Bulletin of the EUROPEAN COMMUNITIES



Commission

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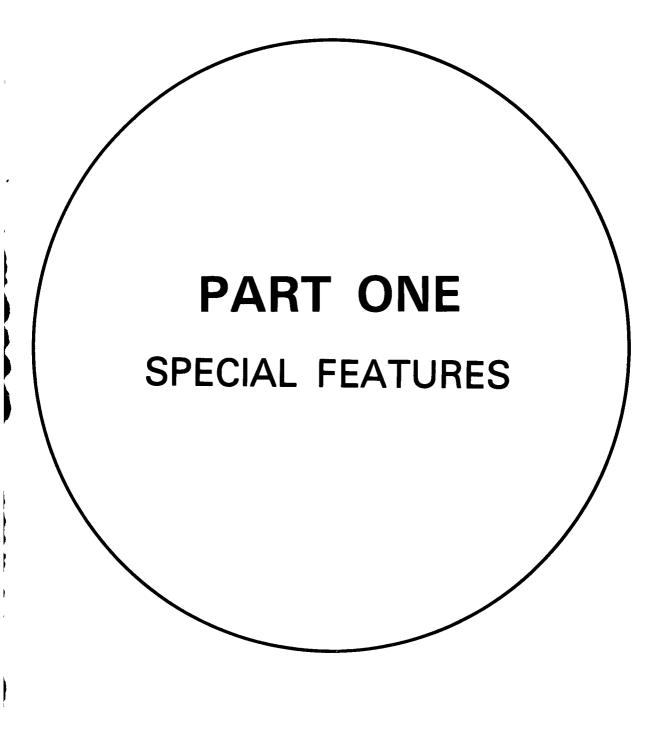
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1. Steel: Community decisions

Strengthening the crisis measures

-1.1.1. At the end of December a number of measures to meet the crisis in the steel industry were adopted, some by the Council, on a proposal from the Commission and others by the Commission in the areas within its competence; most of these measures take effect from 1 January.

This package of measures is intended to raise steel prices on the Community market, given the imbalance between output and demand. Imports will have to be made subject to Community price discipline and import prices must be stabilized at a level which does not exert downward pressure on domestic prices.

To this end bilateral arrangements will be negotiated between the Community and exporting countries and provisional anti-dumping measures under the GATT will be introduced pending the conclusion of the negotiations. The Commission also presented the guidelines and methods for the reorganization of the Community steel industry.

The measures provided for in the Commission's crisis plan of November 1976¹ and its guidelines for steel policy adopted in March² (some of which have already been carried out) and the practical steps taken to implement them³ will be stepped up both internally and externally; concentrating on the organization of the internal market, restructuring and rules on imports from non-Community countries. The Council reached an overall policy agreement on these points in its examination of the Commission's proposals at its meeting on 19 and 20 December. The ECSC Consultative Committee⁴-to which Mr Davignon outlined the situation and the planned measures at the meeting on 9 and 28 December-gave the proposals its backing.

Steel

External measures

1.1.2. After examining the proposed measures in detail, the Council requested the Commission to suggest, along the lines of the OECD declaration,⁵ that all countries which export steel to the Community conclude with the Community bilateral arrangements for price discipline in order to prevent any disturbance on the Community market which is based on domestic Community prices. The tonnages agreed will ensure that traditional trade flows are maintained.

The following measures will apply from 1 January until the conclusion of bilateral agreements in the early months of the year:

(i) basic prices reflecting the lowest production costs in the exporting country in which normal conditions of competition exist will be published in accordance with the GATT rules on dumping; these prices were published in a Commission Communication in the Official Journal;⁶

(ii) compulsory indication of the delivery price in automatic import licences;

(iii) the customs authorities will record any differences between the published basic price and the declared delivered prices on the Commission's behalf:

(iv) the Commission will, if necessary, levy provisional countervailing duties immediately.

So that the system can become fully operative on 1 January, automatic licences not used when the Member States are notified of the Commission's recommendation on this matter will be cancelled; they may be renewed subsequently. There will be exceptions for goods consigned by ship before the date of notification and goods sent by rail, which will be accepted until 31 December. How-

Bull. EC 11-1976, points 1401 and 1402.

² Bull. EC 3-1977, point 2.1.17.

Bull. EC 11-1977, points 1.3.2 to 1.3.5. Points 2.3.72 and 2.3.76. 4

⁵

Point 2.2.46. 6 OJ L 353 of 31.12.1977.

ever, normal anti-dumping rules will apply to these imports.

The procedure for implementing these measures is outlined in the Commission recommendation of 23 December¹ amending the recommendation of 15 April² establishing a Community surveillance system for certain ECSC iron and steel products from non-member countries.

On 28 December¹ the Commission also adopted a second² recommendation amending that of 15 April in other respects since it had become obvious that existing legislation would have to be supplemented by certain provisions of the GATT anti-dumping code relating to the simultaneous examination of dumping and injury, sporadic dumping and the basic-price system. These amendments are intended to elucidate or simplify various procedures laid down in Community anti-dumping legislation.

Pending the conclusion of the price and quantity arrangements to be negotiated by the Commission with non-Community countries, the Council agreed in principle at its meeting on 19 and 20 December to a measure banning Community undertakings from aligning their prices on tenders for iron and steel and pig iron products from certain non-member countries. This measure will be introduced once the agreements with nonmember countries have entered into force. The draft decision prepared by the Commission on this measure was sent to the Council, which gave its assent on 17 January, and to the ECSC Consultative Committee, which gave a favourable Opinion at its extraordinary meeting on 28 December.³

Organization of the internal market

1.1.3. At its meeting on 19 and 20 December the Council also approved both sets of crisis measures for the internal market, i.e. the steps to be taken to increase prices and establish greater discipline on the Community market, and also the Commission's ideas on reorganizing the iron and steel industry. Since the Council gave its assent to measures requiring stockholders to comply with pricing rules which are designed to restore a balance on the market, the Commission adopted on 28 December¹ a Decision making it compulsory for iron and steel stockholders to charge ex-stock prices which are not lower than the Community producers' list prices, taking account of all reductions and increases included in those prices and in the conditions of sale.

The Council was also consulted on the minimum prices which the Commission is to fix from 1 January for concrete reinforcing bars, hot-rolled wide strips and merchant bars. As a result, the Commission adopted a Decision on 28 December¹ fixing these prices following the favourable Opinion adopted by the ECSC Consultative Committee on 28 December.⁴

The Council took note of the three other internal measures which the Commission intended to take and which were adopted before the end of the year. They will:

(i) increase⁵ the guide price by 15% in 1978, about 5% of this increase being applied on 1 January. (These new prices are the subject of a Commission Communication published in the Official Journal¹);

(ii) require undertakings in the iron and steel industry to issue certificates of conformity in respect of the iron and steel products subject to minimum prices; these certificates accompany every delivery and show that the invoice prices comply with the minimum prices fixed by the Commission (the Commission Decision on this matter was adopted on 28 December¹ after the

^{&#}x27; OJ L 352 of 31.12.1977.

 $^{^2\,}$ OJ L 114 of 5.5.1977 and Bull. EC 4-1977, points 1.1.1 and 2.2.27.

³ Point 2.3.76.

⁴ Point 2.3.77.

⁵ Bull. EC 11-1977, point 1.3.4.

ECSC Consultative Committee had given a favourable Opinion on 28 December¹);

(iii) require producers of merchant bars, coils and concrete reinforcing bars to supply certain information about their deliveries. Under the Decision adopted by the Commission on 28 December² the Commission will be supplied with data enabling it to monitor trade flows quickly and accurately and take any appropriate measures.

As part of its programme of internal measures the Commission adopted on 16 December the forward programme for steel³ for the first half of 1978 to which it had given a first reading on 7 December. Italian crude steel production estimates were raised by 100 000 tonnes (i.e. to 5.1 million tonnes) in the light of the Opinion given by the ECSC Consultative Committee on 9 December; the estimates for the other Member States were unchanged.

Restructuring the steel industry: methods and organization

1.1.4. At the Council meeting on 19 and 20 December the Commission also informed the Council what measures it intended to take to reorganize the steel industry. On 13 December it had presented to the Council a Communication entitled 'restructuring of the steel industry: methods and organization' outlining its initial thoughts and ideas on this matter.

The Commission informed the meeting that it intended:

(i) to allocate 32 million EUA for the reorganization of the steel industry and the creation of new jobs under its conversion programme;

(ii) to make national aids for the steel industry subject to some form of control in accordance with the Treaty and to ask the Council for its assent, within the meaning of the first paragraph of Article 95 to appropriate measures to that end, having regard to the objectives; (iii) to present the general objectives for steel for 1985-90 to the Council for consultation as soon as they had been drawn up.

The Council noted the Commission's proposals to transfer the customs duties on ECSC products to the ECSC operational budget and decided to set aside 32 million EUA for the ECSC budget for 1978. It also undertook to adopt the appropriate measures in due course, the detailed allocation procedure being worked out later. The ECSC Consultative Committee adopted a favourable Opinion on these two points on 9 December.³

¹ Point 2.3.76. ² OJ L 352 of 31.12.1977.

³ Point 2.3.74 and OJ C 312 of 28.12.1977.

Textiles negotiations

2. Conclusion of the textiles negotiations

Multifibre Arrangement and bilateral negotiations

1.2.1. The end of 1977 was marked by two closely linked developments of importance both for world trade in textiles and for the Community: the conclusion of the bilateral negotiations conducted by the Commission with over thirty exporting countries and the agreement reached at Geneva on the text of a protocol extending for four years, that is, until the end of 1981, the Arrangement regarding International Trade in Textiles, better known as the Multifibre Arrangement.

At its meeting on 19 and 20 December the Council approved on behalf of the Community the result of a series of bilateral negotiations and consultations conducted by the Commission since mid-October 1977 with thirty-two countries exporting low-cost textile products.¹ At the same meeting the Council decided, following intensive discussions in Geneva within the GATT Textiles Committee, that the necessary conditions for the extension of the Multifibre Arrangements (MFA) had been met. Thus, a particularly complex and arduous operation, without parallel in the history of the Community, was on the way to successful conclusion.

Negotiation of the bilateral agreements

1.2.2. By 31 December full agreements had been initialled with twenty MFA countries and arrangements had been reached with a number of other countries, notably a number of important preferential textiles-exporting countries. In this way the Community could be assured that the bulk of textile products imported from low-cost sources will be subject to orderly supply arrangements for a period of five years from 1 January 1978. Only in a few exceptional cases was the outcome of the negotiations still uncertain at the end of the year, and this was on account of special considerations.

The bilateral negotiations, led for the Community by the Commission's Special Representative for the Textiles Negotiations, have established that imports of sensitive textile items supplied at low cost and in large volume from particular sources will be subject to quantitative limitations based on 1976 import performances plus moderate growth. Imports of these products, which are currently supplied in smaller quantities from particular sources, and other textile products which may become sensitive in the future will be subject to a regulatory mechanism to ensure that the Community's domestic industries are adequately safeguarded.

For eight particularly sensitive product categories, the principle of stabilization of growth in imports relative to growth in consumption has been achieved, with certain adjustments in the level of the ceilings for two of these products, cotton yarn and cotton cloth, originating in four countries which are major suppliers of the products in question. In exchange for the agreement by exporting countries to limit their supplies to levels which the Community can bear and to accept orderly growth of these exports in the future, the Community has given firm guarantees of access to the Community market for the exporting countries concerned, with special provision being made for preferential countries. The agreements also provide for a simplification of procedures, whilst establishing stricter rules of origin and a system of control to prevent abuse. In these circumstances, the Community's domestic textiles industries are provided with the necessary conditions for their own rationalization and restructuring programmes.

The negotiation of bilateral agreements on the basis of a regulated development of trade in textiles within the framework of the MFA has necessitated a departure from certain provisions of the Geneva Arrangement.

Bull. EC 10-1977, point 2.2.38 and 11-1977, point 2.2.40.

With the negotiations virtually concluded, the Commission has had to take a number of internal measures to give effect to the new agreements from 1 January 1978.¹ The Commission has also decided, and the Council has approved the decision, to accord the greatest measure of priority to strengthening the administrative structure necessary to implement the agreements and to monitor imports from all sources.

Extension of the Multifibre Arrangement

1.2.3. On 14 December, the bilateral negotiations were nearing a conclusion, the GATT Textiles Committee reached a consensus on the basis of which the MFA could be extended for four vears.

The Secretariat of GATT issued the following communiqué:

'The Arrangement regarding International Trade in Textiles-widely known as the Multifibre Arrangement-is to be extended for a further four years, beginning on 1 January 1978.

The decision to extend the Arrangement was taken at a meeting on 14 December of the Textiles Committee, the governing body of the Arrangement, on which all its signatories are represented.

Extension of the Arrangement will be by a legal Protocol, which is now open for signature by governments. No changes are being made in the Arrangement's text. However, reference is made in the Protocol to certain understandings which are recorded in the conclusions adopted by the Committee on 14 December.

The Arrangement was originally negotiated in late 1973, and entered into force for a fouryear period on 1 January 1974. Its forty-two present signatories (counting the nine-nation European Community as a single signatory) account for well over four-fifths-more than US\$40 billion-of world trade in textiles and clothing. The aim of the Arrangement is reaffirmed in the conclusions just adopted as being "to ensure the expansion of trade in textile products, particularly for the developing countries, and progressively to achieve the reduction of trade barriers and the liberalizaton of world trade in textile products while, at the same time, avoiding disruptive effects on individual markets and on individual lines of production in both importing and exporting countries".

A unique feature of the Arrangement is the Textiles Surveillance Body which supervises its implementation. It consists of an independent Chairman and eight members so chosen as to constitute a balanced representation of participating countries.'

According to the consensus reached at Geneva, it is clearly understood that reasonable departures from certain provisions of the MFA will be jointly agreed in particular cases.

With the Council's decision of 20 December² that the conditions for extension of the MFA had thus been met, the Commission's Special Representative for the Textiles Negotiations was able to sign the Protocol of extension on 29 December.

It came into force on 1 January 1978.3

OJ L 357 of 31.12.1977. OJ L 348 of 30.12.1977.

OJ L 16 of 20.1.1978.

Mediterranean regions

3. Development of the Mediterranean regions

Guidelines and concrete proposals to assist agriculture

1.3.1. The problems posed by the lagging economies of the Mediterranean regions of the Community and the measures required to solve them were the subject of a Communication sent on 9 December by the Commission to the Council. This Communication is a follow-up to the Communication on agricultural measures proposed as part of the Community's Mediterranean policy, which was presented to the Council in April 1977,¹ and is made in response to the requests formulated by the Council and Parliament.

It puts forward a number of concrete measures designed to assist agriculture and considered as being of priority status. They take the form of general guidelines indicated for the time being only in rough outline.

The facts

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1.3.2. Many regions in the Community are lagging behind in terms of development, but the problems are particularly serious in the South. The Italian Mezzogiorno and some parts of the south of France are in particular need of urgent action.

Per capita GDP (gross domestic product) in these regions is less than a third of the Community average. The current recession has put an end to the emigration of surplus labour. Unemployment in the agricultural sectors and underemployment in agriculture are extremely serious. Underemployment labour represents 27% of the active work force in the Mezzogiorno (or three times the Community average); in France, the proportion of underemployed labour in Corsica, Languedoc and the Midi-Pyrénées is half as large again as this Community average.

Agriculture remains the basic activity of two million workers who account for 18% of total agricultural production. Mediterranean agriculture has significant production potential complementary to that of the North. However, obsolete infrastructures, archaic agricultural structures and inadequate irrigation are hampering its development.

Heavily dependent as they are on agriculture, and not being very industrialized, these regions have consequently no economic and social structure enabling them to solve their development problems by themselves. These facts must be seen independently of the more specific problems associated with the enlargement of the Community to the South which is likely to aggravate the situation further.

It is for this reason that the Commission sees the need for the speedy adoption of measures to promote the development of the Mediterranean regions, and to begin with the agricultural sector, both because it is of vital importance and because the common agricultural policy allows the most effective kinds of intervention.

