

COUNCIL OF THE EUROPEAN COMMUNITIES  
GENERAL SECRETARIAT

PRESS RELEASE

Signing of the Convention  
on the Community Patent

- 377th meeting of the Council -  
Luxembourg, 15 December 1975

President: Mr Francesco CATTANEI,  
State Secretary,  
Ministry of Foreign Affairs  
of the Italian Republic



THE COMMUNITY PATENT

The Representatives of the Member States, meeting within the Council today signed the Convention on the Community patent at the Kirchberg European Centre <sup>(1)</sup>.

Belgium:

Mr J. DESCHAMPS  
Belgian Ambassador  
to Luxembourg

Denmark:

Mr K.V. SKJØDT  
Director,  
Patents Directorate

Germany:

Dr Peter HERMES  
State Secretary,  
Ministry of Foreign Affairs

France:

Mr Emile CAZIMAJOU  
Minister Plenipotentiary,  
Deputy Permanent Representative

Ireland:

Mr John BRUTON  
Parliamentary Secretary,  
Ministry for Industry and  
Commerce

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<sup>(1)</sup> A brief statement on the results of the Conference is annexed hereto.

Italy:

Mr Francesco CATTANEI

State Secretary,  
Ministry of Foreign Affairs

Luxembourg:

Mr Marcel MART

Minister for Economic Affairs,  
Small Firms and Traders and of  
Tourism

Netherlands:

Mr T.H.M. HAZEKAMP

State Secretary,  
Ministry of Economic Affairs

United Kingdom:

Lord GORONWY-ROBERTS

Minister of State,  
Foreign and Commonwealth Office

The Commission was represented by Mr Fernand BRAUN,  
Director-General, Internal Market.

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After the signing ceremony, the Council formally adopted the following Resolution:

"THE COUNCIL of the European Communities,

HAVING REGARD to the Treaty establishing the European Economic Community,

WHEREAS the representatives of the Member States of the European Economic Community have this day signed a Convention for the European Patent for the Common Market;

WHEREAS the Council is of the opinion and the representatives of the Member States have declared in the preamble to the Convention that the conclusion of the Convention is necessary to facilitate the achievement of the tasks of the European Economic Community and that therefore it is an appropriate measure to be taken by the Member States, subject to national ratification procedures, to ensure fulfilment of Community obligations;

RESOLVES that the Member States should become parties to the Convention for the European Patent for the Common Market and take all such measures as may be necessary to ensure its implementation."



BRIEF STATEMENT  
ON THE RESULTS OF THE LUXEMBOURG CONFERENCE  
ON THE COMMUNITY PATENT

The aim of the Convention is to introduce a common system of law for Contracting States regarding patents for invention: it is thus in keeping with the principles of the Treaty of Rome, one of the objectives of which is to abolish obstacles to the free movement of goods.

In order to achieve this aim, the Convention enshrines the following principles:

- the creation of a Community patent: European patents granted pursuant to the Munich European Patent Convention - one or more Member States of the Community are designated to grant these - are Community patents valid for the entire Community
- the unitary and autonomous nature of the Community patent: it has the same effect throughout the territory of the Community and is subject only to the provisions of the Convention
- precedence of the provisions of the Treaty of Rome over those of the Convention
- the setting up of special departments of the European Patent Office to rule on the validity of Community patents.

Certain provisions deviate from these general principles, such as those which recognize the existence of prior national rights to a Community patent; moreover, infringement proceedings remain within the jurisdiction of national courts and should be centralised at a later date; finally the applicant for a patent may, for a transitional period, have the choice between a Community patent and a European patent, but only in the case of some of the States of the Community.

There were extensive negotiations on several questions at the Conference. We may note in this connection the adoption of "economic clauses", which guarantee that a patented product which is put on the market either by the proprietor of a patent or with his express agreement may move freely throughout the entire territory of the Community; further, with regard to jurisdiction, the principle of the primacy of the Convention on Jurisdiction and Enforcement, signed in Brussels on 27 September 1969, was affirmed, except where there was special jurisdiction, particularly with regard to infringement.

