

EUROPEAN PARLIAMENT

# Working Documents

1979 - 1980

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10 DECEMBER 1979

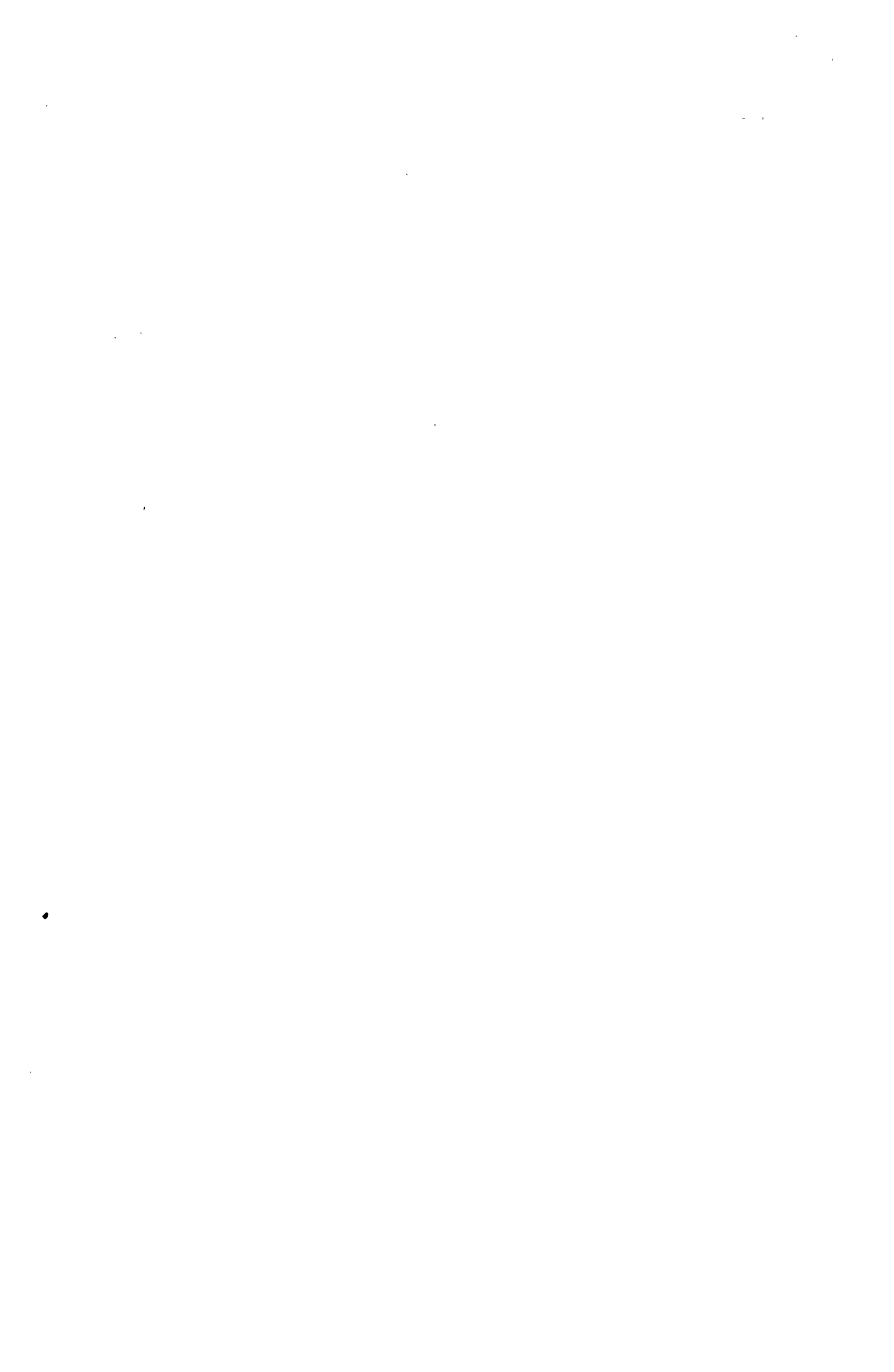
DOCUMENT 1-576/79

## Report

drawn up on behalf of the Committee on the  
Environment, Public Health and Consumer Protection

on the proposal from the Commission of the European  
Communities to the Council (Doc. 11/79) for a  
decision on a second five year programme (1980-1984)  
on radioactive waste management and storage

Rapporteur: Mrs B. WEBER



By letter of 16 March 1979 the President of the Council of the European Communities requested the European Parliament to deliver an opinion on the proposal from the Commission of the European Communities to the Council for a decision on a second five year programme (1980-1984) on radioactive waste management and storage.