General guidelines

1.3.3. However, the Commission is aware—as its communication brings out—that the development problems experienced by these regions, though agricultural, go wider than that, whence the need for overall measures within the framework of an integrated measure of economic development for the realization of which every effort will be deployed and concrete proposals will be submitted in due course.

The measures to be taken—particularly in the area of regional and social policy—could lead to the involvement of the Community (ERDF and Social Fund) in the financing of programmes set up by national authorities, particularly with regard to:

(i) water control;

¹ Bull. EC 4-1977, points 1.2.1 to 1.2.3.

(ii) the creation or maintenance of industrial jobs in small and medium-sized undertakings;

(iii) the development of tourist potential;

(iv) investment aid to increase the effectiveness of the independent skilled tradesman.

All the measures planned have as their object the speedy creation of jobs. They all require the setting-up of vocational training programmes which can draw upon funds available under the Social Fund.

The situation of the Mediterranean regions, especially in the present economic situation, indicates, however, the lines of action to be followed, with agriculture as a priority. These lines of action are to find expression in measures to improve the market organizations for those products which are of most importance to the southern regions (while not neglecting certain relatively new products) and to improve agricultural structures in the widest sense.

The Commission's agricultural proposals in brief

1.3.4. In the Commission's view, the Community should immediately increase its aid to the Mediterranean regions: first, by making available about 2 000 million u.a. over the next five years; secondly, by making professional know-how available; thirdly, by adapting the common agricultural policy in certain respects to the particular needs of these regions.

Rather excessive protection and guarantees were provided for northern products, which resulted in the creation of milk and sugar surpluses. The Commission considers that, from a political point of view, the mistakes made in the North should not be repeated in the South.

However, the Commission also realizes that developing Mediterranean agriculture also means increasing Mediterranean agricultural production. Such a development must take account of demand. Farmers, in improving their structures, need to be shown what lines of production they can expand.

The South must also be shown that the Community recognizes its natural capacity for producing certain fruits and vegetables, citrus fruits, olive oil and wine. However, consumers demand quality products. The Commission's proposals are aimed at quality.

The development of agriculture in the Mediterranean region cannot be restricted to these products alone. The Community is experiencing a growing shortage of fodder. There is ample scope for developing the cultivation of maize, peas, field beans and soya.

The proposals are intended to give the South the structural and commercial impetus necessary for the development of its agriculture.

Market organizations and structural measures

1.3.5. The measures proposed by the Commission—concerning both markets and structures—can be summarized as follows:

(i) to improve the market organization for olive oil by encouraging consumption under a new system of aid;

(ii) to improve the market organization for fruit and vegetables by encouraging quality production and by reinforcing Community preference;

(iii) to improve the competitiveness of the Community's fruit processing industry;

(iv) to improve the organization of the wine market by encouraging quality products. (A specific wine-growing programme is planned for the Languedoc-Roussillon region);

(v) to establish a market organization for peas and field beans;

(vi) to give greater responsibility to the producers themselves by strengthening the powers of producer groups and by stepping up investment in marketing and processing;

4. 1978/79 Agricultural price proposals

Mediterranean regions

(vii) to irrigate an additional 200 000 hectares in the Mezzogiorno, to improve the water supply system, electricity supply and roads throughout the South;

(viii) to develop the advisory services in Italy;(xi) to support afforestation measures in the South.

These measures will be financed by both the guarantee and guidance sections of the EAGGF.

1.4.1. An average increase of 2% in agricultural prices, expressed in units of account, for 1978/79 was proposed by the Commission to the Council on 9 December. At the same time the Commission underlined the need for a decision on its proposal of 26 October¹ for a phasing-out of monetary compensatory amounts (MCAs) over the next seven years. A reduction in the present amounts by one-seventh would mean a further average increase in agricultural prices (expressed in national currencies) of 1%.

The Commission's proposals are for the prices of certain products and for related measures; their financial implications are also discussed. The proposals were prepared in the light of the 1977 reports on the agricultural situation in the Community and on the situation on the agricultural markets.

A cautious price policy

1.4.2. The Commission's proposals would raise food prices to consumers by around 0.5%. The effect on the cost of living as a whole would be limited to 0.1%.

If the 2% average increase proposed is accepted, the prices paid to farmers for certain products will fall (e.g. by 2.6% for durum wheat, though with an increase in the subsidy to producers) while the prices for other products will rise (by 4% for oilseeds).

The Commission stresses that the proposals for 1978/79 (Table 1) are the expression of a cautious policy on prices; a moderate increase in prices will not only largely meet the wishes of consumers but will also in the long term assist the balance of Community agriculture and the common agricultural policy.

The 'objective method' used by the Commission as one of the factors in its examination of prices indicated an increase of 4.2%. But this is only

¹ Bull. EC 10-1977, point 2.1.48.

Agricultural prices

the initial stage, and the Commission has proposed an average increase of 2% because it considers that a bigger rise cannot be justified in a period of recession, inflation, and market imbalance for various products.

The proposals have been framed against an economic background of high inflation and unemployment, though agriculture is partly protected by the common agricultural policy. Almost threequarters of total agricultural production benefits from the stabilizing effect of guaranteed prices, which often apply, as in the case of milk, beef and veal and cereals, to unlimited quantities. They are also protected against monetary vicissitudes by the monetary compensatory amounts system. Financial support from the Community and the Member States represents nearly a quarter of the total value of agricultural production.

Ensuring balanced markets

1.4.3. The proposals are designed not only to take account of the economic recession but also to restore and maintain balanced markets for the various products and to strengthen Community agriculture.

By enabling production to be controlled, moderate price increases will secure balanced markets. Commission studies of markets in difficulties have shown that common prices frequently encourage excessive increases in production. This has happened with butter, liquid skimmed milk and sugar. The common prices for beef and veal are too high compared with those for pigmeat and poultry meat. Although olive-oil production is more or less constant the common prices are too high in relation to world prices for other vegetable oils.

Surpluses in the milk sector will be tackled by continuation of the milk action programme, in particular the coresponsibility levy, and other measures may also be taken. The Commission has proposed a reduction in the 'B' quota for sugar and proposals on olive oil have been made as part of the overall proposals for Mediterranean products.¹

The Commission has already announced what changes it considers necessary in the organization of the market in beef and veal,² but they have not yet been discussed in substance by the Council.

A series of moderate price increases will also help increase consumption, which has been affected by the slow growth in real incomes caused by the recession.

Budgetary aspects

1.4.4. The overall result of the price proposals for the 1978 budget is expected to be a slight drop in expenditure (-9.1 million EUA) and an increase in own resources (+39.8 million EUA). The net effect on expenditure will be that the increase in prices and in expenditure on related measures in respect of milk products will be more than offset by the decrease in expenditure on related measures in respect of cereals and sugar and by the saving that will result from agrimonetary changes being minimal. Over a period of twelve months the increase of 192.6 million EUA attributable to prices and to certain related measures (beef and veal and milk) should be more than offset by other related measures and by monetary measures, giving a saving of some 11.8 million EUA. Own resources should increase by roughly 74.8 million EUA.

Expanding the structural policy

1.4.5. The price proposals were preceded in November by structural policy proposals aimed at making the socio-economic development of the

Points 1.3.1 to 1.3.5.

⁴ Bull. EC 10-1977, point 2.1.49.

Agricultural prices

different regions converge.¹ The shape of the Commission's proposals was influenced by the following considerations.

Many farmers are unable to carry out development plans, take advantage of the retirement schemes or find alternative employment. They should be afforded the possibility of making limited investments in their holdings that would receive aid proportional to that available for holdings capable of being developed. Each Member State would have to be able to adapt the way it applied the scheme to its own situation and the scheme would also have to be designed to make the indispensable preferential treatment given to holdings capable of being developed more socially acceptable. The Directive of 17 April 1972² on the modernization of farms would need to be amended accordingly.

 Inducements to invest in milk production ought to be limited in cases where the holding does not produce most of the necessary feedingstuffs. The Commission is therefore suggesting appropriate restrictions as part of its milk price proposals.

• Nearly half (46%) of the farmers in the Community are over 55 years old and nearly a fifth (18%) are over 65. Many of them have no successor. Sufficiently attractive incentives to encourage these farmers to retire and sell their holdings to younger farmers capable of developing them must receive particular emphasis. In the present situation it is therefore more necessary than ever to strengthen the system of inducements set out in the Directive of 17 April 1972 concerning measures to encourage the cessation of farming and the reallocation of utilized agricultural area for the purposes of structural improvement.

• In order to improve the conditions for structural development and give it greater encouragement the Commission considers that the Community should develop a new type of common measure specifically designed for those regions requiring the biggest development effort. This

would open a new chapter in the common sociostructural policy for agriculture. The Commission has therefore proposed, as a first measure, a programme to accelerate drainage in the less-favoured areas of Western Ireland. Structural measures of this new kind have also been included in the proposals for Mediterranean agriculture.³

Bull. EC 11-1977, point 2.1.79.

² OJ L 96 of 23.4.1972. 3

Points 1.3.1 to 1.3.5.

			1978/79 proposals				
Product	Category of price or amount	Amounts fixed 1977/78 u a /tonne	u a /tonne	Percentage change from 1977/78 to 1978/79	Period application		
1	2	3	4	5	6		
Durum wheat	Target price Single intervention price Aid ¹	224.27 203.01 60 u.a./ha	218.46 195.72 66 u.a./ha	-2.59 -3.59	1.8.78 - 31.7.79		
Common wheat	Target price Common single intervention price Reference price for bread wheat	158.08 120.06 135.59	162.39 121.57 139.80	2.72 1.26 3.10	1.8.78 - 31.7.79		
Barley	Target price Common single intervention price	144.97 120.06	147.23 121.57	1.56 1.26	1.8.78 - 31.7.79		
Rye	Target price Single intervention price	155.12 128.96 ²	154.65 127.00 ²	-0.30 -1.52	1.8.78 - 31.7.79		
Maize	Target price Single intervention price Common single intervention price	144.97 118.03	147.23	1.56 3.0	1.8.78 - 31.7.79		
Rice	Target price – husked rice Single intervention price – paddy rice	295.71 171.55	296.15 171.55	0.15 0.0	1.9.78 - 31.8.79		
Sugar	Minimum price for sugarbeet Target price for white sugar Intervention price for white sugar	25.43 345.60 ³ 328.30 ³	25.73 349.60 332.10	1.16 1.16	1.7.78 - 30.6.79		
Isoglucose	Production levy 4	50.00	50.00	-	1.7.78 - 30.6.79		
Olive oil	Production target price Market target price Intervention price Production aid	1 877.80 1 419.10 1 346.20	1 877.80 	0.0 	1.11.78 - 31.10.79		
Oilseeds	Target price • Colza and rape seed • Sunflower seed Basic intervention price	285.30 307.80	296.70 320.10	4.0 4.0	1.7.78 - 30.6.79 1.9.78 - 31.8.79		
	Colza and rape seed Sunflower seed Guide price	277.10 298.90	288.20 310.90	4.0 4.0	1.7.78 - 30.6.79 1.9.78 - 31.8.79		
	• Soya seed • Flax seed • Castor seed	306.40 311.80	318.70 324.30 400.00	4.0 4.0 —	1.11.78 - 31.10.79 1.8.78 - 31.7.79 1.10.78 - 30.9.79		

Bull. EC 12-1977

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			1978/79 proposals				
Product	Category of price or amount	Amounts fixed 1977/78 u.a./tonne	u.a./tonne	Percentage change from 1977/78 to 1978/79	Period application		
1	2	3	4	5	6		
	Fixed-rate aid (per ha) • Cotton seed	104.52	108.70	_	1.8.78 - 31.7.79		
Dried fodder	Fixed-rate aid Guide price	9.55 —	3.00 10.,00	=	1.4.78 - 31.3.79		
Peas and beans	Activating price Minimum price		230.00 150.00	=	1.7.78 - 30.6.79		
Flax and hemp	Fixed-rate aid (per ha) • Fibre flax • Hemp	194.76 176.88	202.55 183.96	_	1.8.78 - 31.7.79		
Seeds	Aid (per 100 kg) • Monoecious hemp • Fibre flax • Seed flax • Grasses • Legumes	9.00 13.00 10.00 10 to 33 4 to 25	10.50 14.50 11.50 10 to 38 4 to 28		1.7.78 - 30.6.79		
Table wineType R IType R IIType R IIIType A IType A IIIType A IIIType A III		2.03 2.03 31.65 1.90 42.18 48.16	2.07 2.07 32.28 1.94 43.02 49.12	2.0 2.0 2.0 2.0 2.0 2.0 2.0	16.12.78 - 15.12.79		
Raw tobacco	Guide price Intervention price	5	5	2.0 on average	1.1.78 - 31.12.78		
Fruit and vegetables	Basic price Buying-in price	6	6	2.0	1978 - 1979		

			1978/79 proposals			
Product	Category of price or amount	Amounts fixed 1977/78 u.a./tonne	u a./tonne	Percentage change from 1977/78 to 1978/79	Period application	
l	2	3	4	5	6	
Milk	Target price for milk Intervention price	173.50	177.00	2.0		
	for butterfor skimmed-milk powder	2 309.50 940.90	2 353.30 956.30	1.9 1.6	1.4.78 - 31.3.79	
	 for cheese Grana padano 30-60 days Grana padano 6 months Parmigiano-Reggiano 6 months 	2 237.20 2 693.40 2 925.70	2 273.10 2 731.30 2 963.60	1.6 1.4 1.3	1.4.78 - 31.3.79	
Beef and veal	Guide price for adult bovines (live weight) Intervention price for adult bovines (live weight)	1 229.00 1 106.10	1 244.40 1 120.00	1.25 1.25	4.4.78 - 3.4.79	
Pigmeat	Basic price (carcases)	1 202.00	1 238.10	3.0	1.11.78 - 31.10.79	
Silkworms	Aid per box of silk seed Aid to recognized producer groups	40.20	50.00	-	1.4.78 - 31.3.79	
	(per box)	14.07	-	-		

In 1977/78 this aid was granted in the southern regions of Italy, for 1978/79 the Commission proposes that it be limited to the administrative regions of the former Zone A in Italy

² In 1977/78 a special increase of 311 u.a./t was granted for tye of breadmaking quality with an amylographic index of at least 200, an increase of 6.1 u.a./t is proposed for 1978/79

³ Not including the contribution towards storage costs.

⁴ Proposed extension of the levy system until 30 June 1980

⁵ Nineteen varieties of tobacco, the prices for which apply to the calendar year.

⁶ Products in Annex II to the Council Regulation of 18 May 1972 and periods

	1 5 1978 to 30 4 1979	Lemons	1.6.1978 to 31.5 1979	Apples	1 8 1978 to 31 5 1979
Tomatoes	1 6 1978 to 30.11 1978	Pears	1 7 1978 to 30 4 1979		16 11 1978 to 28 2 1979
Peaches	1 6 1978 to 30 9 1978	Table grapes	1 8 1978 to 31 10 1978	Sweet oranges	1 12 1978 to 31.5.1979

Increases of 2% for oranges, mandarins and elementines are proposed in the financial compensation designed to assist disposal of Community citrus production on Community import markets, compensation for lemons is maintained on a degressive basis

NB. Aid for the 1975 hop harvest ranged from 200 to 550 u a /ha according to variety

Health

5. First meeting of Health Ministers

1.5.1. For the first time since the Community was founded, the Ministers of Health of the nine Member States met in Brussels on 13 December. The meeting was chaired by Mr Luc Dhoore, the Belgian Minister for Public Health and the Environment; the Commission was represented by Vice-President Vredeling.

Although this meeting of the Council and of the Member States' representatives meeting within the Council was basically of an exploratory nature, a number of serious problems arising in all the Member States were discussed in a Community context: the economic aspects of health, the anti-smoking campaign (at the Chairman's request nobody smoked at the meeting), the abuse of drugs in sport and the vaccinations issue.

In strengthening the spirit of cooperation between the Member States in an area of common interest, the positive outcome of the meeting was to be seen in the decision by the participants to hold regular meetings in future; the next one is to take place in the first half of 1978. Going beyond intergovernmental cooperation, the Ministers asked the Commission to carry on with the research it has already begun and to call in national experts to prepare their next meeting, at which they hoped to take concrete decisions, particularly on health education and the economic costs of health.

