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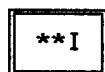
EUROPEAN PARLIAMENT

SESSION DOCUMENTS

English Edition

8 November 1991

A3-0307/91



R E P O R T

of the Committee on Energy, Research and Technology

on the Commission proposal for a Council decision adopting a specific research and technological development programme in the field of Measurements and Testing (1990-1994)
COM(90) 0157 final - C3-0160/90 - SYN 262

Rapporteur: Mr Detlev SAMLAND

DOC_EN\RR\118638

PE 143.236/fin.
Or. ES

A Series: Reports - B Series: Motions for Resolutions, Oral Questions - C Series: Documents received from other Institutions (e.g. Consultations)

* = Consultation procedure requiring a single reading

**I = Cooperation procedure (first reading)

**II = Cooperation procedure (second reading) which requires the votes of a majority of the current Members of Parliament for rejection or amendment

*** = Parliamentary assent which requires the votes of a majority of the current Members of Parliament

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By letter of 11 June 1990 the Council consulted the European Parliament, pursuant to Article 130q(2) of the EEC Treaty, on the Commission proposal for a Council decision adopting a specific research and technological development programme in the field of Measurements and Testing.

At the sitting of 15 June 1990 the President of Parliament announced that he had referred this proposal to the Committee on Energy, Research and Technology as the committee responsible and to the Committee on Budgets for its opinion.

At its meeting of 22 May 1990 the Committee on Energy, Research and Technology had appointed Mr Samland rapporteur.

At its meetings of 14 and 15 October 1991, 28 and 29 October 1991 and 6 and 7 November 1991 it considered the Commission proposal and draft report.

At the last meeting it adopted the draft legislative resolution unanimously.

The following took part in the vote: La Pergola, chairman; Anger, second vice-chairman; Adam, third vice-chairman; Görlach (for Ford and for Samland, rapporteur), Carvalho Cardoso, Desama, Goedmakers (for Schinzel), Gasoliba i Böhm, Herve, Larive, Linkohr, Pompidou, Porrazzini, Quisthoudt-Rowohl, Robles Piquer, Schlee and Seligman.

The opinion of the Committee on Budgets is attached.

The report was tabled on 8 November 1991.

The deadline for tabling amendments will appear on the draft agenda for the part-session at which the report is to be considered.

A

Commission proposal for a Council decision adopting a specific research and technological development programme in the field of Measurements and Testing.

Commission text¹

Amendments

(Amendment No. 1)
Recital 3a (new)

Whereas fundamental research must be specifically encouraged throughout the Community in each of the strategic research sectors of the Framework Programme;

(Amendment No. 2)
Recital 3b (new)

Whereas, in addition to the specific programme on human capital and mobility, training of researchers in each of the strategic research sectors of the Framework Programme must be ensured;

(Amendment No. 3)
Recital 3c (new)

Whereas the economic and social impact of the programme must be assessed, together with possible technological risks;

¹ For full text see COM(90) 0157 final - OJ No. C 174, 16.7.1990, p. 35

Commission text

Amendment

(Amendment No. 4)
Recital 3a (new)

Whereas close cooperation between the Joint Research Centre's own programme and the specific programme will be ensured by keeping the specific programme's committee fully appraised of results,

(Amendment No. 5)
Fifth recital

Whereas, pursuant to Article 4 and Annex 1 of Decision 90/221/Euratom, EEC, the amount deemed necessary for the whole framework programme includes an amount of 57 million ecus for the centralized dissemination and exploitation of results, to be divided up in proportion to the amount envisaged for each activity; whereas in view of the importance of this specific programme within the 'Industrial and Materials Technologies' action the estimate of the financial resources needed by this programme is to be reduced by 0.5 million ecus, which amount is to be allocated to the centralized activities, in order to comply with the second sentence of Article 130p(2) of the Treaty;

Whereas, pursuant to Article 4 and Annex 1 of Decision 90/221/Euratom, EEC, the amount deemed necessary for the whole framework programme includes the amount of ECU 57 million deemed necessary for the centralized dissemination and exploitation of results, which must be the subject of a decision by the Council in cooperation with Parliament; whereas, in view of the importance of this specific programme within the 'Industrial and Materials Technologies' action a financial contribution must be made to the centralized activity; whereas the contribution shall be proportional to the financial capability of the programme and shall correspond to the actual demand for the results of the research from socio-economic agents in all the Member States;

Commission text

Amendments

(Amendment No. 6)
Recital 10

Whereas, in accordance with Article 130g of the Treaty, the Community's activities aimed at strengthening the scientific and technological basis of European industry and encouraging it to become more competitive include promoting cooperation on research and technological development with third countries and international organizations; whereas such cooperation may prove particularly beneficial for the development of this programme;

Whereas, in accordance with Article 130g of the Treaty, the Community's activities aimed at strengthening the scientific and technological basis of European industry and encouraging it to become more competitive include promoting cooperation on research and technological development with third countries, particularly the countries of Eastern Europe, and international organizations; whereas such cooperation may prove particularly beneficial for the development of this programme;

(Amendment No. 7)
Article 1

A specific research and technological development programme for the European Economic Community in the field of measurements and testing, as defined in Annex I, is hereby adopted for a period of five years as from 1 January 1990.

A specific research and technological development programme for the European Economic Community in the field of measurements and testing, as defined in Annex I, is hereby adopted for the period from the date of publication of this decision in the Official Journal to 31 December 1994.