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The Convention on the Community Patent is, for the Nine, the logical extension of the Munich Convention signed in 1973. It is a significant contribution to the difficult standardisation work which enables us to move gradually closer to the creation of a genuine common market; it is, finally, one aspect of international co-operation on patents.

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PRESS RELEASE

378th meeting of the Council

- Social Affairs -

Brussels, 18 December 1975

President: Mr Mario TOROS  
Minister of Labour  
and Social Security of the  
Italian Republic

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The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Mr Alfred CALIFICE                      Minister of Labour and Employment

Denmark:

Mr Erling DINESEN                      Minister of Labour  
Mrs Eva GEDAL                          Minister of Social Security  
Mr Gunnar COIN                         State Secretary,  
   Ministry of Labour

Germany:

Mr Walter ARENDT                      Federal Minister of Labour and  
   Social Affairs

France:

Mr Emile CAZIMAJOU                    Minister Plenipotentiary,  
   Deputy Permanent Representative

Ireland:

Mr Michael O'LEARY                    Minister of Labour  
Mr Frank CLUSKEY                      Parliamentary Secretary to the  
   Minister for Social Welfare

Italy:

Mr Mario TOROS                         Minister of Labour and Social  
   Security  
Mr Luigi GRANELLI                      Deputy State Secretary,  
   Ministry of Foreign Affairs  
Mr Alberto DEL NERO                    Deputy State Secretary,  
   Ministry of Labour and Social  
   Security

Luxembourg:

Mr Maurice THOSS

State Secretary, Ministry of  
Labour and Social Security

Netherlands:

Mr P.J.J. MERTENS

State Secretary,  
Ministry of Social Security

United Kingdom:

Mr John FRASER

Parliamentary Under-Secretary,  
Department of Employment

Mr Michael MEACHER

Parliamentary Under-Secretary,  
Department of Health and Social  
Security

Commission:

Mr Patrick John HILLERY

Vice-President

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TEXTILE AND CLOTHING SECTORS

The Council recorded its agreement to the Decision on continuing assistance from the European Social Fund for persons employed in the textile industry and extension of such assistance to persons employed in the clothing industry.

In accordance with the provisions of this Decision, assistance from the Social Fund may be granted in particular to operations which are aimed at facilitating the employment and geographical and occupational mobility of persons occupied in the textile industry, including the processing of chemical fibres, and in the clothing industry, whose activities are directly affected, or in danger of being affected, by measures for structural adaptation.

This Decision repeals that of 19 December 1972 and shall be valid for one and a half years.

RESOLUTION CONCERNING A PROGRAMME OF ACTION FOR MIGRANT WORKERS AND THEIR FAMILIES

Following a discussion of a political nature, the Council recorded its agreement to the Resolution concerning a programme of action for migrant workers and their families, which is given in Annex.

STATISTICS ON FOREIGN LABOUR

The Council recorded its agreement to the Regulation concerning the compilation of statistics on foreign labour.

The Regulation also provides that Member States shall, in respect of workers who are nationals of another Member State or of a non-Member State, compile statistics on the number of workers and the first employment taken up by the workers concerned in their territory in a given year. These statistics should comprise the following information: nationality, sex, age, branch of activity or group of professions, and region.

PROPOSED ACTION BY THE EUROPEAN SOCIAL FUND TO ASSIST OPERATIONS CONNECTED WITH THE RECESSION

Following a very detailed discussion on the various aspects of the Commission proposal, the Council noted that there was not the necessary majority for its adoption.

TRADE UNION RIGHTS OF MIGRANT WORKERS

The Council recorded its agreement on the Regulation amending the provisions relating to the trade union rights of the workers referred to in the Regulation on freedom of movement for workers within the Community.

The Regulation adopted by the Council specifies that the equality of treatment as regards trade union rights enjoyed by workers who are nationals of one Member State and who are employed in the territory of another Member State shall also apply with respect to eligibility for administration or management posts within a trade union.