Economic aspects of health

1.5.2. This item of the agenda was introduced by Mr Vredeling, who, in his presentation, reiterated that the protection of health was a vital constituent of the quality of life; the Commission held that the existing Treaties offered an adequate basis for Community action in this sphere.

Mr Vredeling emphasized the vast expenditure involved in health care: 100 000 million u.a. a year for the whole Community (on the basis of figures for 1975), including 55 000 million in sickness costs proper. Expenditure on health, which in 1970 came to about a third of all social security expenditure, had risen to between 35 and 40% of that total in 1975 and, according to estimates for 1980, will exceed 50% in some Member States. The main item of health expenditure is sickness costs, with benefits in kind having risen by an average of some 20% a year for the whole Community. Whereas in 1970 they averaged 3.4% of Community GNP in 1970 and 4.8% in 1975, this figure will probably rise to about 5.5% of GNP in 1980.

The main causes are the ageing of the population, hospital investments and increased consumption of medicines. Mr Vredeling dwelt on the need to curb health costs and spread them more evenly; the first thing to do was determine the priorities. He proposed a series of measures: budgeting, definition of standards, programming, etc. He concluded with a recapitulation of measures taken at Community level (in particular, the E 111 form for migrant workers) and took up the suggestion contained in Mr Tindemans's Report on European Union of introducing a health card for Community citizens.

During the ensuing discussions the delegations outlined the situation in the various Community countries and the major policy decisions already taken or to be taken with a view to curbing health expenditure.

The delegations also stated the importance they attached to the studies now being prepared by the Commission, and urged that these be continued with a view to evolving specific suggestions for action to be taken in this area by the Member States (for example, with regard to sickness prevention, consumption of medicines and the application of the rules of competition to pharmaceuticals).

Health education

1.5.3. The Ministers held a general discussion on health education policies, with particular ref-

Bull. EC 12-1977

6. Posts and telecommunications

erence to smoking, the abuse of drugs in sport, and nutrition. They emphasized the importance of anti-smoking campaigns in health education and indicated what measures had been taken in their own countries. Several delegations dwelt on the urgent need to harmonize taxes on tobacco and one asked for heavier taxes to be charged on the most harmful cigarettes, a practice already adopted in one Member State.

In conclusion it was agreed to ask the Commission to compile some background material on action taken by the Member States and to draw up suggestions for Community action.

On the subject of drugs and sport, most of the delegations wanted to see legislation harmonized. But since this was more a question for the Ministers of Sport (who will meet in the Council in 1978), the next Council meeting on health would convey the Ministers' concern and the result of their studies to enable the Ministers of Sport to decide on Community action.

Combating certain diseases and the vaccinations issue

1.5.4. The Ministers discussed at length measures to combat certain diseases and, in particular, the problem of vaccinations, after which they agreed to ask the Commission to look into ways and means of improving information and cooperation between the Member States. 1.6.1. The Ministers for Posts and Telecommunications met in the Council on 15 December. The meeting was chaired by Mr Defosset, the Belgian Minister, on whose initiative it had been called. It was the first such meeting since September 1964,¹ when the six Community Ministers had met informally.

Like the previous occasion, the meeting on 15 December, at which the Commission was represented by Mr Davignon, covered various postal problems, in particular the question of rates to be applied to mail sent from one Member State to another. This was followed, for the first time, by a discussion on problems relating to telecommunications.

Postal services

1.6.2. The Ministers considered three items in this field: the application of internal rates to mail sent from one Member State to another, abolition of the customs presentation charge for consignments of a non-commercial character; and harmonization of address coding.

Internal rates between Member States

1.6.3. The aim of the discussions was to extend to the three new Member States the measure already applied by the Six whereby, on the basis of bilateral agreements, letters weighing not more than 20 g and postcards may be sent from one country to another at the internal rate. In April 1973^2 the Commission recommended that this arrangement be extended to cover the three new members of the Community, who in turn should adopt similar measures; some new countries in fact already apply internal rates to services between each other or to certain non-member countries.

¹ Eighth General Report on the Activities of the EC, point 86.

² Bull. EC 4-1973, point 2114.

Posts and telecommunications

During the meeting, the Commission repeated its recommendations, emphasizing their psychological and political value with the direct elections to Parliament now drawing closer. After a discussion, which focused mainly on the loss of revenue which such a measure would entail, the Council acknowledged that application of the internal rate in postal services between all Member States for standard letters and postcards would have a positive political impact by making the public aware of the building of Europe.

The Commission was asked to study all the financial and technical implications and the Council took note of the consensus among the delegations to the effect that, pending completion of the Commission's study, Member States would ensure that the difference between internal and external rates applicable to other Member States did not increase.

Small postal packets and parcels

The Council also discussed the abolition 1.6.4. of the customs presentation charge on consignments of a non-commercial character (small postal packets and parcels). Hitherto this charge has been levied in certain Member States on mail from other Member States and non-member countries alike, despite the fact that Community rules stipulate that certain consignments of a non-commercial nature despatched from one private individual to another with no payment involved are exempt from any taxes or customs charges. Apart from the question of whether such charges are still justified in the present state of the customs union, the Commission pointed to the adverse effect this additional charge inevitably had on the public. After discussing whether the charge should be abolished in order to reduce the costs which recipients of small packets had to pay and thus offer a tangible token of its attachment to a citizens' Europe, the Council agreed on the need for progress in this area and noted the Commission's intention to make proposals for administrative arrangements to facilitate the abolition of the charge and to enable the small packets in question to be identified in advance.

Harmonization of address codings

1.6.5. Still on the subject of posts, the Council briefly discussed the question of harmonizing address coding and automatic reading and sorting systems. The Commission stressed the importance of this from the angle of technological development while pointing out the need for coordination in the development of electronics for future postal services.

The Council decided that in collaboration with Member States' experts and in liaison with the work undertaken within the European Conference of Postal and Telecommunications Administrations (CEPT), the Commission should study the problems involved in this field, taking into account the needs of the postal authorities and the Community industrial policy requirements.

Telecommunications

1.6.6. On the telecommunications side, the Council's discussion was less concerned with short-term projects than with medium- and longterm guidelines. The Community's telecommunications services are indeed now faced with sweeping changes largely as a result of the swift development of electronics technology.

This will enable a whole new range of services to be introduced, which can be offered to users and will lead to changes in the management of the telecommunications monopoly and substantial improvements in facilities. This wave of change and the growing awareness of the value of telecommunications as an essential infrastructure in the harmonious development of the Community prompted the Council to study the following three problems:

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(i) the respective roles of the public authorities responsible for managing the telecommunications monopoly and the private sector;

(ii) the rates the users of telecommunications networks will have to pay;

(iii) coordination of telecommunications projects in the Community.

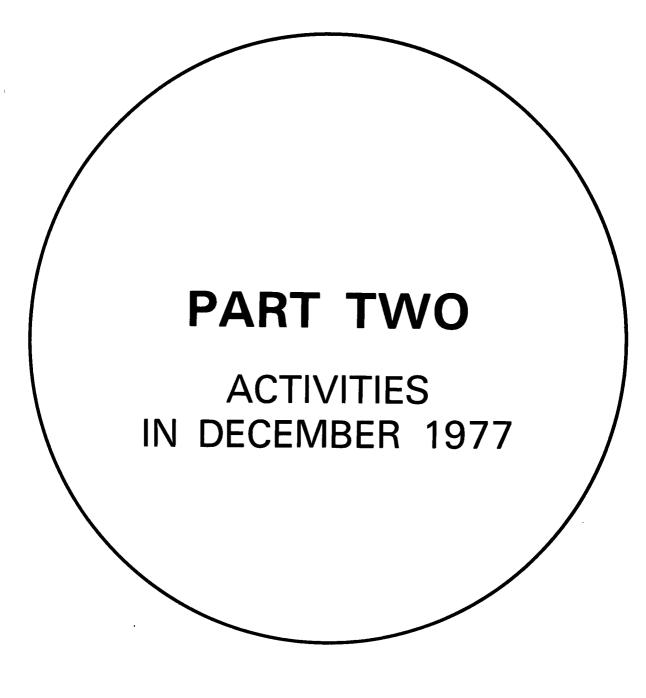
In their deliberations the Ministers recognized that these matters were of vital importance and needed to be discussed further after the Commission had made appropriate preparations. They accordingly agreed to ask the Commission to study the problems in greater detail, together with experts from the Member States and in conjunction with the work being done within the CEPT.

On the third point in particular, the Council took note that the Commission intended to draw up a list of the main techniques used or planned by the national authorities, to consult with the CEPT in order to identify what can be done by that organization and what can be organized by the Community and to work on the definition of new technologies based on electronics and their industrial implications.

Television

1.6.7. The Council took note of a communication from the Italian Delegation on certain problems relating to television and decided to ask the Commission to study the suggestions made.

It was agreed to resume the study of the questions broached at this meeting when they had been adequately prepared.



1. Building the Community

Economic and monetary policy

Conclusions of the European Council on economic matters

2.1.1. The European Council, which met in Brussels on 5 and 6 December,¹ examined the economic problems facing the Community in the light of documents submitted by the Commission on the prospect of economic and monetary union,² the economic situation in the Community, and certain commercial and sectoral problems.

The 'conclusions of the Presidency' on the economic situation in the Community, released after the meeting, are as follows:

[•]1. The European Council conducted a wide-ranging discussion of the economic and social situation in the Community, during which it was established:

— that, although considerable results had been achieved in combating inflation and improving the balance of payments, the level of unemployment remained a major cause for concern, the growth of demand was insufficient and the degree of utilization of industrial capacity was very low;

--- that for these reasons every effort should be made to implement the strategy for economic growth approved by the Council (Ministers of Economic and Financial Affairs) on 17 October 1977.

2. The European Council felt that the implementation of this strategy should be accompanied by progress towards Economic and Monetary Union.

The European Council noted with satisfaction the Commission communication on the prospect of EMU.

It reaffirmed its attachment to the objective of EMU.

With this in mind, it requested the Council (Ministers of Economic and Financial Affairs) to make a thorough study of the Commission communication.

It noted the intention of the Commission to raise this question before the European Parliament, the Economic and Social Committee and in future Tripartite Conferences.

3. At the end of this discussion the European Council approved the following immediate objectives:

- increased coordination of economic policies;
- the strengthening of monetary solidarity;
- the development of the Community's financing facilities;

- the search for Community solutions to structural problems.

4. In order to achieve these objectives the European Council adopted the following instruments:

(a) In order to go further than a juxtaposition of national objectives, the convergence of short-term economic policies should be reinforced by a better coordination of national short-term economic policy instruments and their insertion in a Community framework and procedure.

(b) The strengthening of financial solidarity should be promoted by the adjustment of short and medium-term credit mechanisms.

(c) The European Council declared itself in favour of the development of the Community's financing facilities by approving the principle of the establishment, on an experimental basis, of a new instrument for Community lending and borrowing, the loans being managed by the European Investment Bank. It instructed the Council (Ministers of Economic and Financial Affairs) to examine the proposal which the Commission would make on this subject.

(d) With the aim of adapting European industry to the new conditions on the Community and world markets, solutions to the structural problems which are common to all the Member States must increasingly be sought at Community level, particularly for the steel, textiles and shipbuilding industries.

In the case of the growth sectors, the Commission is urged to submit its report before July 1978.

5. The European Council stressed the importance of contacts with the two sides of industry through the Tripartite Conferences, and requested that the follow-up work to the last Tripartite Conference be expedited.

The European Council took note of the problems raised by monetary compensatory amounts in the context of the agricultural policy, as regards their financial effects and their impact on the unity of the market. Between now and March 1978 it expects the Council to re-examine these problems on the basis of proposals from the Commission.

Point 2.3.26.

² Bull. EC 10-1977, point 1.2.1.

Economic and monetary policy

With a view to an improvement in the economic situation, the European Council reaffirmed the need for an energy saving policy and stability of oil prices.

6. The European Council took note of the Commission's intention of submitting proposals as soon as possible on the problems of the Mediterranean regions of the Community.

7. After an exchange of views on relations between the Community and Japan and in particular on the disturbing question of Japanese balance-of-payments surpluses in the context of the world economy as a whole, the European Council called upon the President of the Commission to continue and intensify his consultations with the Japanese government with special reference to this subject.'

Action to be taken following the meeting of the European Council

2.1.2. The Council (Economic and Financial Affairs) met in Brussels on 19 December to consider the action to be taken on the conclusions of the European Council.

To prepare the ground for a detailed discussion of the Commission communication to the European Council on economic and monetary union, the Council invited the Permanent Representatives Committee and the specialized economic and financial committees (the Monetary Committee, the Committee of Governors of the Central Banks and the Economic Policy Committee) to proceed to a prior examination of the communication.

The Council also recalled that the European Council had expressed itself in favour of increased convergence of short-term economic policies by better coordination of national short-term economic policy instruments properly dovetailed into a Community framework and procedure.

The Council undertook to examine the problem at a forthcoming meeting on the basis of the reports which would be forwarded by the various working parties and specialized committees to which it had entrusted the study of a Commission communication on the matter. In conclusion the Council invited the Commission to present as soon as possible its proposal for the establishment of a new instrument for Community lending and borrowing in accordance with its instructions from the European Council.

Strengthening of the mechanism for medium-term financial assistance

2.1.3. After examining a proposal which the Commission had made on 12 December, the Council on 19 December¹ adopted a Decision on the adjustment of medium-term financial assistance.

The purpose of this Decision is to double the commitment ceilings of the Member States and at the same time to adjust the conditionality rules and the rules concerning surveillance of compliance with the conditions subscribed to. Henceforward, commitment ceilings and operations for granting assistance will be expressed in European units of account.

Capital movements: safeguard measures for Denmark, Ireland and the United Kingdom

2.1.4. On 21 December the Commission authorized Denmark, Ireland and the United Kingdom to take protective measures, under Article 108(3) of the EEC Treaty, concerning, for the three countries, portfolio investments and, for the United Kingdom, direct investment and certain capital movements of a personal nature.

The three countries had informed the Commission that they were not in a position to liberalize the purchase by their residents of foreign quoted securities from 1 January 1978, as provided by the Act of Accession. The Danish and Irish authorities justified their requests for derogations by balance-of-payments difficulties. The United

^{&#}x27; OJ L 14 of 18.1.1978.

Kingdom authorities for their part expressed the fear that a liberalization of these operations at the beginning of 1978 would have an unfavourable effect on the balance-of-payments, since its recent return to equilibrium might well prove to be only a temporary improvement. The three countries therefore invoked the safeguard clause provided for in Article 108(3) of the EEC Treaty.

The Commission, acting under this Article, examined the economic situation of these countries and on 14 December sent them a recommendation on economic policy to be pursued. Then, on 21 December, after consulting the Monetary Committee and informing the Council, the Commission adopted for each of them a Decision authorizing them to maintain the restrictions in force on the purchase of foreign securities by their residents on a temporary basis under Article 108(3) of the Treaty.

Nevertheless, the three countries will liberalize portfolio investments to a certain extent from 1 January 1978.

Denmark will lift all restrictions on residents' purchases of securities issued by the Communities, the Community financial institutions and the international financial institutions of which Denmark is a member.

Ireland and the United Kingdom relaxed, on certain conditions, the rules applying to securities issued by the Communities and the EIB. These two countries have also authorized their residents to sell all the proceeds from the sale of foreign securities on the investment currency market, whereas previously 25% of the proceeds had had to be surrendered on the official market on which exchange rates are lower than those ruling on the investment currency market.

As regards direct investment and certain capital movements of a personal nature effected by United Kingdom residents, it will be recalled that the United Kingdom had already been authorized to maintain restrictions on direct investment abroad and on certain capital movements of a personal nature not connected with the free movement of workers. The United Kingdom authorities also requested permission from the Commission to continue to postpone liberalization of these operations, but with some relaxations of the relevant rules. These included raising the ceilings applicable to certain personal remittances, and permitting up to £500 000 (instead of £250 000) or half the cost of the investment, whichever is the higher, of direct investment in other Member States to be exported at the normal exchange rate, on condition, however, that the United Kingdom balance-of-payments receives an inflow of capital at least equal in amount within a three-year period (instead of eighteen months). The Commission Decision of 21 December takes these new factors into account.

