

# URO - info

The bulletin of enterprise policy

**Proposition for a directive  
aimed at fighting late  
payments in commercial  
transactions**

**Joint European Venture  
(JEV): 100 million ECU  
from 1998 to 2000**

**Strengthen competition  
through the promotion of  
sub-contracting**



European Commission

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**EURO - info** is a concise information bulletin for SMEs and the craft sector. It is sent to those who put in a written request. EURO-info is published 10 times a year.

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 "Enterprise Policy, Distributive Trades, Tourism and Co-operatives"

## Events in June 1998

### the 6th Conference on the Social Economy

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For the sixth time since 1989, at the 6th Conference on the Social Economy in Birmingham on 3 to 5 June, the participants in the social economy will have the opportunity for meetings, debates and exchanges among themselves and with national and regional politicians who have responsibility at a European level.

This big biennial forum, which will bring together the cooperatives, mutual societies and foundations (CMAF) of the European Union and even of the future Member States, will facilitate a clarification of concepts and stances and a definition of the major strands of policy for the social economy for the two years to come. It will also be a good means of reinforcing visibility and emphasizing the growing potential of the social economy.

The key objectives that the Conference has set itself are the exploitation of the social economy as a distinct sector and as a creator of new jobs, the definition of its role and its capacity to respond to the needs of society and its citizens, to the changes in the Welfare State, but also to the demands of the market and the new conditions of enterprise management. The conference should also highlight the contribution of the social economy to the development of active citizenship and the setting up of life-long training systems.

The Conference is taking place at a crucial moment for the social economy. One should recall that, in the conclusions of the Luxembourg Summit in November 1997, the social economy was mentioned, and recognised as a vehicle for job creation, in particular at a local level and through new activities.

The social economy offers as yet unexplored perspectives through its management principles, which are both democratic and interdependent, through a more flexible work organisation and through a closeness to the citizens and their needs. It will henceforth take a much larger place in future economic, social and community life.

The participants in the social economy must, for their part, position themselves better and make it even more clear to the responsible politicians at all levels, the role that they can play and the changes and improvements that the CMAF can bring.

The 6th Conference will help the Commission to define its future policy with regard to the CMAF. This policy of "mainstreaming" should take into account the reality and the potential of the social economy in all new community initiatives and permit the coordination and enhancement of the various activities that are already developed, or are about to be developed in other programmes.

#### INFORMATION

DG XXIII/A/2, Alice COPETTE,  
rue de la Loi 200 (AN80)  
B-1049 Brussels  
Fax: + 32-2-296 58 57,  
E-mail:  
Alice.COPETTE@dg23.cec.be

### Europarteneriat «The Netherlands - Apeldoorn» 11-12 June 1998

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For the first time in the Netherlands, at Apeldoorn on 11-12 June 1998, the Europarteneriat will bring together more than 400 Small and Medium-sized Enterprises (SMEs) from the provinces of Flevoland, Gueldre and Overijssel, three provinces situated in the centre of the Netherlands.

It is easy to justify the choice of Apeldoorn as venue for this new *Europarteneriat*. The Netherlands, situated at the centre of Europe, has an excellent infrastructure of communication networks with all the other countries in Europe. The three host provinces play a very important role in the Dutch economy and many SMEs-SMIs which carry on their trade either in traditional sectors or at the cutting edge, are established in this region.

Organised by DG XXIII and DG XVI (regional policy and cohesion), the *Europarteneriat in Apeldoorn* will offer the invited SMEs a unique opportunity to meet more than 2,000 businessmen coming from more than 700 different countries, with the aim of establishing business relations which could result in cooperation. These businessmen will come not only from the Member States of the European Union, but also from the European Free Trade Association (EFTA), the Mediterranean



Basin, Central and Eastern Europe, the Community of Independent States (CIS), South Asia and America.

Taking part in the *Europartenariat* will help businesses to adapt to the Single European Market as well as to the international market. The *Europartenariat* formula was devised to make SMEs more competitive and thus support the economic development of the regions.

Based on the list of enterprises which will be present at Apeldoorn, the European Commission has selected more than four hundred as having sufficient potential for internationalisation. These enterprises employ between 5 and 250 personnel and are established in the provinces of Flevoland, Gueldre and Overijssel.

