct administration of the temporary importation arrangements, especially with a view to preventing the goods in question being used for purposes other than those provided for in the Commission's proposal;
  3. Attaches the utmost importance to the earliest possible adoption by the Commission and Council of the implementing measures called for in the proposal so that the temporary importation arrangements may be applied in full;
  4. Requests the Commission to incorporate the following amendments in its proposal, pursuant to the second paragraph of Article 149 of the EEC Treaty.

<sup>(1)</sup> OJ No C 172, 19. 7. 1978, p. 2.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

### Council Regulation on temporary importation arrangements

Preamble and recitals unchanged

TITLE I

General

Articles 1 to 4 unchanged

<sup>(1)</sup> For complete text, see OJ No C 172, 19. 7. 1978, p. 2.

*Article 5*

Except in cases for which special time limits have been established, the authorities shall fix the period during which the goods may remain in the territory by reference to the authorized uses. This period shall run from the date on which the goods become subject to the arrangements and may not exceed 24 months.

However, where the holder of the authorization is able to show just cause, the authorities may amend the conditions of the authorization for temporary importation, and in particular the time limit, for reasons which have arisen subsequently to the importation of those goods.

*Article 5*

Except in cases for which special time limits have been established, the authorities shall fix the period during which the goods may remain in the territory by reference to the authorized uses. This period shall run from the date on which the goods become subject to the arrangements and may not exceed 24 months.

However, where the holder of the authorization is able to show just cause, the authorities may amend the conditions of the authorization for temporary importation, and in particular the time limit, for reasons which have arisen subsequently to the importation of those goods, **provided that the Commission is informed before any decision is taken.**

Article 6 unchanged

TITLE II

**Importation with total relief from payment of import duties**

Articles 7 to 22 unchanged

TITLE III

**Temporary importation with partial payment of duty**

Article 23 unchanged

*Article 24*

1. Partial payment under Article 23 shall be effected by the application of import duties on 3 % of the value of the imported goods for each month, or fraction of a month, of their stay under the arrangements. Such value shall be determined according to the rules on valuation for customs purposes applicable on the date on which the authorities accept the entry for temporary importation.

*Where the goods accepted for partial payment of duty are subject to a specific charging arrangement the standard percentage referred to in the first subparagraph shall apply to the quantity to be taken into consideration for the purposes of that arrangement.*

*Article 24*

1. Partial payment under Article 23 shall be effected by the application of import duties on the stated amount of the hire contract established under fully competitive conditions; this amount may be checked according to the rules on valuation for customs purposes applicable on the date on which the authorities accept the entry for temporary importation.

deleted

Paragraphs 2 and 3 unchanged

Article 25 unchanged

TITLE IV

**Additional provisions for the placing of goods under the temporary importation arrangements, and for their movement within the customs territory of the Community**

Article 26 unchanged

TITLE V

**Final discharge of the arrangements**

Articles 27 to 31 unchanged

TITLE VI

**Final provisions**

*Article 32*

To ensure the correct administration of the temporary importation arrangements Member States shall communicate to the Commission all data relating to importations which might warrant an examination at Community level.

Information the disclosure of which might prejudice industrial or trade secrets may be given in separate returns, which shall be treated as confidential.

*Article 32*

To ensure the correct administration of the temporary importation arrangements Member States shall communicate to the Commission data relating to importations which, because they are of a significance to be determined by the Committee for Customs Processing Arrangements or because of the special circumstances in which they were carried out, may warrant an examination at Community level.

Information the disclosure of which might prejudice industrial or trade secrets may be given in separate returns, which shall be treated as confidential.

Articles 33 to 35 unchanged

Annexes unchanged

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on trade in oils and fats between the Community and Greece

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 357/78),
- having regard to the report of the Committee on Agriculture and the opinion of the Committee on External Economic Relations (Doc. 432/78),

Approves the Commission's proposal.

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<sup>(1)</sup> OJ No C 235, 5. 10. 1978, p. 3.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation providing for an aid for degerming maize

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 243/78),
- having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 412/78),

1. Expresses doubts as to the value of the Commission's proposal which it therefore rejects;
2. Asks the Council, if it nevertheless adopts this proposal, to make provision in Articles 1 (2) and 5 for consultation of the European Parliament.

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<sup>(1)</sup> OJ No C 172, 19. 7. 1978, p. 15.

**RESOLUTION**  
on the revival of economic and monetary union

*The European Parliament,*

- having regard to its resolution of 11 March 1976 on the Community of stability and growth <sup>(1)</sup>,
- having regard to the motion for a resolution on the revival of economic and monetary union tabled by the Christian-Democratic Group (Doc. 496/77),
- having regard to the motion for a resolution on economic and monetary union tabled by the Group of European Progressive Democrats (Doc. 209/78),
- having regard to the initiatives taken at the European Council in Bremen,
- having regard to the report of the Committee on Economic and Monetary Affairs and the opinions of the Committee on Regional Policy, Regional Planning and Transport and the Committee on Social Affairs, Employment and Education (Doc. 437/78),

1. Recalls that in 1972 the governments of both old and new Member States committed themselves to achieve full monetary union by 1980;
2. Deplores the lack of political will and the subsequent economic difficulties which prevented the implementation of this policy, adopted in 1972;
3. Considers that the international scale of the crisis and the interpenetration of the economies of the Member States prevent any one country from overcoming the economic and social crisis on its own; recognizes that in spite of national efforts, the continuance of the economic recession, accompanied by a structural crisis, is now a powerful argument for a determined new effort to make progress towards economic and monetary union;
4. Considers that the first steps must be taken towards economic and monetary union and that this is feasible even if a monetary union based on a single European currency cannot be envisaged from the outset;
5. Views in this light the Bremen proposal for the introduction of a European monetary system to minimize fluctuations in Community currencies, thereby establishing a zone of stability characterized by converging economic and monetary policies designed to promote higher growth rates and an improvement in the employment situation;
6. Stresses that for a European monetary system to be workable and, more important still, to lead to economic and monetary union, it must be accompanied by immediate national and Community economic policies oriented towards stability and growth and designed to further the convergence of Member States' economies with a reduction of regional and social disparities, above all by creating jobs in industries with a future; this would require the European monetary system to be organized in such a way that it aims at the achievement of exchange rate stability not only through the improvement of credit mechanisms, the fight against speculation, and transfers of resources within the Community as a means of promoting self-help, but also through accurately defined intervention provisions;
7. Points out that the reduction of regional and social disparities will be made considerably easier by a high rate of economic growth and that such growth will be encouraged by completing the construction of a real common market by removing all remaining barriers to trade between Member States;
8. Emphasizes that the establishment of a European monetary system must be thoroughly prepared, recalling that governments of Member States entered into the original EMU commitment without having fully appreciated the conditions and obligations which would need to be fulfilled;

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<sup>(1)</sup> OJ No C 79, 5. 4. 1976. p. 27.

9. Realizes that full monetary union with a single currency or irrevocably fixed parities is sharply differentiated from the transitional phase now envisaged, in that full union would require technical and political control over money supply and other macro-economic policies to be exercised by stronger central Community institutions, under the control of the European Parliament, instead of by national governments;

10. Notes, finally, that even a European monetary system which is not based on a single European currency requires mutually adjusted economic and monetary policies, failing which a further setback must be expected; this would have even more serious implications than the setback of the Werner plan had for the desired progress of the Community towards greater integration, improved economic efficiency and thus political solidarity;

#### *Social aspects*

11. Is of the opinion that the EMU (EMS) to be established by governments must ultimately lead to a much more far-reaching alignment of the Member States' economic policies and that this alignment can only succeed if it is accompanied by greater economic convergence and a reduction in the regional and social disparities between the Community Member States and if it has the wholehearted support of the Community's citizens;

12. Is convinced that this will not be possible in the present social and economic situation if the plans for the EMU (EMS) are merely 'backed up by a social policy <sup>(1)</sup>', but only if the basic objective is recognized from the outset as an integrated economic, monetary and social policy;

13. Notes that, in contrast to the first Commission document <sup>(2)</sup>, the new proposal <sup>(3)</sup> no longer treats social policy as entirely subordinate to the need for the smooth functioning of the economy but at least verbally acknowledges it to be of equal importance to, and an essential aspect of, economic policy;

14. Nevertheless considers the package of suggestions put forward by the Commission in February 1978 to be too restricted and incoherent a basis for attaining the objective set out in paragraph 12 of this resolution, since they remain limited by the present legal, financial and budgetary structure of the social provisions of the EEC Treaty;

15. Considers that the social component of the EMU (EMS) should be embodied in a long-term programme and that Article 235 of the EEC Treaty should consequently be invoked to provide a much broader legal basis for a vigorous Community social policy in order to adapt to current objectives and specific requirements the means provided for in the 1957 Treaty, which have in the meantime been superseded in political and economic terms, to which end the means provided for under the ECSC Treaty might also serve as a model;

16. Considers, moreover, that for the ESF, in the context of EMU (EMS),

- a considerable transfer of resources to the Fund,
- a fundamental extension of its tasks, and
- a radical reform of its management structure,

are essential, in particular to safeguard employment, and in general to make the Fund serve as the employment fund unmistakably intended in Article 125 (1) of the EEC Treaty; draws attention to its repeatedly <sup>(4)</sup> expressed demand that the Commission propose to the Council that the Commission, as manager of the Fund, should gradually be granted powers to act on its own initiative and, pending this development, expects the Commission to continue to propose to the Council, in given cases outside the scope of the Fund, special temporary budgetary appropriations for aid to specific sectors <sup>(5)</sup>;

17. Also considers it urgently necessary for account to be taken at this stage of:

- the need in due course to extend the EMU (EMS) — with particular regard to its social aspects — between the present nine Member States to those countries which will shortly be acceding to the Community, and at the same time

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<sup>(1)</sup> COM(77) 620 fin., p. 15, subparagraph (e).

<sup>(2)</sup> COM(77) 620 fin.

<sup>(3)</sup> COM(78) 52 fin.

<sup>(4)</sup> See paragraph 15 of the resolution of 12 May 1977 (OJ No C 133, 6. 6. 1977, p. 40).

<sup>(5)</sup> Fisheries sector (Doc. 357/77): Paragraph 47 *et seq.* of the resolution of 16 December 1977 (OJ No C 6, 9. 1. 1978, p. 120); see also Chapter 37 of the Commission section of the Community budget.

— the implications of their accession for the EMU (EMS), in particular the increase in the freedom of movement for workers and the increasing economic and social disparities between the northern and southern regions of the enlarged Community;

18. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation establishing a European monetary system

*The European Parliament,*

— having regard to the proposal from the Commission of the European Communities to the Council (COM(78) 572/fin. II),

— having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 436/78),

— having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 448/78),

1. Expresses satisfaction at the guidelines and outcome of the European Council in Bremen;
2. Notes that the Council and the Commission have been unable to provide it with the necessary details concerning the implementation of the policy resulting from these guidelines;
3. Having been consulted regarding the instruments of this policy, takes note of the Commission's proposal for a Regulation;
4. Hopes to be able to hold a debate on the policy as a whole and have access to the necessary information during its December 1978 part-session;
5. Points out as of now that, even with its new responsibilities, the Fund proposed cannot by itself guarantee the success of the European monetary system or its development into economic and monetary union unless a common economic policy and converging national policies are developed by the Member States;
6. Instructs its President to forward this resolution and the text of the oral explanatory statement to the Council and Commission, the Committee of Central Bank Chairmen and the Parliaments and Governments of the Member States.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision adopting the annual report on the economic situation in the Community and laying down the economic policy guidelines for 1979

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (COM(78) 529 fin.,
  - having been consulted by the Council pursuant to Article 4 of the Council Decision of 18 February 1974 on the attainment of a high degree of convergence of the economic policies of the Member States of the European Economic Community (Doc. 427/78),
  - having regard to the fact that eight of the nine Member States draw up their economic and budgetary policies for the coming year in the period September to December,
  - having regard to the fact that, because the Commission has been so late in submitting its proposal for economic policy guidelines for the following year, the national parliaments have no possibility of taking the views of the Commission and the European Parliament or the guidelines set by the Council into consideration when formulating their policies,
  - having regard to the fact that the drawing up of the annual report on the Community's economic situation and the laying down of economic policy guidelines thus assumes a formal rather than any real significance,
  - having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 434/78),
1. Draws attention to the continuing divergence of economic developments in the Member States and welcomes the decision to work out a new European monetary system, but points out that proper coordination of Member States' short- and medium-term economic policies is therefore all the more essential;
  2. Stresses the fact that inadequate coordination of Member States' economic developments entails the risk that the new European monetary system may break down under internal and external pressure;
  3. Therefore stresses the need to maintain the option of returning to the existing system of monetary cooperation between some Member States in the 'snake';

*the annual report for 1978*

4. Considers economic developments in 1978 to be characterized by the fact that:
  - in accordance with the objectives set last year the average rate of inflation and differences in Member States' inflation rates have been reduced,
  - the Community's overall balance of payments current account surplus has increased;
  - growth and employment objectives have not been met; growth and the number of employed have stabilized at a relatively low level so that an increase in the labour force leads to an increase in the unemployment rate;

5. Views with concern the growing share of the Community market claimed by some third countries, above all Japan, especially in view of the constant increase in unused production capacity in Community industries, particularly the consumer goods industries;
6. Finds the Commission's annex to the annual report (annual economic review 1978/79 <sup>(1)</sup>) on the Community's economic situation extremely interesting, but does not consider the report itself to be very informative;
7. Believes, however, that the world economic summit in Bonn on 15 to 17 July 1978 affords grounds for increased confidence in the possibility of achieving stable and lasting growth;

*the economic policy guidelines for 1979*

8. Considers the Commission's general guidelines for 1979 to be couched in more general terms than usual and to be an extrapolation of the July agreements on Member States' budgetary policies in 1979;
9. Recognizes that uncertainty as to the actual consequences of the economic and budgetary policies currently pursued by the Member States and the form and effects of the proposed monetary cooperation arrangement makes it difficult to draw up new detailed guidelines for the Member States now; therefore attaches great importance to the adjustment of the guidelines planned for the first quarter of 1979 and expects to be consulted by the Council on the subject;
10. Feels that the guidelines for the individual Member States are more in the nature of a review of the policies planned by the national authorities than actual Community guidelines for the Member States;
11. Stresses the need for the economically strong Member States to increase the export potential of the economically weaker Member States through a high level of growth; also emphasizes the need for the economically weak Member States themselves to make a contribution towards achieving convergence in economic development within the Community;
12. Feels that it should also be possible through the Community budget to increase overall economic growth in the Community as a whole without any risk of increasing inflation, but points out that responsibility for national expenditure can be assumed by the Community only if agreement has been reached on a common policy in the area concerned, especially as regards energy and restructuring policies;

*the coordination mechanisms*

13. Calls on the Commission to place greater emphasis on drawing up specific guidelines for the Community as a whole and quantitative guidelines for the Member States' monetary, credit and budgetary policies — guidelines that ought not only to reflect Member States' planned policies, but show what contributions the individual Member States need to make to achieve the objectives set by the Community;
14. Repeats its request to the Commission <sup>(2)</sup> to invoke Article 11 of the Council Decision of 18 February 1974 <sup>(3)</sup> where a Member State departs from the guidelines laid down by the Community;
15. Also calls on the Commission to ensure that the official coordination mechanisms are made more efficient, with the Council Decision of 18 February 1974 being amended in accordance with the guidelines sketched

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<sup>(1)</sup> SEC(78) 4033 fin.

<sup>(2)</sup> OJ No C 83, 4. 4. 1977, p. 27.

<sup>(3)</sup> OJ No L 63, 5. 3. 1974.

out in the Commission communication to the Council of 5 October 1977 <sup>(1)</sup>, bearing in mind that properly coordinated economic policies are needed for monetary cooperation;

*consultation of the European Parliament*

16. Recalls that, during the period 1965 to 1974, following an agreement with the Commission, the European Parliament was able several times a year to deliver its opinion to the Council on matters of short-term economic policy;

17. Deplores the fact that, since adoption of the Council Decision of 18 February 1974, it has had less time each year in which to prepare its opinion on short-term economic policy and was almost prevented from doing so this year because the Commission did not forward the necessary background material in time;

18. Calls on the Commission to put forward immediately a proposal for a Council Decision under which the Parliament directly elected in 1979 will be provided with full, up-to-date and prompt information on the economic situation in a manner that properly reflects the importance attached to short- and medium-term economic policy difficulties and the development of economic and monetary cooperation;

19. Recalls in this connection its request to the Commission <sup>(2)</sup> to consider amending the deadlines for consulting the European Parliament and the fact that its agreement to the annual report being submitted as late as in the fourth quarter of the year related to the 1975 report only <sup>(3)</sup>;

20. Instructs its President to forward this resolution to the governments and parliaments of the Member States.

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<sup>(1)</sup> COM(77) 443 fin.

<sup>(2)</sup> OJ No C 293, 13. 12. 1976, p. 46.

<sup>(3)</sup> OJ No C 239, 20. 10. 1975, p. 23.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation amending for the second time Regulation (EEC) No 1162/76 on measures designed to adjust wine-growing potential to market requirements
- II. a Regulation laying down supplementary measures to adjust wine-growing potential to market requirements in certain Community regions and amending Regulation (EEC) No 1163/76

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council (COM(78) 584 fin.),
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 439/78),
- having regard to the report of the Committee on Agriculture (Doc. 451/78),
- whereas the proposals submitted to it are transitional or limited in their application,
- whereas this opinion shall be without prejudice to its position on the action programme for the progressive establishment of balance on the market in wine <sup>(1)</sup>,

Approves the Commission's proposals.

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<sup>(1)</sup> COM(78) 260 fin., Volumes I to IV (Docs. 272/78 and 324/78).

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation opening, allocating and providing for the administration of a Community tariff quota for wines of fresh grapes, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus (1979)
- II. a Regulation opening, allocating and providing for the administration of a Community tariff quota for liqueur wines, falling within subheading ex 22.05 C of the Common Customs Tariff and originating in Cyprus (1979)

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 358/78),

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<sup>(1)</sup> OJ No C 241, 11. 10. 1978, pp. 2 and 5.

- having regard to the report of the Committee on External Economic Affairs and the opinion of the Committee on Agriculture (Doc. 438/78),

Approves the Commission's proposals.

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#### RESOLUTION

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation temporarily and partially suspending the autonomous Common Customs Tariff duties on certain types of fish**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,  
— having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 367/78),  
— having regard to the report of the Committee on External Economic Relations and the opinions of the Committee on Budgets and the Committee on Agriculture (Doc. 450/78),

1. Approves the Commission's proposal;

2. Considers it legally inadmissible, however, that the European Parliament was not consulted on Council Regulation (EEC) No 965/78 of 8 May 1978 <sup>(2)</sup> temporarily suspending the autonomous Common Customs Tariff duties on a number of agricultural products — including these types of fish — for a period varying from six to 12 months, which entered into force on 1 July 1978.

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<sup>(1)</sup> OJ No C 241, 11. 10. 1978, p. 9.

<sup>(2)</sup> OJ No L 125, 13. 5. 1978, p. 4.

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#### RESOLUTION

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive amending Directive 75/130/EEC on the establishment of common rules for certain types of combined road/rail carriage of goods between Member States**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,

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<sup>(1)</sup> OJ No C 185, 3. 8. 1978, p. 3.

- having been consulted by the Council pursuant to Article 75 of the EEC Treaty (Doc. 257/78),
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport (Doc. 425/78),

Approves the Commission's proposal.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Directive on the approximation of the laws of the Member States relating to the roll-over protection structures of wheeled agricultural or forestry tractors — static tests
- II. a Directive on the approximation of the laws of Member States relating to the towing hooks and reverse on wheeled agricultural or forestry tractors

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council (COM(78) 389 fin. and COM(78) 385 fin.),
- having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Docs. 354/78 and 373/78),
- having regard to the report of the Committee on Economic and Monetary Affairs and the opinion of the Committee on Regional Policy, Regional Planning and Transport (Doc. 424/78),
- having regard to its frequently reiterated attitude to the elimination of technical barriers to trade, the streamlined procedure to be followed and the harmonization method applied <sup>(1)</sup>,

1. Approves the Commission's proposals under the circumstances;
2. Draws attention once again to the great disadvantages of the slow procedure which is still being followed for the elimination of technical barriers to trade;
3. Hopes that the introduction of the new procedure for which the Commission, at Parliament's instigation, is to submit a proposal at present in the final stages of preparation, will encourage the elimination of technical barriers to trade and the attainment of the free movement of goods within the common market at an early date.

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<sup>(1)</sup> OJ No C 5, 8. 1. 1975, p. 41; OJ No C 76, 7. 4. 1975, p. 37; OJ No C 118, 16. 5. 1977, p. 33; OJ No C 131, 5. 6. 1978, pp. 84 and 85.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the abolition of postal charges for the presentation to customs of consignments of goods from another Member State which are relieved of internal taxes payable at importation

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 359/78),
  - having regard to its resolution of 12 April 1978 on the development of the customs union and of the internal market <sup>(2)</sup>,
  - having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 398/78),
1. Welcomes any measure which will help to convince citizens that they are living in a community;
  2. Approves, therefore, the Commission's proposal;
  3. Calls on the Council to enforce this Regulation with effect from 1 December 1978 to allow the European citizen to enjoy the benefits of this reform in time for the Christmas and New Year festivities.

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<sup>(1)</sup> OJ No C 240, 10. 10. 1978, p. 5.

<sup>(2)</sup> OJ No C 108, 8. 5. 1978, p. 29.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision adopting a programme concerning the decommissioning of nuclear power plants

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 126/78),
  - having regard to its resolutions
    - on the communication from the Commission of the European Communities to the Council on technological problems of nuclear safety <sup>(2)</sup>
    - on measures to be taken in connection with the removal of radioactive waste as part of Community energy policy and on the proposals from the Commission of the European Communities to the Council for
      - a Council resolution on the implementation of a Community plan of action in the field of radioactive waste
      - a Council Decision on the setting up of a high-level committee of experts responsible for assisting the Commission in the implementation of the plan of action in the field of radioactive waste
      - a Council Decision on the setting up of an *ad hoc* committee for the reprocessing of irradiated nuclear fuels <sup>(3)</sup>,
  - having regard to the report of the Committee on Energy and Research and the opinions of the Committee on Budgets and the Committee on the Environment, Public Health and Consumer Protection (Doc. 473/78),
1. Congratulates the Commission on its initiative in proposing a programme for the decommissioning of nuclear power plants;
  2. Believes that decommissioning, like other aspects of nuclear development, lends itself to a Community approach;
  3. Feels that the development of satisfactory decommissioning techniques could help to make nuclear power more acceptable to those who are at present hesitant;
  4. Calls on the Commission to elaborate Community norms for the decommissioning of nuclear installations, and to ensure that installations are so constructed as to be not only amenable to repair, but capable of being dismantled without undue complications;
  5. Notes that considerable work in the field of decommissioning has already been carried out in the Community, and is aware of the need to adapt the experience already acquired to the decommissioning of large nuclear power stations;
  6. Notes with approval that the programme may be submitted for amendment at the end of the second year, and trusts that the European Parliament would be reconsulted in the event of such amendment;
  7. Approves the Commission's proposal subject to the adoption by the latter of the following amendment pursuant to Article 149, second paragraph, of the EEC Treaty.

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<sup>(1)</sup> OJ No C 146, 21. 6. 1978, p. 3.

<sup>(2)</sup> OJ No C 128, 9. 6. 1975, p. 24.

<sup>(3)</sup> OJ No C 85, 10. 4. 1978, p. 46.

**Council Decision adopting a programme concerning the decommissioning of nuclear power plants**

Preamble, recitals and Article 1 unchanged

*Article 2*

The expenditure commitments necessary for the implementation of this programme are estimated at 6.38 million European units of account (EUA) with a staff of five.

*Article 2*

The upper limit of expenditure commitments necessary for the implementation of this programme is estimated to be 6.18 million European units of account (EUA), as defined in Article 10 of the Financial Regulation of 21 December 1977, and the staff is estimated at four. These figures are of an indicative nature only.

Article 3 unchanged

Annex unchanged

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<sup>(1)</sup> For complete text see OJ No C 146, 21. 6. 1978, p. 3.

RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision adopting a research programme for the European Atomic Energy Community on codes and standards for fast breeder reactors (structural integrity of components)

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 355/78),
- having regard to Article 7 of the EAEC Treaty,
- recalling the Council resolution of 22 July 1975 <sup>(2)</sup> on the technological problems of nuclear safety,
- having regard to the agreement of April 1970, under which the Council set up the Fast Reactor Coordinating Committee (FRCC),
- having regard to the decision of that committee setting up, in 1974, a Working Group 'Codes and Standards' (WGCS),

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<sup>(1)</sup> OJ No C 233, 3. 10. 1978, p. 4.

<sup>(2)</sup> OJ No C 185, 14. 8. 1975, p. 1.

- recalling its resolution of 17 February 1978 contained in the Noè report on the fast breeder option in the Community context — justification, achievements, problems and action perspectives (Doc. 519/78), particularly paragraph 15 of that resolution,
  - having regard to the report of the Committee on Energy and Research and the opinion of the Committee on Budgets (Doc. 493/78),
1. Agrees that the objective of progressive harmonization at Community level of codes and standards ensuring the structural integrity of components of fast breeder reactors (LMFBR) is of considerable political and economic importance;
  2. Recognizes the validity of the Commission's approach which is principally aimed at laying firm technical foundations for the subsequent pursuit of the objective of harmonization;
  3. Recommends that the indirect action programme should be systematically linked to action undertaken at national level;
  4. Calls for the widest possible exchange of information within the Community on the progress and results of the programme;
  5. Approves the role proposed by the Commission for the Fast Reactor Coordinating Committee, which would also act as Advisory Committee for the management of the programme;
  6. Considers that studies of the problem should continue after the expiry of the period fixed for the programme, and that the implementation of the programme itself should be subject to annual scrutiny;
  7. Approves the Commission's proposal subject to the adoption by the latter of the following amendment, pursuant to the second paragraph of Article 119 of the EAEC Treaty, and requests the Council to adopt the programme as soon as possible, so that it can be introduced from 1 January 1979.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Decision adopting a research programme for the European Atomic Energy  
Community on codes and standards for fast breeder reactors (structural integrity of  
components)**

Preamble, recitals and Article 1 unchanged

*Article 2*

The expenditure *commitments* required for the implementation of *the* programme *are* estimated at 5 825 000 EUA and the members of staff to be assigned to this project by the Commission is set at three.

*Article 2*

The upper limit on the expenditure required for the implementation of **this** programme is estimated at 5 825 000 EUA, in accordance with Article 10 of the Financial Regulation of 21 December 1977, and the members of staff to be assigned to this project by the Commission is set at three. **These figures are purely indicative.**

Article 3 unchanged

Annex unchanged

<sup>(1)</sup> For complete text see OJ No C 233, 3. 10. 1978, p. 4.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision adopting a research and development programme for the European Economic Community in the field of reference materials and methods (Community Bureau of Reference — BCR) and applied metrology (non-nuclear indirect action) (1979-1982)

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 248/78),
  - having regard to its previous resolutions in the field of reference materials and methods and, in particular,
    - its resolution of 16 December 1971 on a programme of research and education for the European Atomic Energy Community and a research programme for the European Economic Community in the field of standards and reference substances and in the field of the protection of the environment <sup>(2)</sup>,
    - its resolution of 11 December 1972 on proposals for three Decisions and other documents concerning the new multiannual research and education programme of the Communities <sup>(3)</sup>,
    - its resolution of 14 November 1975 on a multiannual research and development programme of the EEC for reference materials and methods (BCR) (1976-1978) — indirect action <sup>(4)</sup>,
  - having regard to the report of the Committee on Energy and Research and the opinion of the Committee on Budgets (Doc. 477/78),
1. Recognizes the relevance of the research and development programme in the field of reference materials and methods to the needs of industry;
  2. Reiterates the view that indirect action is suitable for programmes of this nature;
  3. Welcomes the proposal to establish a service to publicize and commercialize Community reference materials;
  4. Insists on the European Parliament being consulted should this programme be revised;
  5. Approves the Commission's proposal subject to the adoption by the latter of the following amendments pursuant to Article 149, second paragraph, of the EEC Treaty.

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<sup>(1)</sup> OJ No C 176, 25. 7. 1978, p. 5.

<sup>(2)</sup> OJ No C 2, 11. 1. 1972, p. 24.

<sup>(3)</sup> OJ No C 138, 31. 12. 1972, p. 9.

<sup>(4)</sup> OJ No C 280, 8. 12. 1975, p. 62.

**Council Decision adopting a research and development programme for the European Economic Community in the field of reference materials and methods (Community Bureau of Reference — BCR) and applied metrology (non-nuclear indirect action) (1979-1982)**

Preamble, recitals and Article 1 unchanged

*Article 2*

The upper limit for commitments for expenditure and the *maximum* number of staff necessary for the implementation of the programme are estimated at 11.3 million European units of account and 14 staff respectively, the European unit of account being defined in the Financial Regulations in force.

*Article 2*

The upper limit of expenditure commitments necessary for the implementation of this programme is estimated to be 11.3 million European units of account as defined in Article 10 of the Financial Regulation of 21 December 1977, and the staff is estimated at 14. These figures are of an indicative nature only.

Article 3 unchanged

*Article 4*

During the third year the programme shall be reviewed and possibly revised in accordance with the appropriate procedure and after consultation with the Advisory Committee on Programme Management.

*Article 4*

Before the end of the second year the programme shall be reviewed and possibly revised in accordance with the appropriate procedure and after consultation with the Advisory Committee on Programme Management and the European Parliament.

Article 5 unchanged

Annex unchanged

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<sup>(1)</sup> For full text see OJ No C 176, 25. 7. 1978, p. 5.

**RESOLUTION**

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision adopting a multiannual research programme for the European Economic Community in the field of climatology (indirect action) (1979 to 1983)**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 350/78),

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<sup>(1)</sup> OJ No C 247, 18. 10. 1978, p. 2.