Commission text

Amendment

(Amendment No. 8)

Article 2

1. The Community funds estimated as necessary for the execution of the programme under this Decision amount to 140 million ecus. This amount includes 50 million ecus, for carrying out the actions instituted by this decision, and 90 million ecus, related to activities by which the JRC contributes to this programme and which will be the objective of a separate decision by the Council.
 2. Of the specified funds of 50 million ecus, the sum of 0.5 million ecu is deducted for the centralised action of dissemination and exploitation. The amount thus reduced to 49.5 million ecus includes expenditure on staff up a maximum of 16%.
 3. An indicative allocation of funds is set out in Annex II.
 4. Should the Council take a decision in implementation of Article 1(4) of Decision 90/221/Euratom, EEC, this Decision shall be adapted to take account of the abovementioned decision.
 5. The budgetary authority shall decide on the appropriations available for each financial year.
1. The amount deemed necessary for the implementation of the programme is ECU 50 million, which includes staff and administrative costs.
 2. An indicative allocation of funds is set out in Annex II.
 3. Should the Council take a decision in implementation of Article 1(4) of Decision 90/221/Euratom, EEC, this decision shall be adapted accordingly.

Commission text

Amendment

(Amendment No. 9)
Article 2

5. The budgetary authority shall decide on the appropriations available for each financial year.

4. The budgetary authority shall decide on the appropriations available for each financial year.

(Amendment No. 10)
Article 5

1. During 1992 the Commission shall review the programme and address a report on the results of its review to the Council and the European Parliament, together with proposals for any necessary changes.

1. During 1992 the Commission shall review the programme and address a report on the results of its review to the Council and the European Parliament, together with proposals for any necessary changes.

2. At the end of the programme the Commission shall assess the results obtained. It shall address a report thereon to the Council and the European Parliament.

2. At the end of the programme the Commission shall assess the results obtained. It shall address a report thereon to the Council and the European Parliament.

3. The reports shall be drawn up having regard to the objectives set out in Annex I to this Decision and in accordance with Article 2(4) of Decision 90/221/Euratom, EEC.

3. The reports shall be drawn up having regard to the objectives set out in Annex I to this Decision and in accordance with Article 2(4) of Decision 90/221/Euratom, EEC, and shall assess the coherence of the programme's implementation with the six major concerns set out in Annex II of Decision 90/221/Euratom, EEC¹.

¹ OJ No. L 117, 8.5.1990

Commission text

Amendment

(Amendment No. 11)
Article 6

1. The Commission shall be responsible for the execution of the programme. It shall be assisted by an advisory Committee, hereinafter referred to as 'the Committee', composed of representatives of the Member States and chaired by a representative of the Commission.

1. The Commission shall be responsible for the execution of the programme. It shall be assisted by an advisory Committee, hereinafter referred to as 'the Committee', composed of representatives of the Member States and chaired by a representative of the Commission.

The European Parliament shall be informed of the deliberations of the Committee in a comprehensive and timely manner.

2. The contracts concluded by the Commission shall govern the rights and obligations of each party, including the procedures for disseminating, protecting and exploiting the research results, in accordance with the arrangements adopted pursuant to the second paragraph of Article 130k of the Treaty.

2. The contracts concluded by the Commission shall govern the rights and obligations of each party, including the procedures for disseminating, protecting and exploiting the research results, in accordance with the arrangements adopted pursuant to the second paragraph of Article 130k of the Treaty and, where appropriate, procedures for training and evaluation.

3. A work programme for each year shall be drawn up and updated where necessary. It shall set out the detailed objectives and types of projects to be undertaken, and the financial arrangements to be made for them. The Commission shall make calls for proposals for projects on the basis of the annual work programmes.

3. A work programme shall be drawn up at the start of the programme and shall be regularly revised. It shall set out the detailed objectives and types of projects to be undertaken, and the financial arrangements to be made for them. The Commission shall make calls for proposals for projects on the basis of the annual work programme.

Commission text

Amendment

(Amendment No. 12)

Article 8

1. The procedure laid down in Article 7 shall apply to:
 - the preparation and updating of the work programmes referred to in Article 6(3),
 - evaluation of the projects referred to in point 2 of Annex III, as well as the estimated amount of the Community's financial contribution when these projects are submitted through the ordinary procedure referred to in point 4 of Annex III and the abovementioned amount is more than 5 million ecus,
 - evaluation of all projects submitted through the exceptional procedure referred to in point 4 of Annex III, as well as the estimated amount of the Community's financial contribution,
 - measures for evaluating the programme.
 2. The Commission may consult the Committee on any matter falling within the scope of the programme.
 3. The Commission shall inform the Committee with regard to:
 - the progress of the programme,
 - draft calls for proposals, referred to in Article 6(3),
 - projects, referred to in point 2 of Annex III, submitted through the ordinary procedure, for which the Community contribution is less than 5 million ecus, and the results of their evaluation,
 - accompanying measures, referred to in point 2 of Annex III,
 - concerted actions, referred to in point 2 of Annex III.
1. The procedure laid down in Article 7 shall apply to:
 - the preparation and updating of the work programme referred to in Article 6(3),
 - the contents of calls for proposals, referred to in Annex III,
 - the participation in any project by non-Community organizations and enterprises referred to in Article 10,
 - any adaptation of the indicative breakdown of funds set out in Annex II,
 - the measures to be undertaken to evaluate the programme,
 - accompanying measures and arrangements for the dissemination, protection and exploitation of the results of the research, for the purpose of encouraging fundamental research, training of researchers and technological assessment carried out under the programme,
 - concerted actions referred to in point 2 of Annex III
 2. The Commission shall notify the European Parliament of draft decisions which it forwards to the Committee in the exercise of the Commission's implementing powers.
 3. Deleted.

Commission text

Amendment

(Amendment No. 13)
Article 10

Where cooperation with third countries and international organizations aiming at achieving the objectives of this programme requires legal undertakings between the Community and the third parties concerned, the Commission shall be authorized to negotiate, in accordance with Article 130n of the Treaty, international agreements establishing the arrangements for such cooperation.

1. The Commission shall be authorized to negotiate, in accordance with Article 130n of the Treaty, international agreements with third countries members of COST, EFTA countries and the countries of Central and Eastern Europe, with a view to involving them in the whole, or part of, the programme.
2. Where framework agreements for scientific and technical cooperation have been concluded between the Community and third countries within Europe, organizations and commercial undertakings established in those countries may, in accordance with the procedures laid down in Article 6 and where mutual benefit may be gained, take part in a project within the programme.