Employment in this region is undergoing remarkable growth, thanks partly to the efforts of the European Commission, and an increasing number of entrepreneurs want to set up business there. The service and the information technology sectors are taking a more and more important part.

The region has many very well known universities and research institutes, which have a favourable influence on the level of technology used by the enterprises which are established there.

The entrepreneurs who will visit *Europartenariat The Netherlands* will come into contact with enterprises in advanced technology sectors, such as chemistry, automation, metallurgy and electronics, but also with enterprises in the textile and clothing, public health and pharmaceutical sectors. Agricultural products, food products and drinks are now also produced using advanced technology which is more and more in harmony with well thought-out management of the environment.

The catalogue "Europartenariat The Netherlands 1998" as well as all other information concerning the *Europartenariat* can be obtained from the following address.

#### INFORMATION

Europartenariat The Netherlands 1998  
P.O. Box 9033, 7300 ES Apeldoorn,  
Pays-Bas  
Tel: + 31 900 20 25 187  
Fax : + 31 55 58 01 015  
<http://www.europartenariat.nl>  
E-mail: [landmae@Apeldoorn.nl](mailto:landmae@Apeldoorn.nl)

## Proposition for a directive aimed at fighting late payments in commercial transactions

Late payments result in cash flow problems, harm profitability and are detrimental to competitiveness. In extreme cases they lead to insolvency and job losses and are at the origin of one insolvency in four. The prejudicial effects of late payments on Small and Medium-sized Enterprises (SMEs) are particularly serious. These practices also slow down the development of exchanges between Member States and the smooth running of the internal market.

That is why, as announced in EURO-info Nr 108, on the instigation of Mr. Christos Papoutsis, Commissioner responsible for enterprise policy, the European Commission adopted on 25 March a proposal for a Directive of the European Parliament and of the Council of Ministers aimed at fighting late payments in commercial transactions between private and public sector enterprises (COM (1998) 126 final).

The Directive proposal has as its main objective the compliance with terms of payment, while not undermining the principle of contractual freedom in the private sector.

Commissioner Papoutsis declared: "I am very pleased that this proposal for a directive has been adopted. It aims to resolve the serious problems that the persistence of the phenomenon of late payment poses for European enterprises and SMEs in particular. It is a measure that is also called for by the enterprises themselves. Late payments are intolerable, when at the same time we are doing our best to help our SMEs to exploit their capacity to the maximum and to create the jobs so much needed in Europe".

The Directive proposal is addressed to the Member States, who, following adoption by the Council and the European Parliament, will have until 31 December 2000 to take the necessary legislative, statutory and administrative measures to comply with the directive.

The principle elements of the Directive proposal are as follows:

### 1. Due date, interest and compensation for damages suffered

Except as otherwise provided by contract, or in the absence of a contract, the due date should not exceed 21 working days

from the date of invoice, or, in the absence of an invoice, from the date of delivery.

The creditor has the right to claim interest from the debtor on any sum not paid by the due date and the interest accrues automatically starting on the day following the due date.

The *rate* used for the interest on *overdue debt (legal rate)* corresponds at minimum to the *auction rate (repurchase rate) of the Central European Bank (intervention rate), increased by 8 points (margin)*, unless otherwise stipulated in the contract or in the general terms of sale of the vendor. The Member States which will not participate in the third phase of Economic and Monetary Union should apply an intervention rate which is in line with the equivalent rate fixed by their own central bank. The legal interest rate is automatically modified in function of movements in the intervention rate. If necessary, the margin can be reexamined and changed by a decision of the Commission.

In addition to interest on overdue debt, the creditor also has the right to claim from the debtor *full compensation for all other damages resulting from the late payment*.

## 2. Ownership of goods

The Member States must take the appropriate measures so that their legislation establishes that the vendor (creditor) remains the owner of the goods sold until the purchaser has paid the sales price. As long as the purchaser has not paid the sales price, the vendor should have the possibility of demanding that the goods sold be returned to him.

