

Annex

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## Debates of the European Parliament

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1972-1973 Session

Report of Proceedings

12 March 1973

Europe House, Strasbourg

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## NOTE TO READER

Appearing at the same time as the English edition are editions in the five other official languages of the Communities: Danish, German, French, Italian and Dutch. The English edition contains the original texts of the interventions in English and an English translation of those made in other languages. In these cases there are, after the name of the speaker, the following letters, in brackets, to indicate the language spoken: (DK) for Danish, (D) for German, (F) for French, (I) for Italian and (NL) for Dutch.

The original texts of these interventions appear in the edition published in the language spoken.

*The resolutions agreed to at sittings appear in the Official Journal of the European Communities*

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**IN THE CHAIR: MR BEHRENDT**

*President*

*(The sitting was opened at 5.15 p.m.)*

**1. Resumption of the session**

**President.** — I declare resumed the session of the European Parliament adjourned on 15 February 1973.

**2. Documents received**

**President.** — Since the adjournment of the session I have received the following documents:

(a) from the Council of the European Communities, requests for an opinion on:

— the proposals from the Commission of the European Communities to the Council for

I. a regulation concluding a protocol making certain provisions with regard to the Agreement establishing an association between the European Economic Community and the Republic of Cyprus in consequence of the accession of new Member States to the European Economic Community

II. a regulation concluding an Agreement establishing an association between the European Economic Community and the Republic of Cyprus (Doc. 313/72);

This document has been referred to the Political Affairs Committee as the committee responsible and to the Committee on External Economic Relations for its opinion.

— the proposal from the Commission of the European Communities to the Council for a decision on measures against foot-and-mouth disease (Doc. 314/72).

This document has been referred to the Committee for Social Affairs and Public Health as the committee responsible and to the Committee on Agriculture and the Committee for Finance and Budgets for their opinions.

— the proposal from the Commission of the European Communities to the Council for a regulation on production subsidies which the United Kingdom is authorized to retain in respect of some agricultural products (Doc. 316/72).

This document has been referred to the Committee on Agriculture.

— the proposal from the Commission of the European Communities to the Council for a regulation amending Regulation (EEC) No. 574/72 of the Council of 21 March 1972 fixing the procedure for implementing Council Regulation (EEC) No. 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community (Doc. 330/72).

This document has been referred to the Committee on Social Affairs and Public Health.

— the proposal from the Commission of the European Communities to the Council for a regulation concerning interest on sums paid out of the EAGGF and by way of food aid which are recoverable (Doc. 332/72).

This document has been referred to the Committee for Finance and Budgets as the committee responsible and to the Committee on Agriculture for its opinion.

— the proposal from the Commission of the European Communities to the Council for a directive on agriculture in mountain areas and other poorer farming areas (Doc. 333/72). This document has been referred to the Committee on Agriculture as the committee responsible and to the Committee for Finance and Budgets for its opinion.

— the proposal from the Commission of the European Communities to the Council for a Regulation on the supply of sugar to UNRWA as food aid pursuant to the Agreement with that agency of 18 December 1972 (Doc. 341/72).

(b) from the committees, the following reports:

— Report by Mr Jan Baas, on behalf of the Committee on Agriculture, on the proposal from the Commission of the European Communities to the Council (Doc. 274/72) for a regulation amending Regulation (EEC) No. 827/68 and Regulations (EEC) No. 1009/67, No. 950/68 and No. 2358/71 (Doc. 315/72);

— Report by Mr Jan de Koning, on behalf of the Committee on External Economic Relations, on the proposal from the Commission of the European Communities to the Council (Doc. 236/72) for a regulation on the statistics of the Community's external trade and of trade between Member States (Doc. 317/72);

— Report by Mr Klaus Dieter Arndt, on behalf of the Economic Affairs Committee, on the proposal from the Commission of the European Communities to the Council (Doc. 294/72) for a decision setting up a European Monetary Cooperation Fund (Doc. 318/72);

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- Report by Mr Klaus Dieter Arndt, on behalf of the Committee for Finance and Budgets, on the financial forecasts for the European Communities' budget for 1973, 1974 and 1975 submitted to the Council by the Commission (Doc. 257/72) - (Doc. 319/72);
- Report by Mr Joseph Wohlfart on behalf of the Committee for Finance and Budgets, on the proposal from the Commission of the European Communities to the Council (Doc. 214/72) for a regulation on tariff arrangements applicable to goods purchased by travellers in airport shops and on board aircraft, ships or hovercraft operating between two or more Member States (Doc. 320/72);
- Report by Mr Horst Gerlach, on behalf of the Committee for Finance and Budgets, on problems connected with the practical arrangements for the Audit Board's performance of its duties (Doc. 321/72);
- Report by Mr Christian de la Malène, on behalf of the Committee on External Economic Relations, on the agreements, negotiated between the Community and the EFTA Member and Associated States which have not applied to join the Community (Doc. 322/72);
- Report by Mr Libero Della Briotta, on behalf of the Committee on Social Affairs and Public Health, on the proposal from the Commission of the European Communities to the Council (Doc. 200/72) for a directive approximating Member States' legislation on corporate redundancies (Doc. 323/72);
- Report by Mr René Pêtre, on behalf of the Committee on Social Affairs and Public Health, on the Ninth Report of the Mines Safety and Health Commission and the Third Report of the General Commission for Industrial Safety and Health in the Iron and Steel Industry (Doc. 324/72);
- Report by Mr Charles Durand, on behalf of the Committee on Agriculture, on the proposal from the Commission of the European Communities to the Council (Doc. 314/72) for a decision concerning measures against foot-and-mouth disease (Doc. 325/72);
- Report by Mr Hans Richarts, on behalf of the Committee on Agriculture, on the proposal from the Commission of the European Communities to the Council (Doc. 316/72) for a regulation on production subsidies which the United Kingdom is authorized to retain in respect of some agricultural products (Doc. 326/72);
- Report by Mr James Scott-Hopkins, on behalf of the Committee on Agriculture, on the proposal from the Commission of the European Communities to the Council (Doc. 281/72) for a regulation amending Regulation No 79/65/EEC as regards the field of survey and the number of returning holdings to be taken into account in the EEC network for the collection of agricultural accountancy data (Doc. 327/72);
- Report by Mr Luigi Noè, on behalf of the Transport Committee, on the proposal from the Commission of the European Communities to the Council (Doc. 134/72) for a decision on the first measures of a common approach to air transport (Doc. 328/72) - (Supplementary report);
- Report by Mr Mario Vetrone, on behalf of the Committee on Agriculture, on the proposal from the Commission of the European Communities to the Council (Doc. 279/72) for a regulation on the coordination of agricultural research (Doc. 329/72);
- Report by Mr Rudolf Adams, on behalf of the Committee on Social Affairs and Public Health,
  - on the proposal from the Commission to the Council (Doc. 330/72) for a Council regulation amending Regulation (EEC) No. 574/72 of 21 March 1972 laying down the procedure for implementing Regulation (EEC) No. 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community,
  - on changes to the legal basis of the proposal for a Council regulation (507/73 (SOC 63)).
  - on the addition to be made to the proposal for a Council regulation (COM (73) 209 final). (Doc. 331/72);
- Report by Mr Peter Kirk, on behalf of the Political Affairs Committee on an Agreement establishing an Association between the European Economic Community and the Republic of Cyprus (Doc. 287/72) - (Doc. 334/72);
- Report by Mr Mario Scelba, on behalf of the Political Affairs Committee, on the political situation in the Middle East (Doc. 335/72);
- Report by Mr Jan Baas, on behalf of the Committee on External Economic Relations, on the proposal from the Commission of the European Communities to the Council (Doc. 146/72) for a directive harmonizing provisions

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laid down by law, regulation or administrative action in respect of outward processing traffic (Doc. 336/72);

- Report by Mr Charles Durand, on behalf of the Committee for Finance and Budgets, on the proposal from the Commission of the European Communities to the Council (Doc. 278/72) for a directive on mutual assistance for the recovery of sums paid in error in connection with the common agricultural policy, and of agricultural levies and customs duties (Doc. 337/72);
- Report by Joseph Wohlfart, on behalf of the Committee for Finance and Budgets, on the proposal from the Commission of the European Communities to the Council (Doc. 282/72 - II) for a regulation granting duty-free entry within the enlarged Community for small consignments of Community goods not of a commercial nature (Doc. 338/72);
- Report by Mr André Armengaud, on behalf of the Legal Affairs Committee, on the proposals from the Commission of the European Communities to the Council (Doc. 133/72) for
  - I. a directive approximating Member States' legislation on radio interference caused by domestic household appliances, portable power tools and similar devices
  - II. a directive approximating Member States' legislation on fluorescent lighting tubes (Doc. 340/72).
- Report by Mr Henk Vredeling, on behalf of the Committee on External Economic Relations on the proposal from the Commission of the European Communities to the Council for a Regulation on the supply of sugar to UNRWA as food aid pursuant to the Agreement with that agency of 18 December 1973 (Doc. 342/72).

### 3. Reference to committee

**President.** — The financial forecasts for the European Communities' budget for 1973, 1974 and 1975 (Doc. 257/72), which were referred, on 21 December 1972, to the Committee for Finance and Budgets as the committee responsible, have now also been referred to the Committee on Agriculture for its opinion.

### 4. Letter from the President of the Council on the introduction of Question Time

**President.** — I have received from the President of the Council a letter dated 6 March 1973, which reads: —

"By letter of 19 January 1973, you forwarded the resolutions adopted by the European Parliament on 18 January 1973 on the introduction of an hour to be set aside for Question Time.

I hereby inform you that the Council welcomes this initiative of the European Parliament, and understands the reasons which inspired it, and would like to assure you that it will make every possible effort to take part in this new procedure.

The Council will reply to these questions under the provisions of which I informed you by letter of 12 June 1972 on replies to oral questions.

However, in view of the duties of the President of the Council, I should remind you that the Council would like those items on the agenda of the European Parliament for which the presence of the Council is necessary to be grouped together as much as possible.

Finally, in some cases, the Council might have difficulty in examining the questions within the short interval of one week provided for between their transmission to the Council and their inclusion in the agenda for the parliamentary part-session.

The Council would therefore appreciate it if the European Parliament would forward these questions not less than five working days before the session for which Question Time is to be included in the agenda, in order that it can reply to these questions in due time."

This letter from the Council is duly noted.