— having regard to the report of the Committee on Energy and Research and the opinions of the Committee on Budgets and the Committee on the Environment, Public Health and Consumer Protection (Doc. 478/78),

1. Recognizes the need for increased knowledge of the underlying mechanisms of the climate and climate changes as existing knowledge in this area at present provides an inadequate basis for reliable climate prediction;
2. Draws attention to the fact that improved climate predictions are a necessary basis for any measures to be taken with regard to the consequences of such climatic conditions and relations which society has no influence on, but which have considerable, and often undesirable, economic and social consequences;
3. On the other hand, stresses the importance of the fact that a major part of the research programme is directed towards the study of those climatic conditions which are influenced and perhaps determined by the agency of individuals and society, particularly with regard to energy;
4. Recalls that neither the weather nor the climate respects geographic or political frontiers and that this is an indication of the need for and the desirability of a common research effort at European level;
5. Therefore welcomes the fact that the programme opens up the possibility of cooperation with other European countries with which the Community has common interests and with which it also cooperates in other scientific and technological fields;
6. Since climatic phenomena are observed throughout the atmosphere and biosphere, recommends the closest possible collaboration with all scientific institutions in the world which are engaged in meteorological and climatological research and studies;
7. Considers the present programme to be a first essential step in an effort which will have to be maintained for many years to come;
8. Agrees that the proposed research programme should be carried out as an indirect action since this will ensure optimum utilization and coordination of the financial and manpower effort which is already being made in the Member States;
9. Approves the Commission's proposal subject to the adoption by the latter of the following amendments, pursuant to the second paragraph of Article 149 of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (1)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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**Council Decision adopting a multiannual research programme for the European Economic Community in the field of climatology (indirect action) (1979 to 1983)**

Preamble, recitals and Article 1 unchanged

*Article 2*

The upper limit of expenditure commitments necessary for the implementation of this programme is estimated at 8 million European units of account,

*Article 2*

The upper limit of expenditure commitment necessary for the implementation of this programme is estimated at 8 million European units of account,

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(1) For complete text see OJ No C 247, 18. 10. 1978, p. 2.

*the European unit of account being defined by the Financial Regulations applicable, and the number of staff is set at three.*

as defined in Article 10 of the Financial Regulation of 21 December 1977, and the number of staff is set at three. These figures are of an indicative nature only.

Article 3 unchanged

Article 4

During the third year, the programme shall be reviewed; this review may result in a revision of the programme in accordance with the appropriate procedures after the Advisory Committee on Programme Management has been consulted. The European Parliament shall be informed of the results of that review.

Article 4

Before the second year has expired, the programme shall be reviewed; this review may result in a revision of the programme in accordance with the appropriate procedures after the Advisory Committee on Programme Management and the European Parliament have been consulted. The European Parliament shall be informed of the results of that review.

Articles 5, 6 and 7 unchanged

Annex unchanged

#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision adopting a multiannual research and development programme of the European Economic Community in the field of recycling of urban and industrial waste (secondary raw materials) (indirect action) (1979-1982)

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 349/78),
- having regard to the report of the Committee on Energy and Research and the opinion of the Committee on Budgets (Doc. 494/78),

1. Welcomes the objectives of the proposed research programme since, if it is successfully implemented, it may be possible to recover useful raw materials and thus conserve scarce natural resources;
2. Welcomes the fact that by reducing the large quantities of waste produced in various social sectors it will be possible not only to increase the degree of self-sufficiency in raw materials but also to implement measures to protect the natural environment;

<sup>(1)</sup> OJ No C 233, 3. 10. 1978, p. 2.

3. Calls for due consideration to be given to the possibility of the widest possible coordination with other relevant research and development activities in the Community when implementing the programme;
4. Calls on the Commission to investigate the possibility of cooperation with third countries conducting research in areas of relevance to the programme;
5. Acknowledges the difficulty, at the present stage of research and development regarding recovery techniques and processes, of assessing whether a recovery industry would be economically feasible, but calls on the Commission to watch out for clearly negative economic factors;
6. Agrees that supply, conservation and environmental as well as economic aspects must be taken into consideration when assessing the appropriateness of the programme;
7. Approves the Commission's proposal subject to the adoption by the latter of the following amendments, pursuant to the second paragraph of Article 149 of the EEC Treaty;

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (1)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Decision adopting a multiannual research and development programme of the  
European Economic Community in the field of recycling of urban and industrial waste  
(secondary raw materials) (indirect action) (1979-1982)**

Preamble, recitals and Article 1 unchanged

*Article 2*

The upper limit for expenditure commitments necessary for the implementation of this programme is estimated at 13 million European units of account and the staff at six, *the unit of account being defined by the Financial Regulations in force.*

*Article 3*

The Commission shall be responsible for the implementation of the research and development programme. *To assist it* in this task, an Advisory Committee on Programme Management for Research and Development in Urban and Industrial Waste Recycling (secondary raw materials) *is hereby set up.*

*Article 2*

The upper limit for expenditure commitments necessary for the implementation of this programme is estimated at 13 million European units of account, as defined in Article 10 of the Financial Regulation of 21 December 1977, and the staff is estimated at six. **These figures are of an indicative nature only.**

*Article 3*

The Commission shall be responsible for the implementation of the research and development programme. **It shall be assisted** in this task by an Advisory Committee on Programme Management for Research and Development in Urban and Industrial Waste Recycling (secondary raw materials), **which shall also be the Advisory Committee on Programme Management for Research and Development in Paper and Board Recycling.**

(1) For complete text see OJ No C 233, 3. 10. 1978, p. 2.

The terms of reference and the composition of this Committee shall be defined in accordance with the Council Resolution of 18 July 1977 on advisory committees on research programme management.

*Article 4*

*During the third year* the programme shall be reviewed; this review may result in a revision of the programme in accordance with the appropriate procedures after the Advisory Committee on Programme Management has been consulted. The European Parliament shall be informed of the results of that review.

The terms of reference and the composition of this Committee shall be defined in accordance with the Council Resolution of 18 July 1977 on advisory committees on research programme management.

*Article 4*

**Before the end of the second year** the programme shall be reviewed; this review may result in a revision of the programme in accordance with the appropriate procedures after the Advisory Committee on Programme Management and the European Parliament have been consulted. The European Parliament shall be informed of the results of that review.

*Article 4a*

1. In accordance with Article 228 of the EEC Treaty, the Community may conclude agreements with other States involved in European Cooperation in the field of Scientific and Technical Research (COST) with a view to extending the coordination which is the subject of this decision to research undertaken in those States.

2. The Commission is hereby authorized to negotiate the agreements referred to in paragraph 1.

Article 5 unchanged

Annex unchanged

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## DECISION

on the accounts of the European Parliament and the discharge in respect of the 1976 financial year

*The European Parliament,*

- having regard to the interim report of the Committee on Budgets (Doc. 94/77),
  - having regard to its resolution of 9 May 1977 <sup>(1)</sup>,
  - having regard to the revenue and expenditure accounts and the statements of assets and liabilities of the Communities for the accountancy procedures in respect of the 1976 budget and to the report of the Audit Board on the accounts for the 1976 financial year (Doc. 132/78),
  - having regard to the report of the Committee on Budgets (Doc. 489/78),
1. Fixes the revenue and expenditure accounts of the European Parliament as at 31 December 1976 at a final figure of 45 805 859·54 u.a. including expenditure commitments incurred during that financial year of 42 049 987·88 u.a. actually spent and 3 755 871·66 u.a. still to be paid out at the end of that financial year;
  2. Calls on its administration and the other institutions of the Community to take appropriate action on the comments of the Audit Board as regards operating expenditure;
  3. Requests the responsible bodies, and in particular the Financial Controller, to ensure that the provisions of the Financial Regulation and the Staff Regulations are fully applied;
  4. Points to the more detailed scrutiny made by it, on the initiative of its Committee on Budgets, to reduce the estimates so that they correspond more accurately to realistic expenditure requirements;
  5. Instructs its administration to seek ways of reducing administrative expenditure, especially that arising from the upkeep of premises and from recruitment, by means of cooperation with the other institutions and by rationalization;
  6. Grants a discharge to its President and Secretary-General pursuant to Rule 50A (3) of its Rules of Procedure.

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(1) OJ No C 133, 6. 6. 1977, p. 10.

## DECISION

on the discharge to be granted to the Commission in respect of the implementation of the budget of the European Communities for the 1976 financial year

*The European Parliament,*

- having regard to the Treaty establishing the ECSC and in particular Article 78g thereof,
- having regard to the Treaty establishing the EEC and in particular Article 206b thereof,
- having regard to the Treaty establishing the EAEC and in particular Article 180b thereof,
- having regard to the revenue and expenditure accounts and the financial statements for the accountancy procedures in respect of the budget for the 1976 financial year,
- having regard to the report of the Audit Board on the accounts for the 1976 financial year and the answers of the institutions to the report (Doc. 132/78),
- having regard to the Council recommendation on the granting of a discharge to the Commission in respect of the implementation of the budget for the 1976 financial year (Doc. 317/78),
- having regard to the report of the Committee on Budgets (Doc. 489/78),

### 1. Notes that

- (a) Estimates of revenue for the 1976 financial year totalled: 8 509 738 961 u.a.
- (b) Estimates of expenditure for the 1976 financial year totalled: 8 470 609 608 u.a.

### 2. Notes that

- (a) Expenditure to be met from revenue for the financial year totalled: 7 952 574 591 u.a.
- (b) Appropriations (commitments) utilized during the financial year totalled: 8 311 464 518.47 u.a.

### 3. Grants a discharge to the Commission in respect of the following amount shown in the revenue and expenditure accounts:

#### (a) Revenue

- Entitlement for the 1976 financial year: 7 993 217 897.32 u.a.
  - Entitlement collected at 31 December 1976: 7 423 870 669.15 u.a.
- broken down as follows:
- 1. Amounts collected from the entitlement for the financial year: 6 589 035 058.13 u.a.
  - 2. Amounts collected from entitlement carried forward from the preceding financial year: 834 835 611.02 u.a.

- (b) Expenditure (payments shown in the accounts for the financial year): 6 257 193 266.96 u.a.

### 4. Points out that the surplus of revenue <sup>(1)</sup> over expenditure for the financial year <sup>(2)</sup>, totalling 40 542 573.12 u.a. is being carried forward to the following financial year;

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<sup>(1)</sup> See 3 (a) first indent: 7 993 217 897.32 u.a.

<sup>(2)</sup> See 2 (a): 7 952 574 591 u.a.

5. Draws attention to its resolution embodying the comments accompanying the decision granting a discharge and requests the institutions to report on the measures taken following those comments in accordance with Article 85 of the Financial Regulation;

6. Instructs its President to communicate this decision and the attached comments to the Commission, to forward them to the other institutions and to arrange for their publication in the *Official Journal of the European Communities* (L series).

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#### DECISION

on the discharge to be granted to the Commission in respect of the implementation of the activities of the fourth European Development Fund for the 1976 financial year

*The European Parliament,*

- having regard to the Treaty establishing the European Economic Community and in particular Article 206b thereof,
- having regard to the ACP—EEC Convention of Lomé,
- having regard to the internal agreement on the financing and administration of Community aid <sup>(1)</sup>,
- having regard to the revenue and expenditure account, the balance sheet and the report on the activities of the fourth European Development Fund <sup>(2)</sup> adopted on 31 December 1976,
- having regard to the report of the Audit Board on the accounts for the 1976 financial year and the answers of the institutions to the report (Doc. 132/78),
- having regard to the Council recommendation (Doc. 435/78),
- having regard to the report of the Committee on Budgets (Doc. 489/78),

1. Grants a discharge to the Commission in respect of the following amounts shown in the revenue and expenditure accounts for the 1976 financial year:

- revenue: amounting to 134 598 787·45 u.a.,
- expenditure (payments): amounting to 97 470 907·85 u.a.

2. Draws attention to its resolution embodying the comments accompanying the decision granting a discharge and requests the Commission to report on the measures taken following those comments in accordance with Article 67 (2) of the Financial Regulation applicable to the fourth EDF <sup>(3)</sup>;

3. Instructs its President to communicate this decision and the attached comments to the Commission, to forward them to the other institutions and to arrange for their publication in the *Official Journal of the European Communities* (L series).

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<sup>(1)</sup> OJ No L 25, 30. 1. 1976, p. 168.

<sup>(2)</sup> OJ No C 254, 24. 10. 1977, p. 1.

<sup>(3)</sup> OJ No L 229, 20. 8. 1976, p. 9.

## RESOLUTION

embodying the comments accompanying the decisions granting a discharge on the implementation of the budget of the European Communities for the 1976 financial year

*The European Parliament,*

1. Draws the attention of all the institutions to the irregularities and errors noted by the Audit Board, and invites them to take all measures necessary for their eradication;
2. Instructs its Control Subcommittee to give the closest possible attention to action taken on the comments accompanying the decisions granting a discharge in respect of the 1975 financial year, and to report on the matter to the Committee on Budgets;

### *Implementation of the budget for the 1976 financial year*

3. Notes that the pattern of expenditure in the 1976 budget bears no relation to the major factors influencing economic policy during the period, such as inflation, unemployment and the impact of the drought on harvest yields;
4. Emphasizes that the 1976 financial year was notable for the rapid take-off of the Regional Fund, initial progress on the EAGGF Guidance Section and the Community campaign of solidarity on behalf of the Friuli disaster victims;
5. Regrets the stagnation in food aid and research expenditure during the same period;
6. Deplores the distortions affecting the decisions of the Budgetary Authority, caused by an excessive number of transfers, carry-forwards, cancellations and supplementary budgets, particularly since the decisions in question were reached within the framework of the inter-institutional dialogue;

### *Revenue*

7. Requests the Commission to ensure that the Community character of own resources is not called into question by the national procedures employed for the establishment, collection and payment of such resources;
8. Proposes that the Commission should be provided automatically with information on these procedures and their operation in order to facilitate its task;
9. Calls upon the Commission to see to it that the Member States comply strictly with the obligation imposed on them by the Community regulations to provide the Commission with the information it needs for the exercise of its responsibilities, and stresses that it is in the interests of all concerned for the Commission to be able to ensure the effective operation of the system;
10. Is following with great interest the Commission's efforts to coordinate on-the-spot audits in the Member States; asks that its Control Subcommittee should be notified regularly of the results of these audits and their coordination;
11. Considers that the entry into force of financial autonomy will considerably increase the Commission's responsibilities in respect of the implementation of the 'revenue' section of the budget and is in favour of a corresponding increase in the staff responsible for auditing and the management of revenue, without any alteration in the present decentralized structure;
12. Notes that the current presentation of the 'revenue' section of the budget does not allow the Budgetary Authority and the Discharge Authority to carry out their responsibilities satisfactorily; is, moreover, of the view

that the budgetary transparency of the section on revenue is unlikely to be markedly improved except on the basis of thorough reform of the agricultural funds and hence of the entire CAP system;

13. Urges the Commission to take steps in the near future to promote the use of the EUA for the calculation and payment of Community fines;

14. Instructs its Control Subcommittee to make a detailed review of the Community's publications policy, with particular reference to the cost of producing these publications;

#### *Operating expenditure*

15. Notes that a relatively high proportion of staff are not covered by the Staff Regulations of officials of the European Communities; stresses that, although the recruitment of such staff facilitates a more flexible staff policy, it should be kept to an absolute minimum and discrimination against other persons, who have to go through the competition procedure, should be avoided;

16. Feels that recruitment procedures should be closely coordinated between the institutions and that, for certain grades at least, it should be possible to use joint reserve lists;

17. Calls on the Commission to extend the measures it has introduced to encourage staff mobility to the concept of mobility between institutions; invites the other institutions to take measures to this effect;

18. Considers that clear and precise conditions governing *ad personam* promotion should be drawn up for application in all the institutions; and will carefully monitor, in the course of future budgetary procedures, the creation of *ad personam* posts;

#### *Comments with regard to the European Parliament*

19. Calls on the administration of the European Parliament to take the appropriate steps to conform with the recommendations in the Audit Board's report on administrative expenditure for 1976;

20. Notes that as regards transfers of sums abroad by officials, the total amount remained relatively insignificant and did not exceed a certain percentage of staff salaries, and that these transfers will, in any case, cease to bring any exchange profits after introduction of the European unit of account for administrative expenditure;

21. Instructs its Subcommittee, following receipt of preliminary studies, to formulate recommendations to rationalize acquisitions policy, substituting purchasing for renting where appropriate;

#### *Expenditure on research and investment*

22. Has noted the efforts of the Commission to enhance the clarity and transparency of the presentation of the research and investment appropriations;

23. Considers that the tendering system should be used as widely as possible and insists that invitations to tender should be issued only after a detailed examination of requirements and after careful planning;

24. Notes that delays in decision-making in the case of JET caused an avoidable loss of several million EUA to the Community and urges simplification of the decision-making procedures to avoid recurrence of such regrettable situations;

25. Believes that careful attention should be paid to the desirability of concentrating Community research efforts on a limited number of lines which dovetail and synchronize with existing programmes conducted on a national basis and which could be prosecuted vigorously rather than diluting the Community effort by spreading the limited funds available over too wide an area;

26. Insists that an effective system for the gauging of return on outlay be evolved, in so far as it is possible to arrive at value judgements about research;

27. Is of the view that a policy of a degree of mobility for researchers should constitute an integral part of the overall Community approach to research;

28. Draws attention to the need for maintaining the appropriate balance between staff costs and expenditure on operational research;

#### *Euratom Supply Agency*

29. Notes from the Agency's operating account that the budget, which was largely financed with a Commission subsidy, amounted to 458 879 u.a. and welcomes the fact that no major irregularities were found by the Audit Board;

30. Instructs the Committee on Budgets to continue to study, together with the Commission, the financial management of the Euratom Supply Agency at the time of the audit for the next financial year;

#### *Social Fund*

31. Notes that, once again, payments made in the 1976 financial year on the basis of appropriations for the financial year were insignificant (1.81 %); that the total of cancelled appropriations from the 1974 and 1975 financial years amounted to 90 million u.a. and that this figure rose still higher, to 227 million u.a., in the 1977 financial year;

32. Endorses the Audit Board's view that the Commission's internal implementing procedures and administrative practices should be revised so as to reduce the delays observed in the making of payments;

33. Refers in this connection to the discussions held within the framework of the budgetary procedure for the 1979 financial year, and to the efforts to find new procedures such as will improve the flow of appropriations and to develop new ideas on cooperation with the Member States;

34. Invites the Commission to submit proposals to this end;

35. Instructs its Control Subcommittee to give close attention, particularly during the discharge procedure for the 1977 financial year, to such of these problems as remain unresolved;

#### *European Regional Development Fund*

36. Notes that the rate of utilization of commitment and payment appropriations has been satisfactory but nevertheless invites the Commission to urge the Member States to accelerate implementation of the operations for which they are responsible;

37. Requests the Commission to see to it that more uniform use is made of the appropriations within the quotas allocated to each Member State;
38. Notes that no major irregularity was reported during the financial year;
39. Nevertheless calls upon the Commission to examine with all due stringency all applications for assistance so as to ensure the effectiveness of financing in terms of the objectives pursued, and also to avoid harming the prestige of the Community's activities;

*EAGGF — Guarantee*

40. Considers that it is appropriate to look at the guarantee and guidance aspects of the EAGGF jointly when examining the impact of money spent in the context of the common agricultural policy;
41. Reiterates its view that greater emphasis should be laid on guidance outlay if the continued emergence of persistent surpluses with resultant intervention costs is to be minimized;
42. Believes that there is a danger that aid to agriculture by the Member States could run counter to the objectives of the common agricultural policy by having protective effects and that such aid needs to be examined carefully;
43. Urges that the closing of EAGGF accounts for earlier financial years be expedited and recalls that it made available 37 extra posts in the 1978 budget to help the Commission carry out its responsibility in this area;
44. Appreciates that it is difficult to measure precisely the economic effects of the agri-monetary system but urges the Commission to pursue its efforts at quantification in this area;
45. Asks that every effort be made to measure costs, draft possible alternatives, and generally open up the possibility for the making of political choices in the sphere of agriculture;
46. Expresses its surprise at the relatively few cases of irregularities reported by several Member States under Regulation (EEC) No 283/72, particularly in the beef and dairy products sectors;
47. Deplores the fact that the Commission should find itself obliged to point out that (a) it is sometimes necessary to remind Member States of the deadlines for reporting irregularities and (b) the data received tends to omit details;
48. Fears that the complexity of Community regulations may be rendering the detection of irregularities more difficult and therefore calls for a simplification of these regulations;
49. Is concerned at the slow rate of recovery of the amounts involved in those irregularities which come to light and recommends a speeding up of recovery procedures;
50. Considers the work of the Special Audit Mission to be particularly positive and useful and recommends that it be extended and intensified;
51. Notes that, in its final report, the Audit Board 'was unable to conclude that financial management in the sectors investigated has been sound in the sense of achieving the desired objectives at the lowest possible cost or even, in certain cases, of achieving them at all' and sees in this a measure of the size of the task confronting the new Court of Auditors in its work in relation to the EAGGF;

52. Reiterates its demand that a fuller breakdown of intervention costs should be provided in future budgets and that the Commission should provide, by the end of this year, a report on the working of the intervention system;

53. Believes that longer-term projections of Community production capacity and demand for agricultural products are an essential adjunct to management control of the EAGGF, from the effectiveness viewpoint, and asks the Commission to put the preparation of such projections in hand;

54. Calls for wider use of the tendering system to enable the EAGGF to operate as efficiently as possible;

55. Suggests that the Court of Auditors should comment in detail, in its annual report, on the operation of the intervention agencies;

#### *EAGGF — Guidance*

56. Emphasizes that the farm structures guidance policy can make a decisive contribution to the reduction of social and economic imbalances within the Community;

57. Asks, therefore, for the appropriations in respect of the activities of the Fund to be fixed commensurately with real needs, within the framework of the budgetary procedures;

58. Considers, nevertheless, that to ensure that the funds are actually used and are channelled towards the least developed regions, a simpler financing system should be established and the Member States should be encouraged to adopt less complicated bureaucratic procedures;

59. Asks once again for an effective link to be established between the instruments (particularly the Social Fund and the Regional Fund) which are capable of providing a practical response to problems of economic development;

60. Invites the Commission to take special care to ensure that projects financed with the participation of the EAGGF contain features of a kind that enable the Community aspects of the Fund to be appreciated;

61. Urges all the relevant institutions to intensify their control operations to ensure that the principles and aims described above are truly reflected in the management of the Fund;

#### *Development aid*

62. Recommends that the development aid appropriations should be presented more consistently, that responsibilities should be divided between the Council, Parliament and the Commission as uniformly as possible for Title 9 as a whole and that methods of management and control be harmonized;

63. Draws attention to the shortcomings and delays in the budgetary management of food aid and reiterates its concern that the budgetary and legal relationship between food aid and the EAGGF Guarantee Fund could make food aid policy dependent on the vicissitudes of the common agricultural policy;

64. Expresses its surprise at the Commission's reluctance to utilize the appropriations provided for aid to the non-associated developing countries without the Council's formal approval;

#### *Development Fund*

65. Notes the practical difficulties arising from the introduction of the EUA in the EDF; will do its utmost to find a solution to these difficulties; considers, nevertheless, that they are not such as to cast doubt on the principle of the use of the EUA as an accounting instrument, an instrument for the implementation of projects and a unit of currency;

66. Will reinforce its control over the EDF appropriations for whose utilization the EIB is responsible;
67. Attaches particular importance to the introduction of mechanisms allowing for greater parliamentary control over the appropriations earmarked for aid to the ACP in the context of an EDF which is incorporated in the budget;
68. Will pursue its investigation, in collaboration with the relevant departments and the Court of Auditors, into the working of the delegations in the ACP States and the effectiveness of the STABEX mechanisms.

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RESOLUTION

embodying the opinion of the European Parliament on the granting of a discharge to the Commission in respect of the activities of the first, second and third European Development Funds for the 1976 financial year

*The European Parliament,*

- having regard to the report of the Audit Board on the accounts for the 1976 financial year and the answers of the institutions to the report (Doc. 132/78),
  - having regard to the report of the Committee on Budgets and the opinion of the Committee on Development and Cooperation (Doc. 489/78),
1. Requests the Council to grant a discharge to the Commission in respect of the financial management of the first, second and third EDFs during the 1976 financial year;
  2. Recommends that the Council ensure that the ceiling arrangements for the second and third EDFs be supplemented by the following measures:
    - adoption of decisions to commit the outstanding balance of the second EDF,
    - transfer of the outstanding balance to the third EDF.

## RESOLUTION

### on the fixing of the ECSC levy and on the ECSC operational budget for 1979

*The European Parliament,*

- having regard to the Commission's aide-mémoire on the fixing of the ECSC levy and on the drawing up of the ECSC operational budget for 1979 (Doc. 497/78),
- having regard to the joint meeting of the Committee on Budgets, the Committee on Economic and Monetary Affairs, the Committee on Social Affairs, Employment and Education and the Committee on Energy and Research of 4 December 1978,
- having regard to the report of the Committee on Budgets (Doc. 502/78),
- having regard to
  - a) the continuing unfavourable economic situation and the structural crisis in the iron and steel industry,
  - (b) the resulting growing need of this sector of industry for adaptation grants, research aid and interest subsidies as accompanying measures for the necessary reorganization of the industry,
  - (c) the fact that the necessary funds for this expenditure must, under the provisions of the ECSC Treaty, be raised by the coal and steel undertakings themselves,
  - (d) the Commission's figure of 257 million EUA for the funds required as against ordinary revenue of only 120 million EUA,

#### *as regards revenue*

1. Does not consider a change in the levy rate appropriate in the present economic circumstances;
2. Approves therefore the unchanged levy rate of 0.29 % proposed by the Commission, which will yield an estimated revenue of 98 million EUA;
3. Is of the opinion that
  - (a) the necessary financial resources to meet the deficit in the ECSC operational budget for 1979 must be obtained by recourse to the customs duties on coal and steel products collected by the Member States;
  - (b) it is of decisive importance in this connection that the loophole in the decision of 21 April 1970, which for the area covered by the EEC Treaty replaced contributions by the Member States with the system of Community own resources, should be closed so that the customs duties on ECSC products accrue to the benefit of the ECSC;
  - (c) any other solution which makes the financing of the deficit dependent on decisions by and/or contributions from the Member States jeopardizes the ECSC's financial autonomy;

#### *as regards expenditure*

4. Draws attention to the actual expenditure requirement of 257 million EUA calculated by the Commission;
5. Considers, in the light of the economic and social situation in the coal and steel sector, the reductions made by the Commission in the research aids and aids in the form of interest rebates to be very unwise;
6. Approves reluctantly, in view of the limited revenue, the expenditure figure of 180 million EUA proposed by the Commission for the operational budget;

7. Urges the Commission once again to coordinate ECSC measures with all other Community measures such as the Social Fund, Regional Fund and the European Investment Bank, particularly as regards the close interdependence that exists between measures taken under the ECSC Treaty and those taken under other treaties in fields such as, for example, environmental protection and public health; is moreover of the opinion that in the long term the ECSC budget must be harmonized with the general budget of the European Communities;

*as regards general budgetary aspects*

8. Requests the Commission furthermore to give detailed consideration to the role of this operational budget and the interrelationship and necessary links with the far larger ECSC investment budget and the general budget of the Communities;

9. Urges the Commission once again to indicate to the Council and Parliament possible ways of integrating ECSC and EEC activities that are compatible with the existing treaties;

*as regards budgetary control*

10. Criticizes the fact that the Committee on Budgets still does not have at its disposal the Court of Auditors' report on the ECSC for the 1977 financial year;

11. Draws attention to the fact that this constitutes an infringement of Article 78 of the ECSC Treaty as amended by the Treaty of 22 July 1975 amending certain financial provisions;

12. Criticizes vigorously the state of affairs that has thereby arisen, which does not permit Parliament to assess the present position in full knowledge of all the facts;

13. Points in this context once again to the need for control by Parliament of all the financial activities of the ECSC and declares its intention of exercising control over the ECSC's investment budget; is accordingly of the opinion that the Commission should submit appropriate proposals to Parliament as rapidly as possible to ensure that this control can be applied with effect from the 1979 financial year;

14. Asks the Commission to submit to it after the first half of next year an interim report on the situation in the coal and steel sector, on the social measures necessary to overcome the difficulties in these industries and on the financial implications; this report should, where appropriate, define an overall approach involving all Community instruments with a view to resolving the crisis in this sector;

15. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

## RESOLUTION

### on the establishment of a European Monetary System

*The European Parliament,*

- noting the declarations by the Council and Commission on the outcome of the Conference of Heads of State or Government held in Brussels on 4 and 5 December 1978,
- referring to the statements made at its plenary sitting of 13 December 1978,
- taking note of the resolution of the European Council of 5 December 1978 concerning the establishment of a monetary system as from 1 January 1979,

1. Considers that the creation of a zone of monetary stability in Europe is one of the prerequisites for the resumption of investment, economic recovery, improvement of the employment situation and progress in the construction of Europe, and, in view of this, is happy to note the establishment of a European monetary system as from 1 January 1979;
2. Is gravely concerned at the fact that not all the Member States felt able to participate fully in the system at this stage, and appreciates the efforts made by Italy which, by joining, will be contributing to the achievement of a common and balanced economic and monetary policy;
3. Draws the attention of the Council and Commission to the fact that, if care is not taken, the European monetary system could itself bring about new imbalances which steps should be taken to forestall;
4. Recalls emphatically that the European monetary system cannot be really and truly established unless convergent national economic and monetary policies and Community policies are pursued with the common aim of:
  - increasing the rate of growth,
  - curbing inflation,
  - combating unemployment with a view to achieving full employment,
  - remedying social, regional and national inequalities particularly by making better use of the Community instruments for the transfer of resources, and especially the Funds, designed to reduce structural imbalances;
5. Calls in this connection on the Commission to submit without delay a proposal for a supplementary budget to provide the necessary appropriations for the aid measures referred to in Section B 1 of the European Council resolution;
6. Invites each Member State, the Commission and the Council to adopt an attitude that encourages full participation by all Member States in the monetary system in order to increase its effectiveness and emphasize the fact that it is a Community system;
7. Instructs its President to forward this resolution to the Council and Commission and, for information, to the governments of the Member States.