## 3. Accelerated collection procedures for uncontested debts

The Member States should guarantee the existence of a procedure for the collection of uncontested debts, which should in no way exceed *60 working days* from the date of introduction of the demand by the creditor to the issuing date of the order to pay. The procedure will be available to the creditors of all Member States, whatever their place of residence.

## 4. Simplified legal procedures for small debts

For debts of 20,000 ECU or less, the creditors must have simple and inexpensive procedures for taking legal action.

## 5. Public Sector

Late payments for contractual debts owed by public authorities should not exceed *60 days*, without prejudice to any other shorter delay currently in use.

In the absence of a written contract or mention of a contract, the due date for the payment of debts should not exceed the date of the invoice by more than 21 days, as in the private sector.

Any creditor has the right to claim interest from a public authority which has not paid its debts by the due date, and the interest will be paid automatically by the public authority without the creditor having to make his claim.

The interest rate is the same as that applied in the private sector.

### INFORMATION

DG XXIII/A/1, Schulte-Braucks,  
rue de la Loi 200 (AN80)  
B-1049 Brussels  
Fax: + 32-2-295 97 84,  
E-mail:  
[Reinhard.Schulte-Braucks@dg23.cec.be](mailto:Reinhard.Schulte-Braucks@dg23.cec.be)



## Create an enterprise culture and encourage entrepreneurship in the European Union

A Communication on «*Encourage entrepreneurship in Europe: priorities for the future*» (COM(1998)222 final) has been adopted by the European Commission on 7 April 1998.

This Communication proposes the framework necessary to identify the problems affecting enterprises and sets out a global strategy for entrepreneurship, to be applied at national and European level. It includes propositions for actions aimed at promoting an enterprise culture and training individuals in the setting-up and good management of a business. It also includes measures aimed at creating an environment favourable for business, which facilitates and encourages the setting-up, growth and survival of enterprises.

According to Commissioner Papoutsis, «*even if they are very dynamic, European enterprises are not as dynamic as their American competitors. We should therefore create a community of strong and proud enterprises and stimulate entrepreneurship and risk taking. We should provide new entrepreneurs with the necessary qualifications to set up and manage an enterprise in an increasingly competitive environment. In the European Union we have 18 million SMEs, which represent 66.2% of total employment. Their potential contribution to job creation is enormous*».

The measures set out in the Communication cover:

1. **The creation of an enterprise culture** through training courses in entrepreneurship, supervision of developing enterprises and the provision of good media coverage on successful entrepreneurs.
2. **The simplification of administration**, through the introduction of single contact points and standard forms for the registration of enterprises and through the easing of fiscal, social or environmental constraints.
3. **The improvement in the transfer of an enterprise from one generation to another**, through an adjustment in the fiscal environment and the introduction of practical measures to ensure the handover in good condition.

4. **The improvement in access to credit** and to risk capital in particular.
5. **The improvement in the fiscal environment** for developing enterprises and SMEs through reductions in taxes, incentives for investment in new enterprises and the strengthening of the share capital of SMEs, through a more favourable fiscal treatment of reinvested profit.

### INFORMATION

The text of the Communication can be downloaded from the following Internet site:

<http://Europa.eu.int/en/comm/dg23/index.htm>

## Joint European Venture (JEV): 100 million ECU from 1998 to 2000

Following the decision of the Council of Ministers of 21 April 1998, the Joint European Venture (JEV), a support initiative for the creation of joint transnational enterprises within the European Union, was allocated a 100 million ECU budget for the period 1998-2000.

JEV is managed jointly by DG XXIII and the Operational Financial Service of DG II. The JEV network of financial intermediaries is operational and will be enlarged following the invitation to show interest published in the Official Journal (S series) of 28 February 1998.

SMEs that wish to create a transnational Joint Venture, can obtain a subsidy of a maximum of 100,000 ECU. The first instalment, with an upper limit of 50,000 ECU, covers 50 % of eligible expenditure. This includes the cost of market research, development of business plans, studies of the impact on the environment and drafting of legal and technical documents. The second instalment covers up to 10 % of the total investment and its payment is made after the start-up of the Joint Venture activity and the creation of new jobs.

For more details, refer to EURO-info nr. 107 of January 1998.