SOCIAL SECURITY FOR MIGRANT WORKERS

The Council discussed the Commission proposal aimed at the standardization within the Community of the conditions governing the payment of family benefits to workers, the members of whose families live in a Member State other than the country of employment.

The Council noted that, in the present circumstances, the system provided for in the Regulation of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community should be maintained; however, a number of adjustments might need to be made to the solutions adopted in that Regulation to assist migrant workers and members of their families.



EQUAL TREATMENT FOR MEN AND WOMEN WORKERS

The Council signified its agreement to the Directive on implementating the principle of equal treatment for men and women workers as regards access to employment, advancement, vocational training and working conditions. With a view to ensuring the progressive implementation of the principle of equal treatment in matters of social security, the Council, acting on a proposal from the Commission, is later to adopt provisions defining its substance and scope and arrangements for its application.

Under the Directive not only are formal types of discrimination, including those embodied in collective agreements, individual contracts of employment, staff regulations or in rules governing independent occupations and professions to be abolished, but it also makes provision for a positive right to equal treatment in the various fields under consideration. This right is confirmed by the provision that any person who considers himself aggrieved as a result of the failure to apply the principle of equal treatment may pursue his claims by judicial process after recourse, where possible, to other competent authorities. This is to be without prejudice to the freedom granted to certain private educational and training establishments.

Finally, the Member States will have to take the necessary measures to protect employees against dismissal by the employer as a reaction to a complaint or legal proceedings, and are to take care that the provisions adopted pursuant to the Directive, or those already in force, are brought to the attention of employees by all appropriate means, for example at their place of employment.

They have a maximum period of 30 months in which to implement the Directive.

THIRD REPORT ON THE ACTIVITIES OF THE EUROPEAN SOCIAL FUND

After hearing a statement from the Commission, the Council took note of the third report of the new European Social Fund concerning the financial year 1974.

Besides an analysis of the operation and activities of the Fund during the financial year 1974, the report contains a number of observations on its impact on employment policy as well as some guidelines for the future.

The Council also took note of the various comments submitted by the different delegations concerning this report.

SCHOOLING OF CHILDREN OF MIGRANT WORKERS

The Council held a preliminary discussion on the proposal for a Directive on the schooling of children of migrant workers. Pending the Opinion of the Economic and Social Committee, it examined certain guidelines which could be followed in this matter and instructed the Permanent Representatives Committee to continue its examination of this proposal with a view to a Council Decision at a later date.

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When the Permanent Representatives Committee had finalized the various texts of the items on which the Council agreed, these texts will be submitted to the Council for formal approval at a forthcoming meeting and afterwards published in the Official Journal.

COUNCIL RESOLUTION ON AN ACTION PROGRAMME FOR MIGRANT  
WORKERS AND THEIR FAMILIES

provisional version

1. TAKES NOTE of the Commission communication on an action programme for migrant workers and their families;
2. CONSIDERS that in the Community's present economic and social situation, action to benefit migrant workers and their families should concentrate on the improvement of the circumstances of migrant workers and their families within the Member States and in particular on measures which will:
  - (i) continue and enhance the humanization of freedom of movement for workers as provided for in Articles 48 to 51 of the Treaty by means of measures designed to promote, in accordance with the rights deriving from Community acts in force, genuine equality of treatment with national workers, taking into account all the requirements arising in the various stages of migration.

These shall include in particular:

- (a) taking whatever organizational steps are appropriate to, and strengthening co-operation between, national employment services, particularly as regards official

compensation machinery, in order to encourage as many migrant workers as possible to use these services;

(b) offering appropriate assistance to migrant workers and their families to facilitate their integration in the host country, particularly by improving the social infrastructure and making more information available, and by encouraging them to take advantage of the official services available to nationals;

(c) providing, during the stages of return to and reintegration in the country of origin, as part of the collaboration between the host country and the country of origin, appropriate assistance to those migrant workers and their families wishing to resettle in their country of origin;

(ii) seek appropriate solutions with a view to eliminating progressively such unwarranted restrictions of the rights of workers who are nationals of other Member States and of their families as may still exist under Community regulations in force.