(Amendment No. 14)

Scientific and technical objectives and content (third paragraph)

The aim is to improve measurements, testing techniques and chemical analyses where they are not sufficiently accurate and therefore laboratories cannot mutually agree on their results and where the measurement methods are insufficient to satisfy the new challenges in industry, in the monitoring of the environment, food quality and health.

The aim is to achieve better harmonization of measuring, analytical and testing methods. To attain this objective, advances must be made in measurements, testing techniques and chemical analyses where they are not sufficiently accurate and therefore laboratories cannot mutually agree on their results and where the measurement methods are insufficient to satisfy the new challenges in industry, in the monitoring of the environment, food quality and health.

Commission text

Amendment

(Amendment No. 15)
Annex I, fourth paragraph

The research activities will be closely connected to the requirements of the Internal Market (as specified in the White Paper on the Completion of the Internal Market) and to the implementation of specific Community policies. Close coordination with the relevant research programmes will be also assured.

The research activities will be closely connected to the requirements of the Internal Market (as specified in the White Paper on the Completion of the Internal Market) and to the implementation of specific Community policies. Close coordination with the relevant research programmes of the Community, in particular the work of the JRC, and of the Member States, especially in the field of methods and standardization, will also be assured.

(Amendment No. 16)
Annex I, Area 1, first paragraph

The aim is to improve methods of obtaining reliable and internationally accepted results for the application of Directives, in particular, on food products, environment and health.

The aim is to improve methods of obtaining reliable and internationally accepted results for the application of Directives, in particular, on food products, industrial products, environment and health.

(Amendment No. 17)
Area 1. Regulations and Directives. Second paragraph

The work will consist in developing, improving or harmonizing the test methods required for the preparation of the new Regulations and Directives concerning agriculture, environment, health and industrial products.

The work will consist in developing, improving or harmonizing the test methods required for the implementation of existing Directives and the preparation of new Regulations and Directives.

Commission text

Amendment

Accordingly, work will concentrate, in particular, on:

- analysis of agricultural products, including animal feedingstuffs,
- analysis of prepared foodstuffs,
- measurement of contaminants in the air, in water and in soil (including bacterial contamination),
- measurement of noise and of harmful substances in the workplace,
- biomedical analysis,
- testing of industrial products.

(Amendment No. 18)

Area 1. Regulations and Directives. Third paragraph

For existing Regulations and Directives, difficulties may occur in the application and harmonization of methodologies. In this context, work will be done, for example, for supporting the collaboration between food control laboratories to harmonize the methods and results, for harmonizing the determination of hormones in meat, for the determination of dangerous substances in the atmosphere at the workplace and for improving the quality of chemical analyses in the context of the next Monitoring Campaign of the North Sea pollution.

For existing Regulations and Directives, collaboration between the different laboratories will be encouraged so as to help overcome difficulties in the application and harmonization of methodologies.

Commission text

Amendment

(Amendment No. 19)

Area 2. Sectoral testing problems. Paragraph 2

The work will include collaborative projects to solve problems of measurement and testing arising in the course of the preparation of new European Norms (CEN/CENELEC); collaborative projects to solve measurement problems arising in industry in the application of norms, in particular to avoid laboratories finding different results when using the same standard method; organization of interlaboratory comparisons to facilitate mutual recognition agreements between testing laboratories.

The work will consist in developing collaborative projects to improve measuring and testing techniques for industrial products where different laboratories within a particular industrial sector do not agree on their results. This will include:

- collaborative projects for improving or developing new testing methods which are likely to become European standards (CEN, CENELEC) where advances in the corresponding field are insufficient for the introduction of a directive on a given product.
- collaborative projects for the improvement of standardized measuring and testing methods where the application thereof presents difficulties.
- support for the organization of comparative studies amongst laboratories where this is necessary to facilitate mutual recognition agreements amongst test laboratories.

Commission text

Amendment

(Amendment No. 20)

Annex I, Area 2, second paragraph

... testing laboratories.

... testing laboratories; in this context encouragement will be given to the setting up of an interlaboratory methodology and sample exchange network to maintain a high level of reliability and efficiency. Support will also be given to the harmonization of operating methods and practices by organizing exchanges of operators.

(Amendment No. 21)

Area 3. Common means of calibration for the Community. Paragraph 2

For fields such as food, agriculture, environment and biomedical analyses, the means of calibration will be reference materials which will be used essentially by laboratories to establish the traceability of their analyses or tests to a common reference. Similarly, transfer standards will be developed for smaller national metrology laboratories to be connected to larger organizations. This will be done with particular attention to the needs of the newer Member States.

With regard to physical measurements, standard transfer models will be developed to enable smaller national metrology laboratories to establish relations with larger organizations (with a view to establishing the traceability of the measurements). This will be done with particular attention to the needs of the newer Member States.

With regard to chemical analyses, reference measurement standards will be developed for the most important parameters of the measurements made in the food sector, agriculture, the environment, health and hygiene at the workplace, biomedical analysis and industrial products, as described in Area 1.

Commission text

Amendment

(Amendment No. 22)

Area 4. Development of new methods of measurements

The aim is to develop new methods of measurements as required by Community policies. Work in this area will include methods for the calibration of the instruments which are used in automated manufacturing systems (a programme carried out in consultation with the IT and with the industrial technologies programmes); methods of measurement for extremely small dimensions (micrometrology) in applications such as micro electronics, optical components (in coordination with the IT programme); research and development of measurement principles which could lead to new instrumentation; better and faster methods for food control; methods for the determination of the chemical form of polluting elements (environment) and monitoring the pollution of the working environment; new methods necessary to certify reference materials, in particular in the field of biomedical analyses.