### 5. Appointment of new Members to the European Parliament

**President.** — By letter of 1 March 1973 the President of the Bundestag informs me that the following have been appointed to the European Parliament:

Mr Achenbach, Mr Adams, Mr Aigner, Mr Arndt, Mr Artzinger, Mr Bangemann, Mr Behrendt, Mr Blumenfeld, Mr Burgbacher, Mr Corterier, Mr Fellermaier, Mr Flämig, Mr Frehsee, Mr Früh, Mr Gerlach, Mr Härzschel, Mr Jahn, Mr Kater, Mr Klepsch, Mr Krall, Mr Lange, Mr Lautenschlager, Mr Lücker, Mr Memmel, Mr Müller, Mr Mursch, Mrs Orth, Mr Schmidt, Mr Schulz, Mr Schwabe, Mr Schwörer, Mr Seefeld, Mr Springorum, Mr Starke, Mr Walkhoff and Mrs Walz.

— by letter of 28 February 1973 the President of the Belgian Senate informed me that the Senate of the Kingdom of Belgium has

**President**

appointed Mr Delmotte to replace Mr Dubois as a Member of the European Parliament ;

— by letter of 2 March 1973 the Secretary-General of the Belgian Chamber of Representatives informed me that the Chamber of the Representatives of the Kingdom of Belgium has appointed Mr Harmegnies to replace Mr Glinne as a Member of the European Parliament.

In accordance with Rule 3(1), the Bureau checked these appointments at its meeting today and found them to comply with the provisions of the Treaties.

It proposes Parliament should ratify these appointments.

Are there any objections?

These appointments are ratified.

I congratulate Members who have been returned for a further term of office and bid a warm welcome to new Members.

(*Applause*)

#### 6. *Setting-up of an Inter-Parliamentary Relations Board*

**President.** — At its meeting of 26 and 27 February 1973 the enlarged Bureau decided to set up an Inter-Parliamentary Relations Board to serve it in an advisory capacity.

The Board's task will be to keep under review parliamentary relations with non-Member States, except for those in respect of which provision was made for special parliamentary bodies within the framework of association agreements. The Board will also be responsible for links with international parliamentary institutions.

The Board will comprise:

- the chairmen of the Political Groups;
- the chairmen of the Political Affairs Committee, the Committee on External Economic Relations and the Committee on Development and Cooperation, and
- a further member, elected by this Board from the Members of the European Parliament, to act as the chairman of the Board.

Members of the Board may arrange for their places to be taken at meetings by other Members of their choice.

#### 7. *Allocation of speaking time*

**President.** — In accordance with the usual practice and pursuant to Rule 31, I propose to allocate speaking time as follows in respect of all items on the agenda:

- 15 minutes for rapporteurs and Members speaking on behalf of Political Groups. I would add that only one spokesman for each group may have this speaking time;
- 10 minutes for other speakers;
- 5 minutes for speakers on amendments.

Are there any objections?

That is agreed.

#### 8. *Decision on urgency*

**President.** — I propose that we treat as urgent reports not submitted within the time-limit laid down under the Regulation of 12 May 1967.

Are there any objections?

That is agreed.

#### 9. *Order of business*

**President.** — The next item is to decide the order of business for today's sitting, the last day of the 1972-1973 session.

The enlarged Bureau drew up a draft agenda at its meeting of 26 February 1973. In the interval, however, changes had to be made as will be seen from the draft agenda I am going to read out:

- report by Mr Adams on social security of migrant workers;
- report by Mr Pêtre on industrial safety and health in the coal mining and iron and steel industries ;
- report by Mr Della Briotta on the approximation of Member States' legislation on corporate redundancies.

At the request of the Committee on Social Affairs and Public Health, Mrs Orth's report on the approximation of Member States' legislation on cosmetics has been deleted from the agenda.

Are there any objections?

The agenda is adopted.

**President**

10. *Regulation on social security  
for migrant workers*

**President.** — The next item is a debate on the report by Mr Adams on behalf of the Committee on Social Affairs and Public Health on:

- the proposal from the Commission of the European Communities to the Council (Doc. 330/72) for a regulation amending Regulation (EEC) No. 574/72 of the Council of 21 March 1972 fixing the procedure for implementing Regulation (EEC) No. 1408/71 of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community;
- changes to the legal basis of the proposal for a Council regulation (507/73 (SOC 63));
- the addition to be made to the proposal for a Council regulation (COM (73) 209 fin.) (Doc. 331/72.)

I call Mr Adams who has asked to present his report.

**Mr Adams, rapporteur.** — (D) Mr President, Ladies and gentlemen, the Regulation which it is here proposed to amend fixes the procedure for implementing the basic Regulation on the application of social security schemes to employed persons and their families moving within the Community. Immediately after the accession of the three new Member States, the basic regulation was altered. For this reason it was necessary to change the regulation on its implementation.

That is the purpose of this new proposal. The Committee on Social Affairs and Public Health, Mr President, asks the House to approve the motion on the change proposed in Article 1 (10).

I have one further remark to make, Mr President, on this whole question. Parliament has not been consulted on the actual changes to the basic Regulation, whereas it is now being consulted on the Commission's proposals for technical adjustments to the Regulation on its implementation. Moreover, the consultation of Parliament has acquired an urgent character since the Regulation under consideration must come into force with effect from 1 April—that is to say, in three weeks' time.

It is not our purpose here to question the legal considerations which have resulted in the present situation, in particular, the fact that Parliament was not consulted on the changes introduced into the basic Regulation. In my opinion, however, it is necessary to emphasize—and here I have the support of the committee—that Par-

liament's role is undermined when it is obliged to treat as urgent and deliver an express opinion upon purely technical documents on the implementation of a basic regulation which has been changed without reference to the House.

For the rest, Mr President, the committee asks for this report to be given approval.

**President.** — I call Lady Elles to speak on behalf of the Conservative Group.

**Lady Elles.** — Mr President, speaking for the Conservative Group, I would say that we appreciate this proposal for a regulation amending Regulation (EEC) No. 574/72 fixing the procedure for implementing Regulation (EEC) No. 1408/71. The extension of multilateral arrangements which have been in force within the Six for the benefit of workers and dependants will mean that these benefits will accrue from 1 April, if this resolution goes through, to the nationals of the three acceding States; those who come within the defined categories of workers who are assured under the relevant insurance schemes and their dependants. This will be setting up a unique social security system within Western Europe.

United Kingdom nationals moving to another Member State may now be eligible for both family allowances and unemployment benefit for which they have not hitherto been eligible.

The third item which will benefit nationals from the acceding States, and in particular our own, is medical treatment, because this will now be available to these categories of our nationals when they are on holiday in the Community and bring them more into line with those nationals of the EEC who come to our country, because it must be stated that the service provided by our United Kingdom organization, given to all who need emergency medical care, has been unique, and there could be no question of financial restitution as envisaged in the amendment since treatment has always been free of charge within the United Kingdom, so that there was no question of the national benefiting from the treatment making financial restitution.

I therefore welcome the fact that the statement in the draft report to the effect that the United Kingdom had no previous arrangements of this kind has not been included in the final version. We appreciate that many of the practices and legislative Acts in the United Kingdom have hitherto been unknown to many Members of this Parliament and we welcome the opportunity to contribute both our own experience and knowledge in the working of the committees so that such statements are not in future included in draft reports.



**Lady Elles**

The United Kingdom already has eight bilateral agreements with each of the Member States, and the new proposal will make our bilateral agreements no longer necessary. They will be turned into multilateral agreements as proposed by the Commission.

This further implementation of Article 51 of the Treaty is a visible sign to the nationals of the acceding States of the good will engendered between all the Member States within an enlarged Community. Nationals of all Member States who become migrant workers will welcome the new proposal.

(Applause)

**President.** — I call Dr Hillery to inform the House of the position of the Commission of the European Communities on the proposals for amendments to the proposal for a regulation tabled by the parliamentary committee.

**Dr Hillery, Vice-President of the Commission of the European Communities.** — I thank the Committee on Social Affairs and Public Health and in particular the rapporteur, Mr Adams, for a constructive and useful report. Mr Adams explained that the report concerns the proposal to extend to the three new Member States the application of an existing regulation concerned with migrant workers and their families.

The basic regulation is not changed in substance. When it was brought in in October last year it represented a great advance in the position of migrant workers and their families.

The report proposes an amendment to Article 34(2) of Regulation 574 of 1972. Its purpose is to authorize the payments of advances for medical expenses to migrant workers in certain cases where normal procedures might prove lengthy. This is an improvement on the draft, and I accept it. I will propose the adoption of the amendment to my colleagues in the Commission.

Regarding consultations I fully sympathize with Parliament's attitude and realize that it would have been much better if the extension to the three Member States could have come into effect with the Treaty of Accession. As it was late another regulation was required. The further regulation has gone through the normal procedural consultation. Because the original regulation was adopted in the Treaty negotiations and in the secondary legislation arising out of the Treaty and accepted by the applicant countries no new situation arose which called for consultation with Parliament. I assure Members that on other regulations Parliament will be consulted.

I thank Parliament for having regard to the urgency and the unusual circumstances and for dealing with the situation sympathetically.

(Applause)

**President.** — Does any one else wish to speak?

I put the motion to the vote.

The resolution is adopted.<sup>1</sup>

11. *Activities of the Mines Safety and Health Commission and the General Commission for Industrial Safety and Health in the Iron and Steel Industry*

**President.** — The next item is a debate on the report by Mr Pêtre, drawn up on behalf of the Committee on Social Affairs and Public Health, on the Ninth Report of the Mines Safety and Health Commission and the Third Report of the General Commission for Industrial Safety and Health in the Iron and Steel Industry (Doc. 324/72).

**Mr Pêtre, rapporteur.** — (F) Mr President, Ladies and gentlemen, since we know what value the European Parliament has always placed on industrial safety and health, there is no need to stress the importance it attaches to the third report of the General Commission for Industrial Safety and Health in the Iron and Steel Industry and to the ninth report of the Mines Safety and Health Commission.

The Committee on Social Affairs and Public Health has devoted several meetings to these reports, which cover the financial year 1971. It has pointed out what has been achieved, and what has not; and it has considered it necessary to make a number of points which are to be found in its written report.

Firstly the two reports contain some very interesting statistics and comments. For this we must congratulate both the General Commission and the Mines Safety and Health Commission, and we must acknowledge that the statistics laid before Parliament today are more complete, clearer and more up to date than before. I am stressing this point because, in the opinion of the Committee on Social Affairs and Public Health, the use of statistical data and anything directly or indirectly relating to it, is of great help in adding weight to the resolutions laid before Parliament on the subject of industrial safety and health.