(iii) encourage the achievement of equality of treatment for migrant workers and their families, who are nationals of third countries but legally resident in the Member States, with regard to living and working conditions, wages and economic rights.

3. CONSIDERS that with a view to promoting the social and occupational wellbeing of migrant workers and their families, particular importance should be attached to measures concerning the fields of vocational training, housing, social services, medical and social care schemes including preventive medicine, schooling of children, information campaigns designed to make the general public in the host countries more aware of the problems of migrant workers and their families;
4. WISHES to see an acceleration of the work undertaken in pursuance of point 11 of the Conference of the Heads of State or of Government in Paris in December 1974, regarding the granting of special rights to citizens of Member States;
5. CONSIDERS that it is important to
  - (i) concert as appropriate migration policies vis-à-vis third countries.
  - (ii) strengthen co-operation between Member States in the campaign against illegal immigration of workers who are nationals of third countries and ensure that appropriate sanctions are laid down to repress trafficking and abuses linked with illegal immigration and that the obligations of employers are fulfilled and the rights of workers relating to the work they have carried out safeguarded, without prejudice to other consequences of the unlawful nature of their residence and employment.

6. CONSIDERS that the social problems arising for workers who are nationals of the Member States and their families residing in certain third countries should be examined as necessary;
  7. EXPRESSES the political resolve that the measures referred to in this Resolution be implemented, with due regard to competence of the Community institutions on the one hand and that of the Member States on the other.
  8. CONSIDERS that future developments arising from this Resolution should be examined in the light of the implementation of the Council Resolution of 21 January 1974 concerning a social action programme.
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On a proposal from the French Government, the Council appointed Mr Joannès GALLAND, Secretary of the CGT and head of his Federation's "Common Market" Section, as a member of the Economic and Social Committee to replace Mr MASCARELLO who had resigned, for the remainder of the latter's term of office, that is until 16 September 1978.

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### OTHER DECISIONS

#### Economic and financial questions

The Council adopted in the official languages of the Communities, the annual report on the economic situation in the Community for 1976 and the Decision concerning changes in the timetable for drawing up the annual report on the economic situation in the Community.

The Council also adopted, in the official languages of the Community

#### - Directives

- amending Directive 72/464/EEC on taxes other than turnover taxes which affect the consumption of manufactured tobacco;
- adjusting the conditions governing the granting of **medium-term** financial assistance to the Italian Republic;

- a Decision renewing the machinery for medium-term financial assistance;
- Regulations
  - on the allocation of 62.5 million units of account from the Guidance Section to the Guarantee Section of the **EAGGF**;
  - on the conditions for applying Article 40(4) of the Treaty to the French Overseas Departments (provision concerning the Guidance Section of the **EAGGF**).

#### Domestic market

The Council adopted in the official languages of the Communities, the Directives on the approximation of the laws of the Member States

- concerning electrical equipment for use in potentially explosive atmospheres;
- relating to fertilizers;
- relating to statutory plates and inscriptions for motor vehicles and their trailers, and their location and method of attachment;
- relating to certain partially or wholly dried preserved milk intended for human consumption;
- relating to anchorages for motor-vehicle safety belts.

#### Commercial policy

The Council adopted, in the official languages of the Communities, the Directive on the harmonization of the provisions laid down by law, regulation or administrative action, in respect of outward processing and seven Regulations on the implementation of Decisions Nos 1/75 and 2/75 of the Joint Committees set up under the **EEC/EFTA Agreements**, concerning methods of administrative co-operation in customs matters.