## INFORMATION

DG XXIII/C/2, Albrecht Mulfinger  
rue de la Loi 200 (AN80)  
B-1049 Brussels  
Fax: +32-2- 295 21 54.  
E-mail:  
[Albrecht.Mulfinger@dg23.cec.be](mailto:Albrecht.Mulfinger@dg23.cec.be)

## Strengthen competitiveness through the promotion of sub-contracting

Within the framework of the third multiannual programme for SMEs within the Economic Union 1997-2000, a series of actions have been undertaken by DG XXIII (Enterprise Policy, Commerce, Tourism and Social Economy) with regard to sub-contracting. These measures have three main objectives:

- The creation an environment favourable to sub-contracting within the context of the single market;
- The improvement of information and communication between contractors and the sub-contractors;
- The promotion of European sub-contracting in third countries.

It is in this context that DG XXIII (B3 unit) has coordinated a certain number of publications available at the OPOCE. These can be summarised as follows:

1. «*Practical Guidebook to the Judicial Systems of Industrial Sub-contracting in the European Community*», co-edition with Editions Bruylants ( FR version) / Koran Page Limited (EN version).

This practical guidebook on matters of industrial sub-contracting, offers a comparative synthesis of the various judicial systems in application in the fifteen Member States of

the Union. This document, which deals with transnational contractual relations, is easy to consult. Subjects are presented in the form of questions to which a sub-contractor may be confronted and answers are given for each Member State by a specialist in contract law.

FR Nr. CT-09-97-268-FR-C 55 ECU

EN (to be published) Nr. CT-09-97-268-EN-C 68 ECU

2. «*Guide for a Partnership in Industrial Sub-contracting*»

This guide, compiled by DG XXIII and UNICE sets out the basic principles and the optimal framework for a partnership between the contractor and sub-contractor, for their mutual benefit. This document takes into account the improvement of European competitiveness and considers that outside operational costs, other issues such as quality, logistics management, etc. can lead to successful partnerships, taking into account the respective strengths of the various parties.

In 5 languages Nr. CT-07-97-014-5D-C free

3. «*The New Industrial Sub-contracting in Europe*»

This statistical analysis is the first to provide, via a common approach and definition of data, coherent information on supply channels at the community level. It deals with sectors where sub-contracting is predominant: automobile, textile/clothing, aeronautics and construction.

FR Nr. CA-01-96-139-FR-C 19 ECU

EN Nr. CA-01-96-139-EN-C 19 ECU

4. «*European Guidebook to Alliances between sub-contracting SMEs*».

This guidebook aims to make SME/SMI managers aware of the possibility of building up cooperation/alliances between enterprises in the European Union. It provides a methodology for starting up cooperations and maintaining them in activity, practical examples of cooperation, advice on the choice of the legal and financial tools, as well as information on technical and financial help and on the regulations in force in the Member States.

FR (to be published) CT-12-98-667-FR-C 10 ECU

DE (to be published) CT-12-98-667-DE-C 10 ECU



EN (to be published)	CT-12-98-667-EN-C	10 ECU
ES (to be published)	CT-12-98-667-ES-C	10 ECU
IT (to be published)	CT-12-98-667-IT-C	10 ECU

### INFORMATION

For more information on our initiatives, please contact the sub-contracting secretariat, fax: +32-2-296 75 58.

Two meetings have already taken place, and at the end of the negotiations, in June, the Commission will propose measures aimed at enforcing compliance with the said commitments, particularly by using a European label.

### INFORMATION

DG XXIII/A/3 Moritz RÖTTINGER,  
rue de la Loi 200 (AN80)  
B-1049 Brussels  
Fax: +32-2- 295 89 84  
E-mail:  
[Moritz.Roettinger@dg23.cec.be](mailto:Moritz.Roettinger@dg23.cec.be)

## 1998 European Forum on Sub-contracting

The 1998 European Forum on Sub-contracting will take place on 5 and 6 October 1998 in Graz (Austria). It is organised by DG XXIII in collaboration with the Austrian government.