The aim is to develop new methods of measurements and analysis as required by Community policies. Basic research will be undertaken to achieve this aim.

Such development will concentrate on R+D on measurement principles and procedures and new analysis methods for the specialist applications mentioned above (Area 1).

The work will be carried out in coordination with other specific R + D programmes within the framework programme and the Joint Research Centre.

(Amendment No. 23)

Annex II. Indicative breakdown of expenditure

In %, for the period 1990-1994

The staffing plan deemed necessary for the duration of the programme comprises 34 statutory posts (A, B and/or C). Each year, the Commission shall include in the preliminary draft budget the number of staff deemed necessary and the corresponding cost. The appropriations shall be determined by the budgetary authority.

In %, for the period 1990-1994.

Commission text

Amendment

(Amendment No. 24)

Annex II. Indicative breakdown of expenditure

Area 1. Support to Regulations and Directives	15-25%	Area 1. Support to Regulations and Directives	20-30%
Area 2. Sectoral testing problems	15-25%	Area 2. Sectoral testing problems	20-30%
Area 3. Support to means of calibration	25-35%	Area 3. Support to means of calibration	20-30%
Area 4. Development of new methods of measurements	25-35%	Area 4. Development of new methods of measurements	20-30%

(Amendment No. 25)

Annex II. Indicative breakdown of expenditure

The breakdown between different areas does not exclude the possibility that projects could cover several areas.

The breakdown between different areas does not exclude the possibility that projects could cover several areas.

1. An amount equivalent to at least 10% of the total, shall be used for projects encouraging fundamental research, which shall be clearly identified.
2. An amount equivalent to at least 2% of the total, shall be devoted to projects encouraging the training of researchers in the fields covered by this specific programme.
3. The projects mentioned in paragraphs 1 and 2 shall be the subject of agreements concluded with the universities and research institutes organized in research networks.
4. An amount equivalent to 3%-5% of the total amount deemed necessary, shall be used for technological and risk assessment, the results of which shall be communicated to Parliament with the evaluation reports.

Commission text

Amendment

(Amendment No. 26)

Annex III. Rules for implementing the programme and activities for dissemination and exploitation of the results

1. The Commission shall implement the programme on the basis of the scientific and technical content described in Annex I.
2. The rules for implementing the programme, referred to in Article 3, comprise research and technological development projects, accompanying measures and concerted actions.
The direct research activities carried out by the JRC will be the subject of a separate Council Decision.
The projects shall be the subject of shared-cost research and technological development contracts.
The accompanying measures consist of applying the means to ensure proper technical execution, management and evaluation of the programme, as well as adequate dissemination and accessibility of the results, and coordination, training and consciousness-raising of the participants in the programme.
The concerted actions are those defined in the Financial Regulation.

1. The Commission shall implement the programme on the basis of the scientific and technical content described in Annex I.
2. The rules for implementing the programme, referred to in Article 3, comprise research and technological development projects, accompanying measures and concerted actions.
The direct research activities carried out by the JRC will be the subject of a separate Council Decision.
The projects shall be the subject of shared-cost research and technological development contracts.
The accompanying measures consist of applying the means to ensure proper technical execution, management and evaluation of the programme, as well as adequate dissemination and accessibility of the results, and coordination, training and consciousness-raising of the participants in the programme.
The concerted actions are those defined in Article 92 of the Financial Regulation.

Rates of Community participation shall be in accordance with Annex IV of Council Decision 90/221/Euratom, EEC.

Commission text

Amendment

(Amendment No. 27)

Annex III. Rules for implementing the programme and activities
for dissemination and exploitation of the results

3. The participants in the projects must be natural or legal persons established in the Community, such as universities, research organizations and industrial firms, including small and medium-sized enterprises, or associations thereof, in particular European Economic Interest Groupings (EEIGs).

3. The participants in the projects must be natural or legal persons established in the Community, such as universities, research organizations and industrial firms, including small and medium-sized enterprises, or associations thereof, in particular European Economic Interest Groupings (EEIGs).

The participants in the projects must effect 50% of their research and development expenditure in the European Community.

Natural or legal persons established in countries which have concluded agreements with the Community, foreseeing scientific and technical research, may, based on the criterion of mutual advantage, take part in the projects undertaken in the context of this programme. The contracting parties under such arrangements shall not benefit from Community funding. They shall contribute to the general administrative costs.

Natural or legal persons established in countries which have concluded agreements with the Community, foreseeing scientific and technical research, may, based on the criterion of mutual advantage, take part in the projects undertaken in the context of this programme. The contracting parties under such arrangements shall not benefit from Community funding under the framework programme. They shall contribute to the general administrative costs.

Commission text

Amendment

(Amendment No. 28)

Annex III. Rules for implementing the programme and activities for dissemination and exploitation of the results

4. The choice of projects shall be carried out according to the following order of priority, the first method being the rule, the second the exception. The participants in the projects shall be selected on the basis of the ordinary procedure of calls for proposals referred to in Article 6(3) and published in the Official Journal of the European Communities.

4. The choice of projects shall be carried out according to the following order of priority, the first method being the rule, the second the exception. The participants in the projects shall be selected on the basis of the ordinary procedure of calls for proposals referred to in Articles 6(3) and published in the Official Journal of the European Communities.

Where other criteria of scientific excellence are satisfied, and in accordance with the guidelines agreed between Council and the European Parliament, in the case of a number of project proposals of equal scientific value, preference shall be given:
(i) to project proposals whose implementation involves project participants in less-developed regions and/or regions in industrial decline as defined by Articles 8 and 9 of Council Regulation EEC No. 2052/88
(ii) to project proposals involving small and medium-sized enterprises or an association of such enterprises.

The Commission shall determine in each case whether the management of the programme, or parts thereof, can be undertaken by organizations or institutions outside the Commission, and it shall delegate the work accordingly.