The Council also adopted in the official languages of the Communities,

- Regulations

- on the opening, allocation and administration of Community tariff quotas for
  - certain hand made products;
  - certain hand woven fabrics, pile and chenille falling within subheadings Nos ex 50.09, ex 50.10, ex 55.07, ex 55.09 and ex 58.04 of the Common Customs Tariff;
- fixing for 1976 the Community quantitative export quota for certain types of copper ash and residues and for certain types of copper and aluminium waste and scrap;

- Decisions

- amending for 1976 the import quotas laid down by Decision 75/210/EEC on unilateral import arrangements in respect of state-trading countries;
- on the application of Decision 75/210/EEC on unilateral import arrangements in respect of state-trading countries;
- extending, in respect of the United Kingdom, the time limit provided for in the Act of Accession for retaining quantitative restrictions on import of flax or remie yarn in respect of state-trading countries;
- on the acceptance of a draft Additional Protocol to the European Agreement on the Exchange of Tissue-Typing Reagents;
- concluding the Agreement in the form of an exchange of letters extending the Trade Agreement between the European Economic Community and the Argentine Republic;

- a Regulation concerning the conclusion of the Agreement between the European Economic Community and Australia, negotiated under Article XXVIII of GATT, and amending the Common Customs Tariff as regards lead and zinc.

The Council authorized the Commission to open negotiations with Yugoslavia in the textiles sector.

#### Other Decisions

The Council adopted, in the official languages of the Communities, Regulations

- amending Regulation (EEC) No 3255/74 extending and amending Regulation (EEC) No 1174/68 on the introduction of a system of bracket tariffs for the carriage of goods by road between Member States;
- extending Regulation (EEC) No 2829/72 on the Community quota for the carriage of goods by road between Member States;
- amending Regulation (EEC) No 1599/75 on the arrangements applicable to agricultural products and goods resulting from the processing of agricultural products originating in the ACP States or the OCT;
- renewing the arrangements for the reduction of import charges on beef and veal products originating in the ACP States;
- amending Regulation (EEC) No 1411/71 in respect of the fat content of full cream milk.

General budget of the European Communities

The Council noted that the European Parliament today approved an increase of 102,900,301 UA in the total "non-obligatory" expenditure in the 1976 budget as compared with the draft budget for the financial year 1976 which had been given a first reading by the Council, and that the European Parliament had agreed to a new rate of increase in non-obligatory expenditure corresponding to this increase.

The Council therefore recorded its agreement, in accordance with the relevant provisions of the Treaty, to a new rate representing an increase of 102,900,301 UA in non-obligatory expenditure.

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PRIORITE P 1

Note BIO (75) 388 aux Bureaux nationaux  
cc aux Membres du Groupe et à MM les Directeurs généraux des DGI et X

Préparation Conseil Affaires Sociales

Le Conseil Affaires Sociales aura lieu jeudi 18 décembre à Bruxelles.  
Trois points de l'ordre du jour sont d'une grande importance et relèvent de l'actualité.

1.- Programme d'action en faveur des travailleurs migrants et des membres de leur famille. Il s'agit du programme envoyé par la Commission au Conseil le 18 décembre 1974. Voir COM(74)2250 et P - 85. La Commission avait demandé au Conseil de prendre acte de ce programme sur base duquel elle ferait des propositions concrètes en vue de mettre en vigueur les différents volets du programme - actions en faveur des migrants communautaires des migrants des pays tiers, des enfants etc. En effet il y a deux propositions sur lesquelles le Conseil doit décider jeudi concernant les droits syndicaux des travailleurs migrants et l'uniformisation du système de paiement des prestations familiales aux travailleurs dont les membres de la famille résident dans un Etat membre autre que le pays d'emploi.

D'après le Groupe questions sociales le Conseil devrait traiter

le programme pour les migrants sous la forme d'une résolution. Le souci de la Commission est d'assurer que la résolution ne limite pas son pouvoir d'initiative futur en ce qui concerne la mise en vigueur du programme pour les migrants. C'est pour cette raison que la Commission a participé aux travaux de rédaction d'un des deux projets de résolution actuellement devant le Conseil.

