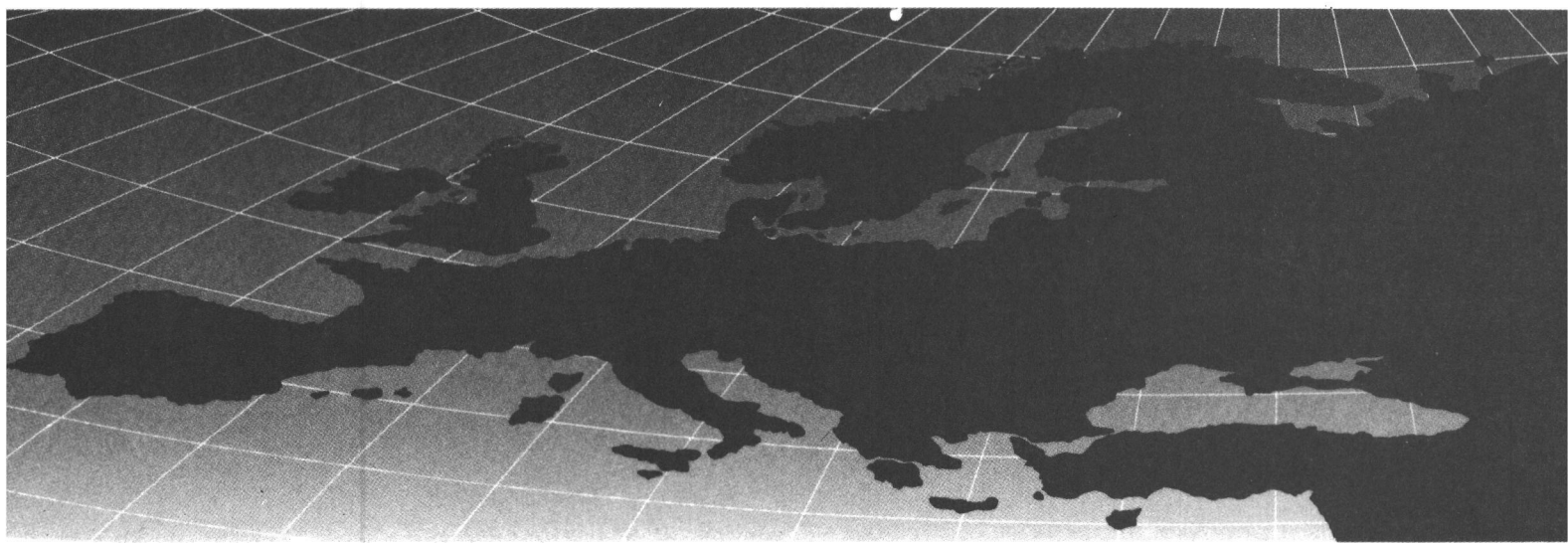




# "Euro Info Centre News"



## ISSUE No. 6/94

27 June 1994

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# I. EIC ACTIVITIES

## FR-275 Poitiers

On 14 June, the Poitou-Charentes Euro Info Centre organized an information meeting on the new RTD framework programme in Angoulême. More specifically, the meeting covered the CRAFT procedure and the VALUE regional relay. This was a partner action aimed at showing enterprises the consistency of the EIC network. The following organizations were present: Agence Poitou-Charentes Technologies, ANVAR (Agence Nationale de Valorisation de la Recherche), ARIST (Agence Régionale sur la Normalisation) and the EIC.

On 22, 23 and 24 June 1994, the Poitou-Charentes EIC organized a European training seminar for the partners of "Deux Sèvres Développement", an economic development agency in the *département* of Deux-Sèvres. This seminar provides a complete panorama of the Community tools available to SMEs/SMIs after basic training on institutions and their operation.

## GR-158 Larissa

The Host Organisation of the Larissa EIC (Hellenic Organisation of Small and Medium Sized Enterprises and Handicrafts, HOMMEH) is organising a training programme in Larissa (Greece) entitled "Wood/Furniture - Processing technology" from 28-30 June 1994 in collaboration with UETP-THESSALIA in which the EIC of Larissa is a member.

The aim of this project is to transfer the latest technological developments in the Wood - Furniture field on the following themes : quality control systems, quality control procedure, final products, new materials.

It is a seminar of high specialization and apart from the essential theoretical knowledge, it also includes practice within factories of the region.

The project is addressed to entrepreneurs and executives of firms who deal with the subject matter.

## IT-355 - Bologna

Career Day 1994 : The EIC IT-355 together with its host structure Associazione degli Industriali della Provincia di Bologna and the University of Bologna set the Career Day 1994 on 17 May 1994.