The President of the European Parliament referred this proposal to the Committee on the Environment, Public Health and Consumer Protection as the committee responsible and to the Committee on Energy and Research and the Committee on Budgets for their opinions.

On 25 September 1979 the committee appointed Mrs B. Weber rapporteur. It considered this proposal at its meetings of 2 October and 23 November 1979. At its meeting on 30 November 1979 the committee adopted the motion for a resolution by 13 votes with 5 abstentions.

Present: Mr Collins, chairman; Mr Alber, vice-chairman; Mrs Weber, vice-chairman and rapporteur; Mr Adam (deputizing for Mrs Fullet), Mr Ceravolo (deputizing for Mr Wurtz), Mr Geurtsen (deputizing for Mr Hamili's), Miss Hooper, Mrs Maij-Weggen, Mr Michel (deputizing for Mr Ghergo), Mr Muntingh, Mr Newton Dunn, Mr O'Connell, Mrs Roudy, Mrs Schleicher, Mr Sherlock, Mrs Spaak, Mrs Squarcialupi, Mr Welsh (deputizing for Mr Johnson).

The opinion of the Committee on Energy and Research and the Committee on Budgets are attached.

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The Committee on the Environment, Public Health and Consumer Protection hereby submits to the European Parliament the following Motion for a Resolution, together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a decision on a second five-year programme on radioactive waste management and storage

The European Parliament,

Having regard to

- the Council Decision of 26.6.1975 adopting a programme on the management and storage of radioactive waste<sup>1</sup>,
  - the Community plan of action in the field of radioactive waste (COM(77) 397),
  - the report from the Committee on Energy and Research on measures to be taken in connection with the removal of radioactive waste as part of Community energy policy (Doc. 576/77),
  - the opinion of the Committee on the Environment, Public Health and Consumer Protection (Doc. 576/77/Ann.),
  - the proposal from the Commission of the European Communities to the Council<sup>2</sup>,
  - having been consulted by the Council (Doc. 11/79),
  - the report of the Committee on the Environment, Public Health and Consumer Protection and the opinions of the Committee on Energy and Research and the Committee on Budgets (Doc. 1-576/79),
1. Welcomes the Commission's proposal for the adoption of a second five-year programme, as the amount of radioactive waste produced by the nuclear power stations in operation has reached such a critical level that a solution to the existing problems has become a matter of urgency;

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<sup>1</sup> OJ No. L 178, 9.7.1975

<sup>2</sup> OJ No. C 80, 27.3.1979, p. 9

2. Notes that the research findings from the first five-year programme are assessed with an extraordinary degree of optimism as are their prospects of implementation;
3. Regrets that the new programme does not provide for any alternative scenarios with differing rates of expansion for nuclear energy to which demand for the final storage and reprocessing of nuclear waste could be geared;
4. Considers that the shift of emphasis within the programme towards according the same attention to treatment and conditioning as to storage and disposal fails to take into account that there exists a consensus of international opinion that priority should be given to the construction of storage and disposal facilities until such time as it is clear whether reprocessing is feasible on a large scale and can be kept under proper control;
5. Further considers that the results of the programme on the physical removal of decommissioned nuclear power stations must be taken into account;
6. Considers that analyses are needed of the risks involved in the various processes in relation to breakdowns (including human error);
7. Urges that safety standards be harmonized and improved and compliance with such standards monitored;
8. Wishes to see the effects of protective measures on guaranteed basic rights in the Member States included in the programme;
9. Is of the opinion that more emphasis should be placed on evaluation of processes, tentative criteria and waste management strategies (technical annex part C) and studies relating to the legal, administrative and financial aspects of waste management (technical annex part D);
10. Calls for the incorporation of a new section in the programme dealing with the terms of public acceptance of storage and treatment of radioactive waste (see proposed amendment to part B, annex: Council Decision, and part E, technical annex);
11. (a) Requests that Parliament be assigned an integral role within the programme through the submission of regular reports during the implementation phase and the appointment of members of the standing working parties for liaison purposes;  
  