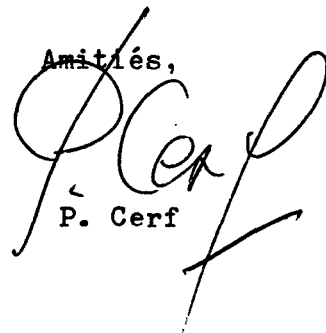
2.- Directive pour l'égalité de traitement entre les travailleurs masculins et féminins en matière d'accès à l'emploi, à la formation et promotion professionnelles et les conditions de travail. Voir COM(75)36 du 12 février et Note P - 11. Une première discussion lors du Conseil de juin dernier avait mis en évidence les grandes difficultés financières que l'application de cette directive au domaine de la sécurité sociale imposeraient aux gouvernements pendant cette période difficile. Par conséquent on a laissé tomber le volet sécurité sociale du champ d'application de la directive mais il est prévu que le Conseil arrêtera progressivement, sur proposition ultérieure de la Commission, l'égalité de traitement dans ce domaine.

Pour ce qui concerne les autres domaines (accès à l'emploi etc.) il semblerait que le Conseil soit prêt à accepter l'égalité de traitement selon les principes proposés par la Commission. L'adoption éventuelle de cette directive serait un progrès indiscutable au niveau communautaire à signaler à la fin de "l'Année de la Femme". On vous rappelle que le Conseil, il y a un an, avait adopté la directive renforçant le principe d'égalité entre les rémunérations masculines et féminines tel qu'il est défini à l'article 119 du Traité de Rome.

3.- Intervention du Fonds Social en faveur d'opérations de réadaptation professionnelle liées à la récession. Voir COM(75)502 du 8 octobre 1975 ./.

et Note P - 62. Cette proposition fait suite à celle adoptée par le Conseil en juin dernier concernant l'aide du Fonds Social en faveur des jeunes travailleurs. La nouvelle proposition envisage une aide financière du Fonds pour le recyclage des travailleurs dans les secteurs les plus touchés par la crise actuelle. Cette proposition s'est heurtée à des réserves de la part des délégations allemande, française, luxembourgeoise et britannique. La discussion au Conseil sera difficile. Par contre il est probable que la proposition visant à prolonger l'intervention du Fonds Social en faveur des personnes occupées dans les secteurs du textile/à l'étendre au secteur de l'habillement soit adoptée. Voir COM (75) 502 du 8 octobre.

Amitiés,

A large, stylized handwritten signature in black ink, appearing to be 'P. Cerf', written over the typed name.

P. Cerf



COMMISSION  
OF THE  
EUROPEAN COMMUNITIES

Brussels  
JC/mon

18 December 1975

SPOKESMAN'S GROUP

PRIORITY - P 1

~~W~~ to the telex at: 12135

Note BIO (75) 388 suite 1 to the National Offices  
c.c. to the Members of the Group and to the Directors General DG I and X

Subject: SOCIAL AFFAIRS COUNCIL

The Council got off to a good start when agreement was fairly quickly reached on the proposed directive on implementing the principle of equal treatment for men and women workers. The Commission (Dr. Hillery) was especially pleased when the German, Dutch and Danish delegations dropped their reserves and accepted that the directive should include a positive general right on the part of women to equal treatment and was not simply limited to removal of existing legal discrimination.

The Commission withdrew its proposal that there should be special machinery available to women to reach amicable solutions and to provide them with information to help them to seek legal remedies less costly than the normal legal procedures. This point had been pressed by the trade unions and the Commission but the Member States could not accept it in the present directive and Dr. Hillery said the Commission would make a further proposal at a later stage. The German delegation said it would be unable to accept implementation of the directive in less than 36 months instead of the 18 proposed by the Commission. Eventually a compromise was agreed on 30 months but any Member State can, of course, implement the directive at any time within this period.

The President of the Council, Mr. Toros, said he would enter in the Minutes the fact that he had received a delegation of European women who had asked that the social security aspect of equal treatment should be implemented as soon as possible.

The Council then passed to the Action Programme for Migrant Workers.

To be continued ...