<sup>1</sup> OJ No C 19, 12 April 1973, p. 5.

**Pêtre**

This is an area in which we must not relax our vigilance, for it seems that these problems will only increase. Indeed, since 1 January 1972, the Community has been enlarged by three new Member States, one of which, Great Britain, has a major iron and steel industry and is still one of the world's leading coal producers. This will promote fruitful cooperation between the new Member States on the one hand and the Mines Safety and Health Commission and the General Commission for Industrial Safety and Health on the other, and this, we hope, will give rise to more regulations on safety and health. We see this cooperation as an effective way of achieving the more substantial progress in these fields for which Parliament has been calling for more than ten years.

After these few general remarks, I would like to draw your attention to a few points of detail.

First let us look at the third report of the General Commission for Industrial Safety and Health in the Iron and Steel Industry.

The members of your committee found, in the light of statistics on industrial accidents in Community iron and steel industries, that the number of accidents had tended to increase in recent years. This worries us. Indeed, the years 1960 to 1967 had showed a downward trend in the number of industrial accidents. Since 1967 however, the number of accidents in the iron and steel industry has risen again!

Let us look at this in more detail. In 1960 the statistics recorded 198 fatal accidents and 102,686 accidents leading to stoppages of work in the iron and steel industry. For the following years the statistics record a constant decrease in the number of accidents, with 107 fatal accidents in 1967, as against 198 in 1960, and 66,628 accidents with stoppages of work in 1967 as against 102,686 in 1960. So there was a definite decrease in the number of fatal and serious accidents over the period 1960-1967.

In contrast, 1968 to 1970 showed a deplorable increase in the number of accidents; and although there was a slight decline compared to the preceding year, the recent figures published for 1971 are even higher than those for 1967.

The committee finds this situation particularly serious because steel production in the six countries of the 1971 Community rose from 73 to 109 million tons over a period of ten years, that is to say, it rose by 50%, while the number of workers fell from 494,200 to 430,000 over the same period, a decrease of almost 13%.

So, while the number of workers employed in the iron and steel industry has fallen, steel production is increasing but the number of fatal accidents and serious accidents is also increasing.

Your committee is anxious and would like to know what the General Commission thinks of this situation. More precisely, it is wondering whether there is not a causal connection between the increase in production and the decrease in the number of workers, on the one hand, and the new increase in the number of accidents on the other. Your committee asks the General Commission to examine this problem. It would like to know what it intends to do about it.

It wondered whether the systems of remuneration applied in industry, whether payment by contract or payment by the day, did not have a direct or indirect bearing on the frequency of accidents. Your committee asks the General Commission to study this question too and to inform it of its conclusions.

Similarly, some Members have raised the problem of accidents to foreign workers. Your committee has enquired whether the lack of training and the lack of information provided in the language spoken by the foreign worker do not constitute a serious handicap and act as an obstacle to the strict application of safety measures. We hope the General Commission will undertake statistical studies so that we may form an opinion on this problem.

Still on the subject of the General Commission's third report, I must state that this document says little about questions of health and hygiene in the iron and steel industry. Yet we know that further to a proposal from Parliament, the title of the General Commission was changed to "General Commission for Industrial Safety and Health in the Iron and Steel Industry". But, to tell the truth, after careful examination of the report, there is no evidence that the change in the Commission's title has caused it to pay any more attention to these matters.

Your Committee on Social Affairs and Public Health cannot pretend to be satisfied with this state of affairs. It repeats, once again, that the problems of air pollution and noise abatement in enterprises concern the health of the workers too closely to be neglected or ignored. We hope the General Commission will be more attentive to them in future. Before closing this chapter, I should like once again to express our satisfaction that the General Commission implemented the resolution adopted by Parliament on 16 December 1971. This resolution, incidentally, contained three points: distribution of the General Commission's documents, increase in the number of enterprises to whom they were addressed and, finally, distribution of the General Commission's highly interesting documents in technical schools. The third report indicates that these three requests were complied with. Our Parliament is glad to take due note of this.

**Pêtre**

In the second part of my statement I shall consider the ninth report of the Mines Safety and Health Commission.

You will have gathered that the general points I have just made in relation to the third report of the General Commission for Industrial Safety and Health in the Iron and Steel Industry also apply, *mutatis mutandis*, to the ninth report of the Mines Safety and Health Commission.

I must, however, stress that effective research in the field of mines safety and health is only possible if progress in coal-mining techniques in the collieries goes hand in hand with the progress made in medical research and health protection. The Committee on Social Affairs and Public Health knows that the responsible parties in the Commission are aware of this. So it supports any efforts towards this kind of coordination. Yet we believe we must remind the Commission that the new techniques in coal-mining, as in all other mining, must always respect the rules governing the hygiene, health and safety of employees.

As for the activities of the Commission, which are widely reflected in the ninth report, your Committee has noted with satisfaction that the requests and suggestions made previously in several resolutions of our Parliament were acted upon by the responsible parties in the Commission. Very briefly these were: publication of a synoptic table of instructions and directives for rescue operations...

**President.** — Mr Pêtre...

**Mr Pêtre.** — (F) A few more minutes, Mr President, I think the report is worth it...

**President.** — In its wisdom Parliament, and not the President, decided to allocate speaking time. Mr Pêtre, I am aware of your experience in social and health questions—we have known each other for a long time. But the rapporteur must also keep to his 15 minutes of speaking time. So I must ask to you to bring your speech to a close.

**Mr Pêtre.** — Thank you for that remark, Mr President, but I would ask the indulgence of the President of the House. I shall be finished in a few minutes.

(Smiles.)

Much more could be said about this report, but as the President has just called me to order and quite rightly, I shall only speak of the staff problem facing the General Commission and the Mines Safety and Health Commission.

The Committee on Social Affairs and Health Protection regrets that the staff complement of the secretariat of the General Commission and the Mines Safety and Health Commission has been reduced, whereas it is not long since the Parliament asked for it to be increased.

Having said this, we are grateful to the members of the General Commission and the Mines Safety and Health Commission for the progress they have made in the safety of the sectors in their charge.

We ask the Commission, and in particular the responsible authorities of the General Commission and the Mines Safety and Health Commission, not to relax their efforts to do all they can, in a spirit of efficiency, to reduce the risks of industrial accident and occupational disease and to improve safety and health measures.

The explanatory statement and motion were approved unanimously and without abstentions by the Committee on Social Affairs and Public Health. These texts speak only of the constant wish to pursue the objectives I mentioned. I hope Parliament will adopt the motion submitted.

(Applause)

**President.** — I call Miss Lulling to speak on behalf of the Socialist Group.

**Miss Lulling.** — (F) Mr President, honourable Members, speaking for the Socialist Group I wish to thank and congratulate our rapporteur, Mr Pêtre, for his excellent work. Obviously we will vote in support of the motion; it contains a series of requests and suggestions which have the wholehearted support of the Socialist Group.

Like the rapporteur, we are grateful for the highly useful and important work done by the Mines Safety and Health Commission and the General Commission for Industrial Safety and Health in the Iron and Steel Industry, in spite of the deplorable situation caused by the shortage of staff; the few available officials have the great merit of making up in dedication and ability for what they lack in numbers; but in spite of their praiseworthy efforts, this situation cannot continue. The necessary staff must be appointed for this work.

In this context, I must deplore the very sad policy of cutting down on staff practised by the Commission, which puts national flags in important administrative positions instead of brains and ability; this leads to what is already being called the brain drain. If I am right, the secretariats of the Mines Safety and Health Commission and of the General Commission, which have already been cut in the past years,

**Lulling**

will be reduced even further as a result of this nefarious policy of cutting down on the number of officials. We believe that the limit has finally been reached, and that the Commission must act; on this subject, I would like to receive the assurance of the Vice-President Dr Hillery that the Commission will take effective action.

Mr President, for years I have been asking for the research and study programme of the Mines Safety and Health Commission to be extended to iron mines. My country has a particular interest in the Mines Safety and Health Commission extending its activities to iron mines, which in any case are covered by the Treaty establishing the ECSC, as well as to other mining industries. I do not understand why there is such resistance to letting the iron mines benefit from the work of the Mines Safety and Health Commission. So I am insisting that the activity of that Commission should finally be extended to these mines, so that they too can apply the directives, insofar as they concern them.

As for the General Commission, I should like to stress the urgent need for drawing practical conclusions from the excellent research done on combatting air pollution in the iron and steel industry. I myself come from a region where there is an iron and steel industry and perhaps I can illustrate the urgency of this need by the following example. In my area a farmer's young lambs all died recently—there are, indeed, still a few farmers there—because of the air pollution caused by the iron and steel industry. If lambs die, I wonder what the effects of this pollution will be on humans, whether they work in the iron and steel industry or live in the area!

The General Commission would be well advised to make inquiries about this business which is on the minds of the local population; I am quite willing to put the information I have at its disposal.

In this context, I would also like to raise an institutional problem. At present the conclusions and results of the Mines Safety and Health Commission's work are reflected in national laws or applied by the mining authorities according to the goodwill of the national authorities. These results are not reflected in Community instruments, such as directives, which are binding.

It is my opinion that, as in the case of harmonizing laws in other fields, Community directives must be laid down to guarantee the application, in every country, of the results of the Mines Safety and Health Commission's work or that of the General Commission for Industrial Safety and Health in the Iron and Steel Industry. Indeed, the work is of no use unless the lessons

learned and conclusions drawn take shape either on Community principles or shared concern.

My last word concerns the recognition of pulmonary emphysema as an occupational disease. We know that the Commission cannot take a political decision in this field. But surely it is time the experts came to conclusions and, on the basis of these conclusions, that a decision be taken one way or the other!

With these reservations, the Socialist Group will vote in support of the motion. Once again we thank the rapporteur and above all the officials of the Mines Safety and Health Commission and the General Commission.

*(Applause)*

**President.** — I call Mr Marras.

**Mr Marras.** — *(I)* After Mr Pêtre's exhaustive report, there are two points which our group feels it necessary to emphasize, though these two matters have been clearly explained in the report itself.

The first point, which gives cause for concern in this situation, is that today, in a Community where so much progress is being made in the technological, scientific and manufacturing fields, we still must face the unfortunate fact that fatal and non-fatal accidents show an increase over the previous decade.