Career day is a meeting among students, graduates, vocational training and master schools and firms. During this meeting many speeches about Community Programmes like COMETT took place.

Participation in this meeting was very significant. All the major Italian groups sent their personnel managers or the representatives of their internal vocational training schools to the stands prepared in the main hall and to speak in large rooms to hundreds of students and graduates.

Also the EIC IT-355 had its stand and answered a number of questions about Community Programmes. The number of students and graduates that visited Career Day was almost 4000.

Value initiative : The EIC IT-355 together with the CRENEST, the Value Relay Centre of the North-East of Italy, set up a Value Initiative with its host structure, Associazione degli Industriali della Provincia di Bologna on 29 June 1994. This initiative concerns the Community Research Results on Surface Treatments by means of lasers. During the meeting, the Programme VALUE and the opportunities for Technology Transfer to SMEs will first be presented. Then the Community Research Results will be shown and discussed. Among them : "CO2 Laser Surface Treatment of Ceramics", "Laser Treatment as a Tool in Engineering Applications", "Improvement of Mechanical and Physical Properties by Laser

Surface Treatment", "Surface Modification of Inox by Laser Melting", "Laser Remanufacturing of Turbine Vanes". Finally CRENEST and EIC IT-355 will be available to answer questions on Community R&D Programmes.

#### **MA-741 Casablanca**

On 9 June, a new EICC - the first in Africa - officially opened its doors in Casablanca, Morocco, in the presence of Mr A. Jouahri, President of the host structure, Mr Marc Pierini, Ambassador and Head of the European Commission Delegation to Morocco, and Mr Jean-Pierre Haber.

Euro Info Morocco (MA-741) is included in

the Professional Group of Moroccan Banks (GPBM), which represents 18 national banks. The centre is therefore in a position to reach virtually all Moroccan enterprises via a network of 1,200 bank branches located throughout the kingdom.

The Euro Info Morocco team, which comprises 7 people (including 4 Information Officers) will also provide rapid handling of questions from EIC colleagues in Europe. The centre can be contacted via VANS. Its details are given below.

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## II. EU NEWS

1. **EUROPEAN COMMISSION  
PRESS RELEASE:  
MEMO/94/39  
DOCUMENT DATE: JUNE  
17, 1994  
STATE OF TRANSPOSITION  
OF WHITE PAPER  
MEASURES ON THE  
COMPLETION OF THE  
SINGLE MARKET**

The process of achieving the Single Market depends primarily on the implementation of the legislative acts passed within this framework. The transposition of legislation is the foundation for the effective application of rules. It is essential in so far as it governs the efficient operation of the Single Market. Any gap or delay in transposition is likely to affect the proper operation of the Single Market and is an indisputable infringement of Community law. The Commission is pleased to note that if one considers the number of execution measures reported to the Commission, the overall level of transposition is around 89% (see graph). Nevertheless, there are still delays in transposition in certain sectors of the programme. Performance varies depending on the sector of activity. While transposition has been completed in sectors such as the free movement of capital, excise taxes and VAT, and is making good progress in other sectors (technical directives, administrative data, chemicals and securities), there are still gaps in transposition in other economically important sectors. Transposition problems primarily concern the following sectors: insurance (average transposition rate: 64.8%). Nine directives apply to this sector. Transposition problems are concentrated on those directives which were to be transposed by the beginning of the year. With the exception of France and Portugal, there are delays in virtually all the Member States. Nevertheless, there are still some delays for the oldest directives, especially

in Spain, Greece and Germany. As regards intellectual and industrial property (average transposition rate: 66.6%), of the three directives adopted in this sector delays are affecting the two directives concerning brands and protection of computer software, which have been in application since the beginning of 1993. There are delays in half of the Member States. As for public procurement contracts (average transposition rate: 75%), the six directives in this sector have been the subject of several delays in notification, most of which concern the directive on supplies, which has been in force since January 1989, means of recourse in excluded sectors, which has been in force for more than a year and a half, as well as the most recent directive in the sector, which concerns services. The Member States concerned by these delays in notifying national transposition measures are Greece, Spain, and Italy. In the area of company law (average transposition rate: 76.6%), difficulties in this sector are primarily reflected in delays in communicating measures for transposing the two directives whose transposition deadlines were up at the beginning of 1993. The countries concerned here are Germany, Greece, Spain and France. As regards new technologies and services (average transposition rate: 79.1%), only the directive on telecommunications terminals is affected by transposition problems. National execution measures have only been communicated by half of the Member States. In the pharmaceutical sector (average transposition rate: 86.1%), 15 directives are in force. The measures which have been affected most by the communication delays are those which were due to be transposed by the beginning of 1993. The countries involved are Germany, France and the Netherlands. As for workers/professionals (average transposition rate: 87.1%), transposition problems are primarily focused on the directive on the first general system and the three directives on the right of residency. The Member States concerned are Germany and the United Kingdom.