Commission text

Amendment

(Amendment No. 29)

Annex III. Rules for implementing the programme and activities for dissemination and exploitation of the results

Paragraph 4. Final subparagraph

The Commission shall draw up a vade mecum setting out all the rules applicable to this exceptional procedure in order to guarantee full transparency.

The Commission shall draw up a vade mecum setting out all the rules applicable to this exceptional procedure in order to guarantee full transparency.

The Commission shall forward the vade mecum to Parliament at the latest before the Decision is adopted.

(Amendment No. 30)

Annex III. Rules for implementing the programme and activities for dissemination and exploitation of the results

Paragraph 5a (new)

5a. No Member State may allocate to the national, regional, local, departmental or other government budget the amounts granted to organizations of that Member State for the carrying out of projects accepted in accordance with the project selection procedure described in paragraph 5.

Commission text

Amendment

(Amendment No. 31)

Annex III. Rules for implementing the programme and activities for dissemination and exploitation of the results

Paragraph 7

7. The knowledge acquired during the course of the projects shall be disseminated on the one hand within the specific programme and on the other hand by means of a centralized activity, pursuant to the decision referred to in the third paragraph of Article 4 in Decision 90/221/Euratom, EEC.

7. The knowledge acquired during the course of the projects shall be disseminated on the one hand within the specific programme and by means of and in accordance with the provisions governing the centralized activity, which must be the subject of a decision by the Council in cooperation with Parliament pursuant to Article 4 (3) of Decision 90/221/Euratom/EEC. The financial contribution from the programme shall be ECU ..., in accordance with the financial provisions of Council Decision ... concerning the centralized activity.

DRAFT LEGISLATIVE RESOLUTION

(Cooperation procedure: first reading)
embodying the opinion of the European Parliament
on the Commission proposal for a Council decision
adopting a specific research and technological development programme
in the field of Measurements and Testing

The European Parliament,

- having regard to the Commission proposal to the Council (COM(90) 157 final - SYN 262)¹,
 - having been consulted by the Council pursuant to Article 130q(2) of the EEC Treaty (C3-0160/90),
 - having regard to the report of the Committee on Energy, Research and Technology and the opinion of the Committee on Budgets (A3-0307/81),
1. Approves the Commission proposal subject to Parliament's amendments and in accordance with the vote thereon;
 2. Calls on the Commission to amend its proposal accordingly, pursuant to Article 149(3) of the EEC Treaty;
 3. Calls for the conciliation procedure to be opened if the Council should intend to depart from the text approved by Parliament;
 4. Asks to be consulted again should the Council intend to make substantial modifications to the Commission proposal;
 5. Calls on the Council to incorporate Parliament's amendments in the common position that it adopts in accordance with Article 149(2) of the EEC Treaty;
 6. Instructs its President to forward this opinion to the Council and Commission.

¹ OJ No. C 174, 16.7.1990, p. 35

EXPLANATORY STATEMENTI. CONTENT AND OBJECTIVES OF THE COMMISSION PROPOSAL

1. The proposal for a Council decision adopting a specific research and technological development programme in the field of Measurements and Testing for five years from 1 January 1990 is one of the specific measures whereby the European Community is implementing the objectives of the third framework programme in the field of research and technological development (1990-1994) and, to some extent, guarantees continuity with the research and development programmes in this field during the previous R & D framework programme (1987-1992).
2. The new programme proposed for the period 1990-1994 forms part of the 'Dissemination Technologies' strategy of the new framework programme, whose 'Industrial and Materials Technologies' action is designed to contribute to revitalizing manufacturing industry, strengthening its scientific and technological base by means of research and development operations, by attempting to encourage:
 - basic technical research,
 - the application of new technologies by the user industries,
 - the acquisition of the scientific and technical skills required for drawing up rules and codes of practice to facilitate new technology transfer, and
 - harmonization of Measurement and Testing methods.
3. In this context, the specific programme on Measurement and Testing is intended to remove certain obstacles by improving the harmonization of methods of testing, measuring and analysing, so as to be able fully to meet the new challenges posed by industry, environmental control, health, agriculture and food quality, the whole closely linking research with the needs of the internal market and the implementation of Community policies, and placed under the following headings:
 - support to regulations and directives,
 - sectoral testing problems,
 - support to means of calibration, and
 - development of new methods of measurements.
4. The new programme will be implemented by means of research and development projects, accompanying measures and concerted actions; the proposal does not cover the direct research carried out by the Joint Research Centre. A total cost of 140 m ECU is estimated for these activities, of which 90 m ECU (64%) is reserved for direct research undertaken by the JRC, to be the subject of a further Commission proposal to the Council.
5. Of the remaining 36% (50 m ECU), 0.5 m ECU are deducted for the centralized action of dissemination and exploitation. The remaining 49.5 m ECU includes expenditure on staff up to a maximum of 16%.

6. The Commission will be assisted in implementing the programme by an advisory committee, composed of representatives of the Member States and chaired by a representative of the Commission.

II. THE POSITION OF PARLIAMENT

7. The Committee on Energy, Research and Technology has paid particular attention to the problems of R & D in the field of applied metrology, chemical analysis, technical norms, methods of measurement and reference materials and made a statement on these subjects in the CIANCAGLINI report at the time of the Commission proposal concerning the R & D programme (1988-1992) for the Community Bureau of References (BCR), and in the LINKOHR report on the Commission proposal concerning the specific action programme in the form of direct Community actions to be carried out by the Joint Research Centre during the period 1988-1991.
8. Realizing the Community significance of these activities, Parliament made a series of observations, in the form of amendments, affecting the following areas:
 - (a) dissemination of results: specific measures to be taken to ensure the widespread diffusion and dissemination of the results of the programme;
 - (b) favourable conditions: required for Member States where technological structures were less highly developed;
 - (c) budgetary allocation: the definitive cost to be fixed annually during the budgetary procedure;
 - (d) cooperation agreements: cooperation agreements with third countries within the framework of this programme to be (a) based on the criterion of mutual interest and (b) concluded by the Council, acting by qualified majority, in cooperation with Parliament;
 - (e) individual research programmes: a detailed list of the main areas of research should be included in the programmes.