The objective of this second Forum on Sub-contracting - the first took place in Madrid in December 1992 - is to analyse the developments achieved following the measures taken at the community level during recent years. The participants will therefore be able to contribute directly to the evaluation of community policy in the field of sub-contracting and to the support measures to be taken in the future to stimulate the development of interindustrial relations.

## The Euro in practice



During the three transitional years prior to the actual start up of the euro (1999 - 2002), the Commission has the mission of assisting commerce - the SMEs in particular - and consumers by achieving optimal transparency and simplicity.

This is why DG XXIII, together with DG XXIV (Consumer policy), is organising a series of negotiation meetings between retail representatives and consumers, to discuss the measures to be adopted in order to facilitate the training for the Euro and to foster a climate of confidence between consumers and retailers. The purpose of these meetings is to avoid confusion in commercial transactions, whether in euros or in national currency, by means of a commitment to respect the rules of conversion, information and acceptance of payments in euros.

## The Euro Info Centre Network assists enterprises in the necessary steps concerning the introduction of the euro



### Example of the EIC of Grenoble

A priority for the Euro Info Centres (EIC) is to help enterprises prepare for the introduction of the euro and to preserve their competitiveness.

Since almost two years, a large number of actions have been undertaken to inform enterprises and make them aware of the strategic stake of the introduction of the euro and to provide them with practical advice.

In 1988, the Euro Info Centres, in collaboration with partners both public (chambers of commerce in particular) and private (banks, chartered accountants, lawyers), have increasingly oriented their efforts towards training and guidance in decision making.

To illustrate the above, the Euro Info Centre in Grenoble has set up the «eurofacilitators» project, an initiative to assist, on an individual basis, enterprises that employ less than 100 personnel to take the necessary steps for the introduction of the Euro. Twenty consultants, selected on the basis of their experience in commercial, computer or accountancy strategy and specially



trained by the Euro Info Centre in the technical and strategic aspects of the introduction of the Euro, have the mission to visit the firms, analyse the situation and suggest an action plan.

In concrete terms, the «eurofacilitators» meet with the head of the company and with those in charge of the principle departments in order to gather information concerning the market, production, administration, accountancy and data processing. On the basis of the data collected and of a diagnostic model developed by the EIC, they assess, function by function, the probable impact of the euro on the company, suggest a changeover timetable and establish an action plan.

Thanks to this customised service, 600 companies in the region will be able this year to start taking concrete steps to put into motion their plan for the introduction of the euro. They will benefit from the technical support of the Euro Info Centre and possibly from other services providers recommended by the EIC.

## INFORMATION

Michel Beyet, EIC de Grenoble,  
Tel: +33-4-76 28 28 40  
Fax: + 33-4-76 28 28 35.

## National conferences in the framework of the Communication «The Promotion of the role of the Associations and Foundations in Europe»



In the framework of the Communication «The Promotion of the role of the Associations and Foundations in Europe» (COM 97/241 final) DGXXIII is financing national conferences in the 15 Member States. Participants from other Member States are also invited in order to strengthen the national debate and to enrich it with their experiences.

A first conference took place in London and a second in Madrid.

## «The associations of voluntary workers and the European programmes»

This was the title and the subject of the national conference in London on 3 April 1998. It was organised jointly by the Social Economy Unit of DG XXXIII and the (British) National Council for Voluntary Organisations (NCVO) and was attended by 160 participants.

Introduced by the European Member of Parliament Shaun Spiers, the Commission's policy for this sector was presented by Alice Copette, in charge of the Social Economy Unit. Agenda 2000 and its implications for the voluntary sector was presented by the representative of the British government, Elaine Tewardtha, Head of the Social Fund Unit of the Department of Education and Employment.

The different workshops then discussed the implications of Agenda 2000, proposals to create social risk capital for the small voluntary organisations via the European Social Fund, difficulties of access to European Union subsidies, European transnational actions and European partnerships.

## The new employment pools and the social economy: the role of the foundations and associations

This was the title of the Spanish conference, organised on 23-24 April 1998 by DG XXIII in collaboration with the National Organisation for the Blind and the ONCE, a foundation which brings together the Spanish associations for the handicapped and which is the leader of an important entrepreneurial group.