## STATE OF TRANSPOSITION OF WHITE PAPER MEASURES

Situation in each Member State  
(Situation on 3/6/94)

DK	214	0	97
P	207	2	192
NL	202	0	226
I	202	0	235
E	201	2	243
UK	200	0	246
L	198	0	248
B	197	0	276
F	197	0	285
D	188	0	366
EL	183	2	405
IRL	183	0	416

265 provisions in force/230

## 2. SINGLE-MARKET COOPERATION

The Internal Market Council on Thursday adopted a resolution calling on national administrations to cooperate in making the single market a reality understood across the European Union. The resolution says that European Union countries will be notifying the European Commission by the end of the year of the creation of 'contact points' and any other information structures designed to help businesses to understand other countries' practices and safety & health rules. This is meant to help Irish brewers, for example, to find out whether they require a separate health certificate for each batch they want to sell in Italy, or a Belgian toy maker how long it will take French inspectors to test its products. Links between national administrations, including computerised information systems, have already been thought of in the farm and customs sector, but much more has to be done so that all sectors are covered.

## 3. EUROPEAN ROUND TABLE (ERT) PRESS RELEASE DOCUMENT DATE: JUNE 20, 1994 BUILDING THE INFORMATION HIGHWAYS A Report from Industrial Users

Senior European industrialists have launched an urgent appeal to the Heads of Government meeting at the European summit in Corfu on Friday (24 June) for the rapid development of "Information Highways" as an essential tool for getting Europe's economy moving again and creating new jobs. Carlo de Benedetti, chairman of Olivetti and chairman of the European Round Table of industrialists' working group on Information Highways, calls for urgent action to remove the obstacles to new technology and liberalise the market for telecommunications and information services. In "Building the Information Highways", published on 20 June, the European Round Table emphasises the dramatic impact which will come from the new developments in information and communications technology, which will rapidly transform the way we live and work. But at the moment Europe is lagging behind, the report warns, and is today only "a patchwork of incompatible communication networks marked by high costs, low quality services, and very limited interoperability between systems". The new infrastructures will generate more and more employment as people learn to use them, but to reach that point the process of liberalisation must be speeded up, and the liberalisation of communications infrastructures should be achieved in the shortest possible time, the report says. "Building the Information Highways" is intended to complement the paper on Europe and the Global information Society prepared for the European Council by the Bangemann Task Force. It shows how private companies will take on the main responsibility for building the information highways and providing the services that users

need, if governments can create a favourable business environment. The ERT's detailed proposals are summed up in a Seven Point Strategy:

1. A political commitment by governments to accelerate the construction of information highways in Europe on the basis of private, not public finance.
2. Rapid deregulation of telecommunications infrastructures and services and a drastic reduction in tariffs.
3. Agreed standards and full interoperability of both networks and services, to be ensured by public and private sectors alike.
4. A new regulatory framework to provide clear rules at European level for intellectual property rights, privacy protection and security.
5. Private business to take the main responsibility for building the information highways and providing the services and applications, with a clear focus on economic growth and job creation.
6. A European Authority at Ministerial level to drive the process of liberalisation and develop an open regulatory framework.
7. A permanent advisory body from the private sector to work closely with the Authority.

For more information and copies of the report please contact the ERT Secretariat in Brussels, tel: (32 2) 534 3100, fax (32 2) 534 7348.

**4. EUROPEAN COMMISSION  
PRESS RELEASE:  
MEMO/94/42  
DOCUMENT DATE: JUNE  
20, 1994  
SOCRATES AND  
LEONARDO PROGRAMMES  
AT THE AGENDA OF THE  
COUNCIL MEETINGS ON 21  
AND 22 JUNE 1994**