III. STRUCTURE OF THE PROGRAMME AND ITS OBJECTIVES

9. The programme currently being proposed by the Commission for specific action on Measurements and Testing is not a straightforward continuation of the lines of research followed in the equivalent programmes under the second R & D framework programme (1987-1991), which came under the heading 'Technical norms, methods of measurement and reference materials', now called 'Industrial and materials technologies'; these programmes were, of course, the BCR's R & D programme and the programme on reference material (JRC).
10. It is therefore worth asking whether the new five-year R & D programme does in fact take account of the concerns expressed by Parliament hitherto. The action proposed is indeed beneficial in itself, and will particularly encourage the growth of the Community's small and medium-sized undertakings, helping them to link up with the technologies networks which will be established. Nonetheless, the programme suffers from a lack of precision, which makes it merely a general action programme for the field in question. If it is to justify its description as 'specific', it needs to give greater details of the actions to be undertaken than are contained in the four areas described.

11. This feature becomes even more pronounced in the annex (III) on implementing the programme, which merely provides details of access to or participation in the research projects (including a novel exceptional selection procedure for proposals) and does not include a single detail of the major subjects of the individual R & D programmes.
12. Moreover, the proposal as a whole makes no connection between the Commission's goal of providing itself with an effective system of methods of measurement and calibration in the field concerned and the desirable aim of establishing a general scheme for quality controls and guarantees which goes beyond the industrial sphere to form part of the services sector; such a development would represent a major step towards improving competitiveness.

IV. BUDGETARY ALLOCATION FOR THE PROGRAMME

1. The cost to the Community budget is 140 m ECU, of which 64% or 90 m ECU are intended for the activities of the Joint Research Centre. The five-year framework programme for 1990-1994 was allocated 5700 m ECU by Council Decision of 20 April 1990. The funds for specific action in the field of Measurements and Testing therefore represent 2.5% of the Community budget.
2. This specific programme corresponds to the following programmes in the second framework programme (1987-1991), which fell under the overall research heading 'Technical norms, methods of measurement and reference materials':

<u>Specific programme</u> <u>1989</u>	<u>Budget</u>	<u>Situation at the end of</u>
BCR*	5.92 m ECU	17.5 m ECU (29%)
Reference materials (JCR)	120.6 m ECU	57.4 m ECU (47.5%)
TOTAL	180 m ECU	

* Community Bureau of References

3. In view of these data, the Commission has adjusted the budget for equivalent action within the new framework programme to the Council Decision, which means a reduction of approx. 33% in relation to the second framework programme if the relative proportions of the various actions are maintained. This reduction would scarcely reflect the major importance which both the Commission and the Council attach to these areas of technological research and development.

O P I N I O N

(Rule 120 of the Rules of Procedure)

of the Committee on Budgets
for the Committee on Energy, Research and Technology

Draftsman: Mr Christos PAPOUTSIS

At its meeting of 21 September 1989 the Committee on Budgets appointed Mr PAPOUTSIS draftsman.

At its meeting of 7 November 1990 it considered the draft opinion.

At the latter meeting it adopted the conclusions as a whole unanimously.

The following were present for the vote: von der Vring, Chairman; Lamassoure, first Vice-Chairman; Cornelissen, second Vice-Chairman; Papoutsis, draftsman; Arias Cañete, Böge, Colajanni, Elles, Forte, Holzfuß, Kellett-Bowman, Langes, Lo Giudice, Miranda da Silva, Samland and Theato.

Preliminary remarks

The virtually simultaneous presentation of the legislative proposals on the specific programmes under the 1990-1994 framework programme (Decision 90/221/EEC/EURATOM) and the identical wording of the financial provisions mean that they can be considered jointly and that decisions can be taken on the legislative proposals as a whole. This opinion refers to the specific programme in the field of Measurements and Testing (1990-1994).

Introduction

1. On 23 April 1990, the Council adopted Decision 90/221/EURATOM, EEC², concerning the framework programme of Community activities in the field of research and technological development (1990 to 1994). Article 1 of the decision provides for the carrying out of the following activities:

- enabling technologies:
 1. information and communications technologies;
 2. industrial and materials technologies.
- management of natural resources:
 3. environment;
 4. life sciences and technologies;
 5. energy.
- management of intellectual resources:
 6. human capital and mobility.

The amount deemed necessary for Community financial participation in the entire programme is 5700 million ECU.

2. On 11 June 1990, 30 September 1990 and 22 October 1990, the Council consulted the European Parliament on the fifteen specific programmes. The proposal on centralized action was not submitted for consideration.

This virtually simultaneous presentation of the new proposals meets the wishes expressed by the Committee on Budgets (see PE 134.413/fin.). This situation can create the conditions necessary to measure the effects of a series of legal instruments against the financial reality defined by the financial perspective and the budgets concerned.

² OJ No. L 117, 8.5.1990, p. 28

3. During consideration of the framework proposal for the framework programme (1990-1994), and also throughout the conciliation procedure up to the adoption of the decision by the Council, the Committee on Budgets had put forward a number of observations.

Its observations concerned, in particular, the financing of the new framework programme, the period which covered financing of both framework programmes (1987-1991 and 1991-1992) and the procedures for implementing the new framework programme, with particular reference to the question of commitology.

The Commission proposals

4. The Commission's approach consists of presenting a harmonized text concerning the financial provisions for each specific activity together with annexes giving an indicative breakdown of the amount deemed necessary and the procedures for implementing each programme. The Commission also devotes an annex specific to each programme solely to the aims and the scientific and technical content.