We have to ask ourselves therefore to what extent new systems of advanced technology are grappling with the problem of safeguarding the lives and safety of those engaged in industrial production.

This is a matter which gives much food for thought. Indeed, it is by factors of this kind that the effect of the Community's social policy may be measured.

Another point that must be emphasized is that, although this Parliament has been trying for the past decade to have pulmonary emphysema (an illness of which there is a high incidence in the steel industry) recognised as an occupational illness, this recognition is still not forthcoming.

In spite of the interesting arguments advanced by my colleague Mr Pêtre, it is on the basis of this factual situation that we are unable to vote in favour of this report, on which we will however abstain.

**President.** — I call Mr Bersani.

**Mr Bersani.** — *(I)* Mr President, honourable Members, we have here a report whose import-

**Bersani**

ance does not need to be emphasized; however, we must be grateful to our colleague Mr Pêtre and to the Committee on Social Affairs and Public Health for the way in which important points have been highlighted and concrete proposals advanced.

I should like to avail myself of this brief intervention to develop some thoughts on an area so closely linked with the relationship between man and the machinery of production in two such key sectors of any industrialized society as coal and steel, and to direct my attention not merely to these sectors but to the general problem of human health and protection and to the safety of the worker in his place of employment, as set forth in the last part of the motion.

In speaking of these problems, behind which lies such a crushing burthen of pain and suffering, we touch on a nerve in our European society. This is one of the challenges facing us in terms of the advancement of civilization. When we examine accident statistics, especially those resulting in death or permanent invalidity, or the statistics for occupational illness, and not solely in those sectors we are considering, the overall increase in these figures, with some few exceptions, and the fact that they remain at such a deplorably high level brings us face to face with a painfully real situation which is an indictment of some of the basic conditions of life and work in our European society.

I believe that we ought to welcome and support this vigorous attempt by the Committee on Social Affairs and Public Health to give new strength and more adequate structures to the permanent body, to extend its competence to iron mining and to expand it to embrace the entire range of occupational illness, beginning with the most pressing areas.

The gravity of these social problems within the Community is beyond question. The positive experience gained in the EEC through the permanent body, even with the structural defects and inefficiency that have often been pointed out (and which do not at all reflect on the ability and energy of the persons concerned), demands our support for the proposal of the Committee on Social Affairs and Public Health that the powers of the permanent body be gradually extended so as to make it capable of going forward from a policy of containment to a policy of initiative. I should like to emphasize once again the grave need for such a policy, in view of the high price in terms of health and safety still being paid even now by such a large number of the citizens of our Community.

At a recent international conference on the problems of industrial accidents where some statistics

were quoted from the European scene, I witnessed the amazement of several journalists at the almost incredible figures quoted, such was the drama of the real life situations reflected in them.

Mr President, honourable Members, I should like to emphasize also the importance of the problem posed in this matter with regard to the effectiveness of the measures to be taken for coordinating the policies of our States. I agree with my colleague Miss Lulling on the need for directives, at least in some major areas. If we are soon to have that European conference on labour problems that is being called for from so many quarters, and it is my hope that we shall have it, then we should propose that it include in its agenda the question of drawing up definitive regulations on these problems. They include the proper organization of the machinery of production in factories and places of industrial employment and all the various causes, both immediate and remote, of illness, accident and excessive strain on the mental and physical energies of the workers—all these factors must be taken into account in defining a more effective and concrete social policy within the Community.

I express my approval therefore not only for the report and the notion in the text put before us but also for the underlying feeling evident in them, with particular reference to the last paragraph of the motion. It seems to me to indicate a new horizon of greater and more concrete involvement and responsibility on the part of our Community towards the workers (many of them migrants) operating in some of its most important industrial sectors.

**President.** — I call Dr Hillery.

**Dr Hillery, Vice-President of the Commission of the European Communities.** — I should like to thank the rapporteur, Mr Pêtre, for his excellent report on this matter.

My predecessor, Mr Coppé, introduced the report of the permanent body and of the general committee relating to the year 1970. He promised that further reports would be accompanied by a document which would permit the work of the two bodies to be evaluated in the context of total community activity in relation to safety and health at work. I note now that the commission's services have fulfilled this promise.

Document No. 3929/72 gives an overall picture of the activity in train at the end of 1972 and complements the necessarily less detailed information to be found in the General Report of the Commission. I mention this because one of the

**Hillery**

questions raised related to work being done in industrial hygiene, and there is mention in the document of some work that is being done, for example: exhaustive recording of accidents, in an effort to avoid those which cause injuries; measurement of noises and their effects; dust sampling and measurement; sampling and measurement of the oxides of sulphur, nitrogen and carbon in the atmosphere; statistical problems raised by atmospheric samples collected some distance from the source of emission of toxic and irritant gases. These studies, as well as studies to promote optimum working conditions, are to be found in this document No. 3929, which has been circulated, as promised, by Mr Coppé. These reports will be of great assistance to Parliament in judging the effectiveness of the two bodies concerned.

It is very clear, and obviously everybody is very strongly aware, that the situation concerning accidents, as presented in the report, even putting the best construction on it, shows no improvement over previous years and, indeed, shows a tendency towards deterioration. The figures as I have them, if graphed, would show a diminution between 1960 and 1967 in the steel accident rate, and a gradual increase again to 1971. At the present time we are studying the causes of this and the relationship which was questioned here between methods of production and increased accident rate and also the possibility of the workers being strangers to the language and perhaps strangers to the people who would normally advise them in relation to the measures they themselves should take in accident prevention.

We ourselves should look forward to a much more intensive effort on the basis of the data we have already. The political will to do something about this exists at the highest level. Whether we have sufficient staff to fulfil this function is a matter with which I am actively concerned at the moment.

In relation to the loss of staff, I should like to point out that only one of the agents in these services has left. That was for age reasons and not because of any re-structuring after enlargement. However, I am aware that there has not been an increase of the staff in the last five years in these sections, and now with the enlargement, as well as a new social programme, being planned for implementation, this is an opportune time to review the staffing.

Apart from the question of staff, there is the question of time taken to make the necessary researches; for example, in air pollution. This must be considered, too. The provision of extra staff will not of itself solve all the problems. We would need to choose, if we can, from the

statistics, the weak points in the campaign against accidents. We could perhaps concentrate more on the needs and the problems in the small and medium-sized industries. We will do everything in our power to ensure that the professional organizations participate in and contribute their assistance to this work.

It may be that we should have a critical analysis of available statistics. That does not mean that we question the value of statistics. It is clear that this Parliament is impressed by the statistics now put before it, but what I am asking is whether we have the need for average data or whether we should make a fuller and deeper study of the accidents which cause stoppage of work. My own experience is that it is in industries—employers and workers together—that the main possibility of the prevention of accidents exists, and it is in these industries that the criteria enabling them to evaluate the situation and to take action should be made available.

We do not have these criteria, but it is probable that with the research we are now undertaking we will be able to supply more useful statistics and information on the basis of which employers and workers can take the action necessary to reduce substantially the accidents which are occurring. As I say, our own activity must be intensive, but it could be better applied to target areas where special weaknesses occur.

The problem in iron mining is being studied and I may be able to answer this question later. At the moment, all I can say is that it is being studied. Whether emphysema should be described as consequent on work is something which has been put to me for the first time. It is a matter which I will study, but I am not now in a position to give an opinion on it.

*(Applause)*

**President.** — I call Mr John Hill.

**Mr John E. B. Hill.** — I rise only because the rapporteur referred to the entry of Great Britain, and I want to acknowledge the welcome given in the report and, in turn, to say that British industry is looking forward to moving from the status of observer to participant.

It is perhaps wrong that I as a farmer should be speaking about mining, but it will be realized that but for an unfortunate decision we could have had the benefit of the advice of some of our colleagues who are more expert. Nevertheless, I have visited our own mines. Only seven days ago I went into one of our deepest mines and examined conditions at the coal face and then went on to see our own research institute

**Hill**

for safety in mines. In each case I asked what was the trend in our accident rates, and I am glad to say that it is an improving trend, unlike that suggested by an earlier speaker. Without wishing in any way to appear complacent, I can say that we have an improving trend, so that when our averages are incorporated in the statistics mentioned by Commissioner Hillery they will leaven those statistics and show an improvement. Everywhere I went, and particularly at our research institute, I was told that those in the industry were greatly looking forward to continuing in a more formal way the cooperation which it has long had with Europe. (Applause)

**President.** — I call Mr Romualdi.

**Mr Romualdi.** — (I) Mr President, honourable Members, on my own behalf and on behalf of my colleagues in our political group, I should like to make a brief explanation of our vote in support of the motion. We cannot but associate ourselves with the conclusions of the rapporteur on means for ensuring greater industrial safety, in the mines and the steel industry and in any form of industry in which workers may be engaged. We can no longer permit workers to be compelled to carry out their difficult and onerous tasks in dangerous and unhygienic conditions and under conditions of forced production, where productivity has to be increased even while the number of workers is not only not increased but is even reduced.

I should like also, with my colleague Mr Bersani, to express the hope that the European conference on labour can soon be organized, since we represent a country which, not having yet solved its economic and social problems as it had hoped, is one of the greatest providers of manpower to the whole world and has the largest number of workers in all the countries of the Community. We would hope, therefore, that the result of this conference would be to guarantee workers better working conditions through greater organization and discipline of industry itself, since it does not always follow that risks are diminished by improved techniques. New technical advances lessen risks only when organization and discipline are such as to permit work to be carried out in a more orderly fashion.

It is in this sense that we express our approval and that we look forward to better working conditions in Europe.

**President.** — I call Mr Pêtre.

**Mr Pêtre, rapporteur.** — (F) Allow me, Mr President, to thank Dr Hillery for his replies to our

questions and to express my gratitude to honourable Members who intervened in this debate in support of the motion. As some of them have said, I believe that the European Parliament can never go too far in the question of industrial safety and health.

**President.** — Does any one else wish to speak?

I put the motion to the vote.

The resolution is adopted<sup>1</sup>.

## 12. Directive on corporate redundancies

**President.** — The next item is the debate on the report by Mr Della Briotta drawn up for the Committee on Social Affairs and Public Health on the proposal from the Commission of the European Communities to the Council (Doc. 200/72) for a directive approximating the laws of the Member States on corporate redundancies (Doc. 323/72).

I call Mr Della Briotta who has asked to present his report.