The Commission decided to keep the economic situation in these countries under close review and to examine, no later than 31 December 1978, their situation and the effects of the measures authorized, with a view to amending or revoking them if this should prove necessary.

Monetary Committee

2.1.5. The Monetary Committee held its 236th meeting in Brussels on 9 December with Mr Pöhl presiding. It discussed in detail recent experience gained in the Member States with regard to quantitative monetary policy targets, and elected its officers for 1978-79. These are: Chairman, Mr van Ypersele de Strihou; Vice-Chairmen: Mr Andersen, Mr Jordan-Moss and Mr Jaans.

The Working Party on the Harmonization of Monetary Policy Instruments met in Brussels on 6 and 7 December, with Mr Bastiaanse in the chair, to continue its preparation of a new interim report.

Economic Policy Committee

2.1.6. The Economic Policy Committee held its 55th meeting in Brussels on 8 December, with

Mr Gabriele in the chair; the meeting was devoted entirely to preparing the discussion the Committee is to hold in January with representatives of the two sides of industry.

Committee of Experts on Short-term Economic Policy

2.1.7. The Committee of Experts on Short-term Economic Policy met on 5 December to examine the economic situation in the Community and in each of the Member States. The discussion brought out a broad measure of agreement between the views of the experts and the reserved diagnosis which the Commission had presented in its draft quarterly report on the economic situation.

For the early months of 1978, the experts shared the opinion of the Commission staff that no significant improvement in the economy can be expected, at least as regards the reduction in unemployment. However, the outlook is slightly more favourable with regard to internal and external equilibrium. The upward movement of prices should again slow down and the current account deficits of the deficit member countries could well continue to shrink.

Internal market and industrial affairs

Free movement of goods

Removal of technical barriers to trade

Motor vehicles

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2.1.8. On 21 December the Council adopted four new Directives relating to motor vehicles:(a) a Directive amending the 1970 Directive

(a) a Directive amending the 1970 Directive concerning type-approval of motor vehicles and their trailers;

(b) three Directives concerning certain items or features of motor vehicles, namely defrosting and demisting systems for windows and screens, windscreen wiper and washer systems and interior fittings (identification of controls, tell-tales and indicators).

Only four more Directives have to be adopted for complete type-approval of motor cars to be established; these concern head-rests, weights and dimensions, tyres and safety-glass windows and screens.

Foodstuffs

2.1.9. On 6 December the Commission presented¹ a proposal for a Council Directive, amending the Directive of 24 July 1973, concerning approximation of the laws of the Member States relating to cocoa and chocolate products intended for human consumption.

Dangerous substances and preparations

2.1.10. On 23 December² the Commission adopted a proposal to the Council for amending the Directive adopted by the Council on 4 July 1973^3 concerning the approximation of the laws of the Member States relating to classification, packaging and labelling of dangerous preparations (solvents).

Electrical equipment

2.1.11. On 15 December⁴ the Commission sent to the Council a proposal for a Directive concerning the general requirements of construction and certain types of protection for electrical equip-

¹ OJ C 8 of 10.1.1978.

² OJ C 25 of 31.1.1968.

³ OJ L 189 of 11.7.1973.

⁴ OJ C 4 of 6.1.1978.

Internal market and industrial affairs

ment for use in potentially explosive atmospheres.

Machine-tools and similar appliances

2.1.12. On 31 December¹ the Commission sent the Council two proposals for Directives concerning approximation of the laws of the Member States relating to:

(i) machine-tools and similar machines for the working of metals, wood, paper and other materials;

(ii) hand-held, power-driven, portable grinding machines.

2.1.13. In December Parliament and the Economic and Social Committee² gave their Opinions on three Commission proposals to amend Council Directives relating to colouring matters, preservatives and antioxidants authorized for use in foodstuffs.³

Protective measures

2.1.14. On 21 December the Commission refused to authorize Ireland to take protective measures in the footwear and chipboard industries.

On 21 November and 2 December, Ireland had drawn the Commission's attention to the serious difficulties besetting these two industries and had requested authorization to take measures (for chipboard) or extend them (for footwear)⁴ on the basis of Article 135 of the Act of Accession.

In its reply the Commission points out that the transitional period for the new Member States expires on 31 December 1977 and that measures under Article 135 can no longer be applied after that date.

Public contracts

2.1.15. On 23 December⁵ the Commission adopted a proposal amending the Council Directive of 26 July 1971 concerning the coordination of procedures for the award of public works contracts. The aim of the new proposal is to introduce the European unit of account (EUA) for determining the threshold below which the 1971 Directive does not apply.

Pharmaceuticals

2.1.16. On 12 December⁶ the Council adopted a Directive concerning approximation of the laws of the Member States relating to the colouring matters which may be added to medicinal products.

2.1.17. The Pharmaceutical Committee, set up by a Council Decision on 20 May 19757 with the purpose of providing the Commission with studies and opinions on proprietary medicinal products, met on 15 and 16 December.

It considered the draft of a Directive concerning information and advertising in respect of medicinal products. It also considered the question of parallel imports in the framework of the already adopted Directives on proprietary medicinal products.

The Committee discussed how Member States could cooperate in order to improve information available on prices and recommended that a pharmaceuticals price committee be set up.

Lastly, the Committee recommended that a Directive be prepared on medicinal products based

OJ C 23 of 27.1.1978.

Point 2.3.67.

OJ C 300 of 12.12.1977 and Bull. EC 11-1977, point 2.1.12.

Bull. EC 11-1976, point 2115 and OJ L 11 of 14.1.1977. 5

OJ C 25 of 31.1.1978. OJ L 11 of 14.1.1978. OJ L 147 of 9.6.1975. 6

on radioactive isotopes, that fresh impetus be given to the work on radiosterilization of industrial products and that the problems raised by dental products be studied with experts from the Member States.

Industrial structures and problems

Steel

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Strengthening the crisis measures

2.1.18. In December¹ the Council and Commission looked at ways of strengthening the measures taken to combat the steel crisis.

Reorganization in the steel industry: the Rodange-Athus affair

2.1.19. In accordance with the agreement reached in September,² the Belgian and Luxembourg Governments worked out in December with the Commission the guidelines for the reorganization of the Société métallurgique et minière de Rodange-Athus. They cover the social, economic and financial aspects.

Forward steel programme

2.1.20. After being approved at its first reading by the Commission on 7 December, the forward steel programme for the first quarter of 1978 was finally adopted on 16 December,³ with some amendments made in the light of the Opinion given by the ECSC Consultative Committee on 9 December. The forecast for Community steel production for the first quarter is 30.10 million tonnes.

OECD ad hoc Steel Group

2.1.21. The OECD ad hoc Steel Group met in Paris.⁴

Industrial loans

2.1.22. Acting under Article 54 of the ECSC Treaty, the Commission has decided to grant the following loans:

(i) DM 20 million to Stahlwerke Bochum AG, Bochum, to help finance investments to reorganize electrical sheet plant at the Bochum works, following the cessation of production of hotrolled electrical sheet at the Neviges works;

(ii) DM 5.5 million to Hoesch Werke AG, Dortmund, which will be used to expand technical training centres;

(iii) DM 45 million to Friedr. Krupp Hüttenwerk AG, Bochum, to help finance construction of a large blast furnace (including anti-pollution plant) at the Rheinhausen works;

(iv) FF 350 million to the Société lorraine de laminage continu SA (SOLLAC); this loan is to help finance the installation of two slab casting strands at the Sérémange steelworks in Lorraine.

(v) Lit 24 000 million to Terni SpA, Rome, to finance the final stage of the major modernization and rationalization programme at the Terni works.

(vi) $\pounds 28$ million to the British Steel Corporation (BSC). This is made up of two separate loans. The first, $\pounds 4$ million, will help to finance the replacement of coke ovens at the Ravenscraig steelworks in Scotland. The second will be used in financing the construction of an iron-ore direct reduction plant at the Hunterston works in Scotland.

(vii) £5 million to BOC International Ltd, London, to carry out a project which will supply industrial gas to the British Steel Corporation's works at Redcar and South Teesside. The plant will be installed at the British Oxygen Company's works, about seven kilometres from the BSC

Points 1.1.1 to 1.1.4.

² Bull. EC 9-1977, point 2.1.11.

OJ C 315 of 31.12.1977.

⁴ Point 2.2.46.

Internal market and industrial affairs

Customs union

works. The Council gave its assent to this loan at its meeting on 19 and 20 December.

Shipbuilding

2.1.23. On 9 December the Commission sent the Council a Communication on the reorganization of the Community shipbuilding industry. The Commission feels that the present methods of supporting the shipbuilding industry will soon be inadequate to counter the effects of the structural crisis besetting this sector. It is therefore recommending a number of measures to be taken at Community level.¹

2.1.24. On the same day the Commission sent the Council a proposal for setting up a Shipbuilding Committee.² Its task would be to ensure the implementation of common objectives by coordinating national and Community action' in this field and establish a standing concertation procedure on matters affecting shipbuilding.

Textiles

2.1.25. In December the negotiations between the Community and a large number of low-price textile exporting countries were completed.³

2.1.26. On 15 December⁴ Parliament passed a Resolution on the crisis in the textile industry.

Posts and telecommunications

2.1.27. On 15 December the Ministers of Posts and Telecommunications, meeting within the Council, discussed the problems arising in the field of telecommunications.⁵

Customs union

Conference on the Customs Union

2.1.28. From 6 to 8 December a Conference of the 'Customs Union: Today and Tomorrow' was held by the Commission in Brussels. The main objectives were to find ways of overcoming the obstacles to realization of the customs union and to make the general public more aware of the customs union.

Chaired by Mr Pierre Werner, former Luxembourg Prime Minister, and then Mr Kai Nyborg, member of the European Parliament, the Conference was attended by members of the European Parliament and of the Economic and Social Committee, and representatives of the national customs departments and of the various sectors particularly interested in customs problems (trade, industry, transport, tourism, consumer associations, etc.).

In the address which he delivered at the opening of the Conference Mr Davignon, member of the Commission with special responsibility for the customs union, internal market and industrial affairs, emphasized the importance of the customs union for the economic and political integration of the Community. He referred to the action taken to step up economic integration—witness the five-year action programme contained in the Commission Communication of 16 November⁶ on the prospect of economic and monetary union, which he considered offers new prospects for consolidating the customs union.

Points 1.6.1 to 1.6.7. Bull. EC 10-1977, point 1.2.1.

¹ These proposals were analysed in Bull. EC 11-1977, points 1.3.6 to 1.3.8.

² OJ C 10 of 12.1.1978.

³ Points 1.2.1 to 1.2.3.

⁴ Point 2.3.24 and OJ C 6 of 9.1.1978.

Customs union

Customs union

Mr Davignon stated that he was convinced that the customs union was itself capable of making further progress, particularly as cooperation between the administrations concerned and the Member States can be strengthened.

The discussions showed the need to reinforce and consolidate the customs union, the basis of the Community, at a time when the danger of a resurgence of nationalism might find support in the worldwide economic crisis which was affecting the Community in particular.

The accent was placed especially on the leading role played by the customs union in the construction of Europe, particularly as an essential support to the various common policies.

Also the completion of the institution of Community customs rules, which must ultimately lead to the establishment of a European customs code, was considered an objective to be attained as soon as possible. The achievement of this objective must put an end to the present situation in which Community law and national law overlap, sometimes producing incompatibilities, and thereby creating difficulties—often considerable—for users and obstructing any serious attempt at simplification.

In sectors at present covered by Community rules alone, efforts should now be continued to make the rules and procedures in force more simple, so that there would be no more cases of firms reluctant to engage in external trade because of the extreme complexity of the trade rules.

While realizing that complete freedom of trade within the Community depends on decisive progress being made in other fields, those present found that the completion of the customs union was also a *sine qua non* for such freedom. Some disappointment was expressed with regard to obligations or formalities imposed in intra-Community trade, the maintenance of which does not always seem to be justified and which, twenty years after the signature of the Treaty of Rome, still give the impression that intra-Community trade is subject to the same rules as trade with non-member countries. Many suggestions were made to improve the situation.

The Commission was urged to draw up a multiannual programme, complete with specific deadlines, for introducing new measures to help establish a true common market under the best conditions.

Common Customs Tariff

2.1.29. On 7 December¹ the Commission adopted two Regulations replacing national control procedures by a Community procedure in all cases where goods intended for use in the construction, maintenance and repair of certain aircraft and ships or certain products to be rendered unfit for human consumption are imported into the Community under Community provisions.

2.1.30. On the same day¹ it adopted a Regulation amending the Annex to the standard regulation of 4 July 1977² determining the conditions under which certain goods are eligible upon importation for a favourable tariff arrangement by reason of their end-use.

2.1.31. In order to ensure that the Common Customs Tariff nomenclature is applied uniformly, particularly with a view to the administration of the agreements relating to trade in textile products between the Community and non-member countries, the Commission adopted on 16 December³ a Regulation on the classification of goods falling within heading No 60.04 and 60.05 of the CCT.

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¹ OJ L 314 of 8.12.1977.

² OJ L 171 of 9.7.1977 and Bull. EC 7/8-1977, point 2.1.21.

³ OJ L 322 of 17.12.1977.

Tariff measures

Suspensions

2.1.32. On 5 December¹ the Council adopted a Regulation temporarily and partially suspending the autonomous Common Customs Tariff duties on certain industrial products. For some of these products, this is an extension of existing suspensions decided before and for others the measures are new. The suspensions will apply for the first half of 1978.

2.1.33. On the same date¹ the Council, in line with the undertakings given by the Community at the GATT multilateral trade negotiations, decided to suspend partially for 1978 the autonomous CCT duties on certain tropical products.

2.1.34. On 5 and 12 December the Council adopted two Regulations on the total or partial suspension of CCT duties on certain agricultural products originating in Turkey² and Malta.³ Imports will be admitted into the Community until 31 December 1978 at the customs duties indicated for the products.

Tariff quotas

2.1.35. In December the Council adopted a number of Regulations increasing the 1977 quotas for:

(i) newsprint,⁴ opened by a Regulation of 29 November 1976,⁵ the quota volume being increased from 2 311 000 to 2 511 000 tonnes. The additional 200 000 tonnes are allocated to the Community reserve, which is thus raised from 124 000 to 324 000 tonnes;

(ii) raw silk (not thrown),⁶ the volume of which, initially fixed at 3 800 tonnes by a Regulation of 9 December 1976,⁷ is increased to 4 100 tonnes. This increase of 300 tonnes is allocated to the Community reserve;

(iii) animals of certain mountain breeds;⁶ the quota, opened by a Regulation of 20 June 1977,8 is raised from 30 000 to 38 000 head. The extra 8000 head is allocated to the Community reserve:

(iv) unwrought magnesium, for which the tariff quota is increased by 1 400 tonnes.⁶

2.1.36. For 1978 the Council adopted in December various Regulations opening, allocating and providing for the administration of Community tariff quotas for the products listed in Table 2.

Community import surveillance

2.1.37. On 5 December² the Council adopted a Regulation opening and providing for the administration of a Community preferential ceiling for certain petroleum products refined in Turkey and establishing Community supervision of imports of these products. This ceiling (391 000 tonnes) applies from 1 January to 31 December 1978.

Harmonization of customs legislation

2.1.38. On 15 December the Council meeting of Ministers of Post and Telecommunications⁹ discussed the abolition of the customs presentation charge on consignments of no commercial value (small postal packets and parcels).

- OJ L 318 of 13.12.1977.
- OJ L 319 of 14.12.1977.
- OJ L 322 of 17.12.1977. OJ L 314 of 8.12.1977.
- 5 OJ L 334 of 3.12.1976 and Bull. EC 11-1976, point 2110.
- OJ L 330 of 23.12.1977. 6 7
- OJ L 344 of 14.12.1976 and Bull. EC 12-1976, point 2103. 8
- OJ L154 of 23.6.1977 and Bull. EC 6-1977, point 2.1 31.
- Points 1.6.1 to 1.6.7.