Education and training, both of which are key elements mentioned in the White Paper to improve the competitiveness of European labour (and thus European enterprises), to enhance their ability to create jobs and facilitate the insertion of young people into the labour market will be the central topic of debate among the Twelve, who will be meeting this week in Luxembourg. More precisely, the SOCRATES (education) and LEONARDO (vocational training) programmes, proposed by the Commission at the initiative of Commissioner Antonio Ruberti to ensure continued Community action in the sectors of education and training after 1994, when the current programmes expire. This will also serve as the keystone in Community policy in these sectors for the following five years (1995-1999). In addition, they will be on the agenda of the Education Council to be held on 21 June and the Social Affairs Council to be held on 22 June for the adoption of a common position. Each of these two programmes has already received a positive opinion in the first reading by the European Parliament. Planned actions aim to support and complement the actions taken by the Member States in the areas of education and vocational training, and to enhance cooperation between education and training while at the same time fully respecting the responsibility of the Member States regarding the contents and organization of the education and vocational training system. When implementing these programmes, special attention will be paid to exploiting synergies

among the respective actions, as well as between these actions and Community initiative programmes in the area of human resources, as set out within the framework of the European Social Fund and the Union's Fourth Framework Programme on RDT. Below is some information on the SOCRATES and LEONARDO programmes.

#### **A. SOCRATES (education)**

As all of the delegations have expressed their agreement with regard to the contents and form of the actions proposed by the Commission for this programme, the discussions undertaken by the Twelve will primarily concern the question of funding for the programme and its breakdown, certain aspects concerning its management (such as commitment) and its legal basis. With a proposed budget of more than ECU 1 billion (ECU 1005.6 million, to be exact), SOCRATES aims not only to pursue - in a streamlined and consistent manner - the actions taken so far and with great success within the framework of the ERASMUS (student mobility) and LINGUA (promoting the knowledge of foreign languages within the Community) programmes, but it is also innovative in that it makes provisions - for the first time - for action to be taken at all levels of education, including at school level. The proposed activities, which all involve transnational cooperation and a growing number of operators in the educational world in several Member States, can be grouped into three categories. The first is cooperation in higher education. In addition to promoting student and teacher mobility, who will have the opportunity to do part of their studies or training in another Member State, it will involve promoting the creation of university networks comprising - by area of study - interuniversity cooperation programmes (joint development of study programmes, extension of the credit transfer system, etc.). It will also encourage the creation of university "poles", allowing several institutions to pool their resources in order to better meet the specific needs of students, such as the need for accommodation or the learning of less widely used languages. The second aspect is cooperation in school teaching. This will

mainly involve encouraging the creation of partnerships between schools in different Member States in order to set up joint projects in education, cultural heritage, environmental protection, or other subjects of common interest. It will also seek to promote the schooling of the children of migrant workers and gypsies, and to facilitate the updating of education staff's skills. Thirdly, there will be measures aimed at all levels of education. These measures will aim to promote the knowledge of languages in the Community, mainly by allowing future language teachers to spend a period in immersion or as an assistant abroad. They will also aim to promote open and distance learning, since this has great potential for those people who, because of where they are located or their personal situation, are not able to follow a course that requires them to be present. Lastly, they will seek to encourage exchanges of information, primarily via an extension of the EURYDICE network, and exchanges of experience through study visits for key operators for developing cooperation in the sector of education.

#### **B. LEONARDO (vocational training)**

The Social Affairs Council held on 22 June will be primarily concerned with examining this programme. As there is already widespread agreement amongst the Twelve on the scope and contents of the programme, the discussions will primarily concern the matter of financing and certain aspects relating to its management (commitment and project selection procedures). This new programme, which is intended to serve as follow-up to the Community programmes COMETT (university-enterprise cooperation for training), PETRA (initial training), FORCE (continued training) and EUROTECNET (innovation), all of which will expire on 31 December 1994, will consolidate the considerable body of acquired knowledge they have all gained as well as provide innovation by paying special attention to continued training, language training, as well as open and distance training and learning. With a proposed budget of MECU 801.8 over 5 years (1995-1999), the programme will aim to use a number of measures to promote quality

and the capacity for innovation of not only training systems and tools, but also of the various actions undertaken by training operators, enterprises and the social partners. In addition, it will generally promote the European dimension at all levels of training. To this end, support will be given to transnational projects for exchanging and pooling know-how and experience. Support will also be given to programmes which place people in enterprises or in training organizations in another Member State, as well as to the carrying out of studies and analyses for clarifying common references. In addition, support will be given to improving vocational training systems and tools in the Member States. The aim will primarily consist of promoting quality in the methods, processes and tools used by vocational training systems in the Member States by encouraging the creation of modules and joint training actions, placements, and transnational exchanges of young people and trainers. Support for improving vocational training actions, including through university cooperation regarding enterprises and workers. This will primarily consist of supporting innovation in training processes (management in particular), vocational training methodology and materials, and also encouraging training actions that facilitate the transfer of technological innovations. The aim will be seek out enhanced cooperation between enterprises and universities or training organizations through exchanges, placements and joint projects. In addition, support will also be given to developing language skills, knowledge and the dissemination of innovation in the sector of professional training. Given the importance of languages in vocational training, both for young people and adults, specific support will be given to developing language skills in the training sector in the Community. We will also seek to find out more about the training systems and tools used in the various Member States through surveys, analyses and exchanges of decision-makers from the vocational training sector. The European dimension in vocational training will also be promoted. The aim will be to develop the European dimension at all levels of training mainly through measures to support the improvement and extension of the European vocational training network, which

comprises national authorities, operational structures, support to projects and operators and the creation of tools at Community level, such as databases on projects or training methods.