**Mr Della Briotta, rapporteur.** — (I) Mr President, honourable Members, the directive being considered by our Parliament concerns corporate redundancies, a problem of enormous importance for the life of companies and their dependents and also a matter of concern, directly or indirectly, to public authorities. As I have said, it is an important problem even today, but it is certainly destined to become even more so, because the tendency already in evidence towards a shorter life-span of companies is certain to become even more marked in the future. In the Community, for example, (these are facts which I have already quoted in committee), we have seen in recent years a considerable decline in the number of those employed in coal mining and in the extractive and textile industries, while other sectors, such as the chemical and metal-processing sectors, have increased their personnel.

I am supported on this by the economists, who say that we now have two million less workplaces compensated for by two million more workplaces created in other sectors, so that from the numerical point of view our books are balanced. Equilibrium has been restored; some companies have folded up, some have been restructured or reborn, some have been developed or transferred, and some have left their

<sup>1</sup> OJ No C 19, 12 April 1973, p. 8.

**Della Briotta**

own national territory and set up elsewhere and have as a result been able to produce larger quantities, often of better quality, at lower prices, to the advantage of all.

But this compensatory process is not a painless one, especially when one considers the direct consequences for the workers who, in the course of company restructuring, see their jobs put in jeopardy with all that that means to them. This sometimes explains a certain diffidence, for one reason or another, on the part of the trade unions and the workers when national legislators have tackled this problem.

On the other hand, however, if we are to be realistic about it, we must admit that the ostrich-like policy of pretending not to see events happening around us will not solve our problems. Those two million workers less in certain industrial sectors shown by the Community's labour statistics—without listing the jobs in each of the sectors in question—prove that corporate redundancy, regulated or not, is a fact of life, which will have to be faced by workers, trade unions and ourselves.

From all this then I would draw a first conclusion. It is our view that the Commission has done well to propose a directive for the approximation of Member States' legislations in this matter. I do not believe that this violates the autonomy of the social partners, a basic principle on which our legal ordinances are based. On the other hand, it does not seem right to me, when faced with a problem directly or indirectly involving the vital interests of millions of citizens, to confine the public authorities, national or Community, to noting passively the decisions of the social partners and ignoring their consequences. I do not think it right, because there are principles of solidarity which may not be undermined in the name of moral and legal principles which ought to spur the public authorities into action.

Apart from all this, I should like to add that the mobility of workers begets serious situations for these very same public authorities whose duty it is to provide housing, collective facilities and services. One only has to think, for example, of the burthen that has fallen on the local administrations of Northern Italy, my own country, or of the immigration centres of Germany in having to accommodate hundreds of thousands of workers with or without their families.

Therefore the intervention of the public authorities seems to me lawful and justified, since it is proposed to lessen the serious disparities between different States of the Community in regard to conditions, procedures and compensation provisions in the case of corporate redun-

dancies, while leaving scope for action to the social partners.

The first problem tackled in the directive is the problem of defining corporate redundancy. According to Article 1 of the proposal for a directive, a corporate redundancy is any dismissal of ten or more workers on economic or technical grounds, not related to their personal conduct.

There are considerable differences between national legislations in regard to the definition of corporate redundancy. The rapporteur felt that it might have been possible to complete the definition of corporate redundancy by indicating a period of time, such as that laid down in Luxembourg law which fixes a period of one month.

A majority of members of the committee, however, felt otherwise.

A second problem faced was that of consultation by the employers of the workers' representatives.

The Commission's proposal would have such consultation made obligatory only if the number of dismissals is 50 or more.

With the approval of the Legal Affairs Committee the Committee on Social Affairs and Public Health has amended this point, making consultation obligatory whatever the number of workers dismissed.

The nature of this consultation was the subject of much discussion by the committee, which eventually concluded that it was satisfied with the contents of the proposed directive on this point.

Consultation between the parties should cover, amongst other things, the possibility of avoiding or reducing the redundancies, the choice of workers to be dismissed, possibility of reabsorbing them within the undertaking, compensation payments and priorities for reengaging staff within a certain period of time.

When this procedure has been completed, the public authority is called in. The plan for dismissals should be notified to the authority accompanied by details of the outcome of consultations with the workers' representatives.

The Committee on Social Affairs and Public Health has proposed an amendment to the original proposal involving notifying the outcome of the consultations in an annex to the notice of redundancies. The notification will be followed by a standstill period of one month renewable for one further month, this time to be used to explore solutions to the problem of the redundancies.



**Della Briotta**

This means a total period of three months, of which the public authority has two months to mediate between the parties and bring about an agreement between them.

The role of the public authority is therefore rather limited. It can object to the redundancies if the reasons given by the employer are inaccurate, apart from any other considerations. Once the procedure has been observed, there is no place for further authorization; the initiative then returns to the social partners.

The rapporteur had proposed that the committee should modify the directive on this point, giving wider powers to the public authority, so that it could object to redundancies not only if the reasons given by the employer proved incorrect but also for other serious reasons such as the difficult economic situation of the region concerned and the proven impossibility of finding other jobs for the dismissed workers.

Certain objections of principle, however, were made to this as being impossible for reasons quoted in the text of the written report. It was decided by a majority vote to retain the Commission's original text as opposed to the rapporteur's proposal which was largely based on experience in the Netherlands.

These are the main points of the directive we are considering.

The rapporteur hopes that it will be favourably received by Parliament since it is an attempt to achieve harmonization in an area of vast importance, which will be even more so in the future.

It is for this reason that the rapporteur did not and does not share the view that the proposal for a directive should be changed into a simple recommendation, since this is a rather fragile legal instrument which would inevitably have the effect of leaving things exactly as they are, of that we can be sure!

Having said this, however, the rapporteur cannot deny the limitations of the proposal which establishes minimum common standards that may be acceptable to all (I say 'may be' since the proposal does not take the situation in the three new Member States into account, something which could not be helped and was certainly not the Commission's fault). Indeed, it does not even seem to me to be effectively seeking that harmonization in progress stipulated in the EEC Treaty.

It has been stated in committee, something which will help to resolve some doubts, that this directive will not prevent the creation or retention of more advantageous legal provisions or con-

tractual practices in the Member States. I believe that this is very important, a new point in favour of the directive and one which opens a very interesting field of action.

Nevertheless, I stand by the judgement which I have given, and I should like to add that the directive does not even touch on the problem of individual redundancies, which gives rise to such widely varying statutory and contractual situations in the Community with consequences evident to all.

These reservations, however, should not, in my opinion, cancel out our positive approval of the general contents of the directive, and it is to be hoped that Parliament too will approve it today.

It only remains to express the hope that national legislations will take the necessary measures within the period of time stipulated to put relations between employers and workers on a firm footing within the broader perspective of Europe's economic development.

*(Applause from the Socialist Group benches)*

**President.** — I call Mr van der Gun.

**Mr van der Gun, spokesman for the Christian-Democratic Group.** — (NL) Mr President, I should like to start by expressing, on behalf of the Christian-Democratic Group, our gratitude to the rapporteur for submitting his report on this very important matter to the European Parliament for discussion. We fully agree with him and the Commission that the issue is an important one which is perhaps still in its initial stages. At least the technical developments resulting from such problems—mergers and other forms of industrial concentration which have a marked effect on such development—are in our opinion still in their initial stages.

We are particularly pleased that it should have been the Commission which decided to do something at this time about this important matter. There is obviously no point in halting these developments as such, nor would it be possible to do so. We can however prevent, or at least try to prevent, such matters being decided solely on the grounds of economic considerations, as the adverse consequences in the social sphere would otherwise arouse too much protest. The fact that the Commission has taken steps to mitigate as far as possible these adverse consequences for employees is in our opinion very much to its credit, all the more so since we cannot deny that major differences exist within the Community with regard to the rules governing this issue.

**van der Gun**

If we examine the relevant regulations currently in force in the Community, we inevitably reach the conclusion that the conditions, procedure and the measures taken vary considerably in nature and content. The result of this highly unsatisfactory situation is that employees in comparable circumstances in separate Member States receive widely differing treatment.

In our opinion, this cannot be justified from a social point of view; it is moreover highly undesirable from the point of view of industrial competition.

As you can see, Mr President, we subscribe fully to the objectives expressed in the draft directive. We also agree with the rapporteur that the Commission did well not to confine itself to a recommendation but to propose a draft directive.

However, there is in my opinion some misunderstanding about the problems attendant upon this directive, as the forthcoming discussion might reveal. We gained the impression in the Committee for Social Affairs and Public Health that certain members feared that this directive might interfere with existing national legislation or collective labour agreements which go beyond the scope of this directive. In our opinion these fears are unfounded since this draft directive formulates only the most basic objectives and should really be viewed as a harmonization attempt at the lowest level. Individual Member States and the social partners within the Member States are perfectly free to proceed beyond the scope of the directive.

It is on the basis of this consideration that the Christian-Democratic Group gives its backing to the report and expresses the hope that the Commission will be willing to adopt the changes proposed by the Committee on Social Affairs and Public Health.

**President.** — I call Mr Marras.

**Mr Marras.** — (1) Mr President, honourable Members, I seem to recall that this is the first important problem in the field of social policy faced by our Parliament since the Paris Summit. I recall the Summit by design. I would like to remind my colleagues of the paragraph in the final communique which said, speaking of social policy, that 'the Heads of State or Government emphasized that they attached as much importance to vigorous action in the social field as to the achievement of the Economic and Monetary Union'.

This emphasis should, I think, prick everyone's conscience. When Mr Müller, who was for many years chairman of the Committee on Social

Affairs and Public Health referred in his last speech to the report of the Commission's representative, he reminded us how far behind the Community is in this matter. We now see with a certain interest how the wheels are being put in motion to overcome these delays. There are more frequent meetings of the Ministers for Social Affairs, programmes are being drawn up, discussions are being held, attempts are being made to give a more social image to the Community. In his report a month ago, Mr Ortoli quite rightly spoke of a Europe at the service of its people and indicated his intention to put a broad social policy into effect. While we nourish these hopes for the present decade, we are faced in this year of 1973 with what is, frankly speaking, a rather disappointing state of affairs. My colleague Mr Della Briotta has made some valuable points but I would dispute his contention that we have here harmonized progress through vigorous legislation. By no means: as far as the legislations of many States in the Community are concerned, there is no question of progress. There is no harmonization by levelling up, I would prefer to speak of harmonization by levelling down.

