

EUROPEAN PARLIAMENT



session documents

ENGLISH EDITION

14 November 1994

A4-0061/94



R E P O R T

- on the decision of the EEA Joint Committee N° /94, amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (8298/94 - C4-0073/94 - 94/0918(CNS))
- on the decision of the EEA Joint Committee N° 8/94, amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (6749/94 - C4-0074/94 - 94/0919(CNS))
- on the decision of the EEA Joint Committee N° 10/94, amending Annex XXII (Company law) to the EEA Agreement (7297/94 - C4-0075/94 - 94/0920(CNS))
- on the decision of the EEA Joint Committee N° /94, amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (8404/94 - C4-0076/94 - 94/0921(CNS))
- on the decision of the EEA Joint Committee N° 12/1994, amending Annex I (Veterinary and phytosanitary matters) and Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement (9074/94 - C4-0154/94 - 94/0922(CNS))

Committee on External Economic Relations

Rapporteur: Mr Gary Titley

- * Consultation procedure
simple majority
- **I Cooperation procedure (first reading)
simple majority
- **II Cooperation procedure (second reading)
simple majority to approve the common position
absolute majority of Parliament's component Members to reject or amend the common position
- *** Assent procedure
absolute majority of Parliament's component Members to give assent
except for simple majority under Articles 8a, 105, 106, 130d and 228 EC

- ***I Codecision procedure (first reading)
simple majority
- ***II Codecision procedure (second reading)
simple majority to approve the common position
absolute majority of Parliament's component Members either to adopt a declaration of intent to reject the common position, or to amend or confirm the rejection of the common position
- ***III Codecision procedure (third reading)
simple majority to approve the joint text
absolute majority of Parliament's component Members to reject the Council text

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FR

IT

NL

PT

C O N T E N T S

	<u>Page</u>
Procedural page	3
A-I DRAFT LEGISLATIVE RESOLUTION	5
A-II DRAFT LEGISLATIVE RESOLUTION	6
A-III DRAFT LEGISLATIVE RESOLUTION	7
A-IV DRAFT LEGISLATIVE RESOLUTION	8
A-V DRAFT LEGISLATIVE RESOLUTION	9
The explanatory statement will be presented orally in plenary sitting	
Opinion of the Committee on Research, Technological Development and Energy	10
Opinion on Legal Affairs and Citizens' Rights	12
Opinion of the Committee on the Environment, Public Health and Consumer Protection	13
Opinion of the Committee on Institutional Affairs	14

By letters of 27 July 1994 the Council consulted the European Parliament, pursuant to Article 228 of the EC Treaty

- on the decision of the EEA Joint Committee N° /94, amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms
- on the decision of the EEA Joint Committee N° 8/94, amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms
- on the decision of the EEA Joint Committee N° 10/94, amending Annex XXII (Company law) to the EEA Agreement
- on the decision of the EEA Joint Committee N° /94, amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms.

At the sitting of 14 November 1994 the President of Parliament announced that he had referred these proposals to the Committee on External Economic Relations as the committee responsible and all other committees interested for opinion.

By letter of 29 September 1994 the Council consulted the European Parliament, pursuant to Article 228 of the EC Treaty

- on the decision of the EEA Joint Committee N° 12/1994, amending Annex I (Veterinary and phytosanitary matters) and Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement.

At the sitting of 24 October 1994 the President of Parliament announced that he had referred this proposal to the Committee on External Economic Relations as the committee responsible and to the Committee on Agriculture and Rural Development, the Committee on Economic and Monetary Affairs and Industrial Policy and the Committee on the Environment, Public Health and Consumer Protection for their opinions.

At its meetings of 26 July 1994 and 13 October 1994 the Committee on External Economic Relations had appointed Mr Titley rapporteur.

At its meetings of 16 September 1994 and 14 November 1994 it considered the draft report.

At last meeting it adopted the draft legislative resolutions unanimously.