## 5. ENERGY-TAX

Germany and France plan to give a fresh push to efforts to introduce a "green" tax on carbon dioxide throughout the European Union during their consecutive EU presidencies according to German politicians. The tax would be aimed at cutting emissions of carbon dioxide (CO<sub>2</sub>) which many scientists believe lead to global warming, the so-called "greenhouse effect". Government members of parliament and officials close to EU talks on the controversial tax said Chancellor Helmut Kohl and President Francois Mitterrand had agreed in principle to press for the tax but left details to be worked out in negotiations. "Some momentum has come back into this matter after a long time in which nothing moved," said Klaus Lippold, parliamentary spokesman on environment policy for Kohl's Christian Democrats (CDU). "There is a clear directive that we should solve all the problems of detail because we want a result." Germany takes over the rotating six-month EU presidency on July 1 and hands over to France next January. German officials said the next step will be high level talks between negotiators from environment, finance and economic ministries from all 12 countries. These could start within the next month. "It is clear that Germany thinks the tax is necessary as do a hard core comprising the European Commission, the Netherlands, Denmark and Belgium," one official said. Current EU leader Greece has recently revived discussions that had been stalled since the European Commission first proposed the tax on the carbon content of fuels in 1991. No one ventured a guess about when the measure might take effect, but Lippold and others said there was hope that EU leaders could give the tax their formal blessing next year. "With cautious optimism, I would say a political decision in principle could be made by the council of ministers by the end of the French presidency (in June 1995)," he said. Kohl's junior coalition partners, the liberal Free



Democrats (FDP), have overcome their own pro-business doubts about a new tax and even put the drive for a carbon tax into their programme for national elections in October. "Of course we can get this passed in the EU," FDP environment expert and member of parliament Gerhart Baum said. The main stumbling blocks in the way of the proposal are complaints from several countries both inside and outside the EU that it is simply a way of raising money rather than achieving its avowed aim of cutting pollution. Critics including industry groups also fear that a blanket application by the EU would damage their competitiveness compared with third countries with no such tax. There is also a row inside the EU about whether the tax should be restricted to carbon fuels, which would give an advantage to nuclear power and other energy sources, or applied to all sources.

## **6. DANGEROUS SUBSTANCE DIRECTIVE**

The Internal Market Council adopted a common position on Thursday on a draft directive adding several new products to the scope of EU legislation that restricts the marketing of dangerous substances. The legislation, COM(92)195, the 13th modification of directive 76/769/EEC, covers creosote and its derivatives, chlorinated solvents, and substances classified as carcinogenic, mutagenic and toxic for reproduction. The Germans, Dutch and Danes voted against the proposal because they did not believe the restrictions, especially on creosote -- a chemical used to treat wood -- were strict enough, EU officials said. Another proposal on dangerous substances which was on the provisional agenda was not discussed, but will be adopted as an "A" (nondiscussion)

point at a future Council, EU officials said. The proposal, (COM)93)499, the 15th modification of directive 76/769/EEC, would restrict the use of inflammable gas in aerosol generators used for recreation and decoration.

## **7. FARM-EAST**

The European Union has amended trade accords with Poland, Hungary, the Czech Republic, Slovakia, Bulgaria and Romania providing reduced tariff farm imports, EU officials said on Friday. Quotas for 60 percent tariff reductions will now be set in line with July/June marketing years instead of calendar years. Hungary's common wheat quota is set to rise to 216,000 tonnes in 1994/95 and to 232,000 tonnes in 1995/96, from 200,000 tonnes in 1993/94. The Czech republic's barley quota will rise to 25,400 tonnes in 1994/95 and to 27,400 in 1995/96 from 22,667 in 1993/94. The Czech Republic's wheat flour quota will rise to 12,750 tonnes in 1994/95 but rise to 13,500 tonnes in 1995/96. Slovakia's barley quota will rise to 12,600 tonnes in 1994/95 and to 13,600 tonnes in 1995/96 from 11,835 tonnes in 1993/94. Slovakia's wheat flour quota will rise to 12,750 tonnes in 1994/95 and to 13,500 tonnes in 1995/96 from 7,833 tonnes in 1993/94. Poland's buck wheat quota will edge up to 4,100 tonnes in 1994/95 and to 4,350 tonnes in 1995/96 from 3,800 tonnes in 1993/94. Romania's common wheat quota will rise to 18,330 tonnes in 1994/95 and to 19,640 tonnes in 1995/96 from 17,020 in 1993/94. Bulgaria's wheat flour quota will rise to 2,050 tonnes in 1994/95 and to 2,200 tonnes in 1995/96 from 1,900 tonnes in 1993/94. Bulgaria's millet quota rises to 1,300 tonnes in 1994/95 and to 1,400 tonnes in 1995/96 from 1,200 tonnes in 1993/94.