## RESOLUTION

### on the negotiations for the renewal of the Convention of Lomé

*The European Parliament,*

- having regard to the opinion of the Committee on External Economic Relations (Doc. 487/78),
  - whereas the new ACP—EEC Convention must set a specific and original example for a true partnership between the developing countries and the industrialized countries by being firmly rooted in a global development strategy and by making a positive contribution to resolving the new problems of international cooperation in such fields as energy, technology, scientific research, investment and raw materials,
  - believing that the future Convention should be taken as an opportunity to reinforce the pattern of relations between developed and developing countries,
  - hoping, therefore, that the Council in its guidelines and the Commission in the negotiations will not confine themselves simply to consolidating the present Convention but endeavour — as part of a regenerated development strategy — to arrive at an improved convention so that the ACP countries will feel themselves to be full partners in the action being taken to meet their most pressing needs,
1. Feels that the negotiating parties should look favourably on the applications for accession from countries which are among the world's poorest and whose economic structure and production are comparable with those of the ACP States;
  2. Considers that — in order to emphasize the permanent nature of the links between the Member States and the ACP States and to facilitate the economic planning of the ACP States — the new Convention should be concluded for a period of 10 to 15 years, and that it should contain provisions allowing it to be reviewed or adjusted to changes in the situation if the negotiating partners so request;
  3. Feels that the new Convention must be based on the principle that the most disadvantaged sections of the population in the ACP States should be the main beneficiaries of development policy;
  4. Stresses that this calls above all for the development of small-scale agriculture, craft trades and small- and medium-sized businesses, and for good elementary education, an efficient health care scheme, a sound housing policy and adequate water supplies;
  5. Condemns the re-emergence of protectionism in world trade and calls on the Community to take the necessary measures to make it possible, through the restructuring of certain sectors, to maintain all preferences granted to the ACP States, particularly by ensuring greater freedom of access to the Community market for the agricultural products of those States;
  6. Welcomes the Commission's resolve to protect workers in the developing countries through supervision by the International Labour Organization (ILO) over some of the agreements ratified by the developing countries within the framework of the ILO, but regrets that consideration has not been given to the protection of women workers during the pre- and postnatal period, so as to reduce the extremely high infant mortality rate in many ACP countries;
  7. Deems it necessary out of respect for the inhabitants of the countries of the contracting parties, to condemn the following violations against the human person:
    - political assassination or causing political opponents to disappear,
    - torture,
    - long periods of imprisonment without trial;
  8. Requests that, in order to ensure respect for national sovereignty and for the principle of the equality of the ACP and EEC States, a procedure be agreed between the negotiating partners;

9. Is of the opinion that, in conformity with the resolution unanimously adopted by the ACP—EEC Consultative Assembly on 29 September 1978 in Luxembourg, the question of a reference to human rights in the future Convention will, at the appropriate time, need to be approached with great care and a high sense of responsibility, and that such a reference will undoubtedly apply just as much to the EEC as to the ACP States;
10. Emphasizes the need to maintain, in all circumstances, Community measures designed to meet the fundamental needs of the population itself;
11. Expresses satisfaction at the generally successful operation of the STABEX system and requests the negotiating parties to investigate the possibility of including more processed products in the system;
12. Draws attention to the advantages for both parties of greater regional cooperation in fishing activities;
13. Takes the view that industrial cooperation should be stepped up concurrently with the development of systematic consultation of the economic and social circles of the ACP States and the EEC, particularly by means of a common regional approach;
14. Deplores the recent decline of private overseas investment in developing countries, particularly in the mining sector, which could have disastrous consequences for industrialized and developing countries alike;
15. Welcomes the Community's resolve to argue, during the negotiations, in favour of the need for selective investment protection, that is of investment which benefits the people themselves;
16. Considers that the Lomé Convention provides an ideal opportunity for the restoration of a stable economic and political climate, which would encourage the revival of such investment; accordingly urges the Council and Commission to seek to include in the new Convention a system of guarantees for such investment against economic and political risks;
17. Feels that in fixing the amount of the new European Development Fund account should be taken of, *inter alia*, the reduced effect of preferential concessions to the ACP States, inflation and the growth of gross national product in the Member States, and recalls the undertaking of the industrialized countries to attain the target minimum of 0.7 % of GNP devoted to official development aid;
18. Hopes that if the dramatic problems affecting southern Africa have still not been settled when the Convention is signed, the latter will specify the amount and terms of the exceptional aid to be granted to the countries in that region engaged in the struggle against continuing racism and colonialism;
19. Requests that the new European Development Fund be financed from the Community budget and that the new Convention should be approved by the European Parliament and ratified by the national parliaments;
20. Instructs its committee responsible to take steps in conjunction with the other members of the ACP—EEC Joint Committee to ensure that the new provisions concerning that committee and the Consultative Assembly are not adopted before the Joint Committee has been consulted;
21. Instructs its committee responsible to continue to follow the negotiations for the renewal of the Convention of Lomé and to report to it again if necessary;
22. Instructs its President to forward this resolution to the Council and Commission.

## RESOLUTION

embodying the opinion of the European Parliament on the communication from the Commission of the European Communities to the Council on the accession of the Solomon Islands, Tuvalu and Dominica to the ACP—EEC Convention of Lomé and proposals for certain legal acts relating thereto

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 457/78),
  - having regard to the report of the Committee on Development and Cooperation (Doc. 486/78),
1. Approves the proposed provisions, made necessary when the Solomon Islands, Tuvalu and Dominica achieved independence;
  2. Welcomes wholeheartedly the accession of the Solomon Islands, Tuvalu and Dominica to the Convention of Lomé as independent States;
  3. Hopes that the legal acts required will be adopted as soon as possible so as to prevent any delay in the application of the provisions of the Convention of Lomé to these States after their accession.

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## RESOLUTION

on Community action in the educational field

*The European Parliament,*

- having regard to Article 57 of the EEC Treaty concerning the mutual recognition of diplomas,
- having regard to Articles 41, 118 and 128 of the EEC Treaty concerning vocational training,
- having regard to Articles 7 and 9 of the EAEC Treaty,
- having regard to the resolution of the Council and the Ministers of Education meeting within the Council of 9 February 1976 on an action programme in the field of education,
- having regard to the debate held in the European Parliament on 15 November 1978 on education problems, on the basis of the Power report (Doc. 410/78) and the two oral questions by Mr Meintz to the Commission and Council (Docs. 338 and 339/78),
- whereas the Ministers of Education undertook to consider at their meeting of 27 November 1978 such important problems as:
  1. the teaching of languages in the Community,
  2. the study of the Community in schools,
  3. the admission of students at institutions of higher education in one country to institutions in another, and
  4. the particular situation regarding the education of young women aged up to 18 years,
- convinced that the economic and social objectives of the European Community will only be attained if economic and social policies are accompanied by appropriate measures in the educational field,

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<sup>(1)</sup> OJ No C 279, 23. 11. 1978, p. 3.

1. Expresses its deep disappointment at the decision of the Ministers of Education not to meet in the Council on the date proposed;
2. Hopes that this decision will not affect the fundamental issue, which is the need for Community action in the education field;
3. Requests the Council to decide on a new date as soon as possible for the meeting of Ministers of Education in the Council;
4. Instructs its President to forward this resolution to the Council.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the impact of the European monetary system on the common agricultural policy

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 476/78),
  - having regard to the report of the Committee on Agriculture (Doc. 523/78) and the oral opinion of the Committee on Economic and Monetary Affairs.
1. Stresses the fact that the introduction of the European monetary system cannot be allowed to cause any changes in the level of agricultural prices expressed in national currencies and in the level of monetary compensatory amounts;
  2. Considers, however, that once the aim of monetary stability throughout the Community has been achieved by means of the EMS, the Community will be in a position to adjust the monetary compensatory amounts in a pragmatic way to the new situation within a reasonable period of time — the total abolition of those amounts at the earliest possible date still being the Community's ultimate objective — thus creating a unified agricultural market without any reduction in farmers' incomes;
  3. Approves the Commission's proposal subject to this reservation.

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<sup>(1)</sup> OJ No C 294, 8. 12. 1978, p. 2.

## RESOLUTION

embodying the opinion of the European Parliament on the action programme 1979 to 1985  
for the progressive establishment of balance on the market in wine

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>;
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Docs. 272/78 and 324/78);
- having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 496/78);
- recalling its previous opinions on the problem of wine in the Community <sup>(2)</sup>;

### *A. General*

1. Points out that in the wine sector there is only a risk of surpluses occurring if the harvest is exceptionally abundant, which has not been the case for the last four marketing years, and that the situation is consequently perfectly normal;
2. Emphasizes the low level of expenditure on the wine sector as compared with total expenditure under the EAGGF Guarantee Section (3.2 % in 1978, approximately 1.6 % in 1979), despite the vital importance of this sector for a large number of producers;
3. Regrets the fact that, once again, the Commission's proposals are essentially negative, inasmuch as they are aimed more at drastically reducing production capacity than at stepping up consumption;

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<sup>(1)</sup> OJ No C 209, 2. 9. 1978, p. 3 and OJ No C 232, 30. 9. 1978, p. 4.

<sup>(2)</sup> See in particular the resolution on the 1977 farm prices, OJ No C 93, 18. 4. 1977, p. 11.

4. Asks the Commission, therefore, to submit further proposals without delay designed to:

- encourage consumption,
- extend refunds for exports to third countries,
- eliminate discriminatory taxation of alcoholic beverages <sup>(1)</sup>;

5. In view of the fact that wine is not produced in all the countries of the Community but only in a few, calls for the abolition of the monetary compensatory amounts between producer and non-producer countries, since their existence cannot be justified on the grounds of competition considerations;

6. Regrets that the Commission does not attack surpluses in other production sectors, incomparably more expensive for the EAGGF, with the same vigour with which it attacks surpluses in the wine sector;

#### B. *Observations on individual measures*

##### (a) *Concentrated must*

7. Considers that the long-term objective must be to ensure that wine is enriched only with products derived from grapes;

8. Feels, therefore, that encouragement should be given throughout the Community to the use for enrichment of rectified concentrated must, which in practice consists of pure grape sugar, in order to attain the aforementioned objective;

9. Emphasizes, moreover, the advantage of using concentrated must in that it does not change the organoleptic properties of wine;

10. Points out that increased use of concentrated must would significantly improve the balance on the wine market, by reducing the total quantity of grapes used in making wine;

11. Approves, therefore, the incorporation in the basic Regulation of legal provisions for the use of rectified concentrated must;

12. Is unable to share, however, the Commission's proposal of Community aid for the use of normal or rectified concentrated must because it considers that such aid should not be granted only occasionally, in the event of particularly bad harvests, but should be permanent, in order to offset the present difference in cost between enrichment with saccharose and enrichment with concentrated must;

13. Considers that this aid should, within the limits of the increase in natural alcoholic strength stipulated in Article 18 of Regulation (EEC) No 816/70, be applied throughout the Community;

14. Insists that, pending more general use of rectified concentrated must, Community aid for the use of normal concentrated must should be reserved on a priority basis for musts from wine-growing zone C III and for musts produced in the individual cooperatives to meet their own needs;

15. Requests that Community aid be extended to cover musts used in the manufacture of grape juice, British wine and Irish wine;

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<sup>(1)</sup> See the resolution on taxes applicable to wine and alcoholic beverages — OJ No C 239, 9. 10. 1978.

(b) *Floor price*

16. Totally rejects the proposal to insert in Regulation (EEC) No 816/70 statutory provision for the ban on the marketing of table wine below a specified floor price, as it considers that this measure is:

- contrary to the Community principle of the free movement of goods,
- difficult to justify on legal grounds,
- likely to create further disturbances on the alcohol market, in the absence of Community rules for this product,
- likely to have negative repercussions on the wine market, as it would represent a permanent threat to that market and would therefore seriously distort production,
- difficult to apply and to control;

17. Considers that this type of measure would constitute a dangerous precedent for the common agricultural policy, which might subsequently be invoked for other products;

18. Asks the Commission, therefore, to amend its proposal with a view to providing for automatic and permanent Community intervention (withdrawal/distillation/long-term contracts) in the wine sector, as is the case of the other principal agricultural products, whenever prices fall below 90 % of the guide price;

(c) *Additional compulsory distillation*

19. Considers that the Commission proposals to increase additional compulsory distillation are wholly unjustified from an economic point of view, as they would mean withdrawing a good quality product from the market, and are also almost impossible to apply, as shown by past experience;

20. Points out that the existing compulsory distillation measures, involving payment at a level lower than the normal distillation price, substantially reduce the income of producers of quality wine and that the proposed additional compulsory distillation would accordingly further penalize these producers in an unacceptable manner;

21. Feels that the obligation concerning deliveries of alcohol, over and above the 10 % rate for normal compulsory distillation, should be confined to those productions diverted from traditional and normal utilization such as wine from table grapes, or wine of which there is a surplus and which cannot therefore be used for the production of eau-de-vie with designation of origin;

22. Rejects, therefore, the Commission's proposal in this area;

(d) *Classification of vineyards*

23. Endorses the principle that Community wine-growing policy should be based on the natural suitability for wine production of the various regions;

24. Feels, however, that this criterion must not only be applied to negative objectives, in other words the reduction of current production, but also to positive objectives such as the flexible adjustment to the requirements of a market which could expand significantly if supported by suitable measures;

25. Is therefore in favour, in the light of the above considerations, of the subdivision of Community territory into three categories, according to natural suitability, in which production should be promoted or discouraged;

26. Rejects, however, the criteria indicated by the Commission for the classification of the three categories, considering them simplistic and likely to have undesirable consequences;

27. Feels that the criteria selected should represent all possible and available parameters;
28. Requests the Commission, therefore, to pursue current studies in order to ensure the adoption of universally acceptable criteria as soon as possible;

(e) *Rules on plantings and replantings*

29. Feels that a serious programme to plan wine production must be based on territorial suitability for wine-growing, and that it is therefore premature to put forward as of now, as the Commission has done, proposals for final legislation;
30. Upholds the principle that wine growers should not be subject to new coercive measures and obligations which have no counterpart in any other common organization of the market unless they are given specific income and employment guarantees;
31. Considers, moreover, that such proposals must take account of economic and social realities in the various areas and of the fact that in most cases wine is produced by small growers for whom it constitutes the sole source of income;
32. Emphasizes the danger of making the development of production in Category I (particularly suitable areas) dependent on the reduction of production in the other two categories, which would bring an entire sector with good development prospects to a standstill;
33. Asks the Commission to withdraw its proposals and to amend them in the light of the above considerations;
34. Welcomes the fact that the Council has extended for one year the ban on new plantings in Regulation (EEC) No 1162, since this period can be used to properly discuss and submit the abovementioned new proposals;

(f) *Structural measures*

35. Approves, in general, the various structural proposals from the Commission, inasmuch as they are not coercive but voluntary, based on a system of incentives which gives the wine grower the freedom to assess the economic and social advantages of making use of the possibilities offered by the Community;
36. Stresses, however, that these measures too, based on the natural suitability of the various zones, will have to be modified in the light of the new definitions;
37. Points to the danger that the premiums may be used principally for grubbing hybrid low-yield varieties, and not high-yield varieties, and therefore requests that a study be made of the advisability of increasing premiums for the grubbing of high-yield areas;
38. Is doubtful as to the advisability of providing for degressive abandonment and renunciation premiums from the fourth year;
39. Approves the proposal concerning collective projects for the restructuring of vineyards, but considers that the provisions on beneficiaries should be reviewed (extension under certain conditions to individual growers not covered by the compulsory collective contracts) and greater flexibility provided for the authorization of new plantings in certain suitable zones;
40. Requests that in the course of the negotiations with the applicant countries, the Community should insist on the application by them of planting and production controls similar to those which exist in the Community;
41. Requests the Commission to adopt the following amendments, pursuant to Article 149, second paragraph, of the EEC Treaty.

**Council Regulation amending Regulation (EEC) No 816/70 laying down additional provisions for the common organization of the market in wine**

Preamble, recitals and Article 1 unchanged

*Article 2*

The following Article is added to Regulation (EEC) No 816/70:

*Article 6e*

1. *When harvest forecasts show the need to undertake enrichment of a substantial proportion of production, the Council, acting on a proposal from the Commission in accordance with the voting procedure laid down in Article 43 (2) of the Treaty, may decide to grant aid for concentrated grape musts and concentrated rectified grape musts produced in wine-growing zone C III, used to increase the natural alcoholic strength referred to in Article 18.*

The Council shall, in accordance with the same procedure, adopt general rules on granting the aid referred to in the first paragraph and fix the amount of the aid.

2. The detailed rules for the application of this Article shall be adopted in accordance with the procedure provided for in Article 7 of Regulation No 24.

*Article 3*

The following Article is added to Regulation (EEC) No 816/70:

*Article 7a*

1. *Where the representative price for a type of table wine remains below 85 % of the guide price for three consecutive weeks despite implementation of all the intervention measures provided for in this Regulation and including that referred to in Article 7, the Council, acting by a qualified majority on a proposal from the Commission in accordance with the voting procedure laid down in Article 43 (2) of*

*Article 2*

The following Article is added to Regulation (EEC) No 816/70:

*Article 6e*

1. **Before the beginning of each wine year, the Council, acting on a proposal from the Commission in accordance with the voting procedure laid down in Article 43 (2) of the Treaty shall decide to grant aid in all the wine-growing zones for concentrated grape musts and concentrated rectified grape musts produced in wine-growing zone C III, used to increase the natural alcoholic strength referred to in Article 18 and to manufacture grape juice, British wine and Irish wine.**

The Council shall, in accordance with the same procedure, adopt general rules on granting the aid referred to in the first paragraph and fix the amount of the aid.

2. The detailed rules for the application of this Article shall be adopted in accordance with the procedure provided for in Article 7 of Regulation No 24.

3. **In granting the aid for normal concentrated must, priority shall be given to must from wine-growing zone C III or produced by individual cooperatives for their own use.**

*Article 3*

The following Article is added to Regulation (EEC) No 816/70:

*Article 7a*

**In the event of serious crises during which the prices quoted on two different markets, over two consecutive weeks, remain below 90 % of the guide price, provision shall be made for the distillation of all table wines at 90 % of the guide price of each type of table wine.**

(1) For complete text see OJ No C 209, 2. 9. 1978 and OJ No C 232, 30. 9. 1978.

*the Treaty, may decide to prohibit the marketing of table wines of this type below a minimum price to be set by the Council at the same time.*

*The minimum price referred to in the subparagraph above shall be adjusted for some production regions, depending on their proximity to the areas of use, so as to ensure that price formation takes its normal course.*

*2. When it is decided to prohibit marketing as referred to in paragraph 1 the Council, acting on a proposal from the Commission in accordance with the voting procedure laid down in Article 43 (2) of the Treaty, shall at the same time take a decision to allow distillation of wines of the type in question which meet the analytical quality requirements set for wines which may be the subject of long-term storage contracts.*

*3. The Council, acting on a proposal from the Commission in accordance with the voting procedure laid down in Article 43 (2) of the Treaty, shall adopt provisions to govern the distillation referred to in paragraph 2 and in particular:*

- the purchase price of the wine delivered for distillation,*
- the conditions under which distillation may be carried out,*
- the amount of the aid to facilitate disposal of the products obtained,*
- the price to be paid for the alcohol taken over by intervention agencies,*
- the share of the intervention agencies' expenditure to be financed by the Guarantee Section of the EAGGF.*

*4. The level of the minimum price referred to in paragraph 1 and the provisions on distillation referred to in paragraph 2 must be such as to enable the market price rapidly to attain a level equal to or higher than the activating price.*

*5. These detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24. They may also cover provisions relating to the control measures to be adopted by the Member States to ensure that the minimum price is respected.*

*6. The provisions of this Article shall apply only for the wine-growing years 1978/79, 1979/80, 1980/81 and 1981/82.*

**At the same time, long-term storage contracts shall be granted. At the end of the normal storage period, these contracts shall benefit from a guarantee of due payment at the level of the maximum buying-in price, in addition to the premium provided for.**

**This provision shall ensure the marketing of the wine at a price equivalent to the intervention price.**

**2. Deleted**

**3. Deleted**

**4. Deleted**

**5. Deleted**

**6. Deleted**

Article 4

Article 4

Article 24 a of Regulation (EEC) No 816/70 is replaced by the following text:

deleted

Article 24 a

1. The quantities of alcohol referred to in Article 24 (3) may be increased. From the 1978/79 wine-growing year the additional rate to be fixed shall range from 0 to 8 %. It shall be fixed on the basis of data contained in the forward estimates before 15 December of each year. The rates actually applied must however be such as to ensure that each region of the Community bears a fair share of the obligation and that the compulsory distillation of wines obtained from table grapes referred to in Article 24b is taken into account. A decision may be taken to adjust the additional rate, according to region, on the basis of one or more of the following criteria:

- the yield per hectare,
- the wine variety,
- the colour or type of wine,
- the alcoholic strength.

2. The increase referred to in paragraph 1 shall apply to all wine producers except those:

- whose vineyards are situated in the Italian parts of the C zones,
- who produce quality wines psr; the exception shall cover the part of their production to which this designation applies,
- who are exempt under Article 24 (2) and (5) and the second subparagraph of (6).

However, from the 1978/79 wine-growing year, if the additional rate is fixed at a level exceeding 3 %, the producers referred to in the first indent shall not be subject to an increase exceeding 5 %.

3. The buying-in price for wine delivered for distillation under paragraph 1 shall be 50 % of the guide price for table wine of type A I which enters into force in the year of the harvest concerned.

However, for the wine-growing years 1976/77, 1977/78 and 1978/79, it shall be fixed at 63 %, 60 % and 55 % respectively of the guide price referred to in the above subparagraph.

*The price paid by the distiller may not be lower than the buying-in price.*

4. *The Council, acting on a proposal from the Commission in accordance with the voting procedure laid down in Article 43 (2) of the Treaty, shall adopt general rules concerning the distillation referred to in paragraph 3, and in particular:*

- the conditions under which distillation may be carried out,*
- the price to be paid for the alcohol taken over by the intervention agencies,*
- the share of the intervention agencies' expenditure to be financed by the Guarantee Section of the European Agricultural Guidance and Guarantee Fund.*

5. *The decision fixing the additional rate referred to in paragraph 1 and the detailed rules for the application of this Article shall be adopted in accordance with the procedure laid down in Article 7 of Regulation No 24.*

6. *The Council shall take a decision on the maximum level of the additional rates referred to in paragraphs 1 and 2 applicable from the 1981/82 wine-growing year, on the basis of a report by the Commission to be presented before 1 August 1981.*

Article 5 unchanged

**Council Regulation on the grant of conversion and permanent abandonment premiums in respect of certain areas under vines**

Preamble, recitals and Articles 1 to 7 unchanged

Article 8

Article 8

The total costs of the *common* measure to the European Agricultural Guidance and Guarantee Fund shall be 150 million units of account.

The total cost of the measure to the EAGGF is estimated at 150 million units of account. **This figure is intended only as a guide.**

Articles 9 to 15 unchanged

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**Council Regulation establishing a system of premiums for the cessation of wine-growing  
in France and Italy**

Preamble, recitals and Articles 1 to 4 unchanged

*Article 5*

The total *contribution* by the EAGGF to the cost of  
the *common measure* is estimated at 22 million EUA.

*Article 5*

The total cost of the measure to the EAGGF is  
estimated at 20 million units of account. This figure  
is intended only as a guide.

Articles 6 to 10 unchanged

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**Council Regulation laying down further provisions on the grant of conversion and  
permanent abandonment premiums in wine production**

Preamble, recitals and Articles 1 to 11 unchanged

*Article 12*

The total cost of the *common* measure to the  
European Agricultural Guidance and Guarantee Fund  
*shall be* 17 million units of account.

*Article 12*

The total cost of the measure to the EAGGF is  
estimated at 17 million units of account. This figure  
is intended only as a guide.

Articles 13 to 18 unchanged

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**Council Directive on the programme to speed up the conversion of certain areas under  
vines in the Charentes departments**

Preamble, recitals and Articles 1 to 4 unchanged

*Article 5*

2. The *estimated* total cost of the *common*  
measure to the Fund *shall be* 10 million units of  
account *for the whole period*.

*Article 5*

2. The total cost of the measure to the EAGGF is  
estimated at 10 million units of account. This figure  
is intended only as a guide.

Paragraph 1 unchanged

Articles 6 to 8 unchanged

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**Council Regulation on collective projects for the restructuring of vineyards**

Preamble, recitals and Articles 1 to 8 unchanged

*Article 9*

*Article 9*

Paragraph 1 unchanged

2. The *estimated* cost of the *common* measure to the Fund for the period referred to in paragraph 1 shall amount to 156 million units of account, or 22 million units of account per year.

2. The total cost of the measure to the EAGGF is estimated at 156 million units of account. **This figure is intended only as a guide.**

Paragraph 3 unchanged

Article 10 unchanged

*Article 11*

*Article 11*

Paragraphs 1 and 2 unchanged

3. The Commission shall adopt measures which shall be immediately applicable. However, if such measures are not in accordance with the opinion of the Standing Committee on Agricultural Structure, they shall forthwith be communicated by the Commission to the Council; in that event, the Commission may defer application of the measures which it has adopted for not more than one month from the date of such communication.

3. The Commission shall adopt measures which shall be immediately applicable. However, if such measures are not in accordance with the opinion of the Standing Committee on Agricultural Structure, they shall forthwith be communicated by the Commission to the Council; in that event, the Commission may defer application of the measures which it has adopted for not more than one month from the date of such communication.

The Council, acting by a qualified majority, may take a different decision within one month.

The Council, acting by a qualified majority, may take a different decision within one month.

**However, if these measures have substantial financial implications, the Council may act only in agreement with Parliament.**

## RESOLUTION

embodying the opinion of the European Parliament on the agricultural aspects of the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 729/70 concerning the amount allotted to the EAGGF, Guidance Section

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 383/78),
- having regard to the report of the Committee on Agriculture (Doc. 521/78),

1. Welcomes the Commission's move to increase substantially the appropriations which the EAGGF, Guidance Section, may spend annually;
2. Supports the idea of placing a five-year ceiling on expenditure by the EAGGF, Guidance Section, since the budget of 4 200 million EUA envisaged means that the investments required to improve agricultural structures in the Community will have to be planned over five years;
3. Approves, therefore, the Commission's proposal.

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<sup>(1)</sup> OJ No C 244, 14. 10. 1978, p. 4.

## RESOLUTION

embodying the opinion of the European Parliament on the budgetary and financial aspects of the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 729/70 concerning the amount allotted to the EAGGF, Guidance Section

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 383/78),
- having regard to the report of the Committee on Budgets (Doc. 507/78),

1. Confirms its opposition to a ceiling being placed by Regulation on the appropriations of the EAGGF, Guidance Section;
2. Notes the Commission's proposal to fix by budgetary procedure the appropriations allocated to the EAGGF, Guidance Section;

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<sup>(1)</sup> OJ No C 244, 14. 10. 1978, p. 4.

3. Considers that a five-year financing plan for expenditure under the EAGGF, Guidance Section, should be adjusted during the annual budgetary procedure for the first financial year of each five-year period;
4. Feels that the Commission's estimates for the first five-year period are too static and should be reviewed by the budgetary authority;
5. Considers that the disadvantages of the ceiling on the EAGGF, Guidance Section, can no longer be veiled by a legal fiction;
6. Requests the Commission, therefore, to adopt the following amendments, pursuant to Article 149, second paragraph, of the EEC Treaty;
7. Reserves the right to initiate the conciliation procedure should the Council intend to depart from this opinion.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Regulation amending Regulation (EEC) No 729/70 concerning the amount  
allotted to the EAGGF, Guidance Section**

Preamble and recitals unchanged

*Article 1*

Article 6 (5) of Regulation (EEC) No 729/70 is amended to read as follows:

'For the year 1972 the appropriations for the Guidance Section of the Fund shall amount to 285 million units of account. From 1 January 1973 to 31 December 1979 these appropriations shall amount to 325 million units of account per year.

*From 1 January 1980 aids attributable to the Guidance Section of the Fund are evaluated at an average of 840 million European units of account. The appropriation to be entered in the budget shall be fixed annually by budgetary procedure in function of the aid to be financed in the framework of common measures and special measures for that year. However, for each five-year period, the total aid charged to the Guidance Section of the Fund may not exceed 4 200 million European units of account. This amount may be increased by the Council, acting according to the procedure laid down in the third subparagraph of Article 43 (2) of the Treaty, only for measures provided for in paragraph 2.'*

*Article 1*

Article 6 (5) of Regulation (EEC) No 729/70 is amended to read as follows:

unchanged

'From the 1980 financial year a five-year financing plan for expenditure under the EAGGF, Guidance Section shall be drawn up by the budgetary authority during the budgetary procedure for the first financial year of each five-year period. This financing plan shall show for guidance purposes the average annual allotment of the EAGGF, Guidance Section.

During the five-year period the five-year financing plan may be adjusted under the budgetary procedure.'

Article 2 unchanged

<sup>(1)</sup> For complete text see OJ No C 244, 14. 10. 1978, p. 4.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the granting of aid by the European Agricultural Guidance and Guarantee Fund, Guidance Section, in 1978 and 1979 pursuant to Regulation No 17/64/EEC and to Council Directive 77/391/EEC

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 407/78),
  - having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 522/78),
1. Requests that EAGGF Guidance Section aid be tailored to the specific needs of the Benelux countries in view of their particular economic situation;
  2. Invites the Commission, after the needs of the Benelux countries have been met, to concentrate EAGGF Guidance Section aid on those regions of the Community which have the greatest need to develop their agricultural infrastructures;
  3. Considers that the derogation provided for in Article 7 (2) of Directive 77/391/EEC in favour of the Benelux Member States should be extended to the other regions of the Community most affected by bovine diseases in order to safeguard the health of Community livestock;
  4. Approves the Commission's proposal on these conditions.

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<sup>(1)</sup> OJ No C 264, 8. 11. 1978, p. 4.

## RESOLUTION

on Tunisian attacks on Italian fishing vessels

*The European Parliament,*

- having regard to the continual attacks by Tunisian patrol boats on Italian fishing vessels sailing in international waters, resulting in deaths and injuries among the unarmed fishermen and the unjustified seizure of fishing boats,
  - considering that the fishing agreement between Italy and Tunisia will expire on 31 May 1979,
  - considering that, in exchange for fishing rights, Italy has already paid vast sums in compensation and undertaken to import large quantities of Tunisian olive oil,
1. Requests the Council and Commission to make vigorous representations to the Tunisian Government, calling on it to put a stop to the attacks on Italian fishing vessels;
  2. Calls on the Commission immediately to open negotiations with Tunisia for the renewal of the fishing agreement between Italy and Tunisia;
  3. Urges that, should Tunisia persist in its present attitude, the content and expiry dates of the cooperation agreements between the Community and Tunisia be reconsidered;
  4. Instructs its President to forward this resolution to the Council and Commission and to the Tunisian Government for its information.

## RESOLUTION

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on common rules for imports of certain textile products originating in third countries**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (COM(78) 393 fin.);
  - having been consulted by the Council pursuant to Article 113 of the EEC Treaty (Doc. 304/78),
  - having regard to the report of the Committee on Economic and Monetary Affairs, on the crisis in the textile industry (Doc. 438/77);
  - having regard to the report of the Committee on External Economic Relations and the opinions of the Committee on Economic and Monetary Affairs, the Committee on Social Affairs, Employment and Education and the Committee on Development and Cooperation (Doc. 467/78),
1. Emphasizes the temporary nature of the measures proposed and stresses the need for the Community's textile industry to adjust to the demands of international competition;

### *Social aspects*

2. Welcomes the proposal for a Regulation in that it may promote an orderly and balanced development of trade in textile products between the Community and third countries;
3. Is of the opinion that the Community's natural desire to protect its own jobs is difficult to reconcile with the demands of the genuine developing countries for access to the Community market as a first step towards overcoming their poverty;
4. Recognizes the need for the conversion of the textile and clothing industry in the Community; notes, however, that a large part of the Community textile industry has already undergone radical restructuring and that further restructuring will become progressively more difficult in some countries;
5. Calls on the Commission to gather comparable statistical data with a view to better assessing the effects as regards employment for Community textile workers of the various bilateral agreements;
6. Also calls on the Commission to provide more detailed information on the age and qualifications of the workers affected with a view to taking a position on the realistic possibilities of early retirement and retraining;
7. Considers it imperative that the Commission should also look into the consequences that the loss of jobs in the textile industry may have on other branches of industry whose existence depends to varying degrees on the textile sector;
8. Is convinced that a solution can be found only at Community level and that the Community must therefore take up the challenge by making greater use of the Regional Fund and the European Social Fund for urgent conversion and retraining activities, together with large-scale investment with the aid of loans from the European Investment Bank and increased operation of the Community's new instrument for promoting investments in production, 'the Ortoli loan facility';
9. Proposes in conclusion that the possibilities of applying the provisions of the ECSC Treaty by analogy to textile workers be investigated with a view to providing tideover allowances for unemployed textile workers, income subsidies for workers temporarily laid off, and grants for removal expenses, retraining and early retirement;
10. Requests the Commission to adopt the following amendments, pursuant to Article 149, second paragraph, of the EEC Treaty.