Bull. EC 12-1977

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	Quota	tonnes ¹			
Description of goods	volume (tonnes) ^I	Initial allocation	Reserve		
Unwrought magnesium, ² of which :					
 - 'extra-pure (magnesium' (containing 99.95% or more by weight of pure magnesium) - unwrought magnesium not in alloy (containing 99.8% or 	600		600		
more, but less than 99.95%, by weight of pure magnesium) — unwrought magnesium in alloy (containing less than 99.8%	1 325	1 195	130		
by weight of pure magnesium)	3 575	3 150	425		
Raw silk (not thrown) ²	4 400	3 415	985		
Yarn, entirely of silk, other than yarn of noil or other waste silk, not put up for retail sale 2	60	40	20		
Yarn, spun entirely from silk waste other than noil, not put up for retail sale ²					
Frozen beef and veal ³	38 500	38 500	_		
Turkey					
 Cotton yarns and fabrics under CCT headings 55.05 and 55.09; machine-made carpets under subheading 58.01 A II, coming from Turkey:⁴ Cotton yarns (55.05) Cotton fabrics (55.09) Machine-made carpets (58.01 A II) 	1 026 2 415 185	792 1 947 151	234 463 34		
Greece					
Wines from fresh grapes and grape must with fermentation arrested by the addition of alcohol, originating entirely in $Greece^5$	430 000 hi	387.000 hi	43 000 hi		
Μοτοςτο					
Preserved sardines originating in Morocco ⁶	14 000 (at 0%) 6 000 (at 10%)	12 600 5 400	1 400 600		
Tunisia					
Preserved sardines originating in Tunisia ⁶	100	80	20		
Spain 7					
Other cotton fabrics (55.09)	1 900	1 300	600		
Certain refined petroleum products	1 400 000	1 120 000	280 000		
Sherry in containers holding two litres or less	18 000 hi	16 200 hl	1800 hi		
Sherry in containers holding more than two litres	114 170 hl	102 700 hl	11 470 hl		
Malaga wines	15 000 hl	12 000 hl	3 000 hl		

Table 2 — Tariff quotas (1978)

Bull. EC 12-1977

Table 2 (continued)

	Quota	tonnes ¹		
Description of goods	volume (tonnes) ¹	Initial allocation	Reserve	
Wines from Jumilla, Priorato, Rioja and Valdepeñas Dried figs Dried grapes	22 000 hl 200 1 900	17 600 hi 160 1 520	4 400 hl 40 380	
<i>Cyprus</i> ⁷ Liqueur wines, originating in Cyprus and marketed under the label 'Cyprus Sherry' (1.1 - 28.2.1978)	33 334 hl	_	33 334 hl	

(1) Unless otherwise indicated
 (2) OJ L 318 of 13 12 1977
 (3) OJ L 330 of 23 12 1977

(4) OJ L 330 of 23 12 1977 (4) OJ L 319 of 14 12 1977

(5) OJ L 320 of 15 12 1977

(6) OJ L 332 of 24 12 1977 (7) OJ L 355 of 31.12 1977

Customs arrangements for the free movement of goods

Transit

2.1.39. On 20 December the Council adopted two Regulations implementing in the Community two decisions on the application of the rules on Community transit taken by the Joint Committees set up under the Agreements between the Community and Austria and Switzerland. The purpose of these decisions was:

(i) to put and end to the use, under the two Agreements, of the internal Community transit documents T3 and T3 L introduced on the accession of the new Member States to the Community;

(ii) to bring into use the new forms which, from 1 January 1978, replace certain forms hitherto used within the framework of Community transit.

Origin and methods of administrative cooperation

2.1.40. On 21 December¹ the Council adopted two Regulations on the application in the Community of two decisions taken by the ACP-EEC Council of Ministers on 23 November derogating from the concept of 'originating products' to take account of the special situation of Mauritius in two fields: for certain textile products the derogation involves a quantity of 400 tonnes and is applicable from 25 November 1977 to 31 July 1978; the derogation for the production of canned tuna involves a quantity of 1 600 tonnes and applies from 25 November 1977 to 24 November 1978.

2.1.41. On 21 December the Council adopted a Regulation on the application of Decision

¹ OJ L 355 of 31.12.1977.

Customs union

No 1/77 of the EEC-EFTA countries' Joint Committees adding to and modifying Protocol No 3 concerning the definition of the concept of originating products and methods of administrative cooperation and replacing certain decisions of the said Joint Committees.

These decisions take account of the amendments to the Customs Cooperation Council Nomenclature and of the consequences for Lists A and B annexed to Protocol No 3; they also replace a large number of Joint Committee decisions by a single text, thus facilitating the task of users and customs departments.

On the same day the Council adopted a Regulation on the application of Decision No 2/77 of the EEC-EFTA countries Joint Committees derogating from List A annexed to Protocol No 3 concerning the definition of the concept of originating products and methods of administrative cooperation.

This derogation concerns heading ex 38.19 of List A annexed to Protocol No 3 and extends the exceptional treatment until 31 December 1978.

2.1.42. On 23 December¹ the Commission adopted four Regulations on the definition of the concept of originating products for the application of the generalized system of preferences in 1978. The first one gives a general definition of originating goods, and the other three allow exceptions to this definition for systems of cumulative origin for members of the Association of South East Asian Nations, the Central American Common Market and the Andean Group.

Competition

General rules applying to firms

Measures to promote cooperation between small and medium-sized firms

Minor agreements

2.1.43. On 19 December² the Commission raised from 15 million to 50 million u.a. the aggregate turnover criterion set in 1970 in its notice concerning agreements of minor importance.³ The 1970 Notice stated that restrictive practices by firms whose combined market share does not exceed 5% and whose aggregate annual turnover does not exceed 15 million u.a. are not caught by Article 85(1) of the Treaty, because they cannot have an appreciable effect on competition.

Specialization agreements

2.1.44. By decision of 23 December the Commission extended the scope of its Regulation of 21 December⁴ (1972) giving a block exemption to certain categories of specialization agreement under Article 85(3) of the Treaty; the validity of that regulation has also been extended by five years from 1 January 1978.

The largest aggregate market share which may be held by firms qualifying for the exemption is increased from 10 to 15%, and their maximum aggregate turnover is increased from 150 to 300 million u.a. a year. This will be of particular benefit to medium-sized firms which are not members of large corporate groups.

¹ OJ L 350 of 30.12.1977.

² OJ C 313 of 29.12.1977.

OJ C 64 of 2.6.1970. OJ L 292 of 29.12.1972.

Restrictive practices, mergers and dominant positions: specific cases

Prohibition of a private market organization

2.1.45. On 2 December¹ the Commission declared that the regulation of the market organized by the Dutch trade association for bicycles and related goods was incompatible with the EEC Treaty's rules of competition. By means of an Algemeen Reglement (General Regulation) the association, the Centraal Bureau voor de Rijwielhandel (CBR — Central Bicycle Trade Association), set up a private market organization for bicycles which also covered goods imported from other Member States.

The Algemeen Reglement regulated access to the Dutch bicycle trade, established minimum requirements and confined the different categories of recognized form to doing certain types of business. The various categories also had to comply with exclusive purchase and supply obligations, and could not maintain business relations with non-member firms. Retailers had to add a minimum profit margin to their purchase prices. Discounts—which could have encouraged price competition, even if only indirectly—were prohibited. The association enforced the obligations by measures such as fines and publication of notices. Any disputes had to be dealt with in accordance with a special procedure and not in the ordinary courts.

The Algemeen Reglement covered the great majority of Dutch firms dealing in bicycles and bicycle parts—roughly 80% of bicycles sold on the Dutch market, of which about 35% were imported. Moreover, a substantial proportion of the parts for bicycles built in the Netherlands comes from other Member States.

The CBR amended the Algemeen Reglement in June 1976'in response to Commission objections to these serious uncompetitive practices. There are now only two categories of recognized firm—retailers and suppliers—and the Regulation applies only to goods for which a trademark has been registered with the CBR by a supplier.

The Commission's Decision concerns only the original arrangement applied until July 1976.² The operation of the new Regulation and its effects on competition on a market where numerous small and medium-sized firms do business are currently under scrutiny.

Prohibition of restrictive practices in distribution

2.1.46. Continuing its action concerning the rules of competition as applied to the terms for admission to auction sales for farm produce³ the Commission issued a Decision on 2 December⁴ in a case concerning the admission of buyers. It found that certain arrangements made by groups of vegetable growers and dealers based in Brittany for the marketing of breton cauliflowers, artichokes and early potatoes were in breach of Article 85(1) of the Treaty.

The actual arrangements banned by the Commission imposed restrictions on dealers wishing to buy at the two main vegetable auction centres set up in Brittany by two growers' cooperatives (SICA of Saint-Pol-de-Léon and SICA-SIPEFEL of Saint-Mélior-des-Ondes). Admission of dealers to the auction centres was subject to an obligation that they make all their purchases there and the obligation that they have a packing station close to the auction centre. Further, in respect of Saint-Mélior-des-Ondes only, admission to the auctions was subject to formal approval by a majority of the dealers already admitted and a buyer was allowed to purchase goods on his own account only.

These obligations, about which complaints had been made, appreciably restricted competition among Breton dealers and shippers by hampering, if not blocking, access to the auctions for new buyers and by confining dealings in the vegetables to dealers already admitted. A very large quantity of Breton vegetables are marketed through these two auction centres. A third of their production is exported to other Community countries, particularly Germany.

Since this case concerns farm produce, for which the Commission has made specific arrangements granting certain powers of organization to producer groups, and because this is the first time it has had to give a decision concerning the behaviour of such groups, the Commission did not impose fines.

¹ OJ L 20 of 25.1.1978.

² In January 1976 the Rotterdam Kantonrechter (Judge at the Cantonal Court), pending a Commission Decision, stayed the action before him concerning a fine imposed for non-compliance with the Regulation.

³ See Decision of 25.7.1974 in *Frubo*: OJ L 237 of 28.9.1974; Fourth Report on Competition Policy, point 71; upheld by Court of Justice in Case 71-74 (*Frubo v Commission*) by judgment given on 15.5.1975.

OJ L 21 of 15.5.1975.

After the Commission intervened the groups agreed to amend their rules in accordance with its requirements.

Restrictive practices in exports condemned

2.1.47. On 20 December the Commission took a decision requiring the group companies of The Distillers Company Limited to put an end to the imposition of differential prices upon its customers in the United Kingdom. These differential prices restrict the export of Scotch whisky, gin, vodka and Pimm's. DCL's Price Terms, which had been the subject of complaints by United Kingdom dealers in spirits, and the bans on exports to other EEC countries previously contained in DCL's Conditions of Sale, amount to infringements of Article 85 of the EEC Treaty.

The DCL group is the most important producer and distributor of spirits in the United Kingdom and of Scotch whisky in the Community. During the last four years, its market share for Scotch whisky in the United Kingdom has been between 40 and 50% and for gin in the region of 70%.

The DCL group has 38 main subsidiary companies which deal in spirits (Scotch whisky, gin, vodka and Pimm's). They organize distribution through about 1 000 wholesalers in the UK and through sole distributors, usually handling only one brand, in the other Community countries. On behalf of these subsidiaries DCL notified the Commission of its Conditions of Sale to British customers. Bans on exports to other EEC countries which had been contained in these Conditions of Sale were withdrawn by DCL in June 1975.

But on the same date, DCL put into effect Price Terms according to which allowances and rebates usually granted to United Kingdom customers were not to be extended to them if they exported the spirits to other EEC countries. Accordingly, a United Kingdom dealer wishing to export Scotch whisky has to pay a price which is approximately double that which applies to his purchases for resale in the United Kingdom.

These practices of differential pricing amount to an indirect export ban which is as detrimental to the establishment of a common market as the export prohibitions which had previously been contained in the Conditions of Sale and certainly as effective in restricting the activities of parallel exporters. This was evidenced by complaints which were officially submitted to the Commission by a number of United Kingdom dealers.

The Commission did not accept the reasoning that, because of the higher distribution costs borne by DCL's sole distributors in other common market countries, a partitioning of the market of this nature was necessary to protect such sole distributors from competition from other dealers.¹

Fines imposed for export bans

2.1.48. On 14 December the Commission fined BMW Belgium (BMW Munich's general importer) and forty-seven Belgian BMW dealers who agreed to operate an export ban on new BMW vehicles. The Commission's decision once again shows that there are still substantial differences in the retail prices of new motor vehicles in the various Member States and that firms can still be persuaded to agree on restrictions of competition to prevent alignment of prices within the common market.

In 1975 the selling prices of private cars were lower in Belgium than in other common market countries, notably because of the Belgian Government's price freeze. As a result new BMW vehicles were being re-exported from Belgium to other countries, both in the Community and elsewhere. But then the Commission's attention was drawn to the fact that Belgian BMW dealers wee no longer prepared to deliver new BMW vehicles for export by complaints from two firms which import new vehicles from France and Belgium to Germany. The Commission found out that BMW Belgium had sent a circular to its Belgian dealers on 29 September 1975 calling upon them to undertake to stop exporting new BMW vehicles. The eight members of the BMW Dealers' Advisory Committee sent a circular to the Belgian BMW dealers with BMW's full agreement, urging compliance with the export ban.

Forty-seven of the ninety BMW dealers in Belgium complied with the request and signed the BMW circular. This export

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¹ The Commission is of the view that certain sole distribution agreements concluded by DCL subsidiary companies with distributors in the common market cannot be exempted for so long as these restrictions on parallel imports remain. It has informed those concerned.

ban was terminated on 20 February 1976 after the Commission had intervened and one of the complainants had brought a civil action against BMW Belgium.

The purpose of the general export ban agreed on the basis of the circulars issued on 29 December 1975 by BMW and by the Dealers' Advisory Committee was to restrict competition in the common market within the meaning of Article 85 of the EEC Treaty. By its very nature such a ban was apt to affect trade between the Member States.

On 13 January 1975 BMW Belgium had notified the Commission of its standard distribution agreement with approved dealers and applied for exemption under Article 85(3), but that standard agreement contained no export ban. It only prohibited sales of new BMW vehicles by approved to non-approved dealers. Most of the clauses in the standard agreement followed those of the selective distribution system operated by Bayerische Motoren Werke AG, Munich, in Germany and West Berlin and exempted by Commission Decision of 13 December 19741 from the prohibition in Article 85(1), notably because there was no export ban. The Commission has not yet issued a decision exempting BMW Belgium's standard distribution agreement.

This Decision reaffirms the Commission's view that export bans introduced under separate agreements to supplement selective distribution systems are in serious breach of the EEC Treaty's rules on competition and are punishable by fine. In deciding what fines to impose the Commission took into consideration both the gravity of the offences and the short time they lasted. As for the firms involved, it was recognized that they were not all equally at fault. BMW Belgium, the instigator of the agreement and the major offender, was fined 150 000 u.a. (FB 7 500 000). The eight dealers forming the Belgian Dealers' Advisory Committee were each fined from 2 000 u.a. or 1 500 u.a. (FB 100 000 or FB 75 000), since they had supported BMW Belgium's demand for an export ban. The minimum fine of 1 000 u.a. (FB 50 000) was imposed on each of the remaining thirty-nine dealers who signed the circular.

Firms fined for concerted practices

2.1.49. On 23 December the Commission issued a Decision finding that the main European manufacturers of vegetable parchment (a kind of paper used chiefly for wrapping fatty foodstuffs) had been engaging in concerted practices contrary to Article 85(1) of the EEC Treaty and imposing fines on certain of them.

Two of them are French (Les Papeteries Alamigeon & Lacroix SA and Dalle & Lecomte SA), one is Italian (Cartiere Burgo SpA), four are German (Feldmuhle AG, 4 P Nicolaus Kempten GmbH, 4 P Rube Göttingen and Schleipen & Erkens AG), one is British (Wiggins Teape Ltd) and one is Finnish (G.A. Serlachius OY).