### III. QUESTIONS AND ANSWERS

**Question :**

We have been contacted by an enterprise which would like to sell wines and spirits by mail order to private individuals in Belgium.

According to the French customs authorities, the relevant French taxes must be paid at customs. Belgian taxes and duties then apply on Belgian territory. Of course, the French taxes are subsequently recovered.

The enterprise in question would prefer not to engage the services of a tax agent. In addition, it does not want to recover the French taxes from its Belgian customers, even if those customers can then recover the taxes subsequently. From the commercial point of view, it would like to pay and recover the French taxes itself.

It is therefore obliged to make the French taxes appear on the customer's invoice, but does not want to include the taxes in the price to be paid by the customer, who would only have to pay the Belgian taxes. The enterprise would like to know whether this procedure is legal and applicable.

**Answer :**

Pursuant to your fax of 27.05.94 in which you ask for information on the mail order sales of wines and spirits by a French enterprise to private individuals in Belgium, please note the following:

The general system on the detention and movement of products subject to excise duties is governed by Directive 92/12 of 25.02.92 (OJ L 76/92), as amended by Directive 92/108 of 14.12.92 (OJ L 390/92).

Please note that each Member State shall determine its own regulations in the area of:

- \* production
- \* transformation
- \* detention of products subject to excise duties.

subject to the provisions of the above-mentioned directives.

In principle, products subject to excise duties can move freely between operators in the various Member States in accordance with a customs system suspending excise duties, based on the interconnection of bonded warehouses.

Excise duties are due as soon as the product is marketed for consumption or when shortages are noticed in accordance with the stipulations of Article 14, paragraph 3 of the directive.

Moreover, please note that in the event that products subject to excise duty bought by persons who do not have the status of approved warehouse keeper, registered operator or non-registered operator are sent or transported directly or indirectly by the seller or on behalf thereof (as in the case of mail order sales), they shall be subject to excise duty in the Member State of arrival of despatch or transport.

For the purposes of the directive, an approved warehouse keeper is the physical or legal person authorized by the competent authorities of a Member State to produce, transform, hold, receive and despatch products subject to excise duty in suspension of excise duty in a bonded warehouse.

A registered operator is the physical or legal person who does not have the status of approved warehouse keeper but who is authorized by the competent authorities of a Member State to receive products subject to excise duty in suspension of duty from another Member State. This operator may neither hold nor forward products in suspension of excise duties.

A non-registered operator is the physical or legal person who does not have the status of approved warehouse keeper but who is authorized to occasionally receive products which are subject to excise duty from another Member State. He may neither hold nor forward products in suspension of excise duties. Prior to forwarding merchandise, he must guarantee the payment of excise duties to the tax authorities of the Member State of destination.

Consequently, and summing up the applicable legal provisions, in the case of mail order sales, products sold to an end consumer in another Member State shall be subject to excise duty in the Member State where they are forwarded for consumption. The excise duty of the Member State of destination shall be collected from the seller once delivery has been effected.

Nevertheless, the Member States can take provisions stipulating that excise duty is due from a tax agent other than the consignee of the products.

This tax agent must be established in the Member State of destination and approved by the tax authorities of that Member State.

We therefore suggest that you contact your Belgian correspondents in the EIC network in order to obtain more details on the mechanisms governing the activities of tax agents in Belgium.

#### **Question :**

During a training course which we recently gave to government officials in the regional and local administration, we were asked for information regarding existing Community programmes in the area of exchanges of government officials.

We would therefore like to have an exhaustive list of existing programmes along the lines of KAROLUS and MATTHAEUS, as well as information on how they operate and the budget allocated to them.

We are particularly interested to know whether there is a specific programme for government officials working in ministries of justice and related departments.