**Council Regulation on common rules for imports of certain textile products originating  
in third countries**

Preamble and recitals unchanged

Article 1

Article 1

Paragraphs 1 and 2 unchanged

3. Subject to the provisions of this Regulation, the importation into the Community of the textile products listed in Annex I shall not be subject to quantitative restrictions or measures having equivalent effect, *nor to a system of authorization taking the form of a priori surveillance.*

3. Subject to the provisions of this Regulation, the importation into the Community of the textile products listed in Annex I shall not be subject to quantitative restrictions or measures having equivalent effect.

Articles 2 to 8 unchanged

Article 9

Article 9

Paragraphs 1 and 2 unchanged

3. The Community quantitative limits referred to in Article 3 may be increased in accordance with the procedure laid down in Article 15 where it appears that additional imports, which may include those needed for fairs, are required.

3. The Community quantitative limits referred to in Article 3 may be increased in accordance with the procedure laid down in Article 15 where it appears that additional imports, which may include those needed for fairs, are required.

**In increasing the Community quantitative limits, account shall be taken of**

- (a) **the situation on the Community market in the product concerned;**
- (b) **the need not to jeopardize the objective in view by Community quantitative limits and to ensure the proper functioning of the common market.**

4. At the request of a Member State which has issued import authorizations up to the full amount of its share and finds that it requires additional imports, the Commission may, *after oral or written consultations with the Member States within the Committee set up under Article 14*, open up further possibilities for imports into that Member State.

4. At the request of a Member State which has issued import authorizations up to the full amount of its share and finds that it requires additional imports, the Commission may, **after receiving the opinion of the Committee set up under Article 14 and unless express objections are made by one or more Member States**, open up further possibilities for imports into that Member State.

Article 10 unchanged

(1) For complete text see COM(78) 393 fin.

*Article 11*

1. The importation into the Community of textile products listed in Annex I, originating in one of the supplying countries listed in Annex II and not subject to the Community quantitative limits referred to in Article 3, shall be subject to a system of administrative control *limited to retrospective statistical surveillance*.

Paragraphs 2 to 7 unchanged

8. *For the purposes of concluding the agreements referred to in paragraph 6 above, and deciding on the measures provided for in paragraphs 5 and 7 or in the agreements or joint conclusions mentioned in paragraph 6, the procedure specified in Article 15 shall be followed.*

Paragraphs 9 to 13 unchanged

Articles 12 to 18 unchanged

Annexes unchanged

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RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive amending the Directive of 1 June 1976 <sup>(1)</sup> laying down the revised basic safety standards for the health protection of the general public and workers against the dangers of ionizing radiation

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(2)</sup>,
- having been consulted by the Council (Doc. 183/78),
- having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 490/78),

1. Approves, with considerable reservations, the Commission's proposal, which provides for an extension of the period allowed for the adaptation of national legislation to the Directive of 1 June 1976;
2. Calls for early adaptation of the Directive of 1 June 1976 to the new recommendations of the International Commission on Radiological Protection and requests the Commission to submit an appropriate proposal for a Directive by the end of the year.

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<sup>(1)</sup> OJ No L 187, 12. 7. 1976, p. 1.

<sup>(2)</sup> OJ No C 147, 22. 6. 1978, p. 11.

## RESOLUTION

### on the delay in the conclusion of a fishing agreement between Spain and the European Community

*The European Parliament,*

- having regard to the Council resolution adopted on 3 November 1976 at The Hague and the extension to 200 miles of the maritime waters coming under the sovereignty or within the jurisdiction of Member States,
  - having regard to its debate of 15 September 1978 <sup>(1)</sup> on the fishing agreement between Spain and the European Community,
  - having regard to the referral to the Committee on Agriculture of the motion for a resolution (Doc. 299/78/rev.) on the delay in the conclusion of a fishing agreement between Spain and the European Community,
  - having regard to the report of the Committee on Agriculture (Doc. 495/78),
1. Welcomes the fact that a new interim fishing agreement has finally been concluded between Spain and the European Community;
  2. Deeply regrets, however, that the Council has not ratified the framework agreement with Spain; calls on the Council to ratify without further delay this agreement and the other framework agreements concluded with other third countries which are still outstanding; considers it contrary to the Community's interest and prejudicial to its credibility to establish a link between the definition of the external and internal fisheries regimes;
  3. Feels that once the framework agreement has been ratified by the Council, it and the new interim regime, which must not change the provisional regime adopted in September, could form the basis for discussions on fishing products during the negotiations on Spain's accession to the European Community;
  4. Urges that Greece and Portugal should not be treated less favourably than Spain in the fisheries sector, once the framework agreement with Spain has been ratified by the Council;
  5. Emphasizes that their accession to the European Community will cause problems for Greece, Portugal and Spain in their relations with third countries in the fisheries sector and will thus significantly alter the existing balance of relations between the nine Member States of the European Community with regard to the sharing of fishing resources;
  6. Requests, therefore, the Commission and Council to keep it informed of all the agreements governing the three applicant countries' relations with third countries and with the European Community;
  7. Asks both the Commission and the Council to keep it regularly informed on progress in the negotiations between the three applicant States and the European Community on fisheries and on the development of their relations with third countries at each stage of the accession negotiations;
  8. Instructs its President to forward this resolution to the Commission and Council.

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<sup>(1)</sup> Debates of the European Parliament, September 1978, No 233.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation concerning the conclusion by the European Economic Community of the Convention on future multilateral cooperation in the Northwest Atlantic fisheries

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 402/78),
- having regard to the report by the Committee on Agriculture (Doc. 491/78),

Approves the Commission's proposal.

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<sup>(1)</sup> OJ No C 271, 15. 11. 1978, p. 2.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on the programme for promotion of drainage in catchment areas on both sides of the border between Ireland and Northern Ireland

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 458/78),
- having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets and the Committee on Regional Policy, Regional Planning and Transport (Doc. 492/78),

Approves the Commission's proposal.

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<sup>(1)</sup> OJ No C 274, 18. 11. 1978, p. 3.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 950/68 on the Common Customs Tariff and Regulation (EEC) No 2710/77 establishing in respect of certain products falling within Chapters 1 to 24 of the Common Customs Tariff a scheme of generalized preferences in favour of developing countries

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 390/78),
  - having regard to the report of the Committee on Development and Cooperation and the opinions of the Committee on External Economic Relations and the Committee on Agriculture (Doc. 475/78),
1. Welcomes the use of a uniform classification system in all Member States of the EEC for the different fractions of palm oil imported from developing countries into the Community;
  2. Recognizes that this measure will help prevent distortions in competition between Member States, and accepts the tariff rates proposed for the different fractions of palm oil, in so far as they will not adversely affect the supplier countries;
  3. Approves the Commission's proposal.

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<sup>(1)</sup> OJ No C 247, 18. 10. 1978, p. 4.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council concerning Regulations relating to the application for the year 1979 of the generalized tariff preferences of the European Community

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council (COM(78) 470 fin.),
  - having regard to the communication from the Commission of the European Communities to the Council on the future development of the European Community's generalized tariff preferences (COM(75) 17 fin.),
  - having been consulted by the Council pursuant to Articles 43 and 113 of the EEC Treaty (Doc. 388/78),
  - referring to its resolutions of 6 October 1970 <sup>(1)</sup>, 9 June 1971 <sup>(2)</sup>, 13 December 1973 <sup>(3)</sup>, 12 July 1974 <sup>(4)</sup>, 17 October 1974 <sup>(5)</sup>, 16 October 1975 <sup>(6)</sup>, 14 October 1976 <sup>(7)</sup>, and 11 October 1977 <sup>(8)</sup>,
  - having regard to the report of the Committee on Development and Cooperation and the opinions of the Committee on External Economic Relations, the Committee on Agriculture and the Committee on Economic and Monetary Affairs (Doc. 474/78),
1. Welcomes the overall increase in the value of the GSP offered in 1979, which maintains the Community's commitment to providing better access to its markets for developing countries;

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<sup>(1)</sup> OJ No C 129, 26. 10. 1970, p. 13.

<sup>(2)</sup> OJ No C 66, 1. 7. 1971, p. 15.

<sup>(3)</sup> OJ No C 2, 9. 1. 1974, p. 55.

<sup>(4)</sup> OJ No C 93, 7. 8. 1974, p. 91.

<sup>(5)</sup> OJ No C 140, 13. 11. 1974, p. 42.

<sup>(6)</sup> OJ No C 257, 10. 11. 1975, p. 30.

<sup>(7)</sup> OJ No C 259, 4. 11. 1976, p. 27.

<sup>(8)</sup> OJ No C 266, 7. 11. 1977, p. 16.

2. Notes with satisfaction the improvements offered in the field of agricultural products, an area of key importance to developing countries, particularly the least developed;
3. Is however concerned about the growing conflict of interest which the extension of GSP creates with the Community's ACP partners, and calls upon the Commission to attempt to reach a satisfactory solution to this problem in consultation with the ACP group;
4. Believes that the Commission proposals for increasing the value of GSP on industrial products represents the maximum progress that can be expected at the present time;
5. Welcomes the measures proposed to help the least developed countries, thus continuing the progress made in 1977 and 1978 in this direction;
6. Approves the proposal to increase substantially the value of duty free textile imports covered by the scheme, and certain measures designed to improve the working of the system; feels however, that while appreciating the case for allocating individual ceilings for individual textile product fields to individual countries, this system will need close oversight to avoid undue rigidity;
7. Believes that the additional measures proposed to enable the GSP to be properly utilized are inadequate, and calls on the Commission to produce new proposals in this field as soon as possible;
8. Believes that the Community's GSP offer must be linked to a policy of restructuring Community industries, within the context of an industrial policy which will enable the Community and the developing countries to develop complementary and mutually beneficial industrial activities;
9. Believes that a formula must be found for ensuring that the GSP are being utilized by beneficiary countries which need them most, in the interest of the development of their economies for the benefit of all sectors of the population;
10. Urges the Commission and Council to take the initiative in promoting greater harmonization of GSP schemes operated by the different donor countries;
11. Also urges the Commission and Council to increase their efforts to achieve a coordination of views of donor countries within the context of OECD, for the GSP systems to be set up after 1980;
12. Requests the Commission to provide a detailed annual report on the working of the GSP;
13. Hopes the Commission will also produce a report as soon as possible on the working of the GSP system to date, which will enable guidelines to be established for the proposals for the new GSP system to be set up after 1980;
14. Approves the Commission's proposals subject to the above observations.

## RESOLUTION

on problems connected with the system of north-south rotation in cargo shipping

*The European Parliament,*

- having noted the difficulties encountered in efforts to transform the voluntary system of north-south rotation in the Netherlands into legislation,
- having regard to the position adopted by the Netherlands Minister for Transport and Public Works, who takes the view that such legislation would be in conflict with the concepts of a transport policy for the European Community,
- having regard to the fact that such legislation is already in force in Belgium and France,

Invites the Commission to cooperate in the opening of negotiations between the appropriate authorities and the trade and to offer its good offices with a view to removing the difficulties that have arisen.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for an Eighth Directive on the harmonization of the laws of the Member States relating to turnover taxes — arrangements for the refund of value added tax to taxable persons not established in the territory of the country

*The European Parliament,*

- having regard to the proposal from the Commission to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Articles 99 and 100 of the EEC Treaty (Doc. 507/77),
  - having been consulted by the Council (Doc. 507/77),
  - having regard to the report by the Committee on Economic and Monetary Affairs (Doc. 543/78),
  - whereas the VAT system is a neutral Community-wide system, and refunds should only be used to prevent cumulative taxation,
1. Considers that wide differences in the present arrangements for refunding VAT to taxable persons in the Community give rise to distortions of competition and double taxation that are detrimental both to the persons concerned and to a sound Community economy;
  2. Notes that the proposal for an Eighth Directive introducing Community rules for refunding VAT is a constructive step, especially as regards taxable persons established in the Community, and will help achieve a genuine common market;
  3. Considers that the proposed Directive constitutes no more than a first measure implementing the principle of the refunding of VAT to all non-resident taxable persons and calls on the Commission to submit, as soon as possible, a proposal for settling, by Community arrangements, the problem of refunding VAT to taxable persons resident in third countries;
  4. Feels that by making a distinction between taxable persons established in the Member States and those resident in third countries, Article 8 of the proposed Directive introduces an element of cumulation in the levying of the tax contrary to the principle of the VAT system;
  5. Also notes that the formalities required under the proposed Directive to obtain a VAT refund considerably simplify matters for taxable persons, but feels that greater prominence should be given to certain cases where the refund is virtually automatic;
  6. Requests the Commission to submit in the near future, pursuant to Article 17 (6) of the Sixth Directive, a proposal defining the expenditure not eligible for a deduction in order to complete the harmonization of the conditions governing VAT refunds;
  7. Approves, with the above reservations, the Commission's proposal and invites the Commission to adopt the following amendments pursuant to the second paragraph of Article 149 of the EEC Treaty.

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<sup>(1)</sup> OJ No C 26, 1. 2. 1978, p. 5.

**Eighth Council Directive on the harmonization of the laws of the Member States  
relating to turnover taxes — arrangements for the refund of VAT to taxable persons  
not established in the territory of the country**

Preamble and first six recitals unchanged

Whereas, under Article 17 (4) of the Sixth Council Directive of 17 May 1977, Member States may refuse the refund or impose supplementary conditions in the case of taxable persons not established in the territory of the Community; whereas steps should, however, also be taken to ensure that such taxable persons are not eligible for tax refunds on more favourable terms than provided for in respect of Community taxable persons,

Whereas, **pending the adoption of complete Community arrangements**, Member States may, under Article 17 (4) of the Sixth Council Directive of 17 May 1977, refuse the refund or impose supplementary conditions in the case of taxable persons not established in the territory of the Community; whereas steps should, however, also be taken to ensure that such taxable persons are not eligible for tax refunds on more favourable terms than provided for in respect of Community taxable persons,

Articles 1 and 2 unchanged

*Article 3*

To qualify for refund, any taxable person as referred to in Article 2 who does not carry out any taxable transaction in the territory of the country must:

*Article 3*

To qualify for refund, any taxable person as referred to in Article 2 who does not carry out any taxable transaction in the territory of the country must:

subparagraph (a) unchanged

(b) produce evidence, in the form of a certificate issued by the relevant official department of the State in which he is established, that he ranks as a taxable person for the purposes of VAT in that State;

(b) produce evidence, in the form of a certificate issued by the relevant official department of the State in which he is established, that he ranks as a taxable person for the purposes of VAT in that State; **where, however, the tax authority of the Member State is already in possession of such evidence, the taxable person shall no longer be required to furnish further evidence for a period of one year.**

subparagraph (c) unchanged

Articles 4 to 7 unchanged

*Article 8*

Member States may, in the case of taxable persons not established in the territory of the Community, refuse the refund or impose special conditions.

*Article 8*

Member States may, in the case of taxable persons not established in the territory of the Community, refuse the refund or impose special conditions, **without prejudice to subsequent Community provisions.**

(1) For complete text see OJ No C 26, 1. 2. 1978, p. 5.

The refund cannot be granted on more favourable terms than those applied in respect of taxable persons established in the territory of the Community.

The refund cannot be granted on more favourable terms than those applied in respect of taxable persons established in the territory of the Community.

Articles 9, 10 and 11 unchanged

Annexes unchanged

### RESOLUTION

on the present state and progress of the common transport policy

*The European Parliament,*

- having regard to the communication from the Commission to the Council on the development of the common transport policy <sup>(1)</sup>,
- having regard to the communication from the Commission to the Council on priority business for a Council working programme to 1980 <sup>(2)</sup>,
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport and to the opinion of the Legal Affairs Committee (Doc. 512/78),
- whereas it wishes to maintain the degree of integration so far achieved within the Community and to make further progress towards economic and monetary union,
- whereas it is an indisputable fact that the present position and further development of the Community will be placed in jeopardy without a common transport policy,
- whereas it realizes that as a result of the lack of a common transport policy economic decisions even now constantly lead to misplacements of capital and labour, ill-judged regional distribution of economic activities and structural distortions in Europe's economy, since although tariff barriers have been removed distorted transport costs have come to play a role in international trade similar to that formerly played by customs duties,
- whereas it recognizes that it will become increasingly important in the next few years for the Community to be capable of taking action on transport policy matters *vis-à-vis* third countries,
- whereas it recognizes the need to restore the confidence of the public and of interested economic circles in the achievement of a common transport policy, this confidence having been badly shaken by developments in the years since the foundation of the Community,

1. Calls for the immediate introduction of a coherent common transport policy having regard to the ground-work completed by the Commission and Parliament over the period 1973 to 1978 and to the individual measures so far adopted by the Council;

<sup>(1)</sup> Doc. 226/73.

<sup>(2)</sup> COM(77) 596 fin., 24. 11. 1977.

2. Welcomes the fact that the Commission has followed up its 1973 Communication on the development of a common transport policy by submitting to the Council in November 1977 a document entitled 'Priority business for a Council working programme to 1980' and supports the Commission in this initiative;
3. Regrets, however, that the Commission did not follow up this communication along the lines suggested in the European Parliament's resolution of 25 September 1974 <sup>(1)</sup>;
4. Regrets also that the Council's discussions on the fundamental principles of transport policy have as yet produced no results and that at its meeting of 20/21 December 1977 the Council merely 'took note' of the working programme and the priority actions and said that it intended 'to take them into account as far as possible in its future proceedings', thereby doing nothing to dispel the uncertainty that prevails with regard to transport policy during the coming years;
5. Welcomes the fact that at its meetings in the second half of 1977 the Council at least took steps to avoid a complete absence of legislation in some sectors in the Community, and that once again some modest progress was made in extending Community regulations;
6. Calls on the Council at one of its forthcoming meetings to draw up a working programme based on Parliament's proposals and the programme of priority business, proposed by the Commission in 1977;
7. Calls on the Commission to take new steps to prepare the ground for these decisions and furthermore to submit to the Council, on the basis of its 1973 communication and the 1977 programme of priority business, a coherent network plan for the introduction of a balanced common transport policy and, as early as possible, a Council work programme for the years after 1980, in the form of a proposal for a Council resolution, on which the Council could consult the directly elected Parliament as soon as possible after the latter's constitution;
8. Urges that priority be given to the following transport policy objectives, which are of immediate importance:
  - improvement of the financial situation of the railways, *inter alia* by encouraging cooperation between them;
  - improvement of the situation of transit traffic through Austria and Switzerland, in particular by allocating road costs fairly, improving infrastructures and encouraging combined transport methods;
  - defence of the EEC's sea transport interests against the expansionist policy pursued by some third countries;
  - promotion of air transport safety and adaptation of Community policy to the major changes about to be made to international air transport policy;
  - regularization of the Community's foreign relations in the inland waterway transport sector, in particular through the Community's accession to the Mannheim Convention;
9. Calls on the Council and Commission to review the Community's working methods in the transport sector, taking particular account of the following proposals:
  - the staff of the Commission's Directorate-General for Transport should be increased;
  - the Commission should take more collective action on transport questions;
  - there should be permanent contacts between the Commissioner responsible for transport questions and the Transport Ministers outside Council meetings ('hot line');
  - the Council of Transport Ministers should meet more frequently, at least four times a year;
  - the Council should not meet only to discuss documents which are ready for signature but also to take general policy decisions on the basis of Commission proposals;
  - the Permanent Representatives Committee (transport working party) should be given clear directives and allowed greater freedom of negotiation within the framework of an overall approach;
  - the Council should expand its own secretariat in the transport sector to prevent the occurrence of bottlenecks;
  - the Permanent Representatives' work on transport policy should be performed more rapidly in several specialist groups (e.g. for (a)-sea transport, (b) ports, (c) air transport, (d) transport taxes and imputation of road costs, (e) transport safety, etc.);

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(1) OJ No C 127, 18. 10. 1974, p. 24.

10. Reserves the right to reconsider, immediately after direct elections, the question of instituting proceedings against the Council before the Court of Justice under Article 175 of the EEC Treaty for failure to take action in the transport sector.
11. Calls on the appropriate bodies of the parties, political groups and governments to ensure that a sufficient number of transport specialists are Members of the European Parliament and the Economic and Social Committee;
12. Impresses urgently on the Council, the Commission and the public that unless the Community succeeds in the very near future in establishing an intra-Community common transport system and makes itself capable of effective action in the field of transport policy *vis-à-vis* the outside world it will be beset by grave dangers that will undermine its entire economic position;
13. Instructs its President to forward this resolution and the report of its committee to the Council and Commission.

## RESOLUTION

### on the situation in the iron and steel industry in the Community

#### *The European Parliament,*

- having regard to the motion for a resolution on the situation in the iron and steel industry, tabled by the Christian-Democratic Group (Group of the European People's Party) (Doc. 446/78),
  - having regard to the statement by the Commission on the situation in the iron and steel industry at the sitting of 14 November 1978,
  - having regard to the Communication from the Commission on the social aspects of the iron and steel policy (COM(78) 570 fin.),
  - having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 567/78);
1. Emphasizes once again that the iron and steel industry remains an essential industry for economic development and employment in the Community;
  2. Notes that the Community iron and steel industry is experiencing a structural crisis of world-wide scale aggravated by economic difficulties and the fall in demand, and that this sector is faced in particular with serious problems of over-capacity, productivity and financing;
  3. Without prejudice to the stimulation of demand, stresses that the anti-crisis policy comprises three essential and indivisible elements:
    - accompanying social measures;
    - job creation;
    - the restructuring of the iron and steel industry and of the steel processing industries;
  4. Notes that the anti-crisis plan implemented by the Commission is helping to improve the market situation, and approves its renewal for 1979;
  5. Supports, to this end, for as long as necessary:
    - the continuation of the policy of minimum prices and guide prices and of close control by the Commission over the implementation of these short-term economic measures to prevent distortions of competition;
    - the renewal of the bilateral agreements, provided that the Commission ensures that they are not infringed;
  6. Firmly reminds the undertakings that, in matters that concern them, they must observe the provisions of the anti-crisis plan;

7. Requests the Member States and the Commission actively to seek and implement measures to promote higher steel consumption within and outside the Community;
8. Emphasizes that the Community has special responsibility for coordinating the national restructuring plans and projects and therefore requests the Commission to take all appropriate steps to ensure the necessary and continuous consistency between these plans and the Community's general objectives;
9. Requests the Commission also:
  - to keep under very close review the actual implementation of the restructuring plans and the utilization of the aids granted for this purpose with a view to restoring competitiveness and free competition in this sector;
  - to satisfy itself that Community aids supplement national aids and do not replace them;
10. Requests the Council to give its assent as soon as possible to the draft Commission Decision establishing rules for aids in the iron and steel industry as an instrument vital to the consistency of Community action;
11. Emphasizes that the restructuring of the iron and steel industry will be impossible and intolerable unless associated regional and social measures are implemented at the same time, especially with regard to employment, since the Community cannot ignore the social and regional consequences of restructuring in the iron and steel industry without discrediting itself in the eyes of public opinion, and, in this spirit, requests the Commission to give particular attention to single-industry regions;
12. Welcomes in these circumstances the work at present being undertaken by the Commission on the social aspects of the iron and steel policy with a view to improving and better adapting the ECSC's instruments for social intervention;
13. Noting that the growing concentration in the iron and steel sector has had harmful consequences which require to be identified and counteracted, and observing that, however necessary they may be, the ECSC's various social intervention measures and the improvements and innovations that could be made themselves create no, or very few, jobs; therefore urges the Commission and Council to implement a genuine Community industrial policy based on the development of small and medium-sized undertakings, subcontracting and the services sector, as well as on the high-technology sectors, since such redeployment is the corollary of the restructuring of sectors in decline;
14. For all these reasons considers it essential that the ECSC budget should be allocated the necessary resources and in particular urges the Council to reach an early agreement on the transfer of the revenue from ECSC customs duties to this budget;
15. Considers also that to cope with problems on this scale, the Community needs substantial financial resources and must have access to other funds, in particular through the European Investment Bank, the Regional Fund, and the new Community financial instrument;
16. Urges the Commission, in its pursuit of the Community iron and steel policy and its search for a true consensus, to resolve to use every means at its disposal and urges all the undertakings, trade unions and governments of the Member States to give their unconditional support and cooperation;
17. Instructs its President to forward this resolution to the Council and Commission, to the governments of the Member States and to the national parliaments.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on the approximation of the laws of the Member States concerning the protection of employees in the event of the insolvency of their employer

*The European Parliament,*

- having regard to the proposal from the Commission to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 107/78),
  - having regard to the report of the Committee on Social Affairs, Employment and Education and the opinion of the Legal Affairs Committee (Doc. 552/78),
1. Welcomes the proposed Directive as a significant step towards improved protection of employees in the event of their employer's insolvency;
  2. Regrets however the delay in the submission of a proposal for the approximation of the laws of the Member States in this field, seeing that such laws have existed in several Member States for many years;
  3. Deplores the fact that the different language versions of the present proposal for a Directive and explanatory memorandum do not always agree, and therefore requests the Commission to carry out a thorough revision of the text in the different Community languages so as to avoid the risk of differences in the application of the same legal text in the various Community countries;
  4. Regrets in particular that the Commission has adopted minimum rules as the basis for approximation, when Article 117 of the EEC Treaty clearly defines the Community's task as the harmonization of working and living conditions for workers 'while . . . improvement is being maintained';
  5. Considers it wholly unacceptable that the proposed Directive should limit employees' claims to amounts due before the employer's insolvency, as it should include all claims by employees on the employer;
  6. Considers it quite unreasonable that, by this proposal, the Commission should reduce the amounts legally due to the employee by limiting wage claims to a maximum of three months' wages or remuneration and other unsatisfied claims to the 12 months preceding the onset of insolvency;
  7. Considers that under no circumstances can there be any question of asking employees to contribute to the financing of a guarantee fund to cover their legally justified claims against their employer;
  8. Feels that the proposed institutions should be obliged to make payment in all cases in which the claim is notified, documented and outstanding;
  9. Believes, therefore, that the Commission should submit a proposal protecting employees' incomes during the period from the onset of insolvency up to the actual payment by the institution, possibly by payment on account by the institutions envisaged;
  10. Considers, moreover, that implementation of the Directive at a time when the economic crisis, structural changes and the reorganization of working methods within industry and the craft trades have led to the closure

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(1) OJ No C 135, 9. 6. 1978, p. 2.

of many businesses, is such an urgent matter that the deadlines by which the Member States must comply with the Directives are far too long and should be reduced to the absolute minimum;

11. Considers, finally, that the Directive should specify that the structure and eventual administration of these institutions should be decided in close cooperation with management and labour;

12. Requests the Commission, therefore, to adopt the following amendments pursuant to Article 149, second paragraph, of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Directive on the approximation of the laws of the Member States concerning  
the protection of employees in the event of the insolvency of their employer**

Preamble and recitals unchanged

*Article 1*

This Directive shall apply to claims arising from employment or training relationships against insolvent employers whose undertaking or business is situated within the territorial jurisdiction of the Treaty.

*Article 1*

This Directive shall apply to claims arising **from a contract of employment** or from employment or training relationships against insolvent employers whose undertaking or business is situated within the territorial jurisdiction of the Treaty.

*Article 2*

For the purposes of this Directive, an employer shall be deemed insolvent if:

- (a) proceedings have been opened under the laws, regulations and administrative provisions of the Member States to satisfy jointly the claims of creditors, including creditors with claims under Article 1 of this Directive, from the assets of the employer, or
- (b) an application for the opening of such proceedings has been rejected on the grounds of lack of assets, or
- (c) *his* business has been closed down due to insolvency.

*Article 2*

For the purposes of this Directive, an employer shall be deemed insolvent if:

- (a) *unchanged*
- (b) *unchanged*
- (c) **the business against which the employee has a claim** has been closed down due to **the employer's** insolvency.

*Article 3*

Member States shall *set up institutions to satisfy the unfulfilled claims of employees arising before the onset of the employer's insolvency*:

*Article 3*

Member States shall **adopt the measures necessary to ensure that guarantee institutions, hereinafter referred to as 'institutions', pay the unfulfilled claims of employees**:

<sup>(1)</sup> For complete text see OJ No C 135, 9. 6. 1978, p. 2.

- (a) to remunerations or to payments arising from a training relationship;
- (b) to other cash or equivalent benefits on the part of the employer in connection with sickness, holidays or termination of employment and to gratuities, bonuses or indemnities.

- (a) unchanged
- (b) unchanged

*Article 4*

Member States may limit the liability of the guarantee institutions, but in no case to less than:

- (a) *that proportion of the unsatisfied claims under Article 3 (a) corresponding to the remuneration or payments for three months;*
- (b) *those unsatisfied claims under Article 3 (b) which have arisen during the 12 months preceding the onset of insolvency or have within that period formed the subject of execution which has not satisfied.*

*Article 4*

Member States may limit the liability of the guarantee institutions, but in no case to less than:

- (a) **as regards the unsatisfied claims under Article 3 (a), payment of an amount corresponding to the remuneration or payments for six months; and**
- (b) **as regards unsatisfied claims under Article 3 (b), payment of those claims which have arisen during the 12 months preceding the onset of insolvency or have within that period formed the subject of execution which has not satisfied.**

*Article 5*

Member States shall *observe the following principles in determining the guarantee institutions' structure, financing and method of operation:*

- (a) the assets of the guarantee institutions must be independent of the employers' business assets and inaccessible to insolvency proceedings;
- (b) *the institutions must not be financed solely by contributions from employees;*
- (c) payment shall be made on the application of the employee entitled to claim. *A verbal application shall be sufficient.* Applications shall be admissible from the onset of insolvency and must be made within a period of six months thereafter;

*Article 5*

Member States shall, **in cooperation with management and labour representatives, adopt the measures necessary to ensure that the (setting up), financing and method of operation of the institutions are based on the following principles:**

- (a) unchanged
- (b) **the employer shall pay the necessary contributions to cover the expenditure of the fund, including administrative expenditure;**
- (c) payment shall be made on the application of the employee entitled to claim. **Claims shall be documented and outstanding. The institution may make part payment.** Applications shall be admissible from the onset of insolvency and must be made within a period of six months thereafter;

(d) the *guarantee* institutions' liability *towards an employee entitled to claim* shall not depend on whether the employer concerned has fulfilled his obligations towards the institution;

(d) the institution's liability shall not depend on whether the employer concerned has fulfilled his obligations towards the institution;

(c) *Member States may only make payment by the institutions dependent on claims being either undisputed or substantiated.*

(e) **deleted.**

Articles 6 to 8 unchanged <sup>(1)</sup>

*Article 9*

1. Member States shall bring into force the laws, regulations and administrative provisions needed to comply with this Directive within 18 months of its notification and shall forthwith inform the Commission thereof.