The following took part in the vote: Sainjon, acting chairman; Pex, vice-chairman; Titley, rapporteur; Dimitrakopoulos (for Ferrer), Kreissl-Dörfler, E. Mann, Novo, Posselt (for Kittelmann), Schwaiger, Sonneveld (for Verwaerde), Valdivielso de Cue, van der Waal (for Goldsmith) and Wiersma (for Smith).

The explanatory statement will be presented orally in plenary sitting.

The opinions of the Committee on Research, Technological Development and Energy, the Committee on Legal Affairs and Citizens' Rights, the Committee on the Environment, Public Health and Consumer Protection and the Committee on Institutional Affairs are attached to this report. The other committees have not given an opinion.

The report was tabled on 14 November 1994.

The deadline for tabling amendments is Tuesday 15 November 1994 at 4 p.m.

A
DRAFT LEGISLATIVE RESOLUTION

Legislative resolution embodying the opinion of the European Parliament on the decision of the EEA Joint Committee N° /94, amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (8298/94 - C4-0073/94 - 94/0918(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the decision of the EEA Joint Committee (8298/94 - 94/0918(CNS)),
 - having regard to Articles 86, 98 and 103(1) of the EEA Agreement,
 - having been consulted by the Council pursuant to Article 130i(1) in conjunction with Article 228(3), first paragraph, of the EC Treaty (C4-0073/94),
 - having regard to the report of the Committee on External Economic Relations and the opinions of the Committee on Research, Technological Development and Energy, the Committee on Legal Affairs and Citizens' Rights and the Committee on Institutional Affairs (A4-0061/94),
1. Approves the conclusion of the agreement;
 2. Instructs its President to forward this opinion to the Council and Commission, and to the governments and parliaments of the EEA countries.

A
DRAFT LEGISLATIVE RESOLUTION

Legislative resolution embodying the opinion of the European Parliament on the decision of the EEA Joint Committee N° 8/94, amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (6749/94 - C4-0074/94 - 94/0919(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the decision of the EEA Joint Committee (6749/94 - 94/0919(CNS)),
 - having regard to Articles 86, 98 and 103(1) of the EEA Agreement,
 - having been consulted by the Council pursuant to Articles 130 and 235 in conjunction with Article 228(3), first paragraph, of the EC Treaty (C4-0074/94),
 - having regard to the report of the Committee on External Economic Relations and the opinions of the Committee on Legal Affairs and Citizens' Rights and the Committee on Institutional Affairs (A4-0061/94),
1. Approves the conclusion of the agreement;
 2. Instructs its President to forward this opinion to the Council and Commission, and to the governments and parliaments of the EEA countries.

A
DRAFT LEGISLATIVE RESOLUTION

Legislative resolution embodying the opinion of the European Parliament on the decision of the EEA Joint Committee N° 10/94, amending Annex XXII (Company law) to the EEA Agreement (7297/94 - C4-0075/94 - 94/0920(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the decision of the EEA Joint Committee (7297/94 - 94/0920(CNS)),
 - having regard to Articles 98 and 103(1) of the EEA Agreement,
 - having been consulted by the Council pursuant to Article 53(2) of Directive 78/660/EEC in conjunction with Article 228(3), first paragraph, of the EC Treaty (C4-0075/94),
 - having regard to the report of the Committee on External Economic Relations and the opinions of the Committee on Legal Affairs and Citizens' Rights and the Committee on Institutional Affairs (A4-0061/94),
1. Approves the conclusion of the agreement;
 2. Instructs its President to forward this opinion to the Council and Commission, and to the governments and parliaments of the EEA countries.

A
DRAFT LEGISLATIVE RESOLUTION

Legislative resolution embodying the opinion of the European Parliament on the decision of the EEA Joint Committee N° /94, amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms (8404/94 - C4-0076/94 - 94/0921(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the decision of the EEA Joint Committee (8404/94 - 94/0921(CNS)),
 - having regard to Articles 86, 98 and 103(1) of the EEA Agreement,
 - having been consulted by the Council pursuant to Article 130S in conjunction with Article 228(3), first paragraph, of the EC Treaty (C4-0076/94),
 - having regard to the report of the Committee on External Economic Relations and the opinions of the Committee on Legal Affairs and Citizens' Rights, the Committee on the Environment, Public Health and Consumer Protection and the Committee on Institutional Affairs (A4-0061/94),
1. Approves the conclusion of the agreement;
 2. Instructs its President to forward this opinion to the Council and to the governments and parliaments of the EEA countries.