Many of you know that there are different regulations on this matter in the various States and that the social partners carry great weight in the making of these regulations. In Italy, for example, there are no laws on it but there are rather sophisticated interconfederal agreements. I have ascertained that the three new acceding States do not have any legislation on this matter but base their approach on practice and on trade union agreements. The fact that this experience of the three new acceding States has not been taken into account either by the Commission or by the Committee on Social Affairs and Public Health would be already sufficient reason in itself for shelving this directive and discussing it again in other circumstances.

I should like to direct another criticism not at the report alone but at the general spirit of the directive: it would seem to see redundancies in Europe or in the Member States as something caused by exclusively technological factors and, taking everything into consideration and safeguarding certain immediate interests of the workers, a necessary evil inevitably linked with progress.

Redundancies are caused by mergers, the use of more sophisticated machinery or the introduction of new forms of labour organization. But I am surprised that no voice has been raised from the ranks of the Socialist Group to point out what is one of the dominant themes of the socialist struggle in Europe, namely, that redundancies are basically linked with forms of

**Marras**

worker exploitation by bourgeois society. This is how it has always been and how it continues to be. Indeed, Dr Hillery, when informing us of this legislation in his report on social policy, linked it precisely with the problem of exerting some degree of control over the multinational companies' policies which are reflected in a very marked way in labour problems. And when we see these multinational companies going in search of labour where it is to be had most plentifully and at lowest cost, it is obvious that their choice is not influenced by factors of technology or progress. Their choice is dictated fundamentally by the need for higher profits, and this is the key point in shaping our attitude to redundancies.

There is another point which we would like to make briefly. We believe that the contradiction in developed societies between development and technology on the one hand and labour on the other can be controlled to some extent and perhaps even mastered altogether by the use of different methods and approaches to those proposed in the directive. In the first place we believe that the social partners ought to be given greater weight so that any agreement made with the social partner representing the working classes can be binding to some extent, since the latter body is in the best position to judge in each individual case whether the ten or a hundred redundancies are due to genuine technological development or are merely the result of internal organization with the sole aim of increasing company profits.

I believe the trade unions to be the body best fitted to make this judgement and to substantiate it.

In the second place, we believe that important responsibilities devolve on the public authorities in this matter of passing judgement on cases of redundancy. In a Community which includes areas of very high employment and also areas with a very high level of unemployment and underemployment, it is obvious that it is necessary to have the viewpoint of the public authorities on how these redundancies can be related to a policy of industrialization and development.

But how can we approve a directive of this nature when as yet even the broad lines of a Community regional policy have not been laid down? How can we make provisions of this kind operative in the principal States of the Community? The proposals contained in the report of my colleague Mr Della Briotta showed a tendency to stress these needs, and I give him credit for that, but unfortunately, in the course of drawing up the report, this tendency became diluted and the directive as we have it today

is very little different from the one put before us by the Commission.

We believe, and this is the view also of the major European trade union movements that this problem must not be faced with the initial conviction that redundancies are inevitable. We believe rather that the proper starting-point would be the conviction that we must eliminate redundancies or reduce them to a minimum, and the will to do so; and we must do this in a European society in which, as the facts advanced by Mr John Hill show, sources of employment are tending to become fewer even in the more advanced countries. Belgium and the Netherlands, not to speak of Italy and Ireland, have growing numbers of unemployed. Where this is the case, the maintenance and continuity of workplaces is no longer merely a problem of worker-employer relationships but a much wider social and economic problem which must be a cause of concern to the Community.

This assessment of the problem prompted us to adopt the amendments of our colleague Mr Della Briotta and we would commend them to honourable Members in the hope that their approval may modify to some extent the basic emphasis of this directive, which otherwise we shall be forced to reject.

**President.** — I call Mr John Hill.

**Mr John E. B. Hill.** — I start by welcoming the broad principles which underlie the proposed directive expressed in the text as on corporate redundancies. However, I am glad the interpreters are saying 'collective dismissals' because we are concerned with dismissals and, of course, every dismissal is not necessarily due to redundancy. Having supported the directive, I would draw attention to matters in the text in its present form which seem to be inconsistent with long-established procedures which are working well in Britain and are working towards the aims of the directive.

There are other points of ambiguity which I hope the Commission will be able to clarify and which I would like to put on record. Notification of redundancy is not strange to the United Kingdom, but to date it has been required mainly for the calculation of sums due to workers made redundant. We have a redundancy fund which has been running now for about seven years. It is a valuable part of a worker's rights; so is the procedure of appeal against unfair dismissal. But I believe there are significant differences in the law and the practice—and this has already come out in this debate—between the Member States, so that it may be difficult to reconcile them in a single Com-

**Hill**

munity instrument. That is why the British would have preferred to proceed by way of recommendations, but I think we accept the point that that, perhaps, is not likely to induce a sufficient sense of urgency which is implicit in paragraph 3 of the resolution. I personally accept the argument put forward in the Committee on Social Affairs and Public Health that a directive is needed if rapid progress is to be made in achieving the higher standards that we desire to see throughout the EEC.

I turn to some of the points which we think need clarification. Would the use of the word 'oppose' in Articles 2 and 3 mean that the public authority would be empowered to veto a proposed redundancy or only to suspend the redundancy for up to two months? The British would wish to stop short of taking powers to interfere with the commercial judgment of undertakings and would not, I think, wish to see a public authority try against that judgment to stop redundancies taking place. I gather that the Commission does not intend any form of veto here, but it would be helpful to have confirmation.

Likewise, in the same article 3(1), does the word 'untrue' impart any judgment as to whether a proposed decision for redundancy is justified or not, or does it mean that the reasons given for a redundancy must not be factually incorrect? If, as I hope, it means the latter, then one would have liked in the text something clearer, such as 'the information supplied must not be misleading or inaccurate'.

Then in Article 3 and elsewhere there is talk of 'mediation' procedure, which is obviously crucial to the directive, but does that mean 'conciliation', in the sense that the public authority would use its good offices to bring the parties together in the hope of reaching agreement? Or might it go further, as I think Mr Marras would like in one of his amendments, and imply some form of compulsory arbitration; that is to say, the imposition of some decision made by the public authority? I think the latter is not intended, but if the real intention is conciliation, then I would hope that the English text would have that word specifically inserted.

Article 4 (1) refers to 'national procedures in force', and reference is made to 'relevant national provisions'. Here again we need on the record confirmation that this is intended to include, as well as all statutory requirements, all the agreed practices and procedures reached by voluntary negotiation. I think that has been conceded by the rapporteur.

There are other remaining difficulties of some substance. Article 4 (2) sets out six matters to

which consultation shall relate. "Shall" is mandatory. The first three (a), (b) and (c) and the last (d), have long been part of our accepted voluntary procedures in Britain, but paragraphs (d) and (e) in Article 4(2) of the proposed directive may not be easy to reconcile with existing British practices. One wonders exactly what these paragraphs mean. Paragraph (d) refers to compensation for reduction of wages and fringe benefits. Does that mean making up pay to a redundant worker in his next job if that is less well paid than the job that has disappeared? Is it envisaged that the last employer should have a responsibility to pay his former employees a supplementary wage? If so, how would consultations take place among workers and trade unions, particularly where many trade unions are involved?

There is no suggestion of action by government, but merely by employers and workers. I cannot express a judgment whether this criterion would be acceptable, but it might be breaking new ground and this would need a great deal of thought by the British.

The next item, para (e), refers to arrangements to be made in favour of workers to be dismissed, including in particular severance pay and priority rating for re-engagement. I do not question that that is an important consideration, but the directive provides that consultations must take place. In Britain this is already being done by a statutory procedure and it would appear to be redundant to conduct consultations on matters that are well settled in law, and are working well and protect the individual workers. I hope that the Commission will add to that requirement an amendment to the effect that it shall apply to the extent not covered by legislation.

These examples are small points in the context of a general debate, but each could give rise to considerable difficulties in drafting national legislation designed to be unambiguous and acceptable in practice. In the ordinary way one would put down amendments, but that is not appropriate here because of the triangular relationship which is referred to in paragraph 61 of the explanatory statement. The Council of Ministers may later ask for amendments to meet the situation in new Member States, but I do not want to take time by putting down amendments here when the decision rests with the Council of Ministers. I just want to get on record the points I think may become important.

We have made progress on numbers and it is likely now that the directive will be more flexible. One might include in that clause about numbers—something like the words 'any substantial reduction in the work force'—for

**HIII**

in certain cases a figure less than 10 might be very important for a small firm.

My last point concerns the time scale for national legislation to implement the directive. Article 5 requires Member States to amend any existing legislation within six months of the directive being notified, and for that amended legislation to be implemented within one year.

I do not believe that to be realistic, certainly not for Britain and, I suspect, not for other countries. Denmark is in a similar position. It does not allow for the customary processes of consultation, for drafting, and for a place in the parliamentary programme. Therefore, I hope the Commission will look at that point.

I emphasize that my criticisms are not against the general purposes of the resolution—these are most important and we support them—but we should make sure that the route to harmonization is sufficiently wide and flexible to lift up the general level of the common standards towards the highest point, so that the best procedures will ultimately prevail.

(Applause)

**President.** — I call Mr Cifarelli.

**Mr Cifarelli.** — (I) Mr President, honourable Members, I wish to make a personal statement to express some observations on this very complex problem that came to mind on reading and listening to the admirably clear report of my colleague Mr Della Briotta.

I ought to say first of all that to approach this proposal for a directive in the critical spirit of my esteemed colleague from the Conservative Group who has just spoken is, to my way of thinking, not only to take up a very practical stance, as one has every right to do, but also to demand more from this directive than it was ever intended to provide.

I am in complete agreement with him, I hasten to add, on the fact that to propose a time-limit of six months within which national legislations will have to be harmonized is to impose an impossible condition, since all the good will in the world does not alter the fact that national Parliaments already have a great deal of work in hand—this is certainly true of the Italian national Parliament. I think therefore that even at this stage it would be wise to extend this time-limit. But this is only a matter of timing. More important, in my view, is the fact that this proposal for a directive faces us with an extremely complex problem, namely, that of achieving a certain minimum but of having that minimum enshrined in the statute books of all

nine States of the Community. This minimum is the notification to the competent public authority of any corporate redundancy involving ten or more workers and consultation between the social partners involving the workers' organizations and related bodies in the various countries of the Community.

This is the nub of the directive and is, in my view, very important; it is a tentative start towards tackling a major problem, which is that of relations between employers and labour in the free world.