2. Member States shall communicate to the Commission the texts of the laws, regulations and administrative provisions which they adopt in the field covered by this Directive.

*Article 9*

1. Member States shall bring into force the laws, regulations and administrative provisions needed to comply with this Directive within 12 months of its notification and shall forthwith inform the Commission thereof.

2. Member States shall communicate to the Commission the texts of the laws, regulations and administrative provisions which they adopt in the field covered by this Directive. **This information shall be communicated not later than six months before the date on which the national provisions are expected to enter into force.**

*Article 10*

Within 18 months following the expiry of the 18-month period laid down in Article 9, Member States shall forward all relevant information to the Commission in order to enable it to draw up a report on the application of this Directive for submission to the Council.

*Article 10*

Within 12 months following the expiry of the 12-month period laid down in Article 9, Member States shall forward all relevant information to the Commission in order to enable it to draw up a report on the application of this Directive for submission to the Council **and the European Parliament.**

Article 11 unchanged

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<sup>(1)</sup> The amendments proposed to Articles 6 and 7 do not concern the English text.

## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for

- I. a draft for a Treaty amending the Treaties establishing the European Communities so as to permit the adoption of common rules on the protection under criminal law of the financial interests of the Communities and the prosecution of infringements of the provisions of those Treaties
- II. a draft for a Treaty amending the Treaty establishing a Single Council and a Single Commission of the European Communities so as to permit the adoption of common rules on the liability and protection under criminal law of officials and other servants of the European Communities

*The European Parliament,*

- having regard to the proposals from the Commission to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 96 of the ECSC Treaty, Article 236 of the EEC Treaty and Article 204 of the EAEC Treaty (Doc. 290/76),
  - having regard to the report of the Legal Affairs Committee (Doc. 498/78),
1. Stresses the need to enforce Community law more effectively throughout the Community;
  2. Considers that action must be taken to give adequate protection to the interests of the Communities;
  3. Recognizes the need to lay down rules on infringements committed by Community officials in the course of their duties and provisions for the protection of those officials;
  4. Notes that it is not considered appropriate at present to create a system of criminal law within the Community legal order;
  5. Therefore approves the use of national criminal law in relation to the offences covered by the proposals;
  6. Considers that the proposed introduction of new forms of criminal liability and the proposed extension of national courts' criminal jurisdiction is a major step to take and that therefore it is appropriate to follow the procedure of amendment of the Community Treaties;
  7. Is concerned lest the use of national laws, with their widely differing penalties, lead to injustice;
  8. Considers it unacceptable for there to be discrimination between Community officials on the basis of nationality;
  9. Requests the Commission to adopt the following amendments pursuant to Article 149, second paragraph, of the EEC Treaty.

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(1) OJ No C 222, 22. 9. 1976, pp. 2 and 13.

I.

Treaty amending the Treaties establishing the European Communities so as to permit the adoption of common rules on the *protection under criminal law of the financial interests of the Communities and the prosecution of infringements of the provisions of the said Treaties.*

Treaty amending the Treaties establishing the European Communities so as to permit the adoption of common rules on the **prosecution of infringements of the provisions of the said Treaties, of provisions adopted in pursuance of those Treaties or of provisions laid down by Member States by law, regulation or administrative action for the implementation thereof and the protection under criminal law of the interests of the Communities.**

P r e a m b l e   u n c h a n g e d

Considering that the criminal law of the Member States cannot usually *guarantee the protection of the financial interests of the Community nor ensure effective punishment of infringements of the provisions of the Treaties establishing the European Communities, of provisions adopted in pursuance of those Treaties or of provisions laid down by Member States by law, regulation or administrative action for the implementation thereof,*

Considering that the criminal law of the Member States cannot usually **ensure effective punishment of infringements of the provisions of the Treaties establishing the European Communities, of provisions adopted in pursuance of those Treaties or of provisions laid down by Member States by law, regulation or administrative action for the implementation thereof, nor guarantee the protection of the interests of the Communities,**

Have decided to amend the Treaties establishing the European Communities so as to permit the adoption of common rules to *enable the financial interests of the Communities to be adequately protected under criminal law and to facilitate prosecution in cases of infringement,* and to this end have designated as their Plenipotentiaries:

Have decided to amend the Treaties establishing the European Communities so as to permit the adoption of common rules to **facilitate prosecution in cases of such infringements and to enable the interests of the Communities to be adequately protected under criminal law,** and to this end have designated as their Plenipotentiaries:

u n c h a n g e d

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<sup>(1)</sup> For complete text see OJ No C 222, 22. 9. 1976, p. 2.

Article 1

1. The following new paragraph shall be inserted between the first and second paragraphs of Article 86 of the Treaty establishing the European Coal and Steel Community:

*'Protection under criminal law of the financial interests of the Community and prosecution in cases of infringement of provisions of the Treaty, of provisions adopted by its institutions in pursuance thereof or of provisions laid down by Member States by law, regulation or administrative action for the implementation thereof shall be the subject of a Protocol annexed to this Treaty.'*

2. The following new paragraph shall be added after the second paragraph of Article 5 of the Treaty establishing the European Economic Community:

*'Protection under criminal law of the financial interests of the Community and prosecution in cases of infringement of provisions of the Treaty, of provisions adopted by its institutions in pursuance thereof or of provisions laid down by Member States by law, regulation or administrative action for the implementation thereof shall be the subject of a Protocol annexed to this Treaty.'*

3. The following new paragraph shall be added after the second paragraph of Article 192 of the Treaty establishing the European Atomic Energy Community:

*'Protection under criminal law of the financial interests of the Community and prosecution in cases of infringement of provisions of the Treaty, of provisions adopted by its institutions in pursuance thereof or of provisions laid down by Member States by law, regulation or administrative action for the implementation thereof shall be the subject of a Protocol annexed to this Treaty.'*

Article 1

1. The following new paragraph shall be inserted between the first and second paragraphs of Article 86 of the Treaty establishing the European Coal and Steel Community:

**'Prosecution in cases of infringement of provisions of the Treaty, of provisions adopted by its institutions in pursuance thereof or of provisions laid down by Member States by law, regulation or administrative action for the implementation thereof and protection under criminal law of the interests of the Community shall be the subject of a Protocol annexed to this Treaty.'**

2. The following new paragraph shall be added after the second paragraph of Article 5 of the Treaty establishing the European Economic Community:

**'Prosecution in cases of infringement of provisions of the Treaty, of provisions adopted by its institutions in pursuance thereof or of provisions laid down by Member States by law, regulation or administrative action for the implementation thereof and the protection under criminal law of the interests of the Community shall be the subject of a Protocol annexed to this Treaty.'**

3. The following new paragraph shall be added after the second paragraph of Article 192 of the Treaty establishing the European Energy Community:

**'Prosecution in cases of infringement of provisions of the Treaty, of provisions adopted by its institutions in pursuance thereof or of provisions laid down by Member States by law, regulation or administrative action for the implementation thereof and the protection under criminal law of the interests of the Community shall be the subject of a Protocol annexed to this Treaty.'**

*Article 2*

There shall be annexed to the Treaty establishing the European Coal and Steel Community a 'Protocol on the *protection under criminal law of the financial interests of the Community and the prosecution of infringements of the provisions of the Treaty establishing the European Coal and Steel Community, of provisions adopted by its institutions in pursuance thereof or of provisions laid down by Member States by law, regulation or administrative action for the implementation thereof*' (the text of which is annexed hereto).

*Article 3*

There shall be annexed to the Treaty establishing the European Economic Community a 'Protocol on the *protection under criminal law of the financial interests of the Community and the prosecution of infringements of the provisions of the Treaty establishing the European Economic Community, of provisions adopted by its institutions in pursuance thereof or of provisions laid down by Member States by law, regulation or administrative action for the implementation thereof*' (the text of which is annexed hereto).

*Article 4*

There shall be annexed to the Treaty establishing the European Atomic Energy Community a 'Protocol on the *protection under criminal law of the financial interests of the Community and the prosecution of infringements of the provisions of the Treaty establishing the European Atomic Energy Community, of provisions adopted by its institutions in pursuance thereof or of provisions laid down by Member States by law, regulation or administrative action for the implementation thereof*' (the text of which is annexed hereto).

*Article 2*

There shall be annexed to the Treaty establishing the European Coal and Steel Community a 'Protocol on the **prosecution of infringements of the provisions of the Treaty establishing the European Coal and Steel Community, of provisions adopted by its institutions in pursuance thereof or of provisions laid down by Member States by law, regulation or administrative action for the implementation thereof and on the protection under criminal law of the interests of the Community**' (the text of which is annexed hereto).

*Article 3*

There shall be annexed to the Treaty establishing the European Economic Community a 'Protocol on the **prosecution of infringements of the provisions of the Treaty establishing the European Economic Community, of provisions adopted by its institutions in pursuance thereof or of provisions laid down by Member States by law, regulation or administrative action for the implementation thereof and on the protection under criminal law of the interests of the Community**' (the text of which is annexed hereto).

*Article 4*

There shall be annexed to the Treaty establishing the European Atomic Energy Community a 'Protocol on the **prosecution of infringements of the provisions of the Treaty establishing the European Atomic Energy Community, of provisions adopted by its institutions in pursuance thereof or of provisions laid down by Member States by law, regulation or administrative action for the implementation thereof and on the protection under criminal law of the interests of the Community**' (the text of which is annexed hereto).

Articles 5 to 7 unchanged

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Protocol on the *protection under criminal law of the financial interests of the Community and the prosecution of infringements of the provisions of the Treaty establishing the European Coal and Steel Community, of provisions adopted by its institutions in pursuance thereof or of provisions laid down by Member States by law, regulation or administrative action for the implementation thereof*

Protocol on the prosecution of infringements of the provisions of the Treaty establishing the European Coal and Steel Community <sup>(1)</sup>, of provisions adopted by its institutions in pursuance thereof or of provisions laid down by Member States by law, regulation or administrative action for the implementation thereof and on the protection under criminal law of the interests of the Community

P r e a m b l e , A r t i c l e 1 u n c h a n g e d

*Article 2*

Any Member State, having jurisdiction under its own law, which considers that it is unable, *and that extradition would not enable it*, itself to prosecute the author of an infringement referred to in Article 1, may request the Member State in which the *accused* person habitually resides or the Member State in which such person is present to bring the proceedings in respect of the infringement in question.

*Article 2*

Any Member State, having jurisdiction under its own law, which considers that it is unable itself to prosecute the **suspected** author of an infringement referred to in Article 1, may request the Member State in which the **suspected** person habitually resides or the Member State in which such person is present to bring the proceedings in respect of the infringement in question.

*Article 3*

Each Member State shall be competent to prosecute any infringement referred to in Article 1 in respect of which another Member State requests under Article 2 *that proceedings be brought*.

*Article 3*

Each Member State shall be competent to prosecute any infringement referred to in Article 1 in respect of which another Member State requests **it under Article 2 to bring proceedings**.

A r t i c l e 4 u n c h a n g e d

*Article 5*

Each Member State receiving a request under Article 2 to bring proceedings must take a decision on such request. *If a Member State to which such a request is addressed decides not to bring proceedings, it shall inform the applicant Member State without delay of the reasons for its decision*.

*Article 5*

Each Member State receiving a request under Article 2 to bring proceedings must take a decision on such request. **It shall inform the applicant Member State without delay of its decision and, if it decides not to bring proceedings, of the reasons therefor**.

A r t i c l e 6 u n c h a n g e d

*Article 7*

1. In cases of prosecution in accordance with the preceding Articles, the criminal law and procedure of the prosecuting Member State shall apply.

*Article 7*

1. u n c h a n g e d

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<sup>(1)</sup> The amendments set out below also apply to the draft Protocols to the Treaties establishing the European Economic Community and the European Atomic Energy Community.

2. For the purposes of paragraph 1, the *recipient* Member State shall consider those elements of the infringement committed in the applicant Member State which relate to the territory, authorities, public funds or any other national feature of the latter State as being equivalent to the corresponding elements of the infringement punishable under its own law.

*Article 8*

If proceedings relating to the same act are brought in more than one Member State, each of the States involved shall, *provided that it is aware of such a situation*, inform the other State or States involved of the proceedings in its own territory.

Articles 9 and 10 unchanged

*Article 17*

*Since it is the competent authorities within the Member States which are responsible for issuing requests for transfer of proceedings or for assistance in connection with legal matters*, each Member State shall draw up a list of its national authorities empowered to issue or receive *such requests* and shall send the list to the Commission of the European Communities within a period of two months following the entry into force of this Protocol. The Commission shall communicate the list to the Member States.

Article 18 unchanged

\* \*  
\*

2. For the purposes of paragraph 1, the **prosecuting** Member State shall consider those elements of the infringement committed in the applicant Member State which relate to the territory, authorities, public funds or any other national feature of the latter State as being equivalent to the corresponding elements of the infringement punishable under its own law.

*Article 8*

If proceedings relating to the same act are brought in more than one Member State, each of the States involved shall inform the other State or States involved of the proceedings in its own territory.

**Article 10a**

**In cases of conviction the penalties imposed shall be those of the prosecuting Member State provided that such penalties may not exceed those which would apply in such cases in the applicant Member State.**

Articles 11 to 16 unchanged

*Article 17*

Each Member State shall draw up a list of its national authorities empowered to issue or receive **requests for transfer of proceedings or for assistance in connection with legal matters** and shall send the list to the Commission of the European Communities within a period of two months following the entry into force of this Protocol. The Commission shall communicate the list to the Member States.

II.

**Treaty amending the Treaty establishing a Single Council and a Single Commission of the European Communities so as to permit the adoption of common rules on the liability and the protection under criminal law of officials and other servants of the European Communities**

Preamble, recitals, Articles 1 to 6 unchanged

**Protocol on the liability and the protection under criminal law of officials and other servants of the European Communities**

Preamble, Article 1 unchanged

*Article 2*

For the purposes of this Protocol, *the following definitions shall apply:*

- (a) *State of origin: the Member State of which the accused person is a national;*
- (b) *public funds: funds belonging to one or more of the European Communities, funds belonging to the European Investment Bank, funds belonging to the Euratom Supply Agency, and funds administered by any of the said institutions.*

*Article 2*

For the purposes of this Protocol 'public funds' means funds belonging to one or more of the European Communities, funds belonging to the European Investment Bank, funds belonging to the Euratom Supply Agency, and funds administered by any of the said institutions.

Articles 3 to 5 unchanged

*Article 7*

1. All infringements referred to in Articles 3 or 4 shall constitute grounds for extradition under any extradition treaty already concluded between Member States. Member States shall undertake to provide in any future extradition treaty concluded between them that such infringements shall constitute grounds for extradition.

2. If a Member State which makes extradition subject to the existence of a treaty receives a request for extradition from another Member State with which it has no extradition treaty, it shall, in respect of the infringements in question, regard this Protocol as constituting the legal basis for extradition. The extradition shall be subject to any other conditions imposed by the law of the State receiving the request.

3. Member States which do not make extradition subject to the existence of a treaty shall regard

*Article 6*

1. All infringements referred to in Articles 3, 4 or 5 shall constitute grounds for extradition under any extradition treaty already concluded between Member States. Member States shall undertake to provide in any future extradition treaty concluded between them that such infringements shall constitute grounds for extradition.

2. If a Member State which makes extradition subject to the existence of a treaty receives a request for extradition from another Member State with which it has no extradition treaty, it shall, in respect of the infringements in question, regard this Protocol as constituting the legal basis for extradition. The extradition shall be subject to any other conditions imposed by the law of the State receiving the request.

3. Member States which do not make extradition subject to the existence of a treaty shall regard

<sup>(1)</sup> For complete text see OJ No C 222, 22. 9. 1976, p. 13.

infringements referred to in Article 3 or 4 as constituting grounds for extradition from one State to another, subject to the conditions provided for by the law of the State receiving the request.

*Article 6*

1. *Where the accused is a national of a Member State, proceedings against him in respect of conduct punishable under Article 3 or 4 shall be brought in his State of origin.*

2. In the interests of justice, and in particular to expedite the proceedings or to assist the interests of the accused, *the State of origin may request the State in which the conduct occurred or the State in which the accused habitually resides to institute proceedings.*

3. *If the accused is found in the State in which the conduct occurred and that State so requests, the State of origin shall transfer the proceedings to the State in which the conduct occurred.*

4. *Where the accused is not a national of a Member State, proceedings against him in respect of conduct punishable under Article 3 or 4 shall be brought in the Member State in which the conduct occurred.* Where the conduct occurred elsewhere than in the territory of a Member State, proceedings shall be brought against him in the Member State in which the Court of Justice of the European Communities has its seat.

5. Where a Member State institutes proceedings under the foregoing paragraphs, its criminal law and procedure shall apply *in respect of conduct punishable under Article 3 or 4* irrespective of the place where the conduct occurred.

Articles 8 and 9 unchanged

*Article 10*

The Annex to this Protocol shall form an integral part of it. References in the Annex to specific provisions of the law of a Member State shall be construed as referring also to any amendment of such provisions. Any Member State making such amendment shall communicate it to the Commission of the European Communities within a period of two

infringements referred to in Article 3, 4 or 5 as constituting grounds for extradition from one State to another, subject to the conditions provided for by the law of the State receiving the request.

*Article 7*

1. Proceedings in respect of conduct punishable under Articles 3, 4 or 5 shall be brought in **the Member State in which the conduct occurred.**

2. In the interests of justice, and in particular to expedite the proceedings or to assist the interests of the accused, **the State where the conduct occurred may request** the State in which the accused habitually resides to institute proceedings.

3. deleted

4. Where the conduct occurred elsewhere than in the territory of a Member State, proceedings shall be brought against him in the Member State in which the Court of Justice of the European Communities has its seat.

5. Where a Member State institutes proceedings under the foregoing paragraphs, its criminal law and procedure shall apply irrespective of the place where the conduct occurred, **provided that, in cases of conviction, the penalties imposed shall not exceed those which would apply in such cases in the Member State in which the conduct occurred.**

*Article 10*

The Annex to this Protocol shall form an integral part of it. References in the Annex to specific provisions of the law of a Member State shall be construed as referring also to any amendment of such provisions. Any Member State making such amendment shall communicate it to the Commission of the European Communities within a period of two

months following its entry into force. The Commission shall inform the other Member States thereof.

months following its entry into force. The Commission shall inform the other Member States thereof and publish the amendment in the 'Official Journal of the European Communities' within a period of one month from the date on which it received notification from the Member State concerned.

Annex unchanged

#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the implementation in the solar energy sector of Regulation (EEC) No 1302/78 concerning the granting of financial support for projects to exploit alternative energy sources

*The European Parliament,*

- having regard to the proposal from the Commission to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 433/78),
- having regard to its resolutions
  - on the proposal from the Commission of the European Communities to the Council for programmes of research and development actions in the field of energy <sup>(2)</sup>,
  - on the proposal from the Commission of the European Communities to the Council for a multiannual research programme of the Joint Research Centre (1977 to 1980) <sup>(3)</sup>,
  - on the need for a Community policy on the use of solar energy <sup>(4)</sup>,
  - on the proposals from the Commission of the European Communities to the Council for
    - I. a Regulation on the granting of financial aids to demonstration projects in the field of energy saving
    - II. a Regulation on the granting of financial support for projects to exploit alternative energy sources <sup>(5)</sup>,
- having regard to the report of the Committee on Energy and Research and the opinion of the Committee on Budgets (Doc. 557/78),

<sup>(1)</sup> OJ No C 259, 1. 11. 1978, p. 4.

<sup>(2)</sup> OJ No C 76, 7. 4. 1975, p. 28.

<sup>(3)</sup> OJ No C 238, 11. 10. 1976, p. 12.

<sup>(4)</sup> OJ No C 163, 11. 7. 1977, p. 66.

<sup>(5)</sup> OJ No C 299, 12. 12. 1977, p. 50.

1. Approves the Commission's proposal;
2. Expresses serious reservations, however, with regard to the decision-making procedures introduced by the Council in respect of alternative energy sources in Regulation (EEC) No 1302/78, procedures which would be detrimental to both the European Parliament's budgetary powers and to the Commission's executive responsibilities for the administration of programmes;
3. Informs the Council of its intention to call for the initiation of the conciliation procedure should the Council attempt to adopt a Regulation, pursuant to Article 11 of Regulation (EEC) No 1302/78, which would enable it to fix unilaterally the maximum amount of aid to be made available for projects to exploit alternative energy sources;
4. Requests the Commission, as an indication of the unacceptability of certain Articles in Regulation (EEC) No 1302/78, to adopt the following amendments, pursuant to Article 149, second paragraph, of the EEC Treaty, hereby deleting all reference to the unacceptable Articles.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES (\*)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Regulation on the implementation in the solar energy sector of Regulation (EEC) No 1302/78 concerning the granting of financial support for projects to exploit alternative energy sources**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

u n c h a n g e d

Having regard to Regulation (EEC) No 1302/78 of 2 June 1978 for the granting of financial support for projects to exploit alternative energy sources <sup>(1)</sup>, and in particular Article 3 thereof,

Having regard to Regulation (EEC) No 1302/78 of 12 June 1978 for the granting of financial support for projects to exploit alternative energy sources <sup>(1)</sup>,

Rest of preamble and sole recital unchanged

Articles 1 to 3 unchanged

*Article 4*

*Article 4*

Paragraphs 1 and 2 unchanged

Pursuant to Article 6 (2) of Regulation (EEC) No 1302/78 the Commission shall set up an Advisory

3. Pursuant to Regulation (EEC) No 1302/78 the Commission shall set up an Advisory Committee on

(\*) OJ No L 158, 16. 6. 1978, p. 3.

(1) For full text see OJ No C 259, 1. 11. 1978, p. 4.

(1) OJ No L 158, 16. 6. 1978, p. 3.

Committee on the Management of Projects for the Exploitation of Solar Energy composed of representatives of the Member States. This Committee shall assist the Commission in the examination of applications.

The projects to receive financial support shall be selected in accordance with *Article 6 (2) of Regulation (EEC) No 1302/78*.

the Management of Projects for the Exploitation of Solar Energy composed of representatives of the Member States. This Committee shall assist the Commission in the examination of applications.

The projects to receive financial support shall be selected in accordance with Regulation (EEC) No 1302/78.

Article 5 unchanged

*Article 6*

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

Article 1 of this Regulation shall apply following the decision taken by the Commission, *or by the Council in the event of appeal, on the first series of projects in accordance with Article 6 of Regulation (EEC) No 1302/78*.

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

*Article 6*

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

Article 1 of this Regulation shall apply following the decision taken by the Commission.

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

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RESOLUTION

on the prospects of enlargement of the Community

Part One: political and institutional aspects

*The European Parliament,*

- considering that, in the preamble to the EEC Treaty, the Member States of the Community declare themselves 'determined to lay the foundations of an ever closer union among the peoples of Europe' and 'resolved by

thus pooling their resources to preserve and strengthen peace and liberty', and call upon 'the other peoples of Europe who share their ideal to join in their efforts',

- considering that the observance and defence of democratic principles form one of the essential cornerstones of that Community,
- having regard in this connection to the statement made in December 1973 by the Heads of State or Government of the Community Member States on the European Identity, the common declaration of April 1977 by the European Parliament, the Council and the Commission of the European Communities on the protection of fundamental rights <sup>(1)</sup> and the declaration made by the European Council in April 1978 on democracy,
- having regard to the applications for accession to the Community made by Greece on 12 June 1975, by Portugal on 28 March 1977 and by Spain on 28 July 1977,
- expressing its satisfaction at the fact that, following the Council of Ministers meeting of 20 December 1978 and the positive results it achieved, negotiations with Greece have nearly been completed,
- welcoming the fact that Greece, Portugal and Spain have evolved from dictatorships into pluralist, parliamentary democracies,
- expressing, conscious of its responsibilities in this respect, its support for the maintenance and strengthening of pluralist democratic systems,
- having regard to the documents drawn up by the Commission on this subject <sup>(2)</sup>,
- having regard to the report of the Political Affairs Committee (Doc. 479/78),

1. Expresses its political will to see Greece, Portugal and Spain join the Community;
2. Calls upon the present Member States of the European Community, together with the applicant States, to give a formal undertaking, in line with Parliament's resolution of 16 November 1977 <sup>(3)</sup>, to uphold the provisions governing civil and political rights and pluralist democracy embodied in their respective national laws and in the international treaties to which they are signatories; and asks that failure to respect those provisions, to be established by the Court of Justice, should constitute incompatibility with membership of the Community;
3. Calls for the adoption of all necessary measures to ensure that the accession of a country to the Community contributes to the strengthening and progress of both the Community and the applicant State, particularly in political, institutional, economic and social terms;
4. Considers, therefore, that the accession negotiations conducted separately with each applicant State should be pursued on the basis of an overall approach to the conditions and principles governing the enlargement of the Community;
5. Requests that temporary conditions be laid down reflecting the need for the applicant State to be integrated into the Community as rapidly and fully as possible without creating political, institutional, economic or social difficulties;
6. Requests that during an interim stage from the signing of the accession treaties up to their ratification, the applicant States should be informed and consulted on Community procedures on the same terms as were applied on the occasion of the Community's first enlargement;
7. Notes with satisfaction the information and consultation mechanisms at present applied within the framework of European political cooperation from which the candidate States will begin to benefit as soon as the accession negotiations open;

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<sup>(1)</sup> OJ No C 103, 27. 4. 1977, p. 1.

<sup>(2)</sup> COM(78) 120 fin.: General considerations on the problems of enlargement.  
COM(78) 190 fin.: The transitional period and the institutional implications of enlargement.  
COM(78) 200 fin.: Economic and sectoral aspects.

<sup>(3)</sup> OJ No C 299, 12. 12. 1977, p. 26.

8. Trusts, however, that the applicant States will begin forthwith to adapt their policies and laws to those in force in the Community, and will undertake to consult the Commission in advance on all measures they may wish to adopt which are likely to affect the Community's sphere of activities after enlargement;
9. Insists that the accession treaties contain an unequivocal undertaking by all the signatory States to defend and extend the existing achievements of the Community in their entirety;
10. Is firmly convinced of the need to improve the decision-making mechanisms of the Community's institutions and bodies within the framework of the Treaties;
11. Insists that, on the question of the institutional implications of accession, account should be taken, in the case of Parliament, of the terms of the Act of 20 September 1976, and as regards the Commission, of the considerable increase in its workload and the consequent need to increase the number of its Members;
12. Considers that the European Parliament should be consulted on all studies concerning the Community's decision-making processes with a view to enlargement;
13. Expresses the wish that the numerous links currently existing between the institutions of the Community, the Member States, the applicant States and, in particular, their Parliaments, will be developed and strengthened forthwith; hopes that regular relations may be established with the Spanish and Portuguese Parliaments, and instructs its Political Affairs Committee to follow closely the development of these relations and the existing relations with the Greek Parliament under the EEC-Greece Association;
14. Instructs its Political Affairs Committee to submit to it, as soon as possible, the second part of this report dealing with the sectoral aspects of enlargement, on the basis of the opinions of the committees consulted;
15. Instructs its President to forward this resolution to the Council and Commission.

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#### RESOLUTION

embodying the opinion of the European Parliament on the communication from the Commission of the European Communities to the Council concerning Community action in the cultural sector

*The European Parliament,*

- conscious that:
  - (a) the culture of our continent, in its richness and diversity, constitutes an essential element of European identity and helps to make a reality of the building of Europe for the citizens of its Member States;
  - (b) the European cultural heritage must be adequately safeguarded, properly exploited and carefully fostered, and that for these reasons the Community has a duty to undertake Community action in the cultural sector;
- convinced that all obstacles to the free movement throughout the Community of the various manifestations of culture must be removed and that a start must be made on the solution of the economic and social problems arising in this sector;

- referring to the emphasis laid on culture in the declarations by the Heads of State or Government at the Hague Summit of 1969 and the Paris Summit of 1972 as well as in the 'Declaration on the European Identity' adopted at the Copenhagen Summit in 1973;
  - noting that the Tindemans report on European union makes numerous references to culture as one of the assets of the joint heritage of the peoples of Europe and as an instrument for awakening in the Community's citizens a deeper awareness of their common destiny and their solidarity;
  - aware, moreover, that European culture is not limited to the Member States of the Community and hopeful that Community action in the cultural sector will whenever possible be open to other European States and at least to the 22 States which are signatories to the European Cultural Convention;
  - aware of the contribution made by the Council of Europe to a better knowledge of culture and of its activities in numerous fields referred to in the Commission's communication to the Council;
  - convinced that the Treaty establishing the Community provides a necessary and sufficient legal basis for Community action in the cultural sector;
  - recalling its earlier resolutions of:
    - (a) 13 May 1974 on measures to protect the European cultural heritage (Doc. 54/74) <sup>(1)</sup>,
    - (b) 8 March 1976 on the formation of a European Community youth orchestra (Doc. 537/75) <sup>(2)</sup>,
    - (c) and another of the same date on Community action in the cultural sector (Doc. 542/75) <sup>(3)</sup>;
  - having regard to the communication from the Commission of the European Communities to the Council of 22 November 1977 concerning Community action in the cultural sector, containing a draft Council resolution <sup>(4)</sup>;
  - having been consulted by the Council (Doc. 497/77),
  - having regard to the report of its Political Affairs Committee and the opinion of its Committee on Budgets (Doc. 325/78),
1. Approves the guidelines for Community action in the cultural sector which it regards as an overall programme on which action should be taken without delay;
  2. Emphasizes the need to provide adequate funds to carry through this Community action;
  3. Urges the Commission to continue the various activities already undertaken in this sector in line with the wishes expressed by Parliament in the resolutions referred to above;
  4. Invites the Commission to accord priority, within the framework of Community action, to measures likely to promote, directly or indirectly, improvement in the social position of cultural workers, to the advantage of social progress, also taking into account the social consequences of technological progress which frequently reduces the level of employment and resources of the authors and interpreters of cultural works;
  5. Feels that the problems of the audio-visual arts, such as the cinema, which are expressions of a people's culture, should also be considered within the framework of Community action in the cultural sector, in particular in the light of the cultural and social objectives of this action;

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<sup>(1)</sup> OJ No C 62, 30. 5. 1974, p. 5.