#### **Answer :**

Pursuant to your fax of 27.05.94 in which you ask us for information on Community programmes dealing with exchanges of government officials, please note the following:

There are currently three Community programmes which deal with exchanges of government officials:

1. The KAROLUS programme makes provisions for exchanges between the government administrations of Member States, and between officials from Member States who participate in the implementation of Community legislation needed to achieve the Single Market. This programme's operation and budget are described in the Council Decision of 22.09.92 (Decision 92/481/EEC, OJ L 286/92). This programme's priorities for the 1994 budget year are given in Decision 93/698/EEC of 21.12.93 (OJ L 321/93).
2. The MATTHAEUS programme is a Community action programme dealing with vocational training for customs agents from national government administrations with a view to the uniform application of customs legislation at the outer border of the Community (Decision 91/341/EEC, OJ L 187/91). This programme makes provisions for training actions, such as exchanges of government officials between national administrations, training seminars, common programmes in customs schools and language courses.

For further information on this programme and how it operates, we

suggest you consult the following documents:

- \* Decision 92/39/EEC (OJ L 16/92), which aims to ensure the uniform application of Community law to the external borders of the Community by giving Member States' customs officers the same initial training that will accelerate their awareness of the increasingly Community-oriented dimension of their mission.
- \* Decision of 11. 12. 92, which sets out the implementing provisions concerning the organization of exchanges of officials, the organization of seminars and the Commission's methods for paying the costs of exchanges and seminars.
- \* Decision 93/15/EEC (OJ L 10/93), which establishes specific common programmes concerning inward processing traffic, temporary admission, and the transit of customs agents in the area of vocational training.
- \* On 15. 12. 93, the Commission submitted the draft report on the experience gained with the implementation of the MATTHAEUS programme (COM(93) 661 final).

3. **The MATTHAEUS TAX programme** (Decision 93/588, OJ L 280/93), which deals with the vocational training of officials responsible for indirect taxation. This programme is implemented using the following means:

- \* Exchanges between national administrations of officials who are responsible for indirect taxation;

- \* Training seminars for officials;
- \* Common training programmes drawn up in Member States' training schools;
- \* Language courses organized in the Member States so that officials can maximize their stay in the administration of another Member State.

We would also like to inform you of another exchange programme, **MERCURE CE**, organized by Eurochambres and supported by the European Commission. This programme allows the staff at Chambers of Commerce in the Community to spend a two-week period in a similar organization in another Member State.

This programme aims to make executive staff at Chambers of Commerce aware of the reality of the Single Market and to stimulate cooperation between Chambers of Commerce of the various Member States.

Unfortunately, the deadline for applying for an exchange in spring 1994 has elapsed.

Our expert at DG XV (Internal Market and Financial Services) informs us that the implementation of a specific programme for justice ministry officials is currently being looked into.

#### **Question :**

We would be grateful for more information on the recognition of diplomas of estate agents.

#### **Answer :**

Further to your telefax dated 08. 06. 94 in which you requested information on the recognition of diplomas of estate agents, please note the following :

The profession of estate agent is regulated in all EC continental Member States; for example Spain requires a university degree, whereas in France and Germany it is necessary to have either a university degree or a diploma which

can be compensated by professional experience.

It is important to stress the fact that the content of this profession varies from one Member State to another. Some Member States distinguish the profession of estate agents and the one of administrator of estates. In Spain, for instance, there are two different professions, whereas this is not the case in Belgium. The recognition has thus to be established regarding the activity and not regarding the title.

Therefore concerning this profession, you have to refer to the national legislation :

- when national legislation regulates the conditions for access to the profession, this national legislation has to be in conformity with Council Directive 89/48 (OJ L 19, 24. 01. 89) establishing a general system for the recognition of higher education diplomas awarded on completion of professional education and training of at least three years duration (and should be in conformity with Council Directive 92/51 (OJ L 209/1992) when it enters into force);
- when national legislation does not regulate the conditions of access to the profession, the general principle of equality of treatment applies.

We would suggest that you consult the French legislation in light of these principles.

In addition, we would like to refer you to an important European Court of Justice

preliminary ruling delivered in May 1992 by the Court of Justice of the EU. In the case C-104/91 Colegio Oficial de Agentes de la Propiedad Inmobiliaria V. Aguirre Newman SA (RJCE, 1992-5 I p. 3003 - only available in French), the Court gave an interpretation of Articles 52 and 57 of the EEC Treaty and of Council Directive 67/43/EEC concerning the attainment of freedom of establishment and freedom to provide services relating to certain activities of self-employed persons.

The Court ruled that the national authorities of a Member State considering a request for permission to exercise the occupation of estate agent by a national of another Member State must verify the extent to which the knowledge and skills certified by the foreign diplomas or professional qualification obtained by the applicant in his state of origin, correspond to those required by the regulation of the host state.