I listened with great attention, for example, to the remarks of my colleague Mr Marras who spoke earlier on behalf of his group, and I must say that, while the arguments advanced by him were valid from a social and even from a human point of view, nevertheless, as we lawyers say, they proved too much, that is to say, they go beyond the bounds of what is possible within a system of free enterprise and market economy, which are essential to the Europe that we know in the Community where we must stand by the fundamental principle of the possibility of disengaging the factors of production.

It is not only technological reasons which can cause the cessation of productive activity; production may cease because it does not return a profit or because the profit it returns is less than might accrue from some other productive activity.

This is something which ought not to be glossed over, because it is the very foundation of a vital economic system in which social needs must take pride of place as far as possible. We might point here to state-trading countries where there is full employment because all the citizens are employed by the State which controls all the means of production. This is probably a worse system, but it is, at any rate, a completely different one to the market economy of the free world.

In speaking of these principles and procedures and directions of development, we must guard against falling into the condition of Diocletians' empire, where everything was rigid and fixed but as against that, the citizens had lost their liberty and with it the incentive to improve themselves and make progress, something which eventually led to the paralysis and destruction of that entire civilization. On the other hand, in the state-trading countries the trend today is towards encouraging the profit motive and flexibility in using the factors of production, responsibility for the undertaking and the challenge posed by fluctuating market values. I should like to say further that there are two

**Cifarelli**

observations which seem to me to be of fundamental importance. The first, in paragraph 6 of the motion, is that the proposed directive is only part of a broader vision which also includes regional policy, vocational training and aid from the European Social Fund. This is very true and I believe that all our industrial problems cannot be blamed on redundancies, collective or not; there are others which are rather related to the industrial facilities available in a given territory, to the wide-scale development of collective activity, to a balanced development policy, in short to regional policy as we know it in the Community.

In this context, I should like to say that in my own country, where we are concerned with a very important aspect of regional policy, namely, the economic development of Southern Italy, we have brought in legislation to the effect that all industrial concerns and the creation of new industrial activities in any part of Italy, and not only in the under-developed areas of Southern Italy, require the authorization of the national committee for economic programming, the body which is responsible for a balanced development. Any new industrial undertaking must satisfy the criteria so clearly set forth by the rapporteur; it must avoid transferring workers from their places of origin into the suburban bidonvilles and depressing housing complexes of the new industrial centres; it must avoid the economic hardships caused by the lack of infrastructures or the necessity of creating new ones and it must avoid above all the overcrowded conditions which cause so much misery not only in my own native country but in large parts of the Community.

Now this is a very important point which is at the basis of all modern regional policy, and this is what we have in mind when we speak of the disengagement of the factors of production, or redundancies, and of the transformation of existing industrial activities into others through liquidation, transfer, merger and all the other kinds of change brought about by technological progress and economic conjuncture, by the social situation and the impact of a fluid situation on individual undertakings.

The other observation I would make, Mr President—and with which I shall conclude—is that we must always consider social needs in relation to the collectivity.

Just as it is important to keep the factors of production from becoming too rigid, whether in regard to the individual undertaking or to any industrial sector or even to industry generally, so too it is equally necessary that society should make every effort to avert the scourge of

unemployment, whether temporary or permanent, with all that it entails. In this context, a number of experiments have been tried and I should like to mention one of them in my own country, which though by no means perfect is at least a start, namely, that of the salary integration fund. When an industrial concern cuts its production and is forced to make some of its workers redundant or even to lay them off for a certain period of time, there is an organization which pays them their salary wholly or in part out of public funds; in fact, the general practice is to try to pay the full amount of the normal salary from this fund. In this way the entire industrial sector as well as the individual industrial undertaking in question is spared much pressure and heart-searching. This anguish and heart-searching is a very natural and noble thing, since what is at stake here is the fate of families and also human labour which is something more than a mere material piece of merchandise. Labour is the highest expression of organized collective action. And by lifting this burthen of anguish and pressure both from the individual industrial undertaking and the entire industrial sector we make it possible to undertake necessary economic changes with vigour and courage.

In this world everything is linked to many other factors on which it depends, and this holds true of economic liberty just as it does of political liberty. It is our wish that a system of economic liberty, such as we have in the Community, should always be inspired by social justice and by true progress. And it is for this reason that our Community should make its legislation a more effective instrument, but always at the service of liberty and honesty and not simply to preserve the status quo, whatever worthy motives may be adduced for so doing.

**President.** — I call Mr Girardin.

**Mr Girardin.** — (I) Mr President, honourable Members, since I expressed grave doubts in committee on the validity of this directive and declared my intention of abstaining in the vote on the proposal as a whole, I should like very briefly to give my reasons in what is strictly a personal statement. I regard this directive as impossible to apply in practice, at least in some Member States of the Community.

The objective laid down for us in the Treaties was progressive harmonization and levelling up of the legislations of the member countries. It is quite obvious, and this observation has been made to me in committee by the rapporteur and many other colleagues, that if some countries are more advanced in this matter in relation to

**Girardin**

the directive we are considering, they will maintain their advantage for the workers. And I should like to see us dare to introduce a directive which would make the more advanced countries go back in their tracks on this matter!

However, there is one question that should be asked in this case. If the purpose of this directive is to lay down minimum standards for all nine countries of the Community, I have heard no mention in committee of which of the nine Member States is lagging behind the standards that the directive is designed to set, and this is the question I would put to the rapporteur and especially to the Commission's representative. If none of them are in fact doing so, then surely this directive is incapable of application, if only for another reason which I will now mention. We know that some Members, for example, Italy and, as we have heard from its representative, the United Kingdom also may not have laws on this matter but they do have contracts which have the force of law, and the trade union movements play a dominant role in drawing up regulations on the matter.

The duty imposed by the directive on Member States to make a law on the matter, when in fact it has been left instead in practice to the competence of the social partners, the employers and the workers, seems to me to be a pretence to which we should not lend our support.

What I should like to ask is whether these questions are going to be answered positively or negatively. Is the situation in fact as I have described it? If it is, I am convinced that this is a futile directive and that my English colleague is right in stating that it cannot be put into effect in six months by States that face up to the problem of implementing it. Lacking a programme for its orderly implementation, I believe that this measure taken by the Commission, however praiseworthy in itself, will simply fall into abeyance. My own view is that the wisest course for the Parliament to adopt at this stage is to postpone a decision on the whole matter until a deeper understanding has been gained of this very delicate problem which is of fundamental importance for Europe at this particular moment.

**President.** — Dr Hillery, there are still one or two speakers listed before I call you.

Although my business is simply to ensure the smooth running of our work, I would urge you to answer this last question. I think it essential for you to make a definite statement about the value of Community legislation.

I call Mr Thomsen.

**Mr Thomsen.** — (DK) Mr President, ladies and gentlemen.

It has been a little difficult for me to follow the debate because I have only got the proposed amendment in Danish and not the Commission's text. However I have been able to follow the discussion well enough to say the whole issue is one which obviously has my sympathy.

In common with Mr John Hill I have had other difficulties too, particularly through the use, by our good interpreters, first of the term 'large-scale' redundancies and then of the term 'collective' redundancies. I began by saying to myself that Denmark is so small that large-scale redundancies are a practical impossibility. But I must admit, after hearing the term defined and after following the debate more closely that the kind of redundancy referred to here is perfectly possible

I share many of the objections expressed because my country, with many decades of tradition in this area, makes a definite point of arranging these matters through voluntary agreements between both sides of the labour market, between employers and employees. I leave it to my Government to legislate, of course, when this matter next comes before the Council but I am very doubtful whether such legislation is possible within a period of six months. I can not envisage such a possibility because this would be a matter of high politics whatever the legislation involved and, secondly, it is doubtful whether Denmark will legislate at all. Our laws cover quite different areas in cases of redundancies, including retraining, new job opportunities, help with removals and, of course, the whole social security system which is part and parcel of conditions obtaining in Denmark, I have a feeling—although I would not want to put it any higher than that—that conditions in Denmark are a long way above the minimum requirements referred to here.

I would therefore place a question mark over the whole principle of intervention by legislation and here I console myself with the thought that the first part of the conclusion clearly states that conditions in the three new Member States are not taken into account. Hence it is liable not to be approved by the Council. The three new Member States will probably ask for some adaptations and essential amendments. I believe that these are the perfectly correct words.

Thank you Mr President.

(Applause)

**President.** — I call Dr Hillery.

**Dr. Hillery, Vice-President of the Commission of the European Communities.** — I thank the rapporteur and all those who have contributed to the discussion concerning the laws of Member States applying to collective dismissals. The examination here has been thorough and very careful.

The Commission was happy to find broad agreement between its own views and the opinions expressed in the report. The agreement includes agreement on the importance of the social and economic aspects. As the Commission reported in its statement on the motives of the directive, the most significant point of agreement was the finding that the differences in the legislation in different countries are not now well established as to needs because of the integration of the Market and the changes in the structure of firms; and the fact that there are differences existing in the measures protecting the workers in different countries may have a negative effect on the balance of social and regional evolution at the Community level.

Agreement exists also on the proposal for a systematic collaboration of management, workers' representatives and public authorities in order to solve problems of collective dismissals.

In this way the interests of firms, the principle in relation to the autonomy of the social partners and the need for an employment policy can be respected. The goal of the directive is to fix minimum standards which would be valid for the whole Community. It is not easy to answer the question of where in the Community are countries lagging totally behind what is proposed. For instance, in some aspects in some countries it is not necessary to notify local authorities, and in others it is not essential to consult trade unions. But information about the position in the different countries is available to Members of the Parliament in study No. V8754/2/70F. I do not know whether it is the wish at this time that I should put on our record extracts from that document, but it may be that Members would prefer to study it at their leisure. It is possible from the document to get a picture of the variety of methods by which national Governments protect workers in this way.

It is said, and I agree, that the directive is limited, but it is a first step—a very small but important step—in the direction of Community harmonization in this area. The Commission regards it as a very small first step towards the solution of the much vaster problem, and it is intended to carry on the activity commenced.

The intention made evident by the directive is to seek further progress. We will have to accept that to get any way with harmonization of national legislations through Community action we will have to take the first possible steps.

I do not know how experienced Members here are at national level of either making some progress or else dealing only with the unattainable and making no progress at all. It is important to make what progress is possible as quickly as possible; to keep the high motive before our eyes and not to have, as has earlier been said in English, though I do not know how it translates, the best is the enemy of the good. We get done what we can get done and make as much progress as we can, but the intention of the Commission is to follow this first step and to continue the activity commenced by this directive.