The conference was opened by the Spanish Minister for Employment and Social Affairs. It was attended by 300 people from Spanish associations and foundations, the social economy and the public sector. There was a presentation on the social economy as well as an exchange of information and of transnational experiences.

The conference underlined the importance of the social economy in the creation of jobs and its role in the National Employment Plans that were developed as a result of the Luxembourg summit on employment last November.



In addition, the conference served as a setting for the signature of an outline agreement on collaboration for the employment of the handicapped, between different representatives from the sector and the Spanish government.

#### INFORMATION

DG XXIII/A/2, Alice COPETTE,  
rue de la Loi 200 (AN80)  
B-1049 Brussels  
Fax: + 32-2-296 58 57,  
E-mail:  
[Alice.COPETTE@dg23.cec.be](mailto:Alice.COPETTE@dg23.cec.be)

## INFO News

### Commissioner Papoutsis announces a White Paper on Commerce



At the conference of the Committee on Commerce and Distribution (CCD) on 23 April 1998 Commissioner Papoutsis, in charge of commerce policy, announced the preparation by the Commission of a White Paper on Commerce. The White Paper will contain the guiding lines for the Commission's activities in this area for the coming years and will propose a series of actions in favour of commerce (recognition of the sector, introduction of the euro, electronic commerce and competition).

#### INFORMATION

DG XXIII/A/3 Moritz RÖTTINGER  
rue de la Loi 200 (AN80)  
B-1049 Brussels  
Fax: + 32-2-295 89 84  
E-mail:  
[Moritz.Roettinger@dg23.cec.be](mailto:Moritz.Roettinger@dg23.cec.be)

### Communication of the Commission on the transfer of SMEs

The Communication, which was published in the Official Journal C 93 of 28 March 1998, summarises the results of an evaluation of the recommendation of the Commission dated 7

December 1994 on the handing over of SMEs to their descendants or their disposal to third parties.

The Communication underlines the fact that an inadequate legislative, fiscal and financial environment has serious repercussions for all European enterprises and particularly for SMEs, whose specific weaknesses often prevent them from carrying out normal business at the time of transfer. Research has shown that, over the next few years, around 1.5 million enterprises could disappear because of inadequate preparation for hand-over, thus jeopardizing approximately 6.3 million jobs.

The Communication shows that a certain number of Member States have taken measures to improve the situation, whereas others have done nothing.

Consequently, it invites Member States, public and private intermediaries and business leaders to do all they can so that transfers of enterprises are carried through to successful conclusions.

#### INFORMATION

DG XXIII/A/1, Schulte-Braucks,  
rue de la Loi 200 (AN80)  
B-1049 Brussels  
Fax: + 32-2-295 97 84  
E-mail:  
[Reinhard.Schulte-Braucks@dg23.cec.be](mailto:Reinhard.Schulte-Braucks@dg23.cec.be)

### Participation of Central and Eastern European countries in the Community programme in favour of SMEs

The Commission has adopted proposals concerning the position of the European Community at the Council of association with the Eastern European countries where the multiannual programme in favour of SMEs is concerned. The Eastern European countries concerned are Bulgaria, the Czech Republic, Estonia, Hungary, Poland, Roumania and Slovakia (Official Journal series C 119 of 17/04/1998).

### Craft and Small Enterprises



7 million ECU of aid for approximately twenty programmes

As announced in EURO-info 108 and following the call for proposals 97/C117/17 «Assistance to craft enterprises and small enterprises», the Commission has decided to subsidise around twenty programmes.

In this number we present the project "Foire du Pic".

It concerns the organisation of networks of commercial fairs, with the aim of promoting and consolidating actions likely to stimulate, in a spirit of partnership, economic, touristic, and cultural activity in the rural areas which are members of the network (certain French, Italian and Spanish regions). This project concerns exclusively the SMEs employing less than 50 personnel and a large number of micro-enterprises. The activities planned aim at a local and transnational decompartmentalization of relations between small enterprises and craft enterprises through the continuous exchange of information and experience. With this in mind, the project is structured in two parts: organisation at a local level of continuous exchanges between the units of production of the members of the network, and the organisation of conferences - seminars on the problems of the SMEs and the rural areas.