The Court specified that in cases where there is only partial correspondence of the diplomas or qualifications the national authorities of the host state are entitled to require the applicant to show that he has obtained the lacking knowledge and qualifications and ask him to sit an examination if necessary.

Moreover, the decision to refuse a national of another Member State the recognition or approval as equivalent of a diploma or professional qualification obtained in the Member State of which he is national, must be open to judicial review, allowing assessment of its legality in Community law and the reasons for the decision must be made available to the applicant.

## IV. PUBLICATIONS

**"Report on United States barriers to trade and investment 1994", CEC-DG L 115 pp.**

Report on barriers to trade and investment and unfair practices in the USA.

**"Le rôle des chambres de commerce et d'industrie européennes dans la formation professionnelle et continue", Eurochambres. 1994. 50 pp.**

Brochure written by the Eurochambres Committee on Vocational Training, containing descriptions of the involvement of the Chambers in training in 9 European countries: Germany, France, Greece, Great Britain, Italy, Luxembourg, Austria, Portugal and Spain. Also available in German and English.

**"Répertoire des entreprises du Hainaut. Bureau d'études économiques et sociales de la Province de Hainaut". 1994. 654 pp. (rue de Nimy, 50, 7000 Mons, Belgium. Tel.: 065-31 93 10/11/12, Fax: 34 80 96). 1, 000 BF (account no.: 091-0107421-71).**

Quadrilingual publication (French, German, Dutch and English), listing enterprises involved in extraction, manufacture, construction, transport, wholesale trade and services. Also contains information on official, professional, economic and consular bodies, as well as on exhibitions, fairs and salons.

**"Eurolab directory and handbook". 1994. 900 pp. (Secretariat: 1 rue Gaston Boissier, 75724 Paris Cedex 15. Fax: 1-40 43 39 82). 1, 125 FF, paper version; 1, 450 FF paper version and diskettes.**

Contains information on laboratories located in 17 European countries, European organizations

concerned with tests: EOTC, CEOC, EGOLF, EURACHEM, etc., and on European and international standards organizations: CEN, CENELEC, ETSI, ISO, IEC.

**"Comprendre l'entreprise: théorie, gestion, relations sociales". T. Alberto and P. Combernale. 1993. Editions Nathan. 256 pp. ISBN 2-09-180-096-1 (9 rue Méchain, 75676 Paris Cedex 14. Tel.: 1-45 87 51 08)**

Publication in the Circa series (no. 28) aimed at the non-specialist. The specific features of each kind of enterprise are studied, as are the competitive environment and internal organization.

**"Het Comité van Permanente Vertegenwoordigers. Ontstaan, werkwijze en rol in de besluitvorming van Europese Gemeenschappen". J.W. de Zwaan. 1993. Kluwer Law and Taxation. 493 pp. Série Europese Monografieën. ISBN 90-268-2521-8 (Staverenstraat 32015 PO Box 23, 7400 GA Deventer).**

This book deals with the creation, role and activities of the Committee of Permanent Representatives (COREPER), within the framework of the Community decision-making process.

### **"Investir au Maroc"**

For an initial contact with Morocco, the Correspondence Centre in Casablanca - otherwise known as Euro Info Morocco (MA-741) - has a guide for the investor which summarizes what the Moroccan economy can offer foreign operators wishing to set up there or to develop a partnership. Any interested parties should contact an EIC, which will be sent a copy upon request.

# V. SEMINARS, CONFERENCES, WORKSHOPS

## SEPTEMBER 1994

26/27-09-1994 - Brussels (BE)

**"Conferences on trans-European information networks (Telecommunications - Information technologies)"**

Organised by : Club de Bruxelles  
Information from : Club de Bruxelles, 10 rue  
du Collège St Michel, 1150 Brussels.  
Tel. : 32-2-771 98 90 Fax. : 32-2-770 66 71

30-09-1994 - Brussels (BE)

**"Conferences on trans-European networks and infrastructure (Energy)"**

Organised by : Club de Bruxelles  
Information from : Club de Bruxelles, 10 rue  
du Collège St Michel, 1150 Brussels.  
Tel. : 32-2-771 98 90 Fax. : 32-2-770 66 71

29-09-1994 - Brussels (BE)

**"Conferences on trans-European networks and infrastructure (Transport)"**

Organised by : Club de Bruxelles  
Information from : Club de Bruxelles, 10 rue  
du Collège St Michel, 1150 Brussels.  
Tel. : 32-2-771 98 90 Fax. : 32-2-770 66 71

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