(b) Calls on the Commission to submit to the Council proposals for an extension of the programme not later than one year before its expiry;

- (c) Requests the Council to decide on these proposals within six months;
12. Stresses the need to review projects by member countries to store radioactive materials outside the European Community, particularly in developing countries, especially from the point of view of safety and the entire range of proliferation problems;
  13. Calls for high priority to be given within the programme to the results of Community studies on the effect of constant low doses of radiation on human health and the environment (food cycles);
  14. Calls on the Commission to transfer 6 million EUA from part A (treatment and conditioning) to part C (evaluation of processes, tentative criteria and waste management strategies + 2.5 million EUA), part D (studies relating to the legal, administrative and financial aspects of waste management + 2 million EUA) and part E (study of the terms of public acceptance of storage and treatment + 1.5 million EUA);
  15. Requests the Commission to incorporate the following amendments in its proposal pursuant to Article 119, paragraph 2, of the EAEC Treaty:

Proposal for a Council Decision adopting a programme on radioactive waste management and storage (1980-1984)	unchanged
THE COUNCIL OF THE EUROPEAN COMMUNITIES,	unchanged
- having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 7 thereof,	unchanged
- having regard to the proposal presented by the Commission after consultation with the Scientific and Technical Committee,	unchanged
- having regard to the Opinion of the European Parliament,	unchanged
- having regard to the Opinion of the Economic and Social Committee,	unchanged
Whereas the development of nuclear energy inevitably involves the production of radioactive waste; whereas it is therefore essential to implement effective solutions to safeguard the public and protect the environment against potential hazards associated with the management of such waste;	unchanged
Whereas the programme of action of the European Communities on the environment, which was approved by the Council and the representatives of the Government of the Member States, meeting within the Council, in the Declaration of 22 November 1973, and of which the follow-up and implementation are contained in the Resolution of 17 May 1977, underlines the need for Community action on the handling and storage of radioactive waste, and defines the content and methods of implementation of the projects;	unchanged
Whereas the nature of the waste is such as to call for supervision of its potential effects and for reinforcement of the projects and research activities undertaken to ensure the protection of the environment;	unchanged
Whereas the programme on radioactive waste management and storage adopted by the Council Decision of 26 June 1975 has yielded beneficial results and opened up encouraging prospects of attaining the desired objectives;	unchanged
HAS DECIDED AS FOLLOWS:	unchanged

<sup>1</sup>  
OJ No. C 80, 27 3.1979, p.9



Article 1

A programme on the management and storage of radioactive waste, as defined in the Annex hereto, is hereby adopted for a period of five years commencing on 1 January 1980.

unchanged

Article 2

The overall requirements for the total duration of the programme are estimated at 53.5 million EUA and a staff of 15 officials. The unit of account is as defined in Article 10 of the Financial Regulation of 21 December 1977. The figures quoted are only an approximation.

unchanged

Article 3

The programme defined in the Annex is subject to revision in accordance with the appropriate procedure at the end of the second year.

unchanged

Annex

The aim of the programme is to further the joint development of a system of management of the radioactive waste produced by the nuclear industry and to ensure, at the various stages, the best possible protection of the public and the environment.

The programme will cover:

A. Research designed to solve certain technical problems involved in the treatment, storage and disposal of radioactive waste.

Treatment:

- immobilization of low- and medium-activity waste;
- development of processes and operation of pilot installations;
- conditioning of high-activity waste: fuel claddings and residues from dissolvers;
- processing of medium-activity liquid waste;
- processing of waste contaminated by alpha emitters;
- examination and evaluation of high-activity solidified waste;
- immobilization and storage of gaseous waste.

Storage and disposal:

- burial of low-activity solid waste at shallow depth;
- storage and disposal in geological formation.

B. Work aimed at defining the general framework for the projects relating to the storage and disposal of radioactive waste:

- evaluation of processes, tentative criteria, and strategies for waste management;
- studies of the legal, administrative and financial aspects of waste management.