#### I N F O R M A T I O N

DG XXIII/A/2, Barbara Noël,  
rue de la Loi 200 (AN80)  
B-1049 Brussels  
Fax: + 32-2-295 45 90,  
E-mail: [Barbara.Noël@dg.23.cec.be](mailto:Barbara.Noël@dg.23.cec.be)

## EuroPrix MultiMediaArt 98

Because Europe is widening, to coincide with Austria's presidency of the European Union, the European Commission and the Austrian Ministry for Economic Affairs are organising the first all European competition to identify the best of European multimedia production.

The EuroPrix MultiMediaArt 98 is a competition of creativity, open to all producers of marketable multimedia products.

The EuroPrix is aimed at promoting the multimedia producers and products. Participation in the competition is open to all citizens and companies coming from the 15 Member States of the European Union, the EFTA countries, the 10 countries of Eastern and Central Europe who are candidates to join the European Union, as well as Cyprus.

The products and participation forms must be received by the EuroPrix secretariat before 30 June 1998.

A jury of independent experts will award the EuroPrix MultiMediaArt 98 for the best products presented. Participation in the competition is open to the following categories: knowledge and discovery, enhancement of European culture, support for the SMEs in the market, improvement in democracy through multimedia, first steps towards multimedia and student's prize.

The winners will be announced at the gala prizegiving in Vienna in December 1998.

#### I N F O R M A T I O N

EuroPrix - Secretariat:  
Techno-Z FH Forschung 1 Entwicklung  
GmbH.  
A-5020 Salzburg, J. Haringer-Strasse 5  
Tel : +43-662-454888-700  
Fax : +43-662-45 61 74  
E-mail : [secretariat@europrix.org](mailto:secretariat@europrix.org)

## Interprise meetings

### West Finland Interprise

#### 3-4 June 1998 in Seinäjoki (Finland)

Organiser: South Ostrobothnia Chamber of Commerce  
Anna-Maija Kuusisto

Tel. + 358-6-41 42 202 - Fax + 358-6-42 35 104

Participating countries: Netherlands, United Kingdom, Sweden, Italy, Denmark

Activity area: Mechanised wood-working

### Interprise Basque Automotive Industry

#### 4-5 June 1998 in Bilbao (Spain)

Organiser: ACICAE

Antonio Reche

Tel. +34-4-420 96 77 - Fax +34-4-420 98 79

Participating countries: Germany, United Kingdom, France

Activity area: Automobile industry and servicing

### Interprise Agro Food and Drink

#### 14-17 June 1998 in Northampton (United Kingdom)

Organiser: Northampton Borough Council

David Bampton

Tel. +44-1604- 23 35 00 - Fax +44-1604-23 89 88

Participating countries: France, Belgium

Activity area: Food and Drink





## Europe even closer to the SMEs

### The Euro Info Centres at your service

The Euro Info Centres inform, advise and help enterprises on all European issues : the euro, standardisation, public procurement, R&D , environment, health and safety, competition, the information society, internationalisation...

**With effect from 1 June 1998**, to find the address of your nearest Euro Info Centre, please call **free** phone :

Belgium	<b>00 800</b>	<b>0800.11.22</b>
Denmark	<b>00 800</b>	<b>0800.11.22</b>
Germany	<b>00 800</b>	<b>0800.11.22</b>
Greece		<b>00800.32.12.630</b>
Spain		<b>900.98.32.98</b>
French	<b>00 800</b>	<b>0800.11.22</b>
Ireland		<b>1800.55.32.62</b>
Italy		<b>167.78.06.74</b>
Luxembourg		<b>0800.32.77</b>
The Netherlands	<b>00 800</b>	<b>0800.11.22</b>
Austria		<b>0800.20.12.50</b>
Portugal		<b>0505.32.96.30</b>
Finland		<b>0800.11.32.41</b>
Sweden		<b>020.93.10.10</b>
United Kingdom		<b>0800.78.36.553</b>
Island	<b>00 800</b>	<b>0800.11.22</b>
Norway	<b>00 800</b>	<b>0800.11.22</b>



European Commission  
General Direction XXIII - Enterprise Policy

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