A
DRAFT LEGISLATIVE RESOLUTION

Legislative resolution embodying the opinion of the European Parliament on the decision of the EEA Joint Committee N° 12/94, amending Annex I (Veterinary and phytosanitary matters) and Annex II (Technical regulations, standards, testing and certification) to the EEA Agreement (9074/94 - C4-0154/94 - 94/0922(CNS))

(Consultation procedure)

The European Parliament,

- having regard to the decision of the EEA Joint Committee (9074/94 - 94/0922(CNS)),
- having regard to Articles 98 and 103(1) of the EEA Agreement,
- having been consulted by the Council pursuant to Articles 43 and 100a in conjunction with Article 228(3), first paragraph, of the EC Treaty (C4-0154/94),
- having regard to the report of the Committee on External Economic Relations
(A4-0061/94),

1. Approves the conclusion of the agreement;
2. Instructs its President to forward this opinion to the Council and to the governments and parliaments of the EEA countries.

OPINION

of the Committee on Research, Technological Development and Energy

Letter from the chairman of the committee to Mr De Clercq, chairman of the Committee on External Economic Relations

Brussels, 7 November 1994

Subject: Decision of the EEA Joint Committee amending Protocol 31 of the EEA Treaty on cooperation in specific fields outside the four freedoms (C4-0073/94)

Dear Mr De Clercq,

At its meeting of 3/4 November 1994 the Committee on Research, Technological Development and Energy considered the above decision and adopted the following conclusions:

1. The changes to Protocol 31 with regard to research and technological development which have been adopted by the EEA Joint Committee take into account the changes that have occurred in the research policy sphere in the Community since the conclusion of the EEA Treaty, notably the adoption of the Community's fourth framework programme for research, technological development and demonstration. This is logical and is welcomed by this committee.
2. In this connection it should be pointed out that the expected accession of Sweden, Austria, Finland and Norway to the European Community on 1 January 1995 will make the application of Protocol 31 to research largely obsolete, since these countries will then participate in R & D programmes as Member States of the Community. This will, we hope, relieve the doubts previously voiced by this committee about effective parliamentary supervision of the programme committees, which include members from countries which are not represented in the European Parliament (the EEA Joint Parliamentary Committee is scarcely in a position to make good this shortcoming). This also leaves untackled the issue of committology regarding the administration of the R & D programmes, but this is not the right context for seeking a solution to this problem.

3. The Committee on Research, Technological Development and Energy recommends that the Committee on External Economic Relations approve the decision of the EEA Joint Committee on research policy¹.

Yours sincerely,

(sgd) U. Scapagnini

¹ The following took part in the vote: Scapagnini, chairman; Adam and McNally, vice-chairmen; de Gaulle, Desama, Estevan Bolea, Izquierdo Collado, Plooij-van Gorsel, Robles Piquer (for Roving), Soulier and van Velzen.

OPINION

of the Committee on Legal Affairs and Citizens' Rights

Letter from the chairman of the committee to Mr Willy DE CLERCQ, chairman of the Committee on External Economic Relations

Brussels, 19 September 1994

Subject: Decisions of the EEA Joint Committee amending Protocol 31 to the EEA Agreement, on cooperation in specific fields outside the four freedoms:
- C4-0073/94 - 8298/94
- C4-0074/94 - 6749/94
- C4-0076/94 - 8404/94
Decision of the EEA Joint Committee No. 10/94, amending Annex XXII (company law) to the EEA Agreement:
- C4-0075/94 - 7297/94

Dear Mr De Clercq,

At its meeting of 15 and 16 September 1994, the Committee on Legal Affairs and Citizens' Rights considered the question of the legal basis of the proposals for decisions mentioned above, amending Protocol 31 to the EEA Agreement with regard to cooperation on specific fields outside four freedoms.