5. As regards the amount estimated as necessary for each specific activity (Article 2), the Commission proposes a double levy:

- a single-rate levy of 1% on the amount estimated as necessary for each specific programme earmarked for the financing of the centralized dissemination and exploitation of the results;

and on the remainder,

- a variable-rate levy for staff costs. This second levy varies between 2% and 16% according to the specific activity.

6. As regards the 1% levy, Article 4 of the framework decision 90/221/EEC provides for an amount 'deemed necessary of 57 million ECU', which represents in fact the 1% of the amount deemed necessary for the framework programme as a whole. However, while this proposal has the merit at first sight of constituting the amount of 57 million ECU, it does not take account of a number of considerations:

- The total appropriations for the specific activities are not of the same amount, so the impact of the 1% in each of them will not necessarily be the same.
- It is not stipulated in the framework decision that each specific programme must contribute on the basis of a single rate to the financing of the centralized action. The framework decision merely states that the 57 million ECU are drawn 'proportionally' from each activity (see Annex 1, footnote 2).
- It is not stipulated that this levy must precede the levy for staff costs.
- The profile of the partners of each programme is different, and therefore the framework of the implementation of the projects may vary.
- The knowledge acquired on each programme is different, and the means of disseminating it may take various forms.

There is therefore no reason to assume that the single-rate levy meets the requirements of each programme.

7. On the other hand, the Commission has not yet submitted its proposal on the centralized action. Is it then conceivable to start adopting all the specific programmes without seeking to settle, for example, matters relating to intellectual property or industrial property?

On the basis of what guarantees will the partnership which will form around each programme ensure dissemination of the results? And how will the Community dimension of each programme be preserved in the absence of information on the dissemination of the results obtained by its implementation?

8. A second point to be raised concerns the percentage earmarked for staff costs.

The Commission proposes a variable-rate levy for this expenditure. On the basis of the financial statements accompanying the various proposals, the implementation of the framework programme (1990-94) will involve a total staff complement of 1019 persons, regardless of category.

This establishment plan for the framework programme (1990-94) will consist partly of staff to be redeployed from the programmes implemented under the framework programme (1987-91) and partly of newly-recruited staff.

9. Experience shows that the demand for staff is a function of the demand for commitment appropriations for each activity.

How, then, does the Commission intend:

- to coordinate demand for staff for each new specific activity in the light of the real staff requirements still presented by earlier activities which will in fact be acting as a reserve supply and, in addition, respect the rules of transparency in the management of the appropriations concerned?
- to inform the budgetary authority of the actual allocation of staff and the budgetary impact, when the implementation of the new activities does not rule out implementation of the projects under the exceptional procedure which may be justified on the scientific basis of several specific activities?

Does the Commission intend to perpetuate the phenomenon of osmosis already referred to in respect of the specific activities arising from the previous framework programme (1987-1991)? (See in this connection PE 143.199).

10. The implementation of these specific activities involves some innovations as regards management, and the Commission, aware of this new situation, has already deemed it necessary that a study be made of this subject.

At the same time, the Commission had promised to 'inform Parliament' of the findings of that study. That study, which would be very useful for the budgetary authority, has not yet been published. However, the Commission has agreed that the question of staff is one of the points, but not the only one, which would require correction and rationalization measures.

11. Another observation concerns the rules for implementing each specific activity set out in Annex III to each proposal.

The Commission proposes the introduction of an exceptional procedure to make the decision-making process concerning the choice of projects more flexible. This exceptional procedure may call on a sum which may in no case exceed 15% of the amount deemed necessary.

The introduction of this new procedure, which will have to co-exist with the ordinary procedure as well as with the continuation of the activities developed under the specific programmes arising from the framework programme (1987-1991), raises certain questions, namely:

- how does the Commission intend to maintain the partners' interest in the previous activities since there are still appropriations in the budget to be committed for the earlier activities?;
- how can the Commission ensure that there will be no abuse in using this exceptional procedure instead of the ordinary procedure?;
- how does the Commission intend to budgetize projects selected on the scientific basis of several specific activities?

12. The Commission is not sufficiently clear about how it intends to coordinate the timetable of tenders, selection of projects and conclusion of contracts in the context of the ordinary procedure with consideration of the proposals submitted in the context of the exceptional procedure. This situation may well create bottlenecks in the decision-making process as regards the choice of projects and their management. It is important to stress the growing volume of requests submitted to the Commission by the partners and, consequently, to consider whether the administrative deadlines governing the selection of projects do not hamper the optimum allocation of the appropriations approved in the budget. The Commission does refer in Annex III to the drawing up of a vade mecum, but to date, this vade mecum has not been forwarded to the budgetary authority.

13. While the experience acquired argues in favour of the introduction of innovative procedures, they will have a positive impact on Community research only if they preserve the cardinal objectives of that research and also ensure optimal allocation of the financial resources provided for.

14. The new framework programme is a year behind schedule as regards the amounts provided for in the financial perspective and, while part of the financial year 1991 will be devoted to adopting the various decisions, the Commission's firm determination to ensure the vital progression of one of the most important new policies (see PE 140.148) becomes an empty statement.

15. Another observation concerns committeeology. The fears expressed by the Committee on Budgets in its opinion (see PE 134.413/fin.) are confirmed. When a specific activity concerns the industrial sector, the committee involved is of type III. However, in the conciliation procedure for the adoption of the framework programme (1990-1994) and, in particular, in its letter to the President of Parliament (see PE 140.148), the Commission had stated perfectly clearly the merits of the type I committee (i.e. a purely

consultative committee) which confers the greatest speed and efficiency on the decision-making process.

The question is whether that efficiency can be guaranteed, for example, in the case of the selection of projects under the exceptional procedure, which is proposed precisely in order to strengthen the operational aspect of each specific activity in the case of activities involving a type III committee.

It may be pointed out that, in the recent decisions on provisional measures concerning the unification of Germany, the Council agreed to replace a type III by a type IIa committee.