When the then second largest British manufacturer abandoned production in 1971, the French and German manufacturers engaged in a concerted practice consisting of reserving supplies on the British market for the remaining manufacturer there—Wiggins Teape. Working through the Genuine Vegetable Parchment Association, an international trade association to which they all belonged, the same manufacturers plus Burgo and Serlachius exchanged detailed price information and periodically informed each other of the volumes of vegetable parchment exported by each to their various EEC export markets. Lastly, at meetings held several times each year, the GVPA members discussed and set rates of increase in selling prices for EEC markets where there was no domestic manufacturer (Denmark and Benelux countries).

The Commission has ordered the firms that engaged in concerted price increases to pay fines ranging from $10\,000$ u.a. to $25\,000$ u.a.

In this Decision the Commission, following its *Cobelpu* Decision earlier this year,² reaffirms and clarifies its opposition to individual information agreements which enable competing firms to inform each other of their respective business strategies and coordinate their market conduct.

Cartel abandons sales activities within the Community

2.1.50. In response to Commission representations the Dutch maltsters' exporting syndicate, 'Necomout' (Coöperatieve Vereniging Centrale Organisatie van Nederlandse Exportmouterijen GA), to which almost all the Dutch malt-pro-

¹ OJ L 29 of 3.2.1975; Fourth Report on Competition Policy, point 86.

² OJ L 242 of 21 9.1977; Bull. EC 9-1977, point 2.1.21.

ducers belong, has discontinued its sales activities within the Community.

The syndicate, which had the legal status of a cooperative, had two main roles. Its primary task was to export to other Community or non-member countries that portion of Dutchproduced malt which its members could not sell on the home market. The member companies had undertaken to make available to the syndicate each year part of their production capacity for export sales. They were not allowed to engage in any export business on their own account.

Necomout also sought to ensure that each member could at any one time count on at least 75% utilization of its production capacity. Whenever a member firm reported that less than 75% of its production capacity was being used, the syndicate would immediately farm out the orders placed with it according to the total available production capcity.

This arrangement hindered competition between the affiliated malting-houses in deliveries to foreign customers, which accounted for about one-third of their total sales. It also distorted competition on the Dutch malt market.

The Commission, whose investigations began as a result of complaint from an ex-member of Necomout, also discovered a sales agreement between the Dutch malt-producers and their most important customers, the Dutch breweries. The breweries looked to Necomout members for a substantial proportion of their malt requirements. In return the malt-producers purchased almost all the malting barley they needed through the breweries' syndicate, CBK (Coöperatieve Vereniging 'Centraal Brouwerij Kontor'). The Commission also discovered that the basic terms for job-processing contracts for malt between individual breweries and malting-houses, including the basic charge for such job-processing, had been standardized in a framework agreement.

When they received the Commission's statement of objections, informing them that the agreements were considered anticompetitive and incompatible with Article 85 of the EEC Treaty, the parties concerned terminated them. Since the agreements were of minor economic importance the Commission was able to close the case without issuing a formal decision.

Decision outlawing certain restrictive practices

2.1.51. The Commission has issued a Decision finding that certain clauses in the spice distribution agreements between the main manufacturer

in Belgium—Brooke Bond Liebig Benelux NV, Antwerp, Benelux subsidiary of the British group Brooke Bond Liebig Ltd—and the three main Belgian food distributors—GB-Inno-BM, Delhaize Frères et Cie Le Lion and Sarma-Penney—are incompatible with Article 85(1) of the EEC Treaty.

The clauses to which the Commission took objection prohibit the distributors from having on their shelves any spices other than those manufactured by Liebig or sold under the shops' own labels. In return, the distributors are given certain financial favours (fidelity rebates, other premiums and profits guarantee). Resale prices are fixed by Liebig. This arrangement restricts competition because the distributors are deprived of the freedom to decide what makes of spice they will buy and sell while other manufacturers cannot supply them. Since many of these manufactures are established in other Community countries, Community interstate trade is adversely affected.

The Belgian market for prepacked spices for household consumption (ranges generally cover between 40 and 50 varieties) is rapidly expanding and is to all intents and purposes shared out between four main manufacturers—Liebig, the French company Ducros and two Belgian companies, India Specerijen and Topo.

As a full range of spices can only be sold properly, or even introduced onto a given market, in self-service supermarkets, Liebig's competitors, who are denied access by the distribution agreements to the three main self-service supermarket chains that alone handle 30% of the grocery business in Belgium, are having serious difficulty in promoting their sales or even, in some cases, gaining a foothold on the market at all. The effects of these restrictive practices are felt sharply by the consumer also, for he cannot buy cheaper spices from the supermarket shelves except the supermarkets' own brands.

The Commission's Decision is interesting not only in that a specific restrictive practice is to be terminated, but also in that the relevant branch of industry, and other branches in a similar position, are informed that certain restrictive practices in distribution are incompatible with the Community antitrust rules, especially where their result is a high degree of market segregation.

Agreement between eight firms found to be unlawful

2.1.52. On 20 December the Commission issued a Decision finding that certain clauses in

agreements between manufacturers of video cassettes and video cassette recorders which took effect in May 1975, were notified to the Commission in December 1975 and were terminated after Commission representations in September 1977, constituted infringements of the EEC Treaty's rules on competition.

The parties to the agreements were the Dutch company NV Philips' Gloeilampenfabrieken and seven German firms-Blaupunktwerke GmbH, Bosch-Siemens Hausgeräte GmbH, Grundig AG, Loewe Opta GmbH, Norddeutsche Mende Rundfunk KG, Philips GmbH and SABA-Werke. The agreements were for the uniform application of technical standards for the VCR system of video cassettes and video cassette recorders based on Philips' patents.

The firms involved had undertaken to manufacture and sell no video cassettes or video cassette recorders, other than those conforming to the system licensed by Philips. Also, any party which terminated the agreement immediately forfeited its licences under the patents of the others, while the remaining parties kept their rights under the terminating party's patents.

Because Philips is a leading manufacturer in this industry the restrictions of competition were held to be particularly sensitive. The tests for exemption under Article 85(3) were not satisfied since there was in fact no improvement in the material goods. Even if such improvements had been achieved, the consumer was not allowed a fair share of the resulting benefit and restrictions were imposed that were not indispensable. Hence, although it is basically in favour of agreements whose purpose is to establish types and standards and apply them uniformly, the Commission could not see its way to giving exemption in this case.

Renewal of a decision exempting a specialization agreement

2.1.53. On 23 December the Commission decided on a ten-year renewal of its July 1969 Decision¹ authorizing, until January 1977, a specialization agreement entered into in 1967 by two major alarm clock manufactuers-Jaz SA, Paris, and Peter-Uhren GmbH, Rottweil.

The main point of the agreement was that Jaz would abandon production of large mechanical alarm clocks and specialize in electric clocks and alarm clocks while Peter would abandon the production of electric alarm clocks and specialize in large mechanical alarm clocks. Each party also agreed that in the other's territory it would supply only the other party.²

The Commission renewed its exemption because of the benefits obtained by the two companies:

(a) production has been rationalized and productivity has improved:

(b) quality has been improved and a large number of technical developments have been possible;

(c) cost savings and productivity gains have been passed on to the consumer in the form of a substantial improvement in the quality of the clocks and of highly competitive prices that have risen less fast than the general level of consumer prices.

Cooperation agreement between two firms authorized

2.1.54. The Commission authorized an agreement for cooperation between the French company Société d'Optique, Précision, Electronique et Mécanique SA (Sopelem), Paris, the British company Vickers Ltd (Vickers), London, and their joint venture company Microscopes Nachet SA (Nachet), Paris.

This agreement relates to technical cooperation, the exchange of know-how, research and development and the joint distribution of microscopes. The particular aim is to help the relevant firms develop more advanced and more sophisticated microscopes.3

There is very keen competition on the microscopes market in the Community, which is dominated by large, powerful German manufacturers (Zeiss, Will and Leitz) and by Japanese manufacturers (Nikon, Kyowa and Olympus). Although Sope-

OJ L 95 of 7.8.1969. OJ C 249 of 18.10.1977.

OJ C 250 of 19.10.1977.

lem and Vickers are both technically and economically important firms, neither has been able to attain a very substantial market share outside its home market.

The agreement is contrary to Article 85(1) of the EEC Treaty since the firms concerned are competitors and their technical cooperation and joint distribution through the joint venture therefore restricts competition on the microscope market.

But the Commission was able to give exemption because of the technical progress and improvements which will result from the agreement to the benefit of the consumer. The Commission also took into consideration the keen competition on this market and the fact that the firms concerned have only very small market shares.

Exemption has been given for a five-year period expiring in 1981. It is subject to an obligation for the firms concerned to submit detailed reports to the Commission so that the effects of the agreement and the development of the relevant market can be monitored.

This Decision has given the Commission an opportunity to specify certain of the limits within which in exceptional circumstances cooperation between competing firms in research and development and the formation of a joint venture to handle joint distribution may be allowed.

Favourable decisions on agreement concerning the use of trademarks

2.1.55. On 23 December the Commission issued a Decision authorizing an agreement entered into in February 1976 by J.C. Penney Inc., New York (Penney America), and Penneys Ltd, Dublin (Penneys Ireland), a subsidiary of Associated British Foods (ABF).

The two companies operate large clothing and textile retail shops. Penney America, which is one of the largest distribution firms in the United States, distributes its goods under the Penneys trademark in the Community, notably through the Sarma chain of supermarkets in Belgium and its sales subsidiaries in other Member States. Penneys Ireland is one of the largest textile distributors in Ireland. Under the agreement¹ all right to the Penneys trademark in the Community are conferred on Penney America. Penneys branded products can thus be traded freely throughout the common market. The agreement imposes the following obligations:

(a) Penneys Ireland assigns the French Penneys trademark already registered, and the Irish Penneys trademark currently in the process of registration, to Penney America;

(b) Penneys Ireland will not contest the validity of Penneys trademarks registered by Penney America in the Community during the first five years following the date of the agreement;

(c) Penneys Ireland undertakes to refrain from using the name Penneys either as a business name or as a trademark except in Ireland, and then only as the name of its retail shops;

(d) Penney America may sell its Penneys branded products in all Member States, including Ireland;

(e) Penney America undertakes to pay a determined amount of money to Penneys Ireland.

As a result the voluminous litigation between the two companies came to an end. Had there been no agreement each would have had a reserved territory which the other side's branded products could not have penetrated.

The Commission considers that firms in this sort of position must seek the least restrictive solution so that the free movement of goods in the Community is not hampered. A contractual obligation for the parties to assign or renounce their trademark or business name rights, which would entail recreating their goodwill under other names, can have substantial anticompetitive effects for the purpose of Article 85(1) of the EEC Treaty and must therefore be exempted under Article 85(3) in order to be valid.

But in the present case the Commission considered that the agreement was not substantially anticompetitive and therefore qualified for negative clearance. The agreement does not require Penneys Ireland to recreate its goodwill under another name, as it was already doing substantial and quite successful business with another trademark, even before the agreement.

OJ C 76 of 29.3.1977.

Favourable decision on a trademark licensing agreement

2.1.56. The Commission has taken a favourable Decision on the agreements whereby Davide Campari-Milano SpA (Campari-Milano) granted an exclusive licence over its Bitter Campari trademark to Ognibeni & Co in the Netherlands, Germany, France, Belgium and Luxembourg and Denmark respectively.

The licensees are required by these agreements to comply scrupulously with the assignor's instructions as to the manufacture of the relevant products, to ensure that the quality of the raw materials used meets the assignor's requirements and to buy from the assignor the herbal mixtures whose composition, a business secret, gives Bitter Campari its characteristic taste.¹

The main point of interest in this decisions is that the Commission can extend to exclusive trademark licences the favourable attitude it has taken on exclusive patent licences as in *Davidson Rubber*² and *Kabelmetal-Luchaire*.³ The Commission draws particular attention to two clauses—the ban on business in competing products by the licensees and the ban on active sales policies by all the parties outside their alloted territories.

The Decision also imposes obligations enabling the Commission to verify in good time what effects the agreements are having on exports between Community countries. The earlier version of the agreements prohibited exports to EEC countries. In response to Commission representations the parties deleted this clause and instead undertook to do all they could to meet export orders from EEC countries. They also undertake to help customers that wish to export the products to other EEC countries to obtain drawback of excise duties on alcohol where these are available. They are required to report annually to the Commission on this point.

Fines for refusal to sell

2.1.57. Acting on a complaint on 8 December ⁴ the Commission imposed a fine of 50 000 u.a. ($\pounds 20 833$) on Hugin Kassaregister AB (Hugin AB), Stockholm, one of the five largest cash register manufacturers supplying the common market.

The Commission's decision finds that Hugin AB prohibited its various common market subsidiaries and distributors from selling spare parts otherwise than through its own distribution network. Acting in concert with its British subsidiary, Hugin Cash Registers Ltd. (Hugin UK), London, it also refused, without objective reasons, to supply spare parts to the complainant, Liptons Cash Registers and Business Equipment Ltd. (Liptons), London, a former distributor of Hugin Cash Registers in the United Kingdom.

Hugin AB is a wholly owned subsidiary of the Federation of Swedisch Consumers, Köoperativa Førbundet, a very large organization supplying 20% of the Swedish retail trade's requirements. Although Hugin AB has a common market cash register market share of only 12% it has a monopoly for the supply of spare parts for its own cash registers by reason of the extensive controls which it exercises over their manufacture and sale. By refusing to supply independent firms, however well qualified, Hugin AB is not only excluding all competition as regards after sales service and repairs but is also hindering the creation of an independent market for the hiring and purchase of goods and for the sale of its secondhand cash registers.

The importance of this Decision lies in the fact that the Commission has found that there is a distinct market for the supply of spare parts for a given product and that a firm can have a dominant position on the spare parts market even if it does not have a dominant position on the principal market. Accordingly a refusal to supply that is not backed up by objective reasons may constitute an abuse of a dominant position, especially where the customer is a longstanding customer who is both independent and properly qualified.

Mergers in the steel industry

2.1.58. On 14 December the Commission, acting under Article 66 of the ECSC Treaty, authorized Compagnie Bruxelles-Lambert pour l'Industrie et la Finance (CBL), Brussels, Compagnie Financière de Paris et des Pays Bas (Paribas), Paris, and Etablissements Frère-Bourgeois (Frère), Charleroi, to merge the French firms Châtillon-Com-

⁴ OJ L 22 of 27.1.1978.

¹ OJ C 198 of 19.8.1977.

² OJ L 143 of 23.6.1972; Second Report on Competition Policy, point 46.

³ OJ L 222 of 22.8.1975; Fifth Report on Competition Policy, point 66.

mentry-Biachy (Châtillon), Neuves-Maisons and Chiers into a single company to be known as Compagnie Industrielle Chiers-Châtillon under the control of Paribas and of Financière du Ruau.

The aim is to form a diversified steel group producing the long products of Chiers and Neuves-Maisons and the flat products of Châtillon.

The same Decision authorizes CBL to acquire shares in Financière du Ruau, a Belgian holding company that has extensive interests in Belgian and French steel firms. The holding company was hitherto controlled by Paribas and Frère. The arrival of CBL in Financière du Ruau will enable it to share in the control of a large number of steel firms in France, Belgium and Luxembourg on the same terms as Paribas and Frère.

In assessing the effects of these mergers on the steel market, the Commission took into consideration the group effect resulting from the fact that CBL, Paribas and Frère are among the firms that together control Cockerill, and of the possibility that the business of Cockerill and firms under its control might be coordinated with that of the firms linked with CBL, Paribas and Frère.

In certain product categories the position of the 'group effect' firms will be particularly strong. But in the common market there are other manufacturers with similar or greater market shares, and more and more products are being imported at highly competitive prices from non-member countries. The membership of important financial groups in these firms will help to improve the extremely serious financial situation that some of them are in.

This Decision is entirely without prejudice to any other decision the Commission may take under Article 65 and 66 of the ECSC Treaty concerning other structural organization plans still under scrutiny.