Work described in sections A and B will be carried out mainly under contract.

Annex

unchanged

unchanged

unchanged

study of the conditions of acceptability

unchanged

Technical Annex

<u>Part A - Treatment and conditioning</u>	unchanged
Immobilization of low and medium-level wastes (sheet 1)	unchanged
Development of processes and operation of pilot plans (sheet 1)	unchanged
Conditioning of high-level wastes (fuel cladding and dissolution residues) (sheet 2)	unchanged
Treatment of medium-level liquid wastes (sheet 3)	unchanged
Treatment of alpha emitters contaminated wastes (sheet 4)	unchanged
Examination and evaluation of high-level solidified wastes (sheet 5)	unchanged
Immobilization and storage of gaseous wastes (sheet 8)	unchanged
<u>Overall cost to the Community:</u>	<u>Overall cost to the Community:</u>
21 million over 5 years	<u>15 million</u> over 5 years
<u>Part B - Storage and disposal</u>	unchanged
Shallow land burial (sheet 6)	unchanged
Storage and disposal in geological formations (sheet 7)	unchanged
<u>Community contribution:</u>	unchanged
26.5 million EUA over 5 years	unchanged
<u>Part C - Evaluation of processes, tentative criteria and waste management strategies</u>	unchanged
Whereas the specific projects and other programme items proposed under Parts I and II are generally performed as separate entities, the work envisaged under this part will aim at:	unchanged
- independently evaluating the objectives, requirements and results of each programme sheet,	unchanged
- analysing the implications of results from one programme sheet or project upon the rest of the waste management system,	unchanged
- acting as an interface between the various activities in the programme by selecting reference data and providing complementary studies in areas not covered by the programme,	unchanged

- providing data and background information to assist the ACPM and the Commission in keeping the overall scope and orientation of the programme up to date (e.g. assessments of future waste arisings, interpretations of regulatory requirements, evaluation of the overall environmental impact),
- establishing guiding principles for overall waste management strategies,

unchanged

unchanged

- analyses of the risks involved in the various processes, particularly in relation to possible breakdowns (including human error),
- report on uniform safety standards within the European Community for the treatment and storage of radioactive waste and on EEC monitoring facilities,
- high priority to be given to the results of the protection against radiation programme in terms of the long-term effects of low-level radiation on man and the environment.

These tasks can be covered by non-experimental studies, e.g. literature surveys, inquiries, design studies, cost assessments, computer modeling and cost-benefit analysis.

unchanged

Outline programme

unchanged

Community contribution: (100%)

1 million EUA over 5 years

Community contribution: 100%

3.5 million EUA over 5 years

Part D - Studies relating to the legal, administrative and financial aspects of waste management

unchanged

The industrial waste management operations will have to be carried out within an appropriate legal, administrative and financial framework. In order that the development of nuclear energy in the Community may not be hampered by the absence of such a framework when the technical problems are solved, the first programme provided for studies designed to contribute to its definition. National laws and regulations affecting waste management and disposal operations were reviewed and compared, and the necessary basis for further work thus established, and some deficiencies as regards the disposal of waste were pinpointed.

unchanged

The proposed programme will therefore constitute a continuation of the first.

Programme

- Review and compare the practices in the Member States as complements in the field of radioactive waste to the more general national nuclear laws,
- Review recent trends as regards the legal, administrative and financial aspects of waste management,
- Survey problems of radioactive waste management not solved under the existing legal, administrative and financial provisions and propose solutions, taking into account the studies under Chapter III.

As for the first programme, the analyses will be performed under contracts, with the support of a selected working party of experts.

Community contribution: (100%)  
0.5 million EUA over 5 years

unchanged

unchanged

unchanged

unchanged

- Scrutiny of the possible effects of the protective measures required on basic rights guaranteed by the constitutions of the Member States,
- Study of the safety and proliferation problems involved in the event of radioactive waste being exported, especially to developing countries; account to be taken of the findings submitted to the INFCE working party.

unchanged

Community contribution: (100%)  
2.5 million EUA over 5 years

Part E - Study of the conditions of acceptability of storage and treatment.

- Dissemination of information to and participation in decision-making by the public.