Having heard the views of Mrs Gebhardt, the member responsible, the Committee on Legal Affairs and Citizens' Rights decided unanimously¹ that in view of the connection between the Council's joint guideline of 18 March 1994 on certain procedures for application of the agreement on the European Economic Area and the proposals for decisions mentioned above, it was better to postpone taking a decision on the appropriate legal basis of the decisions until Parliament had given its assent to the Council's joint guideline of 18 March 1994. The Council could be informed of Parliament's position as soon as possible.

Yours sincerely,

(sgd) Carlo CASINI

¹ The following were present for the vote: Casini, chairman; Gebhardt, member responsible; Janssen van Raay, Lehne (for Malangre), Mosiek-Urbahn, Palacio Vallelersundi, Schaffner, Titley (Rule 138(2)) and Wijsenbeek.

OPINION

of the Committee on the Environment, Public Health and Consumer Protection
Letter from the Chairman of the Committee to Mr Willy DE CLERCQ, Chairman of the
Committee on External Economic Relations

Brussels, 16 September 1994

Subject: Decision of the EEA Joint Committee amending Protocol 31 to the EEA
Agreement, on cooperation in specific fields outside the four freedoms
(8404/94 - C4-0076/94 - 94/0921(CNS))

Dear Mr De Clercq,

Thank you for your letter of 9 September 1994.

The Committee on the Environment, Public Health and Consumer Protection
considered your request at its meeting of Thursday, 15 September 1994. It
unanimously favoured the EFTA states being involved as proposed in the European
Environment Agency.

Yours sincerely,

Ken COLLINS

OPINION

of the Committee on Institutional Affairs

Letter from the chairman of the Committee on Institutional Affairs to Mr Willy de Clercq, chairman of the Committee on External Economic Relations.

Brussels, 13 September 1994

Subject: Consideration of the draft decision of the EEA Joint Committee amending Protocol 31 to the EEA Agreement seeking to include the fourth framework programme for Community activities in the field of research, technological development and demonstration (C4-0073/94)

- . No. 8/94 on cooperation in specific fields outside the four freedoms (C4-0074/94) (several action programmes)
- . on cooperation in specific fields outside the four freedoms (C4-0076/94) (European Environment Agency)

and amending Annex XXII (company law) of the EEA Agreement (C4-0075/94) (revision of the amounts expressed in ecus)

Dear Mr De Clercq,

The four draft decisions mentioned above are all intended to make available to the European Economic Area Community measures taken in various areas, without changing the content. As the draft regulation on certain procedures for application of the EEA Agreement¹ has not yet been adopted, the Council has asked the European Parliament to deliver its opinion on these texts pursuant to Article 228(3), first paragraph, of the EC Treaty.

Leaving aside the question of whether the legal basis selected by the Council, which will be subject of an opinion of the Legal Affairs Committee is appropriate, the Committee on Institutional Affairs concluded at its meeting of 13 September 1994² that the proposed extension did not raise any institutional

¹ See C3-0186/94, opinion adopted by the Committee on Institutional Affairs on 5 September 1994, PE 209.698/fin.

² The following took part in the vote: Morán López, chairman; Mendez de Vigo et Berthu, vice-chairmen; Adam (for Coates), Anastassopoulos, Barton, Bonde, Capucho, Cox, Cushnahan, D'Andrea (for Brok), Danesin, De Giovanni, B. Donnelly, Elles (for Baudis), Ferrer (for Gil Robles), Herman (for Martens), Herzog, Lucas Pires, Manzella, Marra, D. Martin, Rauti (for Fini), Rothley (for Dury), Saint-Pierre, Schäfer, Sornosa Martinez, Tsatsos, Vanhecke (for Blot), Vitorino (for Guigou) and Wiersma.

issues. In particular, participation by the EFTA states in the European Environment Agency's work will not affect the Community's institutional interests seeing that the EFTA Member States will make a financial contribution to the Agency's activities and will sit on the Management Board without voting rights.

Please consider this letter as the opinion of the Committee on Institutional Affairs.

Yours sincerely,

(sgd) Fernando MORAN-LOPEZ