State aids

General schemes of aid

Italy

2.1.59. On 20 December the Commission decided to close the procedure initiated in 1976^{1} under Article 93(2) of the EEC Treaty is respect of an Italian Bill (passed on 12 August) providing

for the establishment of an Industrial Restructuring and Conversion Fund.

Although the Commission recognized that the Bill was intended to further rationalize Italian general assistance schemes for industrial development and restructuring, it felt that, since the proposed recipients were not clearly defined, the Italian Governement should notify the Fund's measures in advance (industry programmes or, failing this, significant individual cases of application) as it had previously done for other similar general schemes of assistance.

The Italian Government finally agreed to the Commission's request and gave a formal undertaking to forward:

(i) the deliberations of the CIPI (Interministerial Committee on Industrial Policy) when determining the industrial branches and activities to be covered by the intervention programmes and the programmes themselves;

(ii) the annual programme for distribution of assistance from the Fund and the directives on allocation to industries and geographical areas.

Industry aids

Precision instruments and automation industry

United Kingdom

2.1.60. On 6 December the Commission decided to close the procedure initiated in December 1976^2 under Article 93(2) in respect of a British scheme of aid for the precision instruments and automation industry, since the British Government had decided to amend its Bill to bring it into line with the Commission's position.

The scheme initially proposed provided for total assistance of $\pounds 25$ million to promote investments and restructuring and the development and marketing of new products and systems.

The Commission was not convinced that the industry's problems (small firms, profit margins and research and development expenditure) were serious enough to justify a special aid scheme which might have a serious adverse effect on trade between Community countries. More detailed scrutiny con-

¹ Bull. EC 12-1976, point 2130.

² Bull. EC 12-1976, point 2134.

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firmed that the Commission's concern was to some extent justified. It became clear that the proposed assistance for restructuring and that intended to promote development and marketing of new products and systems was not warranted. Moreover, in an industry where competition largely concentrates on the products' features and technical performance the development and marketing aids were likely to distort competition and affect trade between Member States to an extent contrary to the common interest.

However, the Commission decided that the investment assistance was justified on account of the industry's poor performance, particularly if it was granted, in accordance with the British Government's undertaking, to European companies or for cooperation between such companies.

Since the British Government decided to amend its Bill accordingly and to reduce the funds set aside for the purpose from $\pounds 25$ to $\pounds 10$ million the Commission decided to close the procedure.

Shipbuilding

France

2.1.61. On 7 December the Commission decided to raise no objections to the introduction of a scheme of assistance for the shipbuilding industry in France.

The scheme provided for the reintroduction of production aid for orders taken before July 1978 for delivery by 31 December 1980. Maximum aid is to be 20% of the contract price for large and medium-sized yards and 15% for small yards. The granting of this assistance is linked with a restructuring plan for the French shipbuilding industry aimed at cutting back production.

The Commission's decision was subject to further scrutiny of the situation before the end of February 1978 and prior notification of plans to give assistance in cases where there are competing bids from yards in other Member States.

Regional aids

United Kingdom

2.1.62. On 21 December the Commission decided to raise no objections to the introduction of measures of assistance under a Bill notified by the British Government in October as required by Article 93(3) of the EEC Treaty.

Under the Bill, the Council for Small Industrials in Rural Areas (COSIRA), a Government-sponsored body, which up to now has granted commercial loans, may provide loans at concessionary rates (small firms located in rural areas anywhere in the country and experiencing local employment or emigration problems. Loans of up to $\pounds 30\,000$ may be granted for the establishment of new firms or the extension and rationalization of existing firms.

In view of the purpose of this assistance (promoting the development of certain economic regions), the relatively low annual amount of assistance granted by CoSIRA (approximately 3.7 million EUA) and the relatively small maximum loan to which each firm is entitled (approximately 45 000 EUA), the Commission decided that the proposed measures qualified for the derogation under Article 93(3)(c) from the general ban on aid. This was in line with a number of past decisions on German, Danish and Irish schemes of assistance for small and medium-sized firms designed to help them gain access to finance on the capital market.

Denmark

2.1.63. In October the Danish Government, pursuant to Article 93(3) of the EEC Treaty, notified the Commission of a proposal to amend the existing delimitation and status of assisted areas; on 20 December the Commission decided that these amendments qualified under Article 92(3)(c).

All in all, the proposed changes involved a reduction in coverage of existing areas: 11.2% in population and 10.1% in surface area. The assisted areas would then only account for 27% of the Danish population as against the current 31%. On 29 April the Commission had noted an improvement in the regional conditions of the descheduled assisted areas and had accordingly agreed only to a temporary extension for a twoyear period. The changes planned by the Danish Government therefore satisfy the Commission's demands.

The scheme also provides that three new municipalities be designated assisted areas and that the status of five others be changed. The Commission approved the changes subject to a number of conditions aimed at ensuring that the Community ceiling is respected and that the measures apply for a limited time only.

Financial institutions and taxation

Financial institutions

Banks and other financial institutions

Coordination of banking legislation

2.1.64. On 12 December¹ the Council formally adopted the Directive on the coordination of the laws, regulations and administrative provisions relating to the taking up and pursuit of the business of credit institutions, on which it had agreed in principle on 21 November.²

Taxation

Indirect taxes

Turnover taxes

Two new proposals for VAT directives

2.1.65. On 23 December the Commission approved two new proposals for Council Directives on the harmonization of the laws of the Member States relating to turnover taxes.³

One of these proposals-the seventh on the subject-is the result of a re-examination of the problems arising in connection with the taxation of used goods, works of art, antiques and collectors' items carried out in accordance with the mandate given to the Commission by the Coun-

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cil in Article 32 of the sixth VAT Directive, adopted on 17 May.⁴

The proposal for a sixth Directive, sent to the Council by the Commission on 29 June 1973,⁵ had suggested special VAT arrangements for used goods, works of art, antiques and collectors' items, under which taxable persons purchasing with a view to resale goods which had already entered th final consumption stage would be entitled to deduct a certain amount of tax deemed to correspond to the amount of input tax. However, the Council took no decision on this part of the Directive in May, because of the complex nature of the problems involved.

After re-examining the problems, the Commission reached the conclusion that, with a view to avoiding or mitigating the impact of cumulative taxation and to preventing distortions of trade working to the detriment of traders wishing to resell used goods or works of art, the simplest and most feasible solution would be to introduce a special taxation scheme under which a standard percentage of the selling price-the figure suggested is 30%-is taken as the taxable amount for VAT purposes. Except in the case of import and export transactions, taxable persons would not be eligible under this scheme to deduct tax paid in respect of the purchase of used goods and works of art or goods and services used for the purposes of their work. Subject to special rules, this scheme would apply in respect of both works of art and used goods, with the exception of a number of such items (e.g. private cars) for which a scheme based on the resale price is proposed, entitling taxable persons to deduct a standard amount of tax.

This new proposal is a practical application in the tax field of the guidelines laid down by the Com-

OJ L 322 of 17.12.1977.

Bull. EC 11-1977, point 2.1.49. OJ C 26 of 1.2.1978. 2

⁴ OJ L 145 of 13.6.1977 and Bull. EC 5-1977, points 1.3.1 to 1.3.4.

OJ C 80 of 5.10.1973 and Supplement 11/73 - Bull. EC.

mission in its Communication to the Council concerning Community action in the cultural sector,¹ since rules such as the reduction of the taxable amount to 30% of the selling price or the exemption for works of art supplied or imported by the artist himself are designed to facilitate the dissemination of cultural objects and to assist artists.

2.1.66. The aim of the proposal for an eighth Directive is on the face of it a limited one, that of introducing common arrangements for the refund of value added tax to undertakings established in a Community country other than that in which goods or services have been invoiced inclusive of tax.

The principle of such a refund is embodied in the sixth Directive of 17 May 1977 (Article 17), but this Article states that the Council will adopt at a later date Community rules laying down the arrangements under which refunds are to be made. Until such Community arrangements enter into force, each Member State is free to determine its own refund arrangements.

The practical importance of these new measures should not, however, be underestimated, since they will make for a substantial improvement on the present situation for firms publicizing or expanding their operations in other member countries, whether on a temporary or a permanent basis.

The proposal, which is of particular interest to exhibitors at international fairs and international carriers, will enable equal treatment in respect of value added tax to be accorded in areas of international trade relations in which such treatment is now very uneven because the conditions governing refund of the tax are more restrictive in some countries than in others (the result being that countries with the most generous arrangements come to be regarded as havens by the firms concerned).

For these reasons, the Commission believes that Community arrangements in this field will enable further progress to be made towards the effective liberalization of the free movement of persons, goods and services, thereby helping to promote the process of economic integration.

Excise duties

Manufactured tobacco

2.1.67. On 19 December² the Council adopted a Directive amending and supplementing the Directive it had adopted on 19 December 1972,³ on taxes other than turnover taxes which affect the consumption of manufactured tobacco. The main provisions of the new Directive may be summarized as follows:

(i) From the beginning of the second harmonization stage and under the final harmonization arrangements, the specific component of the mixed excise duty applicable to cigarettes will no longer be determined by reference to the total excise duty but by reference to the total tax (excise duty plus VAT);

(ii) The first stage of harmonization of the structures of excise duties on cigarettes is extended. for practical reasons, until 30 June 1978 (this first stage will therefore have lasted five years);

(iii) The second harmonization stage will cover the period from 1 July 1978 to 31 December 1980; during this stage the amount of specific excise duty levied on cigarettes in the most popular price category must not be lower than 5% or higher than 55% of the total tax (excise duty plus VAT);⁴ the Member States are to review their calculations at least once a year to take account of any price or tax changes;

Bull. EC 11-1977, point 1.4.3.

OJ L 338 of 28.12.1977. OJ L 303 of 31.12.1972 and Bull. EC 12-1972, point 23.

Under the proposal for a Directive which the Commission presented to the Council in February 1976-subsequently endorsed by Parliament and the Economic and Social Committee-the amount of the specific excise duty should have been between 15% and 50% of the total tax.

Financial institutions and taxation

(iv) Under the 1972 Directive, the United Kingdom and Ireland must align themselves on the first stage on 1 January 1978, but certain special arrangements have been made for them for the second stage. Thus, the United Kingdom is authorized, as part of its public health policy, to increase tax on cigarettes with a tar content of 20 mg or more until the end of 1980; the Council has called upon the Commission to report on the implications of this increased tax before this date; Ireland may, in order to adjust to the second stage, apply until 31 December 1978 an amount of specific excise duty which may not exceed 60% of the total tax burden.

(v) Denmark was authorized not to apply the provisions of the Directive in Greenland, in view of that territory's special position.

Tax exemptions

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Derogation for Denmark

2.1.68. On 13 December the Commission sent to the Council a proposal for a Directive granting Denmark a further prolongation, until 31 December 1980, of the derogation from the Council Directive of 28 May 1969,¹ amended by the Directive of 12 June 1972,² which had been accorded in the Act of Accession (Annex VII, Part V), for tobacco products, certain alcoholic beverages and beer; the last prolongation dated from 18 January 1977.3

The proposal was made in response to a request by the Danish Government to prolong the derogation granted Denmark by the Act of Accession for five years.

After examining this proposal, the Council adopted a Directive on 19 December⁴ granting Denmark a derogation, until 31 December 1982, from the arrangements in force for duty-free allowances applicable in international travel. This five-year derogation is accompanied by certain adjustments proposed by the Commission. The Directive involves a relaxation of the system already in force, beginning on 1 January 1978; it will gradually introduce other adjustments over the five-year period.

Direct taxes

Mutual assistance between revenue departments

2.1.69. On 19 December⁴ the Council formally adopted the Directive concerning mutual assistance by the competent authorities of the Member States in the field of direct taxation in respect of which it had recorded its agreement in principle on 21 November.⁵

Employment and social policy

Employment

2.1.70. The most outstanding event in this field at the end of 1977 was the formal adoption by the Council on 20 December of a series of new provisions governing the operation of the European Social Fund and extending its scope.⁶

European Social Fund

Social fund

Review of the European Social Fund

2.1.71. On 20 December the Council formally adopted a set of legal instruments-four Deci-

- 3 OJ L 23 of 27.1.1977 and Bull. EC 1-1977, point 2.1.24. 4
- OJ L 336 of 27.12.1977. 5

OJ L 133 of 4.6.1969.

² OJ L 139 of 17.6.1972.

Bull. EC 11-1977, point 2.1.51. 6

Point 2.1.71.

sions and three Regulations¹—revising the rules concerning the operation and scope of the European Social Fund. This reform was undertaken to increase the effectiveness of the Social Fund and adapt it to the employment situation in the Member States.

The measures adopted arise from the Commission's proposals of March 1977,² examined by the Council in June³ and approved in October.⁴ While keeping open the possibility of Fund assistance in support of Community policies or for specific common measures, the Council wished to satisfy the demand for a greater concentration of Fund aid on the most serious problems, in particular regional structural imbalances as regards employment.

Further, the Council decided on intervention by the Social Fund for women of 25 or over wishing to exercise a professional activity for the first time or after a long interruption, or who had lost their jobs.

Earlier decisions on Fund assistance due to expire at the end of 1977 (textiles and clothing, young people, migrant workers) were extended until 31 December 1980.

With all the rules thus revised, the Fund will resume operations on 1 January 1978.

Fund assistance — second series

2.1.72. On 23 December, the Commission approved the 'Second series, 1977' applications for assistance from the European Social Fund, submitted under Articles 4 and 5 of the Council Decision of 1 February 1971.

The applications were examined by the Fund Committee on 11 November⁵ and involve the following amounts:

under Article 4, re-training operations for workers who have left agriculture, textile and clothing workers, migrant workers, young workers affected by employment difficulties and handicapped persons:

Operations	Amounts (million u.a.)
1977	95.7
1978	37.2
1979	13.3

under Article 5, operations for the re-training of unemployed or underemployed workers in lessdeveloped regions of the Community, the training of workers to meet needs created by technical and industrial progress, the vocational adaptation of workers employed by groups of undertakings in the course of reorganization and the rehabilitation of handicapped persons:

Operations	Amounts (million u.a.)
1977	167.6
1978	69.3
1979	6.1

Pilot projects

2.1.73. On 23 December the Commission approved six pilot projects preparatory to intervention by the European Social Fund, including an advanced technology training project in Italy, a study of growth patterns in low-capital cooperative undertakings in Ireland, multi-disciplinary training in management techniques in the crafts sector in the United Kingdom, joint training of young mobile and sedentary workers in Ireland, training of management staff in undertakings in the United Kingdom and the integration of women in traditionally male occupations in France.

ECSC redeployment measures

December, acting under Arti-2.1.74. In cle 56(2)(b) of the ECSC Treaty, the Commission decided to contribute towards the cost of rede-

OJ L 337 of 27.12.1977. Bull. EC 3-1977, points 1.3.1 to 1.3.6. Bull. EC 6-1977, point 1.1.9. Bull. EC 10-1977, point 2.1.31. Bull. EC 11-1977, point 2.1.55. 2

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ploying workers affected by partial or total closures of undertakings in the Community coal and iron and steel industries.

In Germany, 75 750 EUA was made available for 176 workers affected by the closure of a coal mine.

In Belgium, 2550750 EUA was made available for 1534 workers affected by the closure of steel works.

In France, two additional allocations of 5 444 500 EUA were made available for operations begun in previous years, and 3 196 000 EUA for 1 054 workers affected by the closure of coal mines.

Freedom of movement and social security for migrant workers

2.1.75. On 31 December¹ the Commission sent to the Council two proposals for Regulations amending the Council Regulation of 14 June 1971² on the application of social security schemes to employed persons and their families moving within the Community and its Annexes, with a view to applying it to self-employed workers and their families. Since 1959, hired workers moving within the Community have been covered by Community regulations which ensure that they and members of their families retain the entitlements acquired through successive adherence to different national social security schemes. Self-employed workers are not covered by these regulations as the Treaty of Rome contains no provisions in their respect similar to those in Article 51. The Commission proposals aim to include self-employed workers under the rules applicable to hired workers, which are based on the following three principles:

(i) elimination of discrimination in the application of national legislations;

(ii) aggregation of periods of insurance or periods of work in any Member State giving entitlement to benefits; (iii) provision of benefits in any Member State in which the beneficiary is resident or staying temporarily.