Community contribution: (100%)  
1.5 million EUA over 5 years

EXPLANATORY STATEMENT

1. Given that nuclear energy is now widely used in the European Community, the problem of the storage of radioactive waste must be dealt with without delay. This programme is a contribution to a possible Community policy adapted to prevailing national practice. Every attempt must be made to protect the population from the harmful effects of nuclear waste, not only in the present generation but also, in view of the peculiar nature of the substance involved, in future generations. The longevity of the waste produced means that the attendant circumstances and potential risks need to be carefully examined.

2. Since the beginning of the first five-year programme and the submission of the Commission's draft of the new programme, however, the fundamental position has altered. There is a consensus within the EEC, which also emerged from the Tokyo summit of heads of government, that the overriding aim of energy policy is the conservation of energy. This also applies to the construction of power stations and investments made under the European Community's energy policy must therefore reflect this priority.

3. In some countries the expansion of nuclear energy has been delayed. In the Federal Republic of Germany, for example, a series of court injunctions have led to no new permits being granted. Increasing attention has been paid once again in political discussions to the use of coal, a fact reflected in the growing use of coal over the last year.

The Harrisburg incident and the recent report on it have given rise to further misgivings as to safety and infused new life into the discussion on energy policy in the future.

4. This is also reflected in EEC opinions:

'It may be that too much importance has been accorded to this form of energy because it has been regarded as the only available alternative to conventional energy sources . . . Let us also make a determined effort to identify and explore alternative energy sources. These are the initial conclusions that we can draw from the Harrisburg incident' (Natali, Vice-President of the Commission, Debates of the European Parliament, 24.4.79, Item 16, Accident at Harrisburg).

5. For this reason the first task of the five-year plan must be to calculate different rates of expansion (= alternative scenarios) in order to provide a better foundation for the planning of definite storage and management. The optimistic expectations and figures to which the first programme gave rise must now be replaced by a more down-to-earth and realistic assessment.

6. The only point on which the proponents of the different political strategies within the European Community agree is that the most urgent attention needs to be paid to the storage of existing waste and of that created by operational nuclear power stations. Until 1984, therefore, the programme should adopt this as its central aim.

7. The treatment and possible recycling of nuclear waste by reprocessing on the other hand raises problems of considerable magnitude, not only in terms of technology but also from the aspect of public opinion. The main problem here is the question of controlling the dangerous substances produced in the process; the handling of plutonium in particular requires a number of safety measures, the scale and effect of which are as yet largely unknown.

8. For this reason the technical section of the programme, namely A 'Treatment and conditioning' needs to be augmented by a section (parts C, D and E) to examine closely the long-term effects of the different processes. The funds for this section should be taken from those assigned to section A.

9. Thus, in addition to the proposed major themes the following also merit attention:

- the various processes need to be compared with the findings of the EEC programme to define the long-term effects of low levels of radioactive radiation on man and the environment,
- an up-to-date research policy must increasingly involve analyses of the risks attendant on possible breakdowns in storage and processing. The experience gained from Harrisburg should be taken into account here, and human error must be ruled out as far as possible.

10. Such analyses should have as their basic aim the introduction of uniform safety standards throughout the European Community. Guarantees must be provided that these standards will be adhered to and monitored throughout the Community, failing which opposition to nuclear energy will become even stronger.

11. The research programme must analyse separately the abovementioned aspect of acceptability: a discussion is needed on the existing methods of informing the public in Europe and allowing it to participate in important decisions.

12. A major element to be considered here is the argument which has increasingly been put forward in public recently of the 'nuclear state' (Jung). The security measures needed to avoid harmful effects must be included in the discussion from the point of view of their social consequences. Under no circumstances can they be permitted to violate civil

liberties within the European Community. At the same time the international discussions which have begun on the prevention of proliferation should be taken into account and continued.

13. Criticism has grown in recent years of the minor role played by the parliaments of European countries in decisions relating to technology and energy policy. It should be borne in mind that because of their repercussions the fundamental decisions in this field must be taken by the elected, legitimate representatives of the people.

14. It is for this reason that the motion for a resolution calls for quarterly progress reports on projects in future with statements from the participating parties in the EC. In future members of the working parties responsible for liaison should be informed of the progress of research.