<sup>(2)</sup> OJ No C 79, 5. 4. 1976, p. 8.

<sup>(3)</sup> OJ No C 79, 5. 4. 1976, p. 6.

<sup>(4)</sup> OJ No C 34, 10. 2. 1978, p. 2.

6. Is of the opinion that, for the better performance of the various activities constituting Community action in this field, comparative information should be obtained on the social situation of cultural workers and requests the Commission to instruct its Statistical Office to undertake the necessary work;
7. Requests that to ensure the lasting survival of the most important European monuments, special importance be attached to the training of craftsmen able to take proper action to restore these monuments using traditional techniques rather than resorting to more rapid and economic restoration methods;
8. Regrets that the Commission has not taken action on the request expressed in its resolution of 13 May 1974 for the creation of a European Fund for monuments and sites, and hopes that the task which was to be assigned to that Fund will be assumed by the European Investment Bank which should grant reduced-interest loans to Member States, local Communities and private owners for the conservation of monuments and sites;
9. Underlines the urgent need for training schemes for those involved in the protection of cultural property at all levels to be accompanied, in the same spirit of economic, social and cultural stimulation, by plans for the coordinated conservation of the European cultural heritage as a whole;
10. Calls on the Commission to submit without delay formal proposals to the Council to enable the various Community action measures to be put into effect in accordance with the priorities proposed above;
11. Reserves the right to take a position on each of these proposals when it is consulted on them by the Council;
12. Hopes that Community action will benefit from the valuable experience in the cultural sector gained by other international organizations and that in particular cooperation with the Council of Europe will be strengthened;
13. Invites its Political Affairs Committee to follow closely the progress of Community action in the cultural sector, and, if necessary, to submit a report.

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## RESOLUTION

### on the respect of human rights in Iran

*The European Parliament,*

- profoundly disturbed by the political situation and the tragedy experienced by the Iranian people;
  - appalled at the loss of human lives in the civilian population;
  - referring to the positions it has taken up on many occasions on behalf of the respect of human rights and basic freedoms;
  - having regard to the motion for a resolution tabled by Mr Porcu and Mr Sandri (Doc. 307/78);
  - having regard to the report of the Political Affairs Committee (Doc. 547/78);
1. Condemns the violation of human rights in Iran;
  2. Calls on the Foreign Ministers of the Member States meeting in political cooperation to make urgent representations to all the political forces in Iran and within the international organizations, with the aim of restoring a normal situation in which the fundamental and political rights of the Iranian people are respected, which in particular means putting a stop to repressive action and releasing political prisoners;
  3. Requests the Council and Commission to intervene to the same purpose;
  4. Instructs its President to forward this resolution to the Foreign Ministers of the Member States meeting in political cooperation, and to the Council and Commission.

**RESOLUTION**  
**on refugees from Cambodia, Laos and Vietnam**

*The European Parliament,*

— in view of the gravity of the political situation and the intense human suffering in south-east Asia,

1. Calls on the Foreign Ministers meeting in political cooperation to make a joint approach to the United Nations High Commissioner for Refugees with a view to establishing a plan for integrating the refugees from Cambodia, Laos and Vietnam into both the Member States of the Community and the ASEAN countries, with account to be taken of the problems connected with racial relations and overpopulation in south-east Asia and of the need for a fair distribution of the costs of such integration;

2. Similarly calls on the Foreign Ministers meeting in political cooperation jointly to urge the Government of Vietnam to ensure

— that all citizens of Vietnam can live peacefully and freely in their own country rather than being compelled to flee, and

— that the Government of Vietnam concentrate its resources on this rather than on hostile undertakings in south-east Asia;

3. Instructs its President to forward this resolution to the Foreign Ministers meeting in political cooperation.

## RESOLUTION

Embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision adopting an Energy Research and Development Programme 1979 to 1983

*The European Parliament,*

- having regard to the proposal from the Commission to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 293/78),
  - having regard to its opinions
    - on the proposal from the Commission of the European Communities to the Council (Doc. 473/74) for programmes of research and development actions in the field of energy <sup>(2)</sup>,
    - on the proposal from the Commission of the European Communities to the Council (Doc. 264/76) for a Decision reviewing the energy research and development programme adopted by the Council Decision of 22 August 1975 <sup>(3)</sup>,
  - having regard to the report of the Committee on Energy and Research and the opinion of the Committee on Budgets (Doc. 499/78),
1. Welcomes the proposal to continue and expand the indirect action multiannual energy research and development programme;
  2. Recognizes the importance of research into new energy sources, as without such research the potential contribution of these sources cannot be assessed;
  3. Hopes that further research might enable new energy sources to make a greater contribution in the medium and long terms than has hitherto been forecast;
  4. Congratulates the Commission on its timely transmission of this proposal to the European Parliament, and requests that the proposal for the next multiannual energy research and development programme be presented at least a year before the expiration of this programme;
  5. Emphasizes the need for vigilance in order to avoid duplication of research effort, and consequently stresses the importance of the Advisory Committee on Programme Management;
  6. Notes with approval that at the end of the programme's second year a progress report will be drawn up for the European Parliament and the Council;
  7. Reserves its position with regard to the wind energy project, which forms part of the solar energy subprogramme, pending the adoption of the report <sup>(4)</sup> on the need for Community action to promote the exploitation of wind, wave and tidal energy for electricity production;
  8. Approves the Commission's proposal subject to its adoption of the following amendment pursuant to Article 149, second paragraph, of the EEC Treaty.

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<sup>(1)</sup> OJ No C 228, 26. 9. 1978, p. 4.

<sup>(2)</sup> OJ No C 76, 7. 4. 1975, p. 28.

<sup>(3)</sup> OJ No C 293, 13. 12. 1976, p. 17.

<sup>(4)</sup> PB 53.244 rev. II, rapporteur: Mr Brown.

**Council Decision adopting an Energy Research and Development Programme  
1979 to 1983**

Preamble, recitals and Article 1 unchanged

*Article 2*

The upper limit for expenditure commitments and for staff necessary for the implementation of this programme is evaluated at 125 million European units of account and 37 employees respectively for the duration of the programme.

The European unit of account is defined in Article 10 of the Financial Regulation of 21 December 1977 <sup>(1)</sup> applicable to the general budget of the European Communities.

*Article 2*

The upper limit of expenditure commitments necessary for the implementation of this programme is estimated to be 125 million European units of account (EUA), as defined in Article 10 of the Financial Regulation of 21 December 1977 <sup>(1)</sup>, and the staff is estimated at 37.

**These figures are of an indicative nature only.**

Articles 3 and 4 unchanged

Annex unchanged

<sup>(1)</sup> OJ No L 356, 31. 12. 1977, p. 1.

<sup>(\*)</sup> For full text see OJ No C 228, 26. 9. 1978, p. 4.

<sup>(1)</sup> OJ No L 356, 31. 12. 1977, p. 1.

**RESOLUTION**

**on the relationship between producer prices, middlemen's profit margins and the final selling price to consumers of agricultural products**

*The European Parliament,*

- having regard to Article 39 of the EEC Treaty,
- having regard to the European Economic Community's preliminary programme of 14 April 1975 for a consumer protection and information policy <sup>(1)</sup>,
- having regard to its resolution of 14 September 1977 on Community consumer policy <sup>(2)</sup>,
- having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Committee on Agriculture (Doc. 404/78),

1. Regrets that, despite the declaration issued at the London European Council on 11 May 1977 and the numerous and gratifying efforts made by the Commission, the Member States have only partly succeeded in fighting inflation effectively;

<sup>(1)</sup> OJ No C 92, 25. 4. 1975, p. 1.

<sup>(2)</sup> OJ No C 241, 10. 10. 1977, p. 23.

2. Notes that in the wake of these inflationary trends consumer food prices have risen just as sharply as producer prices for agricultural products;
3. Observes with concern the increase in gross profit margins in different branches and in some Community countries where the processing industry and food trade are clearly tending to use price increases at producer level as a pretext for increasing the gross profit margins without any regard for real cost;
4. Has learned with dismay of the initial findings of the pilot surveys carried out by the Commission on the gross profit margins made by middlemen in the food trade, to the effect that price differences within the Member States for identical products amount to 40 % and more in about one-third of the cases investigated;
5. Presumes that these enormous price differences may be attributed partly to deep-seated differences in the structures of the agricultural markets, inadequate competition and the numerous marketing and processing stages;
6. Is convinced that it would be a great help in improving these structures if producer groups and cooperatives were to be built up in those countries and regions where undertakings of this kind have as yet had no influence on the market;
7. Urges the Commission to ensure that the Council Regulation of 19 June 1978 concerning producer groups and associations thereof (4) is implemented in the near future by the Member States concerned;
8. Realizes the influence exerted by advertising and packaging on cost trends and pricing in the food sector; welcomes therefore the Commission proposal on misleading and unfair advertising and also invites the Commission to initiate measures to counter misuse of packaging;
9. Stresses the need for analytical studies of profit margins in the food sector accompanied by regular and continuous monitoring of the market, in order to detect possible price distortions at the various commercial levels;
10. Proposes that, since it has now tested the methodological basis for such studies in Ireland, the United Kingdom and Germany, the Commission should begin by carrying out these studies on some selected agricultural products that are of particular importance for the private housewife's shopping basket;
11. Suggests further that the Commission should study more closely the effects of the common agricultural prices on final consumer prices and that the results of these studies should be made known to the general public;
12. Presumes that when agricultural price proposals are being drawn up in future, the Commission will be able, on the basis of studies of this kind, to give more realistic estimates of the effects of price increases on final consumer prices for the various countries and products or groups of products;
13. Urges the Commission and Council, pursuant to Article 39 of the EEC Treaty, to work out and implement a common policy which will serve the interests of farmers, consumers, the processing industry and the food trade in equal measure and can be seen as a food policy in the broadest sense;
14. Considers that within the framework of a food policy of this kind forward analyses of production figures and future requirements in agricultural products are needed to provide national and Community decision-making bodies with long-term planning guidelines for production, marketing and consumption;
15. Is convinced that in this way the policy of common agricultural prices and supporting measures could contribute more effectively to ensuring a balance between supply and demand on the markets;

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(4) OJ No L 166, 23. 6. 1978, p. 1.

16. Considers that the imbalances and surpluses on some markets at the present time are caused by, among other factors, the in some cases unlimited marketing guarantees;
17. Urges the Commission, in view of the effects that further increases in the common agricultural prices would have both on the agricultural markets and on rising living costs, to pursue vigorously its present foresighted anti-inflationary prices policy;
18. Invites the Commission to study ways and means of cutting back on unlimited marketing guarantees and also to work out and propose effective forms of co-responsibility for farmers in the case of surplus products;
19. Hopes that the Community will have the courage to develop and vigorously implement its structural, regional and social policy, which is still only in its initial stages;
20. Believes that in order to support a policy of this kind the resources of the EAGGF's Guidance Section must be considerably increased;
21. Encourages the Commission to adopt special measures to offer intervention goods to socially disadvantaged groups in the Community and also to make much greater use of them to supply food aid to the poorest developing countries;
22. Supports a return to a genuine common agricultural market and is therefore in favour of a gradual abolition of monetary compensatory amounts, provided this abolition is not used as a pretext for a general increase in price levels and does not have an adverse effect on farmers' incomes;
23. Considers that within the framework of a common food policy consumers must be represented alongside agriculture, industry and trade as equal partners at all levels of the political decision-making process;
24. Feels that, while there is already some consultation of consumers by the Commission, such consultation must be stepped up and calls on the Commission once again to make the opinions of the Consumers' Consultative Committee available to Parliament in the future;
25. Urges once again that the Commission's Environment and Consumer Protection Service be organized in such a way that it can carry out its manifold duties relating to the protection and strengthening of consumers' interests in close cooperation with the Consumers' Consultative Committee and the consumer organizations;
26. Calls on the Council to explain its decisions and the reasons for them to the public at large and at the same time to make it clearer than it has been in the past that in taking their decisions on prices the Agriculture Ministers do not act as representatives of group interests but on behalf of their governments and having carefully weighed the overall economic situation;
27. Invites the Commission to implement Article 40 of the European Community's preliminary programme for a consumer protection and information policy by giving the general public more comprehensive, intelligible and continuous information than it has been doing up to now about the Community's agricultural policy in general and the factors determining prices in particular;
28. Welcomes the fact that in appointing the new members of the Economic and Social Committee on 19 September 1978, the Council has ensured stronger representation of consumers and their interests;
29. Instructs its President to forward this resolution and the committee's report to the Council and Commission.

## RESOLUTION

on certain inspection procedures governing fishing activities and surveillance procedures governing other activities affecting the common policy for the conservation and management of fishing resources

*The European Parliament,*

- having regard to its resolution of 14 October 1976 on the extension of the Community Member States' fishing zones to 200 miles on 1 January 1977, fishing agreements with non-Community nations and a revised common fishing policy <sup>(1)</sup>,
- having regard to its debate of 15 February 1978 on the common fishing policy and especially to the opinion that a non-discriminatory inspection body would be more appropriate than the Member States for ensuring observance of the common fishing rules because of its intrinsic impartiality <sup>(2)</sup>,
- having regard to its resolution of 16 February 1978 on some aspects of the final version of the common fisheries policy <sup>(3)</sup>, and in particular paragraph 5 (c) thereof,
- having regard to its debate of 13 April 1978 on shipping regulations and the Commission's action programme which was set out on that occasion,
- having regard to its resolution of 14 April 1978 on the 'Amoco Cadiz' disaster <sup>(4)</sup>, and in particular paragraph 2 thereof,
- having regard to the motion for a resolution tabled by Mr Berkhouwer, pursuant to Rule 25 of the Rules of Procedure, on Community measures for auxiliary vessels of Member States and of associations and foundations of legal personality established in Member States, which provide medical and technical assistance at sea to Community fishermen exercising their profession inside and outside the waters of the EEC (Doc. 77/78),
- having regard to its opinion of 10 May 1978 on the proposal from the Commission of the European Communities to the Council (Doc. 540/77) for a Regulation concerning accession of the European Economic Community to the United Nations Convention on a code of conduct for liner conferences <sup>(5)</sup>,
- having regard to its debate of 14 June 1978 on the common fisheries policy and the statements made by Mr Gundelach, *Vice-President of the Commission*, on the adoption of a European approach to inspection <sup>(6)</sup>,
- having regard to its resolution of 15 June 1978 on the proposal from the Commission of the European Communities to the Council (Doc. 460/77) for a Decision on financial participation by the Community in respect of the inspection and surveillance operations in the maritime waters of Denmark and Ireland <sup>(7)</sup>, and in particular paragraphs 1, 6, 7 and 10 thereof,
- having regard to the report of the Committee on Agriculture (Doc. 441/78),
- whereas the European Community should be a party to the Convention that may be signed at the end of the United Nations Third Conference on the Law of the Sea,
- whereas in this context the question of inspection will be a fundamental issue in respect of which the Community must be invested with its own, independent powers,
- whereas Community inspection carried out by a Community body is essential for the proper implementation of the common policy for the conservation and management of fishing resources in Community waters,

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(1) OJ No C 259, 4. 11. 1976, p. 26. Cf Doc. 354/76 (motion for a resolution tabled by Mr Prescott on behalf of the Socialist Group).

(2) OJ Annex No 226, Debates of the European Parliament (February 1978), p. 132 (statement by Mr Gundelach).

(3) OJ No C 63, 13. 3. 1978, p. 28 — Klinker report (Doc. 466/77).

(4) OJ No C 108, 8. 5. 1978, p. 59 (motion for a resolution tabled by Mr Kofoed on behalf of the Committee on Agriculture (Doc. 37/78/rev.)).

(5) OJ No C 131, 5. 6. 1978, p. 34 (rapporteur: Mr McDonald — Doc. 47/78).

(6) OJ Annex No 231, Debates of the European Parliament (June 1978), p. 151 ff.

(7) OJ No C 163, 10. 17. 1978, p. 43 — Doc. 39/78: rapporteur: Mr Corrie.

- whereas this Community body must be competent in all areas which might directly endanger the common policy for the conservation and management of fishing resources, including the campaign against pollution of the marine environment, control of shipping, or any other area which may serve as the basis of a future common policy of the sea,
- whereas the European Parliament must take part in the consideration of these questions which will become increasingly acute in the next few years,
- whereas, moreover, it is most important, in view of its election by direct universal suffrage, that it should gradually acquire a right of initiative,

1. Considers that it must contribute as from now to the definition of procedures for the inspection of fishing activities of Member States and third countries in Community waters;
2. Therefore invites the Commission to submit to the Council, pursuant to Articles 148, 149 and 155 of the EEC Treaty, the attached proposal for a Regulation;
3. Instructs its President to forward this resolution to the Commission and the Council and to the European Council.

**Proposal for a Council Regulation laying down certain inspection procedures governing fishing activities in the waters off the coasts of the Member States of the European Community and surveillance procedures governing other activities affecting the common policy for the conservation and management of fishing resources**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 43 thereof,

Having regard to the Act of Accession,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Whereas the common policy for the conservation and management of fishing resources has given the Community its own, independent responsibilities in respect of the implementation of this policy in the waters coming under the sovereignty or jurisdiction of the Member States, hereinafter called 'Community waters';

Whereas this policy implies inspection of the fishing activities of the vessels of third countries and of Member States, the prevention of pollution of the marine environment in order to conserve fishing resources and the campaign against such pollution, participation by the Community in Community scientific research to study the marine environment and the seabed, participation by the Community in search and rescue services at sea for humanitarian

purposes and, lastly, participation by the Community in any other task the Council may decide upon under a common policy of the sea;

Whereas the implementation of this system calls for the establishment of a Community coastguard service operating solely under the Community flag and acting under the Commission's own responsibility within the framework laid down for it by the Council in agreement with the European Parliament;

Whereas a Community coastguard service shall automatically be authorized to operate throughout Community waters and whereas the Member States must give it their full support both in order to safeguard its activities and to enable it to fulfil its functions;

Whereas the Member States must cooperate closely with the Community coastguard service in order to implement the common policy for the conservation and management of fishing resources in Community waters or a future common policy of the sea;

Whereas the Community coastguard service must ensure the implementation by Member States of the common policy for the conservation and management of fishing resources in Community waters or the implementation of a future common policy of the sea; whereas, for this purpose, the Commission may

delegate inspectors from the Community coastguard service to the competent administrations of the Member States;

Whereas the assertion of European identity and of the Community nature of the waters to which the common policy for the conservation and management of fishing resources applies implies that the patrol vessel of a Member State which operates jointly under its national flag and under the Community flag may conduct any fishing vessel of a third country or another Member State to the nearest Community port, even if that port is situated in a third Member State;

Whereas it is essential to harmonize the penalties and fines pronounced by the national courts for infringement of the Community rules on the common policy for the conservation and management of fishing resources in Community waters or any other rules in respect of these waters, in order to avoid any discrimination based on place;

Whereas the fines imposed by the national courts must be treated as the Community's own resources;

Whereas until the Community coastguard service is provided with the necessary equipment and qualified personnel suitable transitional measures must be taken where appropriate,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

This Regulation refers to the waters coming under the sovereignty or jurisdiction of the Member States to which the common policy for the conservation and management of fishing resources or any other Regulations the Community may adopt apply. Hereinafter these waters shall be called 'Community waters'.

#### **Community coastguard service**

##### *Article 2*

1. A Community coastguard service shall be established in order to:

- (a) inspect the fishing activities of vessels of third countries or of the Member States in Community waters;
- (b) prevent or combat pollution of the marine environment under the common system for the conservation and management of fishing resources;
- (c) carry out scientific research within the framework of any measures the Community may adopt in order to study the marine environment and the seabed;
- (d) take part in search and rescue operations at sea;
- (e) perform any other task which the Council may decide upon under a common policy of the sea.

2. The Community coastguard service shall be made up of aircraft and vessels operating solely under the Community flag.

3. Its personnel shall consist of officials of the Commission of the European Community. It shall act in complete independence of the Member States.

#### *Article 3*

1. The Community coastguard service shall be authorized to operate throughout Community waters.

2. It shall act under the Commission's own responsibility, within the framework laid down for it by the Council acting by a qualified majority on a proposal from the Commission and after consulting the European Parliament.

3. The Member States shall provide it with all the necessary assistance to ensure its safety and enable it to carry out its functions.

#### *Article 4*

1. The Member States shall cooperate as closely as possible with the Community coastguard service to enable it to perform the functions referred to in Article 2 (1).

2. This cooperation shall take the following form:

- (a) coordination of activities between the Community coastguard service and the corresponding Member States' administrations where the latter still consider it necessary to carry out such activities;
- (b) exchange of information between the Community coastguard service and the corresponding Member States' administrations.

3. The detailed rules for the application of this Article shall be laid down by the Council acting by a qualified majority on a proposal from the Commission and after consulting the European Parliament.

#### *Article 5*

1. The Commission may delegate inspectors from the Community coastguard service to each Member State.

2. These Community inspectors shall take part in the patrols which Member States may still undertake in order to inspect fishing activities in Community waters, and in any other tasks which the Community may decide upon, leaving at least part of the execution of these tasks to the Member States.

3. The Community inspectors shall report regularly to the Commission on the implementation by Member States of the common rules in Community waters.

4. The detailed rules for the application of this Article shall be laid down by the Council, acting by a qualified majority on a proposal from the Commission and after consulting the European Parliament.

#### **Community nature of the inspection carried out by Member States**

#### *Article 6*

1. Where the Member States still deem it advisable, acting in coordination with the Community coastguard service, to ensure the application of the Community rules on the common policy for the conservation and management of fishing resources in Community waters, and to take part in the other tasks laid down in Article 2 (1) (b), (c), (d) and (e), the following principles shall apply:

- (a) any aircraft or vessel of a Member State assigned by that State to carry out the above tasks is

authorized to operate throughout Community waters and shall fly the Community emblem for these tasks;

- (b) any inspection vessel of a Member State which has boarded the vessel of a third country or other Member State on the grounds that it has infringed the Community rules on the common policy for the conservation and management of fishing resources in Community waters or any other Community rules in respect of these waters is authorized to conduct that vessel to the nearest port, even if that port is situated in a third Member State.

2. The Member States undertake to take all the necessary measures for the application of paragraph 1.

3. The detailed rules for the application of paragraph 1 shall be laid down by the Council, acting by a qualified majority on a proposal from the Commission and after consulting the European Parliament.

#### **Penalties and fines**

#### *Article 7*

The penalties and fines imposed by Member States' jurisdictions for infringement of the common policy for the conservation and management of fishing resources in Community waters or of any other Community rules in respect of these waters shall be harmonized by 1 January 1981, pursuant to Article 100 of the Treaty.

#### *Article 8*

Pursuant to Article 201 of the Treaty, the Council undertakes to adopt a Decision before 1 January 1981 on the treatment as the Community's own resources of any fines imposed by Member States' jurisdictions for infringement of the common policy for the conservation and management of fishing resources in Community waters or any other Community rules in respect of these waters.

#### **Transitional provisions**

#### *Article 9*

1. If by 31 December 1982 the Community has not given the Community coastguard service the necessary equipment or personnel for performing the tasks

assigned to it under Article 2 (1) of this Regulation, the Member States shall make available to it the vessels, aircraft and personnel necessary to the performance of its tasks.

2. These vessels and aircraft shall operate solely under the Community emblem; the personnel required for their operation shall be regarded as agents of the European Communities.

3. Each year the Community shall reimburse to Member States the rental for leasing the equipment made available.

4. The detailed rules for the application of this Article shall be adopted by the Council, acting by a qualified majority on a proposal from the Commission and after consulting the European Parliament.

## Final provisions

### Article 10

Each year the Commission shall present to the Council and to the European Parliament a report on the activities of the Community coastguard service.

### Article 11

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

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

## RESOLUTION

on the equipment manufactured in the Community which can be used for the inspection of fishing activities in Community waters and the surveillance of other activities affecting the common policy for the conservation and management of fishing resources

*The European Parliament,*

- having regard to its resolution of 14 October 1976 on the extension of the Community Member States' fishing zones to 200 miles on 1 January 1977; fishing agreements with non-Community nations; and a revised common fishing policy <sup>(1)</sup>,
- having regard to its resolution of 16 February 1978 on some aspects of the final version of the common fisheries policy <sup>(2)</sup>, and in particular paragraph 5 (d) thereof,
- having regard to its resolution of 14 April 1978 on the Amoco-Cadiz disaster <sup>(3)</sup>, and in particular paragraphs 1 and 2 thereof,
- having regard to its opinion of 15 June 1978 on the proposal from the Commission of the European Communities to the Council (Doc. 460/77) for a Decision on financial participation by the Community in respect of the inspection and surveillance operations in the maritime waters of Denmark and Ireland <sup>(4)</sup>, and in particular paragraph 10 (b) thereof based on an amendment to the motion for a resolution contained in the report of the Committee on Agriculture <sup>(5)</sup>, and paragraph 11 (c),

<sup>(1)</sup> OJ No C 259, 4. 11. 1976, p. 26. Cf Doc. 354/76 (motion for a resolution tabled by Mr Prescott on behalf of the Socialist Group).

<sup>(2)</sup> OJ No C 63, 13. 3. 1978 — Klinker report (Doc. 466/77).

<sup>(3)</sup> OJ No C 108, 8. 5. 1978, p. 59 — Kofoed resolution (Doc. 37/78/rev.).

<sup>(4)</sup> OJ No C 163, 10. 7. 1978, p. 43.

<sup>(5)</sup> Doc. 39/78 — Corrie report.

- having regard to the report of the Committee on Agriculture (Doc. 442/78),
- whereas all coastal Member States must procure special equipment in order to monitor the application of the common policy for the conservation and management of fishing resources,
- whereas the purchase price of such special equipment (aircraft, helicopters, ships) could be reduced if this equipment were standardized,
- whereas, in view of the life of such equipment, if Member States purchase it independently, there will be no further opportunity for standardization before 1990—1995,

1. Invites the Member States, where they do not already have such equipment at their disposal, to decide without further delay on the joint procurement of the aircraft, helicopters and ships required for carrying out inspection and surveillance of Community waters;

2. For this purpose, recommends the establishment of a committee of experts from the inspection services of the coastal Member States which will be responsible, with the participation of the Commission,

for determining the specifically Community missions and, in consequence, requirements; on the basis of these facts, advises that a competition should be organized with the following aims:

(a) during the first stage, to select on the basis of purely technical criteria the most appropriate equipment for carrying out the specific missions of the European Community, and

(b) during the second stage, to determine the type of aircraft, helicopter or ship which involves the lowest operating cost, bearing in mind the purchase price of this equipment;

3. Asks to be kept informed of each stage of this competition so that it can supervise both the technical and financial aspects of this selection procedure;

4. Also considers that this committee of experts should determine, with the participation of the Commission, which formula offers the best cost-efficiency ratio for maritime surveillance operations — aircraft, helicopters or ships only or the most appropriate combination of these three types of equipment;

5. Considers that the Member States should further coordinate their inspection and surveillance activities in Community waters by setting up a coordinating centre for their inspection and surveillance bodies, made up of experts from the coastal Member States inspection services and of Commission representatives;

6. Considers that once established such a coordinating centre could become an embryonic Community coast-guard service; therefore considers that the Member States must as a Community make this minimum effort which does not involve any transfer of sovereignty and which would allow for more efficient inspection and surveillance of Community waters;

7. Draws attention to the proliferation of surveillance equipment in the Community; invites the Committee on Economic and Monetary Affairs to examine the industrial aspects of this multiplicity of equipment in the context of consultation between the European aeronautical industries and of the reorganization of the Community's shipyards;

8. Instructs its President to forward this resolution to the Council and Commission and to the European Council.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive amending Directive 77/101/EEC on the marketing of straight feedingstuffs

*The European Parliament,*

- having regard to the proposal from the Commission to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 511/78),
  - having regard to the report of the Committee on Agriculture and the opinion of the Committee on the Environment, Public Health and Consumer Protection (Doc. 545/78),
1. Regrets that the Council was unable to lay down a Directive on compound feedingstuffs at the same time as the Directive on the marketing of straight feedingstuffs;
  2. Recognizes that, in view of the complementary nature of legislation on straight and compound feedingstuffs, it is desirable to defer the date on which the Directive on straight feedingstuffs comes into force, as the Commission proposes;
  3. Approves the Commission's proposal;
  4. Urges the Council to take a speedy decision on the rules concerning straight and compound feedingstuffs, so that the Member States may adopt national measures to implement the Community provisions within the prescribed time limit.

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## RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for

- I. a Directive on brucellosis, tuberculosis and swine fever and prolonging certain derogations granted to Denmark, Ireland and the United Kingdom
- II. a Directive authorizing the Italian Republic to postpone the notification and implementation of its national plans for the accelerated eradication of brucellosis and tuberculosis in cattle

*The European Parliament,*

- having regard to the proposals from the Commission to the Council <sup>(2)</sup>,
  - having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 465/78 and Doc. 466/78),
  - having regard to the report of the Committee on Agriculture (Doc. 544/78),
1. Approves the Commission's proposals;
  2. Expresses the wish that an appropriate Community policy will be adopted and implemented in the veterinary and plant health sectors;
  3. Calls on the Member States which still require authorization to apply national rules and maintain protective measures in respect of infectious diseases in cattle or to postpone the date for the implementation of Community rules for the eradication of brucellosis, tuberculosis and leucosis to cooperate immediately and fully in the establishment of a Community policy in the veterinary and plant health sectors so that those barriers to intra-Community trade in cattle and meat which still exist can be eliminated.

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<sup>(1)</sup> OJ No C 294, 8. 12. 1978, p. 4.

<sup>(2)</sup> OJ No C 289, 2. 12. 1978, pp. 4 and 6.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 1696/71 on the common organization of the market in hops

*The European Parliament,*

- having regard to the proposal from the Commission to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 516/78),
- having regard to the report of the Committee on Agriculture (Doc. 572/78),

Approves the Commission's proposal.

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## RESOLUTION

on the natural disasters in the Ardèche region

*The European Parliament,*

- having regard to the fires which have swept across the Ardèche region, devastating thousands of hectares of woodlands, forests and pastures,
  - having regard to the considerable damage subsequently caused by heavy snowfalls on the Ardèche plateau,
  - seriously concerned at the financial losses suffered by this underprivileged area and particularly by small and medium-sized undertakings, farmers and private individuals,
  - wishing to secure financial aid to help repair the damage suffered by the Ardèche population and department,
1. Asks the Commission to take emergency measures and provide the victims with adequate aid from the disaster fund,
  2. Instructs its President to forward this resolution to the Commission and Council.