After adoption of these proposals by the Council, with the same end in view the Commission will draft a proposal amending the implementing rules for the 1971 Regulation laid down by the Regulation of 21 March 1972.³

Living and working conditions

Housing

2.1.76. As part of the seventh and eighth programmes of financial aid to low-cost housing for workers in ECSC industries, the Commission approved the following projects:

Belgium: iron and steel industry, 12 dwellings (FB 3 300 000—re-employment);

France: iron and steel industry, 50 dwellings (FB 621 000);

Netherlands: iron and steel industry, 17 dwellings (Fl 85 000);

United Kingdom: iron and steel industry, 33 dwellings (£38 490);

Ireland: coal industry, 9 dwelling (£18000) and iron and steel industry, 36 dwellings (£90000).

2.1.77. On 20 December, the Commission decided to grant 260 000 EUA for a pilot project involving renovation works and new building in the Garibaldi District in Milan. Buildings will be specially designed to eliminate architectural obstacles to the mobility of handicapped persons. Fifty-seven dwellings will be built.

On 21 December, the Commission decided to grant financial aid in the form of loans and subsidies for pilot projects connected with the im-

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¹ OJ C 14 of 18.1.1978.

² OJ L 149 of 5.7.1971.

³ OJ L 74 of 27.3.1972.

provement of migrant workers' housing conditions. Total aid amounts to 482 031 u.a. The projects undertaken in the different Member States by institutions concerned with these problems should serve as examples and show migrant workers' families how to improve their living conditions.

2.1.78. On 2 December, the Commission forwarded to the Council a report on the housing conditions of foreign workers in the Community. The report, 'The housing of migrant workers: a case of social improvidence?' contains the results of a sociological survey made in 1975 by a group of experts from all the Member States.

Social protection

Struggle against proerty

2.1.79. On 12 December¹ the Council decided to extend for three years its Decision of 22 July 1975 concerning a programme of pilot schemes and studies to combat poverty.² The programme was initially launched for a two-year period to experiment with and develop new methods to help the poorest strata of European society. The Council decision also authorizes the Commission to undertake a limited number of new projects before April 1978.

Health and safety

2.1.80. The Ministers of Health of the Member States of the Community met for the first time at Community level in Brussels on 13 December.³ They reviewed a number of public health problems of particular concern to the Community population. The Commission was requested to begin coordinated action in the field of health education (particularly as regards addiction to tobacco, the taking of stimulant drugs, and nutrition) and the struggle against certain infectious diseases, and to continue the study of the economic aspects of health.

2.1.81. On 15 December⁴ the Commission sent to the Council a draft Resolution on an action programme on safety and health at work.

The main aim of the programme is to contribute to the humanization of work by increasing the level of protection against occupational risks of all types, by increasing the efficiency of measures for preventing, monitoring and controlling these risks.

The action programme should make it possible to achieve the following general objectives:

(a) improvement of the working situation with a view to increased safety and with due regard to health requirements in the organization of work;

(b) improvement of knowledge in order to identify and assess risks and perfect prevention and control methods;

(c) improvement of human attitudes in order to promote and develop safety and health consciousness.

The following six specific measures are planned to achieve these general objectives:

(i) incorporation of safety aspects into the various stages of design, production and operation;
(ii) determination of exposure limits for workers with regard to pollutants and harmful substances present or likely to be present at the workplace;
(iii) more extensive monitoring of workers' safe-

(iii) more extensive monitoring of workers' safety and health;

(iv) accident and disease aetiology (enquiry into causes) and assessment of the risks connected with work;

(v) coordination and promotion of research on occupational safety and health;

OJ L 322 of 17.12.1977.

² OJ L 199 of 30.7.1975 and Bull. EC 7/8-1975, point 2231.

³ Points 1.5.1 to 1.5.4.

⁴ OJ C 9 of 11.1.1978.

Regional policy

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Regional policy

(v) development of safety and health consciousness by education and training.

2.1.82. On 21 December the Commission decided to grant aid amounting to 978 545 EUA to eighteen research projects on 'Ergonomics and Rehabilitation' (aimed at increasing safety in the coal and iron and steel industries) and aid of 463 000 EUA for four research projects on chronic respiratory complaints.

2.1.83. On 16 December Parliament¹ adopted a Resolution on health risks connected with asbestos.

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2.1.84. At its meeting on 19 and 20 December the Council (Foreign Affairs) was unable to reach a decision on all the proposals presented by the Commission on 3 June.² It postponed until a later date the adoption of a general solution on the points still outstanding.

The European Regional Development Fund (ERDF) will continue to operate on the basis of the Council Regulation of 18 March 1975,³ by which it was set up. The three-year programme agreed by the European Council on 5 and 6 December allocates 580 million EUA for 1978.

The 1978 appropriations—allocated under a threeyear programme along the lines indicated by the European Council on 5 and 6 December—as entered in the budget finally adopted by Parliament on 21 December, total 581 million EUA.

The appropriations for commitment were set at 581 million EUA after a series of meetings (European Council on 5 and 6 December, Council (budget) on 7 December and Council (foreign affairs) on 19 and 20 December) and after a clash between Parliament and the Council at the Par-

liament sittings in Strasbourg from 12 to 16 December.⁴

European Council

2.1.85. The statement issued by the President of the European Council after the meeting in Brussels on 5 and 6 December contained the following conclusions on the ERDF:

'The European Council agreed

1. on three-year planning of the European Regional Development Fund, as follows:

1978: 580 million EUA 1979: 620 million EUA 1980: 650 million EUA

2. to grant France, for the benefit of the French overseas departments, a 2% increase in its national quota, to be deducted from the quotas of the other Member States.

3. to instruct the Council to settle the other outstanding points, including the establishment of a non-quota section.'

Council (Foreign Affairs)

2.1.86. The following statement on regional policy was published after the Council meeting (Foreign Affairs) on 19 and 20 December.

'In an attempt to reach an overall decision on the new regional policy texts and in particular the revised regulation concerning the European Regional Development Fund, the Council held a lengthy discussion on the outstanding problems, i.e. the final distribution of national shares, the creation of a non-quota section and the inclusion in a Regulation of the overall endowment of the Regional Fund agreed upon by the European Council.

In connection with the overall endowment, the Council agreed that the draft budget for the years 1978 to 1980 would

¹ Point 2.3.21 and OJ C 6 of 9.1.1978.

² OJ C 161 of 9.7.1977 and Supplement 2/77 - Bull. EC.

³ OJ L 73 of 21.3.1975.

⁴ Points 2.3.7 and 2.3.8 and OJ C 6 of 9.1.1978.

Regional policy

be drawn up in accordance with the amounts decided upon by the European Council, namely 1978: 580 million EUA; 1979: 620 million EUA; 1980: 650 million EUA.

As regards the distribution of national shares, the Council discussed the method to be used to calculate the figures for distributing between the Member States the additional allocation of 2% for France decided by the European Council.

The Council considered in depth the creation of a non-quota section. No delegation raised any objection in principle to this Commission proposal. It was nevertheless noted that in view of the fact that it was an innovation, further work would be needed in particular as regards the scope, the types of programme to be approved, the endowment of this section in relation to the whole of the Fund and other implementing arrangements.

The Council instructed the Permanent Representatives Committee to continue its work in the light of discussions held today and to submit to it an overall solution to the problems outstanding.'

2.1.87. At the same meeting, however, the Council endorsed the increases in appropriations passed by Parliament on 15 December,1 including those for the ERDF. When the President of Parliament declared on 21 December that the budget was finally adopted, the figure entered as appropriations for the European Regional Development Fund for 1978 was 581 million EUA.

Financing operations

European Regional Development Fund

Fourth allocation for 1977: 214.02 million u.a.

2.1.88. On 16 December the Commission approved the fourth and final allocation of grants for 1977 from the European Regional Development Fund totalling 214.02 million u.a. The aid has been allocated to 1117 investment projects costing a total of 2007.21 million u.a. The first three allocations for 1977 were approved by the Commission in January,² April³ and July.⁴

In accordance with the Regulation of 18 March 1975 setting up the ERDF, the Fund Committee had approved these projects on 7 December and, for certain projects concerning France, on 24 and 25 November 1976, 19 April and 28 June 1977. On 22 and 23 November, the Regional Policy Committee had been consulted on the draft decisions for aid to infrastructure projects costing more than 10 million u.a.

The approval of this new allocation (the tenth since the Fund was set up) brings the total aid granted in 1975, 1976 and 1977 to 1 304 million u.a. for 4 748 projects. However, as some grants were cancelled at the request of the Member States concerned, the amount actually committed was 1 289 million u.a., representing practically all the funds available for the three years, 1 300 million u.a.

Table 3 gives a breakdown of the amounts granted in this instalment.

The 214.02 million u.a. break down as follows:

(a) 122.72 million u.a. to help finance 791 infrastructure projects required to develop industrial and tourist activities comprising:

(i) 40.47 million u.a. to help finance 11 projects costing more than 10 million u.a. each;

(ii) 64.40 million u.a. to help finance 348 projects costing less than 10 million u.a. each;

(iii) 18.85 million u.a. to help finance 432 infrastructure investment projects costing less than 10 million u.a. each in the areas referred to in the Directive on mountain and hill farming and farming in certain less-favoured areas.

The infrastructure investments assisted from the Fund aid involve a total of 711.94 million u.a. The projects mainly concern general equipment for industrial areas, mountainous regions and un-

Point 2.3.107.

Bull. EC 1-1977, point 2.1.32. Bull. EC 5-1977, point 2.1.38. Bull. EC 7/8-1977, point 2.1.58. 2

Member State	Number of grant decisions	Number of investment projects	Invest- ments assisted (million u a)	Assistance granted (million u a)
Belgium	1	3	1.09	0.31
Denmark	1	2	1.02	0.19
FR of Ger- many	69	228	515.27	24.78
France	37	184	607.79	70.851
Ireland	3	5	8.81	1.50
Italy	28	536	486.91	64.60
Luxembourg	1	1	3.90	0.54
Netherlands	3	5	38.80	6.33
United King- dom	29	153	343.62	44.92
Total	172	1 117	2 007.21	214.02

Table 3 — Grants from the ERDF (fourth 1977 allocation)

 $^{\rm I}$ The amount of aid granted to France is relatively large because decisions on projects presented by France are taken only once a year

derprivileged areas, ports, the transport of energy and road networks.

(b) 91.30 million u.a. to help finance 326 projects relating to industrial, artisan and service activities, comprising:

(i) 46.58 million u.a. to help finance 18 projects costing more than 10 million u.a. each;

(ii) 44.72 million u.a. to help finance 308 projects costing less than 10 million u.a. each.

The industrial and service investments assisted by the Fund involve a total of 1 295.27 million u.a., the main industries concerned being metalworking, electrical engineering and electronics, chemicals, mechanical engineering and rubber.

Fund Committee

2.1.89. On 7 December the Fund Committee held its tenth meeting; its main business was to

the fourth instalment for 1977.¹ The Committee also discussed the question of on-the-spot publicity for Fund operations, such as signs indicating that the ERDF had contributed to financing certain infrastructure investment projects.

deliver its opinions on the draft aid decisions in

Conversion

Financing new activities

2.1.90. On 20 December the Council gave its assent under Article 56(2)(a) of the ECSC Treaty to enable the Commission to grant conversion aid to the following three firms (two French and one British):

(i) FF 2 million to SA Luchaire, France, to help set up a new production plant for exhaust systems for lorries, tractors, boats and motors, at Boulay in the Moselle department;

(ii) FF 20 million to Rockwool-Isolation SA, France, to contribute to setting up a production plant for rockwood insulating material at St Eloyles-Mines in the Puy-de-Dôme department;

(iii) $\pounds 1$ million to Country Produce Limited, United Kingdom, towards the setting up of a factory to slaughter and pack poultry in North Wales.

Environment and consumer protection

Environment

Environment problems before the Council

2.1.91. The Council (Environment), which met in Brussels on 12 December, under the chairmanship of Mr Luc Dhoore, the Belgian Minister for

¹ Point 2.1.88.

Health and the Environment, obtained positive results on a number of matters. It formally adopted one Decision and approved in principle three Directives which have been under discussion for many months, including the one concerning red mud.

Surface fresh water

2.1.92. The Council formally adopted a Decision¹ establishing a common procedure for the exchange of information between the pollution monitoring and control networks concerning the quality of surface fresh water in the Community.² The Community action programmes on the environment of 22 November 1973³ and 17 May 1977⁴ made provision for setting up such a procedure.

Waste from the titanium dioxide industry

2.1.93. The Council approved in principle the adoption of the important Directive on red mud (waste from the titanium dioxide industry). There are three aspects to this Directive-the requirement that prior authorization be obtained for the main waste elimination operations, the monitoring of waste and the environment in which the elimination operations are carried out, and a plan for the progressive reduction and eventual elimination of pollution requiring the Members States to draw up, by 1 July 1980, national programmes for the reduction of pollution caused by existing industries (to be harmonized on a proposal from the Commission), and new industries are to be made subject to prior authorization.

Toxic and dangerous waste

2.1.94. The Council approved the plan for setting up a Committee on adaptation to scientific and technical progress, and its terms of reference. This means that it should soon be possible to

adopt the Directive on toxic and dangerous waste on which the Ministers agreed in principle on 14 June 1977.⁵

Bird conservation

2.1.95. Here too, the Council reached general agreement on the main points of the proposal for a Directive presented by the Commission on 20 December 1976.6

The aim is to conserve numerous species of birds by restricting the numbers which may be hunted or sold, listing the prohibited means of hunting and capture and providing special protection for certain habitats. The Council also approved a Resolution on habitats whereby the Commission will, once the Directive is adopted, put forward proposals concerning the delimitation, the choice, the organization and the methods of administering the special protection zones.

Air pollution

2.1.96. At the meeting the Council held a general discussion on possible Community measures against air pollution through sulphur compounds, but did not reach agreement. All delegations conveyed their comments, concerns and requests with regard to the measures to be considered.

Cost of pollution control to industry

2.1.97. On 16 December⁷ the Commission sent the Council a draft Recommendation to the Member States regarding methods of evaluating the cost of pollution control to industry. The aim

Bull. EC 6-1977, point 2.1.69.

- Bull. EC 6-1977, point 2.1.71. 6
- OJ C 24 of 1.2.1977 and Bull. EC 12-1976, point 2233. OJ C 10 of 12.1.1978.

OJ L 334 of 24.12.1977. 2

OJ C 112 of 20.12.1973. OJ C 139 of 13.6.1977. 4

⁵

Environment and consumer protection

Environment and consumer protection

is to harmonize the methodological principles to be used in pollution control cost studies in order to obtain greater comparability between the cost assessments made in the various Member States.

Land-based marine pollution

2.1.98. The Community, represented by the Commission, participated in the fourth meeting of the Interim Committee of the Convention for the Prevention of Marine Pollution from Landbased Sources, held in Paris from 19 to 22 December.

Cooperation with Sweden

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2.1.99. On 9 December the Commission and the Swedish Government signed an exchange of letters which—as in similar exchanges with the United States, Canada, Switzerland and Japan—set out modes of cooperation, particularly as regards a regular exchange of information on environmental matters.¹

2.1.100. At the 12-16 December sittings, Parliament² delivered its Opinion on a Commission proposal to the Council concerning fluorocarbons in the environment and adopted a Resolution on the dangers of asbestos to health.

Consumer protection

Consumers Consultative Committee

2.1.101. The Consumers Consultative Committee met on 16 December and welcomed the fact that the Commission had decided to follow a moderate policy on agricultural prices which took account of the interests of consumers. At the same meeting the Committee approved a draft Community directive on consumer credit. This draft takes into account the concern of consumers since it gives borrowers fuller information and establishes a link between the sales contract and the financing agreement. In a statement on the proposal for a Directive on colouring matters for use in food, the Committee asked the Commission, in its discussions with the Council, to stress the views of the consumer representatives as endorsed by Parliament and the Economic and Social Committee.

Consumer education

2.1.102. The subject of a symposium held in London under the auspices of the