Regards

B. Olivi





**COMMISSION  
OF THE  
EUROPEAN COMMUNITIES**

Brussels ..... 18 December 1975  
JC/mon

SPOKESMAN'S GROUP  
PRIORITY - P 1

Given to the telex at: 17h 40

Note BIO(75)388 suite 2 to the National Offices  
c.c. to the Members of the Group and to the Directors General DG I and X

Subject : SOCIAL AFFAIRS COUNCIL

In the afternoon the Council adopted in principle a resolution concerning the action programme for migrant workers and their families. This resolution has been sent back to COREPER to take account of the various amendments agreed on during the discussion. The resolution discussed was the second or shorter one favoured by the Council and Dr. Hillery made it clear in the debate that the Commission's future right of initiative would not be restricted as a result of the resolution.

DIS. The Commission had only asked the Council to take note of the action programme with the intention of implementing it by concrete proposals at a later date but as the view of the Council was clearly in favour of a resolution, the Commission decided to cooperate. End DIS.

The resolution calls for the progressive elimination of any unjustified restrictions on the rights of Community migrants and their families as may still exist under Community regulations in force. It encourages the achievement of equality of treatment for migrant workers and their families from outside the Community but legally resident in the Member States with regard to living and working conditions, wages and economic rights.

Concerning the action programme's proposal for full participation in local elections by 1980 at the latest for migrant workers, the Council noted that this matter was also being discussed by the working group on the European rights of Community citizens set up after the Rome Summit and removed it from the resolution.

The Council then went on to discuss the proposal to use the Social Fund to help workers in the sectors most affected by the present recession. The German, French, British and Luxembourg delegations expressed the strongest objections to adopting such a proposal arguing that the budgetary resources were insufficient and that the delay in receiving money from the Fund would be too long to have any real effect. The Italian Presidency was reluctant to have the proposal withdrawn saying that a political commitment had been made to agree on it at the last Social Council in June. Dr. Hillery, for the Commission, made the same point while regretting that the budgetary resources were indeed inadequate for the job that had to be done.

To be continued ...

Regards

B. Olivi





COMMISSION  
OF THE  
EUROPEAN COMMUNITIES

Brussels  
JC/mon

19 December 1975

SPOKESMAN'S GROUP

PRIORITY - P 1

Given to the telex at: 10 h 55

Note BIO(75)388 suite 3 and end to the National Offices  
c.c. to the Members of the Group and to the Directors General DG I and X

Subject: SOCIAL AFFAIRS COUNCIL

The Council ended at 19h45 with both the President and the Commission expressing satisfaction at the solid achievements made.

The proposal to use Article 4 of the Social Fund to help the training of workers in the sectors most affected by the present recession could not be adopted as a qualified majority was not in favour. In spite of repeated efforts by Mr. Toros, supported by Dr. Hillery, the opposition of the French, German, British and Luxembourg delegations could not be overcome. The matter has been referred back to COREPER and there is a possibility that a way will be found to help the affected sectors under the more general scope of Article 5 of the Fund. The Italian delegation has suggested transferring to Article 5 the 27 m.u.a. earmarked for aid to the sectors if the Article 4 proposal had been approved.

On the other hand, the Council then went on to approve the proposal to prolong for a further 18 months the decision enabling Article 4 of the Social Fund to be used to aid the textile industry and extending its scope to include the clothing industry (habillement).

Migrant Workers

The proposal for amending the provisions concerning the free movement of workers so that Community migrants would have the right to hold office in a trade union was also approved. Dr. Hillery announced that the Commission would be making a complementary proposal to enable Community migrants to participate as union representatives in the management of bodies governed by public law or to hold public office as union representatives.

The proposal on the standardisation of the conditions governing the payment of family benefits to workers, the members of whose families live in a Member State other than the country of employment, did not find unanimous approval and has been referred back to COREPER and the Commission will continue its study of the problem. The aim of the proposal was to bring the French system (place of residence) into line with the other eight countries (place of work).

The Council then approved a regulation on the compilation of standardised statistics on foreign labour and held a brief discussion on proposals for directives concerning the education of the children of migrant workers.

Regards

B. Orlivi