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(1) OJ No C 295, 9. 12. 1978, p. 3.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on the limitation of the noise emitted by compressors

*The European Parliament,*

- having regard to the proposal from the Commission to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 57/78),
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 469/78),
1. Welcomes the submission of this specific proposal for a Directive which meets an economic need and at the same time will also help to bring about a general improvement to the quality of the environment;
  2. Expresses its satisfaction with the measures proposed which are based on a system of total harmonization;
  3. Regrets however that the Commission has given no attention to the protection of workers' health at the workplace in this context in order to limit the danger to the hearing of those concerned to a minimum;
  4. Is aware that the lowering of compressor noise levels will in certain cases lead to a considerable increase in production costs, although this will be compensated for by the expected increase in the working life of the machinery;
  5. Is however of the opinion that the deadline for the introduction of the suggested lower noise levels of the various types of compressor should be strictly adhered to;
  6. Urges the Commission to follow closely technological progress and industrial production in this area and, where appropriate, to submit proposals for amendments to reduce those noise levels which are still too high;
  7. Considers it necessary to urge that the use of compressors and all other noisy machines, whether silenced or unsilenced, in particularly sensitive or densely built-up areas be subject to special rules;
  8. Hopes that the Commission will submit to the Council without further delay its proposal for a resolution establishing a programme for the suppression of noise;
  9. Urges the Council to adopt at the earliest opportunity the Directives on noise abatement still before it in view of the damage noise can cause to human health and the obstacles it presents to an improvement of the quality of life;
  10. Makes its approval of the present Directive conditional on the full implementation of the outline Directive and the Directive on the measurement method for sound-emission levels;
  11. Requests the Commission to adopt the following amendments, pursuant to Article 149, second paragraph, of the EEC Treaty.

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<sup>(1)</sup> OJ No C 94, 19. 4. 1978, p. 2.

**Council Directive on the limitation of the noise emitted by compressors**

Preamble and recitals unchanged

Articles 1 to 6 unchanged

*Article 7*

*Article 7*

1. Member States shall not prohibit, on grounds relating to the permissible sound level, the sale, placing in service or use for its intended purpose of any compressor accompanied by the certificate of conformity referred to in Article 5 (4) which is marked as described in Article 6.

1. Unchanged

2. Member States shall take measures to regulate the use of compressors in areas which they consider particularly sensitive.

2. Member States shall take measures to regulate the use of silenced and unsilenced compressors in densely built-up areas and in areas which they consider particularly sensitive.

Articles 8 to 11 unchanged

Annexes unchanged

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**RESOLUTION**

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on the approximation of the laws of the Member States relating

- to headlamps which function as main-beam and/or dipped-beam headlamps and to incandescent electric filament lamps for such headlamps,
- to end-outline marker lamps,
- to front position (side) lamps,
- to rear position (side) and stop lamps,
- to direction indicator lamps,
- to reflex reflectors,
- to the rear registration plate lamps,
- to front fog lamps and filament lamps for such lamps,
- to rear fog lamps,
- to reversing lamps,
- to parking lamps,

for wheeled agricultural or forestry tractors.

*The European Parliament,*

- having regard to the proposal from the Commission to the Council <sup>(2)</sup>,
- having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 270/78),
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport (Doc. 559/78),

Approves the Commission's proposal.

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<sup>(1)</sup> For complete text see OJ No C 94, 19. 4. 1978, p. 2.

<sup>(2)</sup> OJ No C 200, 22. 8. 1978, p. 8.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision rendering mandatory the procedures for ship inspection forming the subject of resolutions of the Inter-Governmental Maritime Consultative Organization

*The European Parliament,*

- having regard to the proposal from the Commission to the Council <sup>(1)</sup>;
- having been consulted by the Council (Doc. 488/78);
  
- referring to its previous resolutions concerning proposals by the Commission with regard to safety on shipping in the Community waters;
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport and the opinion of the Committee on the Environment, Public Health and Consumer Protection (Doc. 556/78);
- fully aware of the urgent need to take all possible measures which may contribute towards the elimination of avoidable accidents to shipping, and prevent marine and coastal pollution;

Approves the Commission's proposal.

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## RESOLUTION

on the energy situation in the Community

*The European Parliament,*

- having regard to OPEC's decision to increase oil prices,
  - noting the fall in Iranian oil exports,
  - having regard to the OECD's prediction of a new oil crisis in the near future,
1. Asks the Council whether it has made an assessment of the effects of the Iranian crisis on world supplies in general and Community supplies in particular;
  2. Also asks whether the cost to the Nine of OPEC's decision has been evaluated and whether the consequences for European consumers have been considered;
  3. Considers it advisable to implement without delay a comprehensive plan of action which takes into consideration every possible form of energy, particularly nuclear energy, as well as the need to diversify sources of supply and eliminate waste, thus achieving considerable savings;
  4. Calls on the Commission to take action, in close collaboration with the Member States, aimed at making available throughout the Community a sufficient number of sites for the construction of nuclear power stations, in accordance with the guidelines given at the meeting of the European Council in Bremen on 6 and 7 July 1978;
  5. Supports the meeting proposed by the Commission between energy-producing and energy-consuming countries and insists that such contacts be established, with powers delegated to the Commission;
  6. Considers that the inability of the Council of Energy Ministers to make progress towards a common energy policy has left the Community in a precarious supply position;
  7. Instructs its President to forward this resolution to the Council and Commission.

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<sup>(1)</sup> OJ No C 284, 28. 11. 1978, p. 3.

## RESOLUTION

### on the Third Annual Report (1977) of the Commission of the European Communities on the European Regional Development Fund

*The European Parliament,*

- having regard to the Third Annual Report (1977) on the European Regional Development Fund, submitted by the Commission pursuant to Article 16 of Council Regulation (EEC) No 724/75 of 18 March 1975 establishing a European Regional Development Fund (COM(78) 310 fin.),
- referring to its previous opinions of 12 March 1975 <sup>(1)</sup>, 21 April 1977 <sup>(2)</sup>, and 13 October 1977 <sup>(3)</sup> on the Fund Regulation and of 16 December 1976 <sup>(4)</sup> and 17 January 1978 <sup>(5)</sup> on the annual reports,
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport and the opinion of the Committee on Budgets (Doc. 558/78),

1. Recalls that the European Regional Development Fund cannot function satisfactorily because of certain shortcomings, to which attention has already been drawn, in the Regulation establishing the Fund;
2. Deeply regrets that a whole year passed before the Council took a final decision on the new regional policy guidelines, the revision of the Regional Fund and the creation of a non-quota section;
3. Recalls that the Regional Fund ought not to be confused with the Community's regional policy, of which it is merely one of the instruments, and welcomes the fact that the Commission has allocated to one of its members the specific task of coordinating all Community financial instruments used for structural purposes and created a permanent interdepartmental task force to carry out the necessary work;
4. Points out that a forward-looking common regional policy will have no chance of success unless it gradually becomes less a matter of financial compensation between Member States and is based on Community development criteria;
5. Stresses the need to remedy staff shortages in the Directorate-General for Regional Policy which is responsible for administering the increasing resources of the Fund and implementing the new projects necessary for the development of the Community's regional policy;

(a) *amount of the endowment*

6. Points out that the Fund endowment for 1977, which the Council cut by one half in 1974, was further substantially reduced in real terms as a result of inflation;
7. Emphasizes that the appropriation available has proved totally inadequate for the purpose of reducing growing disparities in development and contributing significantly to the campaign against unemployment in the Community in order to approach the common regional policy objective of reducing regional economic disparities;

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<sup>(1)</sup> OJ No C 76, 7. 4. 1975, p. 19.

<sup>(2)</sup> OJ No C 118, 16. 5. 1977, p. 51.

<sup>(3)</sup> OJ No C 266, 7. 11. 1977, p. 35.

<sup>(4)</sup> OJ No C 6, 10. 1. 1977, p. 86.

<sup>(5)</sup> OJ No C 36, 13. 2. 1978, p. 11.

(b) *additionality*

8. Feels that the effectiveness of the funds available, small by comparison with requirements, depends on respect for the principle of additionality with national expenditure in this field and that this must have a multiplying effect;

9. Deplores the fact that all the Member States have used aid granted from the Fund to industrial projects as partial repayment of national aid, whereas, under Article 4 (2) (a) of the Fund Regulation, Community aid may supplement public aid, thus facilitating control and publicity;

10. Considers that there is no justification for partial repayment of national aid after the initial period of the Fund's operation, since only totally new projects should be submitted to the Commission;

11. Considers that Community aid ought to be paid direct to the public or private investor as a supplement to national aid, where appropriate within the limits set in the principles for coordinating regional aids; if the limits are exceeded, national aid may be reduced provided the difference is credited to other projects in the same regional development programme; thus, even if Community aid does not increase the total aid for a specific project it will still increase the total aid for the regional programme;

12. Considers that horizontal or overall additionality is needed as it is essential to ensure that national budgets show clearly that Community aid does not induce the Member States to reduce their total contributions to the regional policy; demands therefore that the amended Regulation guarantee that the amounts received from the Fund by the Member States are entered separately in national or regional budgets and are added to the national funds set aside for regional policy;

(c) *information and publicity*

13. Regrets the fact that the lack of additionality for individual industrial projects makes it more difficult to provide information and publicity on aid from the Fund;

14. Deplores the fact that in some Member States, information and publicity are practically non-existent, even in respect of aid to infrastructure projects, although the Community provides considerable aid to certain regions, such as Corsica, where it amounts to 34 units of account per inhabitant;

15. Stresses that, in accordance with Articles 4 and 7 of the Regulation, applications for assistance from the Fund should provide information to enable the Commission to publish, in accordance with Article 14 and for each project or programme, whatever the amount involved, the identification and nature of the project, the amount of the investment, of national aid and of aid from the ERDF, any other sources of finance and the number of jobs created or maintained;

(d) *regional development programmes*

16. Emphasizes that the programmes are essential to provide a framework for the Fund's activities and also to facilitate coordination between the other financial instruments and between national or Community policies with regional implications, and draws attention to the development of transfrontier programmes as a framework for the Fund's activities and to the importance of tourism to some regional development programmes;

17. Regrets the comments by the Commission <sup>(1)</sup>, on the one hand, that these programmes 'mostly lack the detail needed to serve as a guide to the allocation of the Fund's resources or to coordinate them more closely with assistance from the other Community financial instruments', and, on the other hand, that 'the link between the investment project in question and the achievement of the aims of the programme' is not made clear;

18. Insists in particular on the need both to set and quantify the overall objectives of these regional development programmes, above all in terms of jobs, and to show a link between the project and the development measures proposed to achieve these objectives;

19. Insists also on the need both to establish the cost of the proposed development measures and to assess the total Community, national and other resources to be allocated to a specific regional development programme;

(e) *control*

20. Recommends that the Commission continue and intensify its technical and financial controls;
21. Considers that the absence of additionality for individual industrial projects and of global additionality in the national budgets, the inaccuracy of and lack of comparability between statistical data, the lack of information and publicity about the Fund's activities and the deficiencies in the regional development programmes prevent any serious economic analysis of the impact of Community aid;
22. Instructs its President to forward this resolution and its committee's report to the Council and Commission.

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(<sup>1</sup>) Third Annual Report, point 122.

## RESOLUTION

on

**I. the best means of preventing accidents to shipping and consequential marine and coastal pollution**

**and**

**II. shipping regulations**

*The European Parliament,*

- having regard to the motions for resolutions on shipping regulations tabled by Mr Fellermaier (Doc. 51/78), and by Mr Cointat, Mr Colin, Mr Bourdellès and Mr Spicer (Doc. 53/78/rev.),
  - having regard to the report of the Committee on Regional Policy, Regional Planning and Transport and the opinions of the Committee on the Environment, Public Health and Consumer Protection and the Committee on Agriculture (Doc. 555/78),
  - taking into full account the evidence given at the public hearing organized by the Committee on Regional Policy, Regional Planning and Transport into the best means of preventing accidents to shipping and consequential marine and coastal pollution,
  - reaffirming its profound anxiety about accidents to shipping, such as the 'Amoco Cadiz' incident, and the severe damage to the marine and coastal environment which can result from such incidents,
  - aware that without concerted action by the Member States, further accidents to shipping with what may be disastrous consequences, will certainly occur in Community waters,
  - further aware that even if all possible measures are taken there remains a minimum unavoidable risk of accidents occurring which makes it necessary to ensure that coordinated efforts are made to find effective means of combating marine and coastal pollution,
1. Congratulates the Commission, not only on the proposals it has put forward concerning shipping safety and oil pollution since the 'Amoco Cadiz' incident but also for proposals it had made previous to this incident, but which were not acted on by the Council;
  2. Endorses the Commission's action programme contained in its communication to the Council of 27 April 1978 concerning marine pollution arising from the carriage of oil <sup>(1)</sup>;
  3. Regrets the fact that, while the European Council decided at its meeting in Copenhagen of 7 and 8 April 1978 that the Community should make the prevention and combating of marine pollution, particularly by hydrocarbons, a major objective, the Council has in some cases either rejected or weakened Commission proposals which were designed to make it possible for the Member States to adopt common attitudes and to take common measures;
  4. Calls, therefore, on the Council to accept present and future proposals by the Commission for the mandatory enforcement by the Member States of the appropriate provisions of International Conventions relating to maritime safety, shipping standards and oil pollution, and in particular the proposals for decisions concerning the Barcelona and Bonn Agreements which cover cooperation in dealing with the pollution by oil of the Mediterranean and the North Sea respectively;
  5. Points out that it is only by coordinated action, leading to the effective enforcement of International Convention that the Community will be able to protect itself from the dangers and risks that arise from sub-standard shipping whether sailing under flags of convenience or indeed under the flag of any nation.

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<sup>(1)</sup> Doc. 121/78.

6. Requests the Commission in addition to continuing its work of enforcing existing Conventions to:
  - (a) institute, in cooperation with the relevant national and international expert bodies, an immediate study into the possibility of instituting a system of ship traffic control in appropriate Community waters;
  - (b) draft proposals for the institution of an escort system for large oil tankers and other vessels carrying dangerous cargoes by means of an advanced coastal radar system common to all the ports concerned on the Atlantic, the English Channel and the North Sea;
  - (c) institute, in cooperation with the relevant experts, research into the possibility of installing a marine equivalent of the aviation 'black box' on all vessels over a certain tonnage using areas of particular difficulty to shipping, whether by reason of density of traffic, of navigational difficulty or both within Community waters;
  - (d) provide assistance for research into (i) mechanical means of recovering spilt oil, and (ii) the development of biologically acceptable dispersants;
  - (e) examine means of establishing common Community classification standards which would have to be complied with by owners before Community insurance companies would insure a vessel;
  - (f) make proposals whereby a number of 'ports of refuge' could be established within the Community, if necessary with Community financial assistance, where disabled vessels could be taken and their cargoes unloaded safely;
7. Calls on ship owners to ensure that all VLCC's and other ships carrying dangerous cargoes using Community ports should be provided with a trained team capable of operating a standardized 'emergency organization' system;
8. Calls on the insurance companies, in consultation with IMCO and the interested parties, to make the necessary revisions to the 'Open Form' of salvage contract in order to ensure that no delay should take place in agreeing the terms for salvaging ships carrying oil or dangerous substances while at the same time ensuring that unreasonable legal liabilities are not placed on the salvage operators or the shipowners;
9. Considers that insurers should be prepared to give inducements encouraging the safety of ships either in the form of reduced premiums or by implied or expressed warranties; if necessary, Community law should be harmonized in order to ensure that breaches of expressed warranties would void insurance policies;
10. Does not feel that it is necessary to set up special Community emergency teams, either on shore or at sea, to deal with accidents or their consequences but does consider that the Commission should actively pursue its own suggestions concerning the cooperation between, and the effectiveness of, emergency teams which have been or which are to be set up in the Member States and also to examine the adequacy of present resources available for the towing of vessels in distress; when and if any Community surveillance system is set up in connection with fishery protection, such a system should, as far as possible, play a role in contributing to general shipping safety in Community waters;
11. In this connection, requests the Commission to consider the best means by which a standardized procedure could be introduced, once an incident has occurred, for setting up an emergency command post at the most appropriate location; such command posts, which would include representatives of all interested parties, should, however, be empowered to override any particular interest or interests in the light of possible environmental damage;
12. Impresses once more upon the Council and the governments of the Member States that it is only by coordinated action and effective enforcement of International Conventions that marine safety can be improved in Community waters;
13. Instructs its President to forward this resolution to the Council and Commission and, for information, to the national parliaments, IMCO and other interested bodies.

**RESOLUTION**  
**on the common fisheries policy**

*The European Parliament,*

- having regard to the motion for a resolution tabled by Mr Hughes on behalf of the Committee on Agriculture (Doc. 554/78),
- having regard to the failure of the Council to reach an agreement on a common fisheries policy,
- having regard to the reports of the Committee on Agriculture drawn up by Mr Corrie (Doc. 543/77), Mr Kofoed (Doc. 474/76) and Mr Corrie (Doc. 442/77),
- having regard to the importance of the fishing industry to the economies of certain regions of the Community and the very serious problems created by the depletion of fish stocks,
- having regard to the fact that an internal fisheries policy must seek to conserve the biological resources of the sea by means of scientifically derived management policies, quotas and conservation policies,
- having regard to the fact that the lack of an internal fisheries regime has prevented the possibility of reaching essential agreements with third countries,
- having regard to the report of the Committee on Agriculture (Doc. 608/78),

*General proposals*

1. Believes that the principal objectives of the common fisheries policy should be to achieve a balanced development of the fishing industry aimed at conserving the biological resources of the sea and based on the establishment of scientifically derived quotas and management policies, so as:

- (a) in the short term, to safeguard particularly endangered species and so protect the future of the fishing industry;
- (b) to promote the development of the fishing industry in areas particularly dependent on fishing and in the underdeveloped regions of the Community as envisaged in the Hague Resolution of November 1976;
- (c) in the longer term, to adopt an approach based on marine models in order to ensure the correct balance between species, and between fishing for human consumption and industrial fishing;

2. Considers that these objectives cannot be achieved by quotas alone, but that a whole range of instruments is required, such as fishing plans, reserved zones, seasonally closed zones for particular species and regulations concerning equipment and types of fishing;

fishing plans and reserved or closed zones shall vary:

- (a) in the extent of their geographical application;
- (b) in the degree of preference accorded to the local communities and to vessels of limited size and range of operation.

In determining the provisions of each fishing plan, attention shall be paid:

- to the biological characteristics of the fish stocks,
- to the normal patterns of fishing and the resulting economic realities,
- to the social requirements, and particularly dependence on fishing and related industries;

Fishing plans shall be drawn up by the Commission and the interested Member States on the basis of total allowable catches, quota allocation, and taking into account the requirements of fish stock conservation and the need of Communities dependent on the fishing industry;

Fishing plans shall be revised to take into account revision of total allowable catches and according to the procedure laid down in Article 43 of the EEC Treaty;

Vessels under a certain length, for example 12 metres, shall be excluded from fishing plans provided that, when evaluating fishing plans, their catching capacity will be taken into account;

3. Emphasizes that

- (a) in order to protect the interests of particular communities highly dependent on fishing, there should be created regional zones of variable extent in which the fishing of certain species is reserved to littoral boats of a certain capacity, and that
- (b) such zones should be delimited by taking into account regional and social factors and traditional patterns of fishing within these regions;

4. Considers, at the same time, that there should be created a special inshore belt, in which preference shall be granted to vessels of limited size and range of operation, particularly local inshore vessels, and in which fishing will be regulated by means of fishing plans;

5. Does not believe that quotas should be based exclusively on past performance but that other criteria, such as compensation for losses in third country waters, the needs of particular regions nearby dependent on fishing and historic fishing rights should also be taken into account in the drawing up of quotas for the distribution of total allowable catches in 1979 and allocating further amount resulting from an upward revision of total allowable catches;

*Conservation measures*

6. Considers that equal attention must be paid to the establishment of minimum net sizes in certain areas and depths of water, and to minimum landing sizes for each species;

7. Requests the Commission to draw up a report on national conservation measures in force;

8. Believes that the question of the delimitation of the Norway Pout Box needs to be considered in the light of further scientific evidence concerning catches and stocks;

9. Considers that strict measures must be enforced to regulate the number of nets carried on board vessels, such measures to vary according to each zone and on the basis of a classification of types of vessels;

10. Believes there should be maintained:

- (a) strict quotas or bans where necessary for direct herring fishing in the North Seas, the West Celtic Sea, West of Ireland, Irish Sea, West of Scotland, Mourne and Manx stocks and Western Seas;
- (b) ban on industrial fishing for herring;
- (c) restrictions on permitted by-catches of herring;

*Industrial fishing*

11. Believes that industrial fishing is not a less justifiable economic activity than other forms of fishing but must be judged in terms of its impact upon stocks of fish for human consumption and the relative employment possibilities offered by fishing for human consumption and industrial fishing;

12. Urges that factory ships which fish exclusively or predominantly for the production of fish meal should be banned since no control of the species transformed can be effected;

13. Considers that greater study is required of the inter-relationships of fish stocks and the possible beneficial effects on feed chains of increased fishing of certain species not intended for human consumption;

14. Believes that efforts are required to identify new species, in Community and particularly third country waters, suitable for the fish meal industry;

#### *Control measures*

15. Considers that it is essential to establish an effective system for fishery inspection within the Community zone based in an initial phase on national inspection systems, with the Member States acting as agents on behalf of the Commission, and including an effective monitoring system coordinated by the Commission, covering individual boats and landings at each port by species, extending to Community and third country boats landing at ports outside the Community or transshipping to factory ships inside or outside Community waters; considers also that agreements concluded with third countries should include reciprocal provisions for the supervision of landings;

16. Emphasizes that a licence system must be established, covering boats, equipment, owners, skippers, the numbers of days on which boats may operate, the zone of operation and the species which may be caught;

17. Considers that costs of inspection should be considered as part of the total cost of the implementation of the common fisheries policy, with financial assistance to Member States where necessary;

18. Underlines that sanctions must be clearly defined and the methods for granting and withdrawing licences determined, and that catch quotas allocated to Member States should be based, in future reviews, partly on the degree to which they respect conservation measures;

19. Calls on the Commission:

- (a) to impress in unambiguous terms upon its partners in the negotiations on fishery zones in the Baltic the need to cease harassment of Community fishing vessels and inshore fishermen operating in catch areas whose boundaries are currently under negotiation;
- (b) to request the Community coastal States concerned to ensure government protection of all EEC inshore fishermen until the Community fishery zone has finally been delimited;

#### *Structural policy*

20. Believes that the establishment of effective quotas will lead to a number of fishing vessels, particularly the larger deep-sea vessels, becoming uneconomic, so that measures for the conservation of fish stocks will depend on the existence of an effective structural policy;

21. Requests that immediate attention should be paid to:

- the reconversion of deep-sea boats and their replacement by middle water boats;
- adaptation of processing and marketing to under-exploited fish species such as blue whiting and horse mackerel;

22. Stresses the importance of a substantial financial contribution by the Community to the restructuring of the inshore fishing industry and to the development of fish farming;

23. Believes that measures should be drawn up in conjunction with the Regional and Social Funds to establish alternative employment for those land-based workers dependent on the fishing industry who will be affected by the conservation measures to be adopted, the adjustment to 200-mile fishing zones and the reduction in industrial fishing;

*National aids*

24. Considers that there should be established common rules to govern aids to the fishing industry, recognizing the interests of less favoured regions;

*Research programmes*

25. Urges that Community aids be granted to fishery research centres in Member States, the research programmes to be coordinated by the Commission;

*Market organization*

26. Considers that greater attention should be paid to the question of the marketing of fresh and chilled fish, in view of the very great discrepancies in prices within the Community;

27. Requests the Commission to examine the impact of quotas upon prices, consumption patterns and incomes in the fishing sector;

28. Instructs its President to forward this resolution to the Council and Commission and, for information, to the governments of the Member States.

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**RESOLUTION**

**on Mr Adams and Hoffmann-La Roche**

*The European Parliament,*

- having regard to the fact that the recent judgment of the Swiss Federal Court that Mr Adams in giving information to the Commission and the Community about the illegal Community trade practices of the Swiss multinational company Hoffmann-La Roche committed an act of espionage prejudicial to the Swiss State, raises doubt as to the validity of the 1972 EEC-Swiss Trade Agreement and to the fact that obligations under this Agreement require each party to allow such information to be available without being subjected to criminal charges including espionage,
- having regard to the decision of the Court of Justice of the European Communities of 13 February 1979 in upholding the right of the Commission in fining Hoffmann-La Roche for activities in breach of the Treaty,

1. Instructs its Legal Affairs Committee to investigate the implications for the 1972 EEC-Swiss Trade Agreement and to report back to it;
2. Instructs its President to forward this resolution to the Commission for its information.

## RESOLUTION

### on the non-applicability of statutory limitation to genocide and murder

*The European Parliament,*

— convinced that genocide and murder are the most horrible crimes,

1. Considers it intolerable that war crimes and such crimes as were committed during the Nazi reign of terror should, in so far as it has not yet been possible to start judicial proceedings, remain unpunished on the entry into force of the Statute of Limitation;
  2. Points out that a Statute of Limitation would also prevent the extradition of those accused to countries where there is no Statute of Limitation;
  3. Is disappointed that of those EC Member States which have a system of limitation, only France has ratified the 1974 European Convention on the Non-Applicability of Statutory Limitation to Crimes against Humanity and War Crimes;
  4. In agreement with the resolution of the Parliamentary Assembly of the Council of Europe, calls on the Member States where appropriate:
    - (a) to sign the 1974 European Convention;
    - (h) to take all political and legal precautions against the entry into force of a Statute of Limitation in those cases;
  5. Instructs its President to forward this resolution to the Council, the Commission and the Parliaments and Governments of the Member States.
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## RESOLUTION

### on the communication from the Commission of the European Communities to the Council on the social aspects of the iron and steel policy

*The European Parliament,*

- having regard to the communication from the Commission to the Council (COM(78) 570 fin.),
- having regard to the motion for a resolution by Mr Ansart and others on the redundancies in the French iron and steel industry (Doc. 525/78),

- having regard to the report of the Committee on Social Affairs, Employment and Education and the opinions of the Committee on Economic and Monetary Affairs and the Committee on Budgets (Doc. 603/78),
1. Welcomes the fact that, with this communication, the Commission has taken an initial step towards satisfying the European Parliament's request for information on proposals for social measures to accompany the restructuring of the Community's iron and steel industry;
  2. Is convinced that the present extremely dramatic situation in the European iron and steel industry calls for immediate intervention by the competent authorities to protect employees and their families;
  3. Considers that, in its present form, the anti-crisis plan approved by the Council is unacceptable inasmuch as it is not backed up by a policy of industrial diversification to create more jobs in the iron and steel areas, or by a social policy to maintain employment and alleviate the material and human tragedy caused by unemployment;
  4. Is of the opinion that the right to work, as laid down in the Universal Declaration of Human Rights, should be respected and that under no circumstances can unemployment, which mainly affects young people and women, be accepted as a solution to the problems which the present economic order and deference to competition have created, since the economy exists to serve mankind and not vice versa; feels, moreover, that there should be special arrangements to ensure that no workers are made redundant in the iron and steel industry until they have alternative employment opportunities, and that this principle could be incorporated in future labour contracts;
  5. Regrets that, on 6 February 1979, the Council saw fit to limit to 28 million EUA the ECSC's additional resources for 1979 despite the fact that, on 19 December 1978, the governments had expressed unanimous support for all aspects of the Community iron and steel policy, including the social aspects; therefore asks the Commission to submit to the Council a new request for additional financial resources for the ECSC so as to be able to cope with the social, regional and industrial consequences of the iron and steel policy without having to raise the ECSC levy;
  6. Notes that both the ECSC Consultative Committee and the European Trade Union Confederation have indicated that if the struggle against unemployment is to bear fruit, urgent consideration should be given to the following measures:
    - lowering of retirement age,
    - reorganization of shift work,
    - introduction of a shorter working week,
    - restriction of overtime;
  7. Recognizes that these objectives can best be achieved by
    - the introduction of a flexible retirement age, beginning at 55,
    - the reorganization of shift work through the introduction of an additional shift, especially in the steel industry,
    - the gradual reduction of the working week to 35 hours, combined with adequate measures to eliminate overtime;
  8. In view of the above, requests all the parties involved, i.e. Member States, employers and unions to call an immediate halt to all redundancies and to initiate forthwith the requisite negotiations on the basis of the proposals set out above in paragraph 6 for the retention of an acceptable number of jobs and for the improvement not only of productivity but also of working conditions and the quality of life; and is, moreover, of the opinion that the measures on work-sharing should be applied on a Community-wide basis;
  9. Requests the Commission to make full use of the aid provided for under Article 56 (2) (b) of the ECSC Treaty and, as a matter of priority, aid from the European Social Fund and the European Regional Development

Fund to meet the cost of the necessary social measures in the iron and steel industry, and in particular in the industry's small and medium-sized undertakings;

10. Finally, calls on the Commission to give special attention to the areas of the Community where iron and steel is the predominant industry, a fact which makes future possibilities of employment even bleaker unless the necessary modernization and restructuring are accompanied by a partial conversion from heavy industry to processing aimed at creating new jobs;

11. Considers it essential that, in framing social measures in the iron and steel sector, efforts should be made to achieve the optimum convergence of the policies of the Member States; that, moreover, previous measures taken under Article 56 of the ECSC Treaty should remain in force but that the new additional measures to be taken should primarily benefit those undertakings that, in the context of Community restructuring, will be required to adapt their operations;

12. Considers that a better overall view could be had of the efforts being made to alleviate the social and economic problems in the iron and steel industry if total outlay, from Community sources, from Member States and from the EIB, was summarized in a comprehensive text;

13. Believes that a coherent approach to the medium-term solution of the difficulties entails a forward look in the form of multiannual estimates of the global level of outlay from all sources, and that, in this way, the budgetary effort involved could be set more clearly in perspective;

14. Notes with regret that the Commission has been slow to act in response to certain political wishes expressed by way of Parliamentary amendments to the budget, especially in regard to help in connection with crises in certain industries and refers specifically to Article 375 of the budget;

15. Recalls that it has urged a better coordination of ECSC measures with other Community measures and EIB activity;

16. Reiterates its opinion that the need for additional financial resources for the ECSC operational budget makes it imperative that recourse be had to the customs duties on coal and steel products collected by the Member States;

17. Demands that the necessary steps be taken by the Council to make these customs revenues directly available to finance ECSC activities;

18. Urges the Commission to put forward, as soon as possible, clear and comprehensive proposals for the appropriations required out of the general budget of the Communities to finance the coherent policy needed to face up to the economic and social problems in the steel sector;

19. Instructs its President to forward this resolution to the Council and Commission.

## RESOLUTION

### on economic and trade relations between the EEC and Australia

*The European Parliament,*

- having regard to the memorandum submitted by the Australian Government,
  - having regard to the report of the Committee on External Economic Relations (Doc. 546/78),
1. Points out that, in its particular part of the world, Australia is a natural partner for the Community because of the close political, cultural and economic ties which have always existed between Australia and the United Kingdom and all the countries of the European Community;
  2. Draws attention to the fact that, even more than in the past, the Community will have to turn to Australia for supplies of raw materials, and that Australia's natural links with Europe will make it possible for Europe to rely on an uninterrupted supply of these raw materials;
  3. Believes that the Community, in the light of the close traditional bonds linking the two sides, should consider Australian requests with the greatest sympathy and, wherever possible, seek solutions which go towards meeting the requirements of the Australian economy;
  4. Is of the opinion that the Community and Australia, in view of the nature of the trade problems which have arisen between the two sides, should seek appropriate solutions in the framework of the multinational trade talks in Geneva, but that this should not rule out Community efforts to improve its trade relations with Australia on a bilateral basis;
  5. Believes that the Community should, in bilateral contacts, point up the opportunities there are for Australian exports of non-agricultural products; an increase in such exports could help Australia to reduce its trade deficit with the EEC;
  6. Is of the opinion that the Community must view sympathetically the demand for greater access to the Community market while paying due regard to the interests of Community producers;
  7. Urges that the Community, in considering Australian requests for access to Community markets for agricultural products competing with produce from certain Community regions, also take account of the needs of the Community's farming areas following enlargement of the Community; the Community should undertake a careful study and assessment of the likely future consequences of Australian exports to the Community should the latter agree, in whole or in part, to the Australian requests;
  8. Hopes that Australia will duly recognize the Community's efforts to make up for the reduction in its imports of certain agricultural products over the past few years by opening its own markets for Australian steel exports during a particularly difficult period and tripling its imports of Australian coal in the period 1973 to 1977, despite the large supplies of Community coal; these examples bear witness to the Community's awareness of the problems facing the Australian economy and to its desire to take positive action to help restore the trade balance between the two sides in the interest of both parties;
  9. Invites Australia to review its industrial policies, bearing in mind the European Community's export possibilities;
  10. Draws attention to the new wave of industrial protectionism in Australia;
  11. Points out the opportunities available for Community investments in Australia and the country's desire to avail itself of Community technological expertise;

12. Considers that there is scope for extending relations between the Community and Australia in other sectors besides trade;
13. Welcomes the interparliamentary contacts established so far and hopes that a system of regular parliamentary contacts will be set up in the near future;
14. Instructs its President to forward this resolution and the report of its committee to the Council and Commission and to the Australian Parliament.