15. In the light of the above the Committee on the Environment considers that the Commission should expand the technical annex to include a section E 'Study of the conditions of acceptability of storage and treatment'.



OPINION OF THE COMMITTEE ON ENERGY AND RESEARCH

Letter from the chairman of the committee to the chairman of the Committee on the Environment, Public Health and Consumer Protection

8 October 1979

Dear Mr Collins,

At its meeting of 4 October 1979<sup>1</sup> the Committee on Energy and Research adopted the following opinion unanimously with one abstention.

There are many reasons for a Community-based solution to the problem of radioactive waste. Such a solution would both enable the duplication of the work of other organizations to be avoided and also reassure the citizens of the Community.

The Committee on Energy and Research therefore welcomes this second programme which represents a means of achieving a Community-based solution to the problems associated with the storage of radioactive waste.

Notwithstanding our general approval, we share the views of the previous committee with regard to the first programme and so would ask the Committee on the Environment, Public Health and Consumer Protection to amend Article 3 of the draft decision as follows:

'The programme defined in the Annex is subject to revision in accordance with the appropriate procedures at the end of the second year. No later than one year before expiry of the programme the Commission will submit to the Council proposals for its extension. The Council will take a decision on these proposals within six months and in any case before the expiry of the period of validity of the present decision.'

We further consider it advisable that the committee responsible should include the following paragraphs in its motion for a resolution:

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<sup>1</sup> Present: Mrs Walz, chairman; Mr Ippolito, vice-chairman, Mr Normanton, vice-chairman; Mr Adam, Mr Calvez (deputizing for Mr Galland), Mr Croux, Mrs Dekker (deputizing for Mr Capanna), Lord Douro, Mr Griffiths (deputizing for Mrs Charzat), Mr Linde, Mr Linkohr, Mr Müller-Hermann, Mr D'Ormesson, Mr Paisley, Mr Purvis and Mr Sassano

- (a) Draws attention to the need for research in the field of radioactive waste management which, in conjunction with national projects and through close Community cooperation, can help in solving the remaining technical problems;
- (b) Stresses that the present level of use of nuclear energy in the Community necessitates the continuation of the research programme on radioactive waste;
- (c) Emphasizes that the solution to the radioactive waste problem must not be delayed, whether the development of nuclear energy is taken further or not, because it has been used in the past and is being used now.

Yours faithfully,

Hanna WALZ

OPINION OF THE COMMITTEE ON BUDGETS

Draftsman: Mrs GREDAL

On 8 October 1979 the Committee on Budgets appointed Mrs Gredal draftsman.

It considered the draft opinion at its meetings of 22 November and 27 November 1979 and adopted it on 27 November 1979.

Present: Mr Lange, chairman; Mrs Gredal, draftsman; Mr Adonnino, Mr Arndt, Mr Balfe, Mr Barbi, Mrs Boserup, Mr Flanagan, Mr Forth, Mr Gouthier, Mrs Hoff, Mr Hord, Mr Langes, Mr Nord, Lord O'Hagan, Mr Schön, Mrs Scrivener, Mr Simonnet and Mr J.M. Taylor.

1. The Committee on Budgets has noted with great interest the second five-programme (1980 - 1984) on radioactive waste management and storage which is the subject of the present Commission proposal. The anxious public demands for effective safeguards for human life and the environment underline the importance of this programme.

The urgency of these international problems and the amount of funds involved warrant Community action. Dissipation of resources only exacerbates problems in this area.

2. The proposed programme is based on the Community environment policy as expressed in the 1973 and 1977 action programmes<sup>1</sup>. It comprises the following:

I. Research by means of shared-expense contracts concluded with public and private bodies		
A. Treatment and conditioning of radioactive waste	21m	EUA
B. Storage and disposal of radioactive waste	26.5m	EUA
	<hr/>	
	47.5m	EUA or 88.79%
C. Evaluation of processes, tentative criteria and waste management strategies	1m	EUA
D. Studies on the legal, administrative and financial aspects of waste management		0.5m EUA
	<hr/>	
	1.5m	EUA or 2.80%
II. <u>Staff and operating expenditure</u>		4.5m EUA or 8.41%
	<hr/>	
TOTAL	53.5m	EUA or 100%

3. Comparisons with the 1975-1979 programme

- Costs have increased from 19.16 m u.a. to 53.5 m EUA. Taking into account inflation and the fact that the first programme actually only lasted 4 years (it was approved on 26.6.1975 so that it was only implemented with effect from the end of 1975) the increase in real terms is about 60%.