16. The Commission gives no details concerning the choice to be made where a project subject to the exceptional procedure concerns two specific activities which are not covered by the same type of committee. In such a case, which of the two types of committee will be giving its opinion?

17. A final observation concerns the evaluation of the programmes. The research and technological development policy constitutes one of the objectives laid down in the Single Act.

The European Parliament has stressed on many occasions the need to develop this policy while drawing attention to the increased funding requirements. This position will be best strengthened on the basis of the results obtained, with particular regard to sound financial management and increased profitability of the funds allocated to this policy.

18. In its proposals (Article 5), the Commission raises the matter of the evaluation of the programme but nevertheless refrains from providing any additional information regarding the criteria to be taken into account for that evaluation.

It is important for the budgetary authority, particularly where a multiannual activity is involved, to have figures showing trends in the performance indicators interpreting analyses made on the basis of cost-effectiveness, and also on the basis of the indicators which measure the cost of non-research.

Experience shows that there is no pattern to the participation of the Member States in the various activities. A thorough analysis of the cost of non-research is vital because of the complementarity of this policy with other Community policies sometimes acting as infrastructure.

Conclusions

19. The Committee on Budgets accordingly recommends the adoption of the proposal, with the following reservation:

It asks the Committee on Energy, Research and Technology:

to ascertain, with the Commission, whether measures have been taken on the basis of the funds available to ensure, at administrative level, a rational decision-making process as regards selection of projects and their management as well as on the provisions concerning the evaluation of all the specific programmes, in accordance with Article 5 of framework decision 90/221/EURATOM, EEC.

The Committee on Budgets also asks the Committee on Energy, Research and Technology to take account of the following amendments:

Commission text

Amendments

Amendment No. 1

Fifth recital

Whereas, pursuant to Article 4 and Annex I of Decision 90/221/EURATOM, EEC, the amount deemed necessary for the whole framework programme includes an amount of 57 million ECU for the centralized dissemination and exploitation of results, to be divided up in proportion to the amount envisaged for each activity; whereas in view of the importance of this specific programme within the 'Industrial and Materials Technologies' action, the estimate of the financial resources needed by this programme is to be reduced by 0.5 million ECU, which amount is to be allocated to the centralized activities, in order to comply with the second sentence of Article 130p(2) of the Treaty;

Whereas, pursuant to Article 4 and Annex I of Decision 90/221/EURATOM, EEC, the amount deemed necessary for the whole framework programme includes an amount deemed necessary of 57 million ECU for the centralized dissemination and exploitation of results which is to be the subject of a decision of the Council in cooperation with Parliament; whereas, in view of the importance of the specific programme within the 'Industrial and Materials Technologies' action a financial contribution to the centralized activities is required; whereas this contribution is proportional to the financial capacity of the programme and corresponds to the effective demand for the results of research from the socio-economic operators in all the Member States;

Amendment No. 2

Article 2

2. Of the specified funds of 50 million ecus, the sum of 0.5 million ecu is deducted for the centralised action of dissemination and exploitation. The amount thus reduced to 49.5 million ecus includes expenditure on staff up to a maximum of 16%.

3. An indicative allocation of funds is set out in Annex II.

2. The amount of 50 million ecu estimated as necessary shall include costs relating to staff and a contribution to the costs of the centralized action of dissemination and exploitation.

3. An indicative allocation of funds relating to the implementation of the actions covered by this programme is set out in Annex II. The procedures for the dissemination and exploitation of the results are set out in Annex III. The rules relating to staff are set out in Annex II.

Amendment No. 3

Annex II

After the heading 'Indicative breakdown of expenditures', add the following new paragraph:

The establishment plan deemed necessary for the duration of the programme consists of 34 statutory posts (A, B and/or C). The Commission shall indicate each year in the preliminary draft budget the number of staff deemed necessary and the corresponding expenditure.

The budgetary authority shall decide on the appropriations.

Amendment No. 4

Annex III

Rules for Implementing the Programme and Activities
for Dissemination and Exploitation of the Results

Paragraph 4

After the fifth subparagraph, add a new subparagraph:

When it submits the preliminary draft budget the Commission shall inform the budgetary authorities whether the appropriations approved in the budget of the previous year have also financed projects retained by the exceptional procedure, and the amounts allocated. Should these projects cover several programmes, it shall state the type of committee which assisted it.

Amendment No. 5

Annex III

Rules for Implementing the Programme and Activities
for Dissemination and Exploitation of the Results

Paragraph 4

Sixth subparagraph

The amount of the financial participation of the Community for all the projects retained by the exceptional procedure will be decided each year, in relation to the projects selected according to particularly strict criteria of excellence. In any case, this amount may not exceed 15%; it may be revised each year in the light of experience.

The amount of the financial participation of the Community for all the projects retained by the exceptional procedure will be decided each year, in relation to the projects selected according to particularly strict criteria of excellence. In any case, this amount may not exceed 10% of the annual budget appropriation.

Amendment No. 6

Annex III

Rules for Implementing the Programme and Activities
for Dissemination and Exploitation of the Results

Paragraph 4

Seventh subparagraph

Add:

It shall forward this vade mecum to Parliament at the latest before this Decision is adopted.

Amendment No. 7

Annex III

Rules for Implementing the Programme and Activities
for Dissemination and Exploitation of the Results

Paragraph 7

7. The knowledge acquired during the course of the projects shall be disseminated on the one hand within the specific programme and on the other hand by means of a centralized activity, pursuant to the decision referred to in the third paragraph of Article 4 in Decision 90/221/EURATOM, EEC.

7. The knowledge acquired during the course of the projects shall be disseminated with the specific programme and by means of, and in compliance with, the provisions governing the centralized action to be the subject of a decision taken by the Council in cooperation with Parliament pursuant to the third paragraph of Article 4 of Decision 90/221/EURATOM, EEC. The financial contribution of this programme amounts to ECU, in accordance with the financial provisions of Council Decision concerning centralized activities.