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on Community financial measures for intra-Community trade in power-station coal

*The European Parliament,*

- having regard to the proposal from the Commission to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 381/78),
- having regard to its previous resolutions concerning the energy policy sector, in particular:
  - on future guidelines for the Community's coal policy in the framework of the overall concept of a Community energy policy <sup>(2)</sup>,
  - on the proposal from the Commission of the European Communities to the Council for a Regulation on Community financial measures to promote the use of coal for electricity generation <sup>(3)</sup>,
  - on the proposal from the Commission of the European Communities to the Council for a Regulation concerning Community aid for financing cyclical stocks of hard coal, coke and patent fuel <sup>(4)</sup>,
  - on the second report from the Commission of the European Communities to the Council on the achievement of Community energy policy objectives for 1985, together with a draft Council resolution <sup>(5)</sup>,
  - on the communication from the Commission on the introduction of a Community aid system for intra-Community trade in power station coal,
- having regard to the report of the Committee on Energy and Research and the opinion of the Committee on Budgets (Doc. 199/78),
- having regard to the resolution of the ECSC Consultative Committee on coal policy <sup>(6)</sup>,
- having regard to the report of the Committee on Energy and Research and the opinion of the Committee on Budgets (Doc. 582/78),

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<sup>(1)</sup> OJ No C 243, 13. 10. 1978, p. 3.

<sup>(2)</sup> OJ No C 159, 12. 7. 1976, p. 33.

<sup>(3)</sup> OJ No C 133, 6. 6. 1977, p. 18.

<sup>(4)</sup> OJ No C 241, 10. 10. 1977, p. 14.

<sup>(5)</sup> OJ No C 6, 9. 1. 1978, p. 12.

<sup>(6)</sup> OJ No C 304, 20. 12. 1978, p. 7.

1. Reaffirms that optimum utilization of the Community's indigenous sources of energy is necessary in the interests of the security of its energy supplies;
2. Calls for the strict observance of the Community energy policy objective laid down on 17 December 1974, whereby hard coal production should be maintained at a level of 250 million tonnes;
3. Recalls that the 'Medium-term guidelines for coal 1975 to 1985' called for a coal import policy which provided *inter alia* for the conclusion of long-term contracts with the supplier countries, and for the introduction of 'safeguard measures' in the event of substantial harm being caused to Community producers by imports;
4. Proposes that the Commission, in the interest of long-term energy supplies, should also prepare long-term contracts with coal-exporting third countries;
5. Notes with concern that coal imports from certain third countries have risen sharply in recent years, while intra-Community trade in coal has declined and stocks of Community coal have steadily accumulated;
6. Takes the view that the enormous investment in the reorganization of the Community's coal-mining industry must not be jeopardized by increased imports, particularly from third countries in which coal is produced in bad social conditions;
7. Recognizes that, in the long term, the coal-producing Member States cannot alone be expected to bear the burdens associated with the maintenance of this production capacity;
8. Notes, therefore, once again that Community measures in favour of coal are an appropriate way of developing a common energy policy and calls on the Council to adopt the Commission proposals still outstanding on the use of coal for electricity generation and on cyclical stocks;
9. Is aware that there is a relationship between increasing intra-Community trade and limiting cheap coal imports from third countries;
10. Doubts whether the proposed subsidy of 10 EUA per tonne will be sufficient to cover the difference between the price of coal from Community countries, particularly the Federal Republic of Germany and Belgium, and the price of the cheapest third-country coal;
11. Requests the Commission to draw up a report without delay showing what 'safeguard measures' it proposes to take in favour of Community investments in the coal-mining industry;
12. Is fully aware that the cooperation of the Community's electricity industry, specifically in the purchase of an additional 10 million tonnes of Community power-station coal, is indispensable if the objective of maintaining the Community's coal production capacity is to be achieved;
13. Endorses the objectives underlying the Commission's proposal, but doubts whether they can be attained solely by means of the proposed subsidy system;
14. Calls on the Commission, therefore, to amplify its proposed subsidy system as soon as possible by the addition of specific proposals for maintaining Community production capacity, and to adopt the following amendment, pursuant to Article 149, second paragraph, of the EEC Treaty.

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**Council Regulation on Community financial measures for intra-Community trade in  
power station coal**

Preamble, recitals and Articles 1 to 8 unchanged

*Article 9*

1. At the end of each calendar year the Council may, unanimously, on a proposal from the Commission and after hearing the opinion of the European Parliament, decide to adjust the amount of aid per tonne by a Regulation.

In urgent cases the Council may however, on a proposal from the Commission, make these adjustments at other times.

2. The Commission may withdraw aid which was granted incorrectly or, particularly, on the basis of misleading information supplied by the beneficiary.

*Article 9*

1. At the end of each calendar year the Council may, unanimously, on a proposal from the Commission and after hearing the opinion of the European Parliament, decide to adjust the amount of aid per tonne by a Regulation.

In urgent cases the Council may however, on a proposal from the Commission, make these adjustments at other times. **In such cases the European Parliament shall be informed without delay.**

2. unchanged

Articles 10 to 13 unchanged

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<sup>(1)</sup> For complete text see OJ No C 243, 13. 10. 1978, p. 3.

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities for a Regulation amending Regulation (EEC) No 816/70 laying down additional provisions for the common organization of the market in wine

*The European Parliament,*

- having regard to the proposal from the Commission to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 565/78),
- having regard to its previous opinion on aid for musts <sup>(2)</sup>,
- having regard to the report of the Committee on Agriculture and the opinion of the Committee on Budgets (Doc. 606/78),

1. Welcomes the Commission's proposal in so far as it relates to a measure already expressly requested by Parliament, which will contribute to the proper functioning of the wine market;

2. Requests the Commission to adopt the following amendments in accordance with the second paragraph of Article 149 of the EEC Treaty.

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<sup>(1)</sup> OJ No C 9, 11. 1. 1979, p. 3.

<sup>(2)</sup> See paragraph 15 of the resolution on the action programme in the wine sector (OJ No C 6, 8. 1. 1979, p. 66).

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TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

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TEXT AMENDED BY THE EUROPEAN PARLIAMENT

### Council Regulation amending Regulation (EEC) No 816/70 laying down additional provisions for the common organization of the market in wine

P r e a m b l e a n d r e c i t a l s u n c h a n g e d

#### *Article 1*

The following Article is hereby inserted in Regulation (EEC) No 816/70:

#### *Article 6f*

1. A system of aid is hereby set up for the purchase of grape musts and concentrated grape musts produced within the Community and used for:

- manufacture of grape juice,
- manufacture in the United Kingdom and in Ireland of products falling under heading

#### *Article 1*

The following Article is hereby inserted in Regulation (EEC) No 816/70:

#### *Article 6f*

1. u n c h a n g e d

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<sup>(1)</sup> For complete text, see OJ No C 9, 11. 1. 1979, p. 3.

No 22.07 of the Common Customs Tariff in respect of which, by virtue of the first subparagraph of Article 30 (1), the use of a composite name including the word 'wine' may be allowed by the Member States.

2. The level of the aid must *make it possible*:

— *in the case of manufacture of the products referred to in the first indent of paragraph 1, to achieve a cost price for such products comparable to that of competing fruit juices,*

— *in the case of manufacture of the products referred to in the second indent of paragraph 1, to achieve a price level for musts used for such manufacture comparable to the market prices for grape musts and concentrated grape musts in the countries which traditionally supply manufacturers of the product in question.*

3. The amount of the aid shall be fixed annually at the latest on 31 August for the following wine growing year in accordance with the procedure provided for in Article 7 of Regulation No 24. Detailed rules for the application of this Article shall be adopted by the same procedure.

2. The level of the aid must be calculated in such a way that the price of Community grape musts used in the manufacture of the products referred to in paragraph 1 is comparable to the price of grape musts imported from third countries.

3. unchanged

4. If a decision is taken under Article 6 (e) to reserve the grant of aid for concentrated grape musts produced in Community vine-growing zone C III, a similar decision shall be taken in respect of concentrated grape musts intended for the manufacture of the products specified in the second indent of paragraph 1 of this Article.

Article 2 unchanged

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## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on the methods of measurement and frequencies of sampling and analysis of the parameters of the quality required of surface water intended for the abstraction of drinking water in the Member States

*The European Parliament,*

- having regard to the proposal from the Commission to the Council <sup>(1)</sup>,
  - having been consulted by the Council (Doc. 269/78),
  - having regard to the Council Directive of 16 June 1975 concerning the quality required of surface water intended for the abstraction of drinking water in the Member States <sup>(2)</sup>,
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 580/78),
1. Notes that the draft Directive goes into a degree of detail which is intrinsically undesirable in a Directive;
  2. Notes, nevertheless, that it forms a logical whole with Directives already approved by the Parliament and that it would, therefore, be undesirable to break the chain of approval at this stage;
  3. Notes also that there is a possibility of a contradiction latent in the wording of the ninth recital of the preamble compared with that of Article 3;
  4. Approves the Commission's proposal subject to its adoption of the following amendment, pursuant to the second paragraph of Article 149 of the EEC Treaty;

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<sup>(1)</sup> OJ No C 208, 1. 9. 1978, p. 2.

<sup>(2)</sup> OJ No L 194, 25. 7. 1975, p. 34.

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TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

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TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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### **Council Directive on the methods of measurement and frequencies of sampling and analysis of the parameters of the quality required of surface water intended for the abstraction of drinking water in the Member States**

Preamble and first eight recitals unchanged

Whereas in the analyses carried out in the Member States it will be necessary to employ common standard methods to determine the values of the parameters defining the physical, chemical and

Whereas in the analyses carried out in the Member States it will be necessary to employ common standard methods to determine the values of the parameters defining the physical, chemical and

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<sup>(1)</sup> For full text see OJ No C 208, 1. 9. 1978, p. 2.

microbiological characteristics of surface waters  
intended for the abstraction of drinking water;

microbiological characteristics of surface waters  
intended for the abstraction of drinking water or  
other methods capable of attaining the same values  
of limit of detection, precision and accuracy.

Last three recitals unchanged

Articles 1 to 12 unchanged

Annexes unchanged

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the adjustment of capacity for the carriage of goods by road for hire or reward between Member States

*The European Parliament,*

- having regard to the proposal from the Commission to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 75 of the EEC Treaty (Doc. 392/78),
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport (Doc. 604/78),

1. Notes with regret that the Council has systematically resisted efforts to introduce a common policy on capacity for the carriage of goods by road between the Member States on the basis of a Community system of authorizations and the abolition of bilateral transport authorizations;
2. Notes, moreover, that 10 years after the introduction of the Community quota, only a very small percentage of road transport operations crossing internal Community frontiers are covered by Community authorizations;
3. Records, in this connection, its dissatisfaction at the fact that, when fixing the Community quota for 1979 <sup>(2)</sup>, the Council has again totally ignored its opinion on the matter <sup>(3)</sup> and, instead of doubling the number of Community authorizations, has seen fit to restrict itself to a token increase of 10 %;

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<sup>(1)</sup> OJ No C 247, 18. 10. 1978, p. 6.

<sup>(2)</sup> OJ No L 366, 28. 12. 1978, p. 5.

<sup>(3)</sup> OJ No C 261, 6. 11. 1978, p. 53.

4. Considers therefore that, with a view to regulating capacity effectively in this sector, alternative solutions must be devised and, consequently, welcomes the proposal submitted by the Commission to this end;
5. Considers that, in a transitional period, the fixing of common standards for the issue of bilateral transport authorizations is a step in the right direction since this will make it possible for supply to be adjusted to demand;
6. Nevertheless feels that, in addition to the adjustment of supply to demand, the observance of Community social rules and safety requirements must be regarded as a norm;
7. Welcomes the fact that an arbitration procedure is to be established to settle disputes between the Member States;
8. Regrets nevertheless that arbitration will not be the responsibility of the Commission alone;
9. Approves the proposal for complete liberalization of transit and the opening of negotiations with third countries;
10. Considers that, in negotiations with third countries, the technical and social rules must be accorded considerable importance;
11. Approves the Commission's proposal;
12. Asks the Commission, however, to adopt the following amendment pursuant to the second paragraph of Article 149 of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Regulation on the adjustment of capacity for the carriage of goods by road for  
hire or reward between Member States**

Preamble, recitals and Article 1 unchanged

*Article 2*

*Article 2*

Paragraph 1 unchanged

2. For purposes of determining the transport requirements referred to in paragraph 1, account shall be taken, among other things, of the information obtained from the market monitoring system established by the Commission at Community level and, more especially, of the following information:

- the trends observed in the demand for transport and the estimates of its behaviour in the short term;

2. For purposes of determining the transport requirements referred to in paragraph 1, account shall be taken, among other things, of the information obtained from the market monitoring system established by the Commission at Community level and, more especially, of the following information:

- the trends observed in the demand for transport and the estimates of its behaviour in the short term;

<sup>(1)</sup> For full text see OJ No C 247, 18. 10. 1978, p. 6.

- the situation of the transport market concerned, especially as regards the use of existing transport capacity and the level of transport rates actually charged, as against the published tariffs;
  - the impact of the transport operations carried out between Member States under Community authorizations, or which, pursuant to measures decided upon at Community level, are not subject to any system of authorization and/or quotas, or which are carried out under an authorization issued within the ECMT multilateral quota.
- the situation of the transport market concerned, especially as regards the use of existing transport capacity and the level of transport rates actually charged, as against the published tariffs;
  - the impact of the transport operations carried out between Member States under Community authorizations, or which, pursuant to measures decided upon at Community level, are not subject to any system of authorization and/or quotas, or which are carried out under an authorization issued within the ECMT multilateral quota;
  - the observance of Community social provisions and safety requirements.

Paragraph 3 unchanged

Articles 3 to 7 unchanged

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#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 3164/76 on the Community quota for the carriage of goods by road between Member States

*The European Parliament,*

- having regard to the proposal from the Commission to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 75 of the EEC Treaty (Doc. 553/78),
  - having regard to the report of the Committee on Regional Policy, Regional Planning and Transport (Doc. 605/78),
1. Notes that, 10 years after the introduction of the system of Community authorizations for the carriage of goods by road between Member States, the number of authorizations issued annually is so small that supplementary measures are now required in order to ensure maximum utilization of the authorizations in question;
  2. Recalls that in its numerous resolutions on this subject it has consistently advocated an increase in the Community quota;
  3. Notes with satisfaction that the Commission is now proposing to introduce short-term Community authorizations in an effort to achieve more intensive utilization of these authorizations;

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<sup>(1)</sup> OJ No C 309, 28. 12. 1978, p. 3.

4. Points out that the system of short-term authorizations also offers the dual advantage on the one hand of catering for occasional urgent transport requirements, and on the other of helping to make it possible for more transport undertakings to become involved in transfrontier transport operations within the Community;
  5. Approves therefore the Commission's proposal.
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#### RESOLUTION

##### on an appeal for clemency for the life of Mr Bhutto

*The European Parliament,*

— considering the failure of the appeal by Mr Zulfikar Ali Bhutto, former Prime Minister of Pakistan, to Pakistan's Supreme Court against his conviction by the Lahore High Court, which carries the death penalty,

1. Calls on its President, the President of the Commission and the President of the Foreign Ministers meeting in political cooperation to issue an appeal to the leader of the Pakistan Government, General Zia-ul-Haq, for clemency in sparing the life of Mr Bhutto;
  2. Requests its President to forward this resolution to the Commission and the President of the Foreign Ministers meeting in political cooperation.
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## RESOLUTION

on formation and protection of savings

### The European Parliament,

- having regard to the communication from the Commission to the European Parliament (COM(77) 549 final),
  - having regard to the interim report of the Committee on Economic and Monetary Affairs (Doc. 165/75),
  - having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 662 /78),
1. Stresses that the key to protecting savers lies in a ceaseless fight against inflation;
  2. Notes that so long as inflation is not mastered, money depreciates to the detriment of savers, especially in social and economic terms;
  3. Feels that indexation of savings, both because of its cost and because of the risk it involves of relaunching inflation, can be no solution;
  4. Requests the Commission to consider, jointly with the authorities of the Member States, arrangements other than indexation for protecting returns on savings;
  5. Calls on the Commission to try to establish at Community level better protection of the smaller saver, particularly by adjusting and harmonizing regulations on the provision of information to savers;
  6. Instructs its President to forward this resolution to the Council and the Commission.
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## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Seventh Directive on the harmonization of the laws of the Member States relating to turnover taxes - Common system of value added tax to be applied to works of art, 'collectors' items, antiques and used goods

The European Parliament,

- having regard to the proposal from the Commission to the Council<sup>1</sup>,
  - having been consulted by the Council (Doc. 508/77),
  - having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 647 /78),
1. Considers that the field of works of art, collectors' items, antiques and, more generally, used goods could not be made subject to the general system of VAT because of the peculiar nature of the economic cycle and final destination of these goods;
  2. Feels that the proposal for a Seventh Directive, the object of which is the harmonization of the basis of assessment of VAT applicable to the field of works of art and used goods, is likely to contribute as far as possible to the elimination of double taxation and distortions of competition by ensuring equal treatment of taxable persons wishing to resell;

As regards works of art, collectors' items and antiques

3. Emphasizes that the tax system for works of art may well have a not insignificant indirect effect on cultural life by encouraging or discouraging the creation and dissemination of works of art in the Community; consequently:
  - (a) approves the exemption of artists from VAT;
  - (b) considers that the choice of a flat rate of 30% of the selling price as the basis for the taxation of goods supplied by a taxable person wishing to resell works of art, while undeniably simplifying the situation in many cases, may be unfair to certain categories of taxable persons, precisely because it is a flat rate and because circumstances may be

<sup>1</sup> OJ No. C 26 of 1.2.1978, p.2

widely divergent; calls for the adoption of a more flexible system of options for the benefit of those concerned;

- (c) feels that the tax system for imported works of art which enrich the cultural patrimony should be more favourable and should include:
- either exemption for imports,
  - or the opportunity to deduct immediately the tax paid on importation, in contrast to the provisions of Article 2(6);

As regards used goods

4. Considers that, for the calculation of the taxable amount, a more flexible system than the flat-rate of 30% provided for in the Directive should also be applied to a taxable person wishing to resell;
5. Feels that, in the case of officially registered used goods, the right to deduct enjoyed by a taxable person wishing to resell should be allowed up to the amount of the tax payable on the resale of those goods and should also apply to components used in their repair;
6. Hopes in **general** terms that, since this Seventh Directive involves almost exclusively small and medium-sized undertakings - in many cases family businesses - its implementation will avoid complicated paperwork requirements as far as possible;
7. Approves, subject to the above considerations, the Commission's proposal and requests it to adopt the following amendments, pursuant to the second paragraph of Article 149 of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES<sup>1</sup>

TEXT AMENDED BY THE  
EUROPEAN PARLIAMENT

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Seventh Council Directive on the  
harmonization of the laws of the Member  
States relating to turnover taxes - Common  
system of value added tax to be applied to  
works of art, collectors' items, antiques  
and used goods.

Preamble, recitals and Article 1  
unchanged

Article 2

Article 2

paragraphs 1 and 2 unchanged

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<sup>1</sup>For full text see OJ No. C 26 of 1.2.1978, p.2

3. The taxable amount in respect of supplies of works of art, collectors' items and antiques effected by a taxable person wishing to resell shall be 30% of the selling price.

3. The taxable amount in respect of supplies of works of art, collectors' items and antiques effected by a taxable person wishing to resell shall be 30% of the selling price or, on production of supporting documents, the difference between the selling price and the purchase price;

Paragraph 4 unchanged

5. The following shall not be deductible:

- tax paid at the time of the acquisition of the items referred to in paragraph 1;
- tax paid by a taxable person wishing to resell at the time of acquisition of goods and services used for the purposes of this activity;

5. Tax paid at the time of the acquisition of the items referred to in paragraph 1 shall not be deductible.

- deleted

6. Where the items referred to in paragraph 1 are imported by a taxable person wishing to resell, 70% of the amount of the value added tax paid at the time of importation shall be deductible. The right to deduct shall be exercised only when the tax in respect of the supply of the item effected by the taxable person wishing to resell becomes chargeable.

6. Importation of original works of art, collectors' items and antiques imported with a view to resale by a taxable person wishing to resell shall be exempt.

Paragraph 7 unchanged

Article 3

Article 3

Paragraph 1 unchanged

1. The taxable amount in respect of supplies of used goods other than those referred to in Article 4 shall be 30% of the selling price where the supply is effected by a taxable person wishing to resell who acquired the item in question from a non-taxable person or from a taxable person not entitled to deduct value added tax at the time of acquisition of that item.

2. The taxable amount in respect of supplies of used goods other than those referred to in Article 4 shall be:

- 30% of the selling price where the supply is effected by a taxable person wishing to resell who acquired the item in question from a non-taxable person or from a taxable person not entitled to deduct value added tax at the time of acquisition of that item;

TEXT PROPOSED BY THE COMMISSION OF  
THE EUROPEAN COMMUNITIES

TEXT AMENDED BY THE  
EUROPEAN PARLIAMENT

The scheme provided for in paragraph 2 may, at the option of the taxable person wishing to resell, apply, in accordance with the procedures laid down by each Member State, to supplies of used goods acquired from other taxable persons. The option shall cover all such transactions.

- or, on production of supporting documents, the difference between the selling price and the purchase price.

3. The scheme provided for in paragraph 2 may, at the option of the taxable person wishing to resell, apply, in accordance with the procedures laid down by each Member State, to supplies of used goods acquired from other taxable persons.

(last sentence deleted)

Paragraphs 4 and 5 unchanged

Article 4

Scheme for certain used goods

1. For the purposes of this Directive:

- 'private cars' shall mean motor road vehicles used for the transport of persons, with a seating capacity of not more than eight in addition to the driver,

- 'trailers' shall mean any trailer hauled by a private car, including caravans but excluding mobile homes;

Article 4

Scheme for certain used goods

1. For the purposes of this Directive:

- unchanged

- 'agricultural or forestry tractors' shall mean any wheeled or tracked motor vehicle especially designed to pull, push, carry or power certain tools or machinery utilized in farming or forestry activities;

- 'commercial vehicles' shall mean any utility road vehicle for the carriage of passengers or goods;

- unchanged

- 'motor-cycles' shall mean motor-cycles, with or without side-cars, and cycles fitted with an auxiliary motor; side-cars for motor-cycles;
- 'private aircraft' shall mean aircraft, whether or not fitted with an engine, not used for a taxable activity;
- 'pleasure vessels' shall mean pleasure boats and other pleasure craft, whether or not fitted with a motor, not used for a taxable activity.

- unchanged

- unchanged

- unchanged

- 'other goods requiring official registration' shall mean goods whose purchase and sale is recorded in the books kept by the taxable person wishing to resell in a manner satisfactory to the tax authority.

Paragraph 2 unchanged

3. The right to deduct provided for in paragraph 2 shall arise when the tax in respect of the supply of the item by the taxable person wishing to resell becomes chargeable. The amount deductible may not exceed four-fifths of the amount of tax due on resale.

3. The right to deduct provided for in paragraph 2 shall arise when the tax in respect of the supply of the item by the taxable person wishing to resell becomes chargeable. The amount deductible may not exceed the amount of tax due on resale. The exercise of this right shall also extend to costs incurred in repairing the item.

4. Where the goods referred to in paragraph 1 are dispatched or transported outside the territory referred to in Article 3 of Directive 77/388/EEC, the amount of tax deductible may not exceed four-fifths of the amount of tax calculated on the basis of the value declared for the purposes of exportation. The right to deduct shall be exercised only when the export formalities have been completed.

4. Where the goods referred to in paragraph 1 are dispatched or transported outside the territory referred to in Article 3 of Directive 77/388/EEC, the amount of tax deductible may not exceed the amount of tax calculated on the basis of the value declared for the purposes of exportation. The right to deduct shall be exercised only when the export formalities have been completed.

Paragraph 5 unchanged

Articles 5 and 6 unchanged

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RESOLUTION

adapting the Rules of Procedure of the European Parliament to the provisions of the Act of 20 September 1976

The European Parliament,

- having regard to Rule 54 of its Rules of Procedure,
  - having regard to the report of the Committee on the Rules of Procedure and Petitions (Doc. 667/78),
1. Decides to amend its Rules of Procedure as follows ;
  2. Instructs its President to have this resolution published in the Official Journal of the European Communities and to forward it, for information, to the Council and Commission and to the Foreign Ministers meeting in political cooperation, and instructs its Secretary-General to have published a new edition of the Rules of Procedure thus amended, making sure there is perfect concordance between the texts in the six official languages ;
  3. Decides that the Rules of Procedure thus amended shall enter into force at the beginning of the first sitting at which the European Parliament meets without requiring to be convened, pursuant to Article 10(3) of the Act of 20 September 1976.

EXISTING TEXT OF THE RULES

NEW TEXT

Rule 1

Rule 1

1. Parliament shall hold an annual session.
2. It shall meet, without requiring to be convened, on the second Tuesday in March each year and shall itself determine the duration of adjournments of the session.

1. unchanged
2. unchanged

3. The enlarged Bureau may alter the duration of such adjournments by a reasoned decision of a majority of its members taken at least two weeks before the date previously fixed by Parliament for resuming the session; the date of resumption shall not, however, be postponed for more than two weeks.

3. Parliament shall, moreover, meet without requiring to be convened, on the first Tuesday after expiry of an interval of one month from the end of the period referred to in Article 9 (1) of the Act of 20 September 1976.
4. unchanged

4. Exceptionally, the President may, on behalf of the enlarged Bureau, convene Parliament at the request of a majority of its current members or at the request of the Commission or the Council.

5. unchanged

Rule 2 unchanged

Rule 3

Rule 3

1. Parliament shall verify the credentials of its Members. This shall be done on the basis of a report by the Bureau, which shall check whether appointments comply with the provisions of the Treaties.

1. Parliament shall verify the credentials of its Members. This shall be done:
  - at the sitting provided for under Rule 1(3), on the basis of a report by a temporary special committee composed of the Oldest Member and eight Members appointed by lot;
  - at all other times, on the basis of a report by the Bureau.
2. unchanged
3. unchanged

2. Any dispute shall be referred to the appropriate committee, which shall report to Parliament as soon as possible.

3. Any Member whose credentials have not yet been verified may provisionally take his seat in Parliament or on its committees, and shall have the same rights as other Members of Parliament.

EXISTING TEXT OF THE RULES

NEW TEXT

Rule 4

1. A Member's term of office shall end on expiry of the appointment conferred on him by his national parliament, on death, on resignation notified by him to the President of the European Parliament, on unseating by the European Parliament or on loss of his seat in his national parliament.

2. Should he lose his seat in his national parliament, a Member may continue to sit until the appointment of his successor has been notified to the European Parliament, but for not more than six months and provided that the appointment to the European Parliament conferred on him by his national parliament has not in the meantime expired.

3. Any dispute concerning the validity of the appointment of a Member whose credentials have been verified shall be referred to the appropriate committee, which shall report to Parliament not later than at the beginning of the next part-session.

Rule 5 unchanged

Rule 4

1. A Member's term of office shall end pursuant to the provisions of the Act of 20 September 1976, on death or on resignation.

2. A Member who fails to gain re-election shall continue to sit until the opening of the first sitting of Parliament following the elections.

3. A Member's resignation shall be notified by him in writing to the President, who shall inform Parliament, which shall establish that there is a vacancy.

4. Incompatibilities resulting from national legislation and appointments by the Member States shall be notified by the latter to the President, who shall inform Parliament, which shall take note thereof. Incompatibilities resulting from appointments by the competent bodies of the European Communities shall be notified by the latter to the President, who shall inform Parliament, which shall establish that there is a vacancy. A vacancy shall exist with effect from the date of a Member's taking up an appointment to a function incompatible with the office of Member of the European Parliament.

5. When Parliament has established that a vacancy exists, it shall inform accordingly the Member State concerned.

6. unchanged

EXISTING TEXT OF THE RULES

Rule 6

1. At the sitting held on the second Tuesday in March each year, the Oldest Member present shall take the chair until the President has been declared elected.

2. No business shall be transacted while the Oldest Member is in the chair unless it is concerned with the election of the President or the verification of credentials.

NEW TEXT

Rule 6

1. At the sitting provided for under Rule 1(3), and at any other sitting held for the purpose of electing the President and the Bureau, the Oldest Member present shall take the chair until the President has been declared elected.

2. unchanged

Rules 7 to 54 unchanged

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