<sup>1</sup>OJ No. C112, 20.12.1973, and OJ No. C139, 13.6.1977

Such an increase hardly seems excessive in view of the needs and the relatively small sums involved.

- The new programme concentrates more on high and medium-activity waste whilst the previous programme was aimed more at high-activity waste. This is because of the mounting production of such waste.
- The bulk of the increase in costs is the result of increased appropriations for treatment and conditioning of waste. The same amount is now being spent on this as on storage and disposal, whereas the ratio was previously  $\frac{1}{3}$  to  $\frac{2}{3}$ . At present there is considerable public opposition to the storage and disposal of waste in geological formations. The conditioning and treatment of waste should receive more funds.
- In the treatment of waste preference is now given to comparative analysis and evaluation of the properties of waste, to be carried out jointly by the various laboratories concerned, using identical procedures.

4. The introduction to the programme reveals great self-satisfaction on the part of the Commission, particularly regarding the 'excellence of the research' carried out during the first programme ((COM(79) 81 final p.13). However the Scientific and Technical Committee was of the opinion that 'it is nevertheless necessary to maintain efforts to adapt methods to future nuclear programmes'.

The Commission obviously thought it unnecessary to make use of the provision contained in the Council decision to the effect that the first programme could be reviewed and amended after two years, thus following the advice of the Advisory Committee on Programme Management. The rapporteur advocates regular revision of research programmes. The use of 'rolling programmes' together with the indicative nature of the figures given for appropriations and staffing, and consequently the possibility of intervention by the budgetary authority, are an excellent way of achieving this.

5. The Committee on Budgets notes in its proposal that the Commission only makes general comments on the 'confirmatory opinions' always received from Parliament, without listing the actual comments made by Parliament and without giving references to the Official Journal as it does for Council Resolutions. In its opinion on the 1977 action programme<sup>1</sup> Parliament noted in particular 'that these projects must lead rapidly to concrete proposals for directives in particular on.....

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<sup>1</sup>OJ No. C178, p.44, 1976

(i) a solution to the problems of disposal and definitive storage of radio-active waste resulting from the use of nuclear fuel and the closing down of nuclear facilities'.

'the need for the Community.....

(f) to create an agency specializing in the transport, storage and disposal of radioactive waste and also to carry out stricter supervision and an extensive information campaign'.

Parliament thus clearly envisaged a more vigorous approach. The rapporteur of the Committee on Budgets would also have welcomed the inclusion in this programme of a programme for decommissioning nuclear facilities, on which Parliament has already given a favourable opinion<sup>1</sup>.

6. The Committee on Budgets has serious reservations on the budgetary aspects. It notes that Community participation in the contracts, which is normally about 50%, is to cost 47.5 m EUA. The cost estimate, however, seems to be very approximate. The financial record of this proposal was not even available in all Community languages.

The Committee on Budgets also notes that no budgetary information is given in the report on the implementation of the first programme. Nor is there any explanation of the large divergencies between the first programme and the successive budgets on the one hand and the budgets and final accounts on the other.

The Committee on Budgets would also like to be given a general idea of the remaining appropriations for the previous programme.

7. It should be noted that the Commission has formulated Article 2 of the draft Council decision in a manner which would appear to be satisfactory to the European Parliament. The appropriations for each year would, of course, be voted in the context of the annual general budget of the European Communities with the European Parliament and the Council acting as the budgetary authority.

8. The Committee on Budgets welcomes the Commission's proposal and endorses the importance of the aims of the proposal which are to provide effective means of safeguarding the public and protecting the environment against harmful effects of nuclear work. The Committee on Budgets insists nevertheless on:

- The Commission executing programmes in accordance with the budgetary provisions;
- a vigorous approach being followed in cases where Parliament has formulated proposals; and
- the rights of the budgetary authority to have access to full information on the financial and budgetary implications of the proposals.

<sup>1</sup>OJ No. C6, p.17,8.1.1979