The situation in the new Member States, is being examined, and the Commission will have to consider whether amendments to the proposals are necessary in relation to those new Member States. Further examination of this aspect is going on because, of course, the text applies only to the Six, and when the services of the Commission have gathered the necessary data we will again have an amendment for discussion. We can then take into consideration the various points raised by the Member from the United Kingdom.

If a local authority finds that the reasons given for proposed mass or collective dismissals are inadequate or are not soundly based, it would be in a position to prevent that happening: that would be the interpretation in that case.

We shall have other occasions on which to answer other questions raised, but, moving away from the legalistic interpretation, it is my personal belief that Community legislation as well as national legislation would always have to favour the worker. Our thinking and our progress along this line will have to be based on the assumption that in a rapidly changing society, with various reasons for redundancies and dismissals, legislation will have to be brought forward rapidly and will have to be adequate to help in the protection of workers. It is the worker who will always be in need of help.

This is presented as a first step in a particular direction. I have already made it clear that it is our intention in the social programme to take fully into account the problems raised by collective dismissals, and I hope we shall be able to satisfy the Members in this matter in the future.

(Applause)



**President.** — Does any one else wish to speak?

The general debate is closed.

We come now to the motion for a directive. Discussion of the motion itself is deferred.

I have an amendment No 1 to article 3(1) tabled by Mr Marras which reads:

'At the end of paragraph 1, insert the following :

"or if it feels that the economic situation in the area or other serious reasons so warrant."

I call Mr Marras who has asked to speak to his amendment.

**Mr Marras.** — (I) Mr President, I have already explained the substance of these amendments in my last speech and thus have nothing much to add, except to emphasize once again that the amendments I am proposing are taken over from the text of the amendments put before the committee along with this report by the rapporteur, my colleague Mr Della Briotta.

I must also add, for the sake of precision, that these amendments are not a full reflection of our view of the problem and that if we had been concerned to put forward amendments representing our point of view, we would have gone much further. We are content simply to direct the Parliament's attention to realistic and practical ways in which these amendments can be incorporated into the substance of the directive.

I am sorry that my colleague Mr Cifarelli is not in the House. I should like to reassure him that, while our ideas on this matter may differ, there is nothing in the amendments we are proposing that endangers the rule of the game of the society in which we live; indeed, to some extent we are rather restrained by comparison with the legal provisions obtaining in some of the Member States of the Community, amongst them even France, our host today.

I commend these amendments therefore to the attention and consideration of honourable Members and I trust, Mr President, that my words have cleared up any remaining doubts.

**President.** — What is the opinion of the rapporteur?

**Mr Della Briotta.** — (I) I take back nothing of what I have already said. Imagine having children who are later not recognised as one's children because somebody else has adopted

them. Mr Marras has said that he has only adopted these children, though he is not very fond of them really.

We must be consistent, and I say this with all due respect for Mr Marras. He has in fact said, in the course of the debate, that we must strengthen the powers of the trade unions and support fully trade union action and that we must at the same time strengthen the hand of the public authority. We must choose: either we adopt a line of conduct which is not self-contradictory or else we are content to act, not out of principle, but out of a spirit of pragmatism and realism, which is guided by no other consideration than the demands of the existing situation.

I was personally of the opinion that it might be wise to make the ideas contained in Article 3 more explicit.

**President.** — Mr Della Briotta, I asked you if, in your capacity as rapporteur, you would inform the House of the position of the committee on this amendment.

**Mr Della Briotta.** — (I) Mr President, I have given their point of view. The committee is opposed to the amendment and I should like to add that a more attentive reading of Article 1 would show that it touches by and large on all the problems posed by me in the amendment which I presented and which the committee decided not to accept.

I must say that the committee's view has been upheld in the House. I bow to the Assembly's decisions.

**President.** — What is the opinion of the Commission of the European Communities?

**Dr Hillery, Vice-President of the Commission of the European Communities.** — I had intended to say that we would have them seriously considered. I was waiting to see if Parliament would be unanimous on them. If Parliament were unanimous, then I would be happy to support them.

**President.** — Now that that point has been clarified I shall put amendment No 1 to the vote.

The amendment is rejected.

I have an amendment, No 2, to Article 3.

On article 3 I have received an amendment, No 2, tabled by Mr Marras which reads:

'After paragraph 2, insert a new paragraph 2(a) worded as follows:

**President**

"2(a) if, after the expiry of the two month period stipulated in paragraph 2, the employer adopts the redundancy measures in spite of the opposition of the public authority, he shall be subject to the sanctions provided for in Member States' legislation, in particular in the form of special redundancy payments to be made to the dismissed workers."

This amendment has already been defended by the mover.

What is the opinion of the rapporteur?

**Mr Della Briotta, rapporteur.** — (I) The committee is opposed to it.

**President.** — I put amendment No 2 to the vote.

Amendment No 2 is rejected.

I put article 3 to the vote.

Article 3 is adopted.

We come now to the motion itself which was set aside for later discussion.

After paragraph 8 I have two amendments tabled by Mr Marras:

Amendment No 3:

After paragraph 8 insert a new paragraph 8(a) worded as follows:

'8(a) maintains, moreover, that if consultation of workers' representatives and mediation by the public authorities do not lead to a satisfactory outcome, provision must be made whereby redundancy measures may only be adopted with the explicit permission of the said authorities.'

Amendment No 4:

After this paragraph, insert a new paragraph 8(b) worded as follows:

'8(b) considers that sanctions should be provided for, particularly in the form of special redundancy payments to be made to the workers affected in the event of the undertaking also wishing to adopt redundancy measures without the authorization of the relevant public authorities.'

I agree with Mr Marras that now that amendments No 1 and No 2 have been rejected, amendments No 3 and No 4 to the motion are no longer to the point.

I therefore put the motion as a whole to the vote.

The resolution as a whole is adopted.<sup>1</sup>

13. *Motion tabled and decision on urgency: resolution on the name, number and membership of committees adopted*

**President.** — A motion has been tabled by Mr Lücker, on behalf of the Christian-Democratic Group, Mr Corona, on behalf of the Socialist Group, Mr Berkhouwer, on behalf of the Liberal and Allies Group, Mr Kirk, on behalf of the Conservative Group, Mr Triboulet, on behalf of the European Democratic Union Group with a request that it be dealt with as urgent pursuant to Rule 14 on the number and membership of the committees of the European Parliament (Doc. 339/72).

I put the question of urgency to the House.

Are there any objections?

That is agreed.

I propose we should go on immediately to the vote on the motion.

Are there any objections?

That is agreed.

I put the motion to the vote.

The resolution is adopted.<sup>2</sup>

14. *Authorization to draw up a report*

**President.** — I have authorized the committee on Development and Cooperation, at its request, to draw up a report on the problems raised by the renewal and enlargement of the Association with the African and Malagasy States.

15. *Address by the President*

**President.** — Ladies and gentlemen, it is not my intention to deliver a long speech on the last day of my tenure of office as President. Instead, I have decided, as in the year 1972, to give, in the form of an annex to the Bulletin for 16 March 1973 (today is the 12 March), a survey of the events which have occurred during my tenure of office and which appear to me to be of particular importance. Permit me, therefore, just to touch on a few points.

I had the honour and at the same time the difficult task of assuming the office of President at a time when the extension of the Community was approaching and finally became reality.

<sup>1</sup> OJ No C 19, 12 April 1973, p. 10.

<sup>2</sup> OJ No C 19, 12 April 1973, p. 14.

**President**

This fact prompted me to direct my attention not only to the struggle for greater powers for the European Parliament, but also—and this simultaneously with the rest—to enable Parliament to cope with new tasks and an increased load of work. I have therefore striven for a number of reforms—to some extent successfully, for some of them have already become a reality: we have only to think of medium-term planning, the concentration of committee meetings in a few places, the problem of Question Time and the Topical Hour, and the European Parliament's joint discussions with members of the Council and the Commission.

Following the working session held by the enlarged Bureau of the European Parliament on 26 and 27 February in Berlin, further successes can now be aimed at.

During the next few days, marked by the reorganization of this House, a great deal will naturally be said on the subject of the reorganization of the committees, for which reason I do not propose to go further into the subject here. Two other points, however, seem to me to be of importance. First of all, the setting up of an Inter-Parliamentary Relations Board creates the infrastructure which, in my view, is needed if this House is to keep pace with the increasing interparliamentary contacts, with regard both to their organization and to their content.

In this connection, I should like to mention that in the course of the next few weeks we shall be meeting members of the Canadian Senate, the American House of Representatives and—as also last year—with Latin America. In Berlin I was even asked if we would not be seeking contact with the parliaments of the states of Eastern Europe.

This seems to me to be premature, but I should not like to exclude such a possibility for the future. I am convinced that this board will prove to be necessary and of great use. A special working group will have to carry on the work where I have stopped: I refer to the task of further improving the working methods of our House in order that it shall continue to exercise its functions of legislation and supervision. If this is not done, we shall run the risk of becoming swamped in our day-to-day work.

This working group will be composed of two representatives of each Political Group and one representative of our Communist Members. Since

we are here concerned with the reform of working methods, the Rules of Procedure will have to be revised in various connections: for this reason the enlarged Bureau considered it advisable, right at the beginning, to give the chair to the Chairman of the Legal Affairs Committee. You are aware that the Conservative Group has already made proposals, for which we are grateful. Nevertheless, I should like to impress upon all members of this House that they, too, should address proposals to this working group as soon as possible.

The fact is that this working group must finish its work by the summer recess, so that there is no time for the protracted business of obtaining expert advice from outside. For the same reason, it is advisable that we should confine ourselves to those matters which are not already being dealt with by one or another committee.

Colleagues! It is the duty of all of us to consider the prestige of our House. I, for my part, shall not retire into inactivity, but from now on will rejoin the struggle as a rank-and-file member of this House, and lend my full support to the future President of the European Parliament in all his efforts.

*(Loud applause)*

#### 16. Approval of the minutes

**President.** — Pursuant to Rule 17(2) of the Rules of Procedure, I have to lay before Parliament for its approval the minutes of proceedings of the present sitting, which have been drawn up during the course of the sitting.

Are there any objections?

The minutes are approved.

#### 17. Close of the session

**President.** — I declare closed the annual session of the European Parliament for 1972-73.

I would remind you that pursuant to the provisions of the Treaties, Parliament will meet tomorrow, Tuesday, 13 March at 12 noon.

The sitting is closed.

*(The sitting was closed at 7.45 p.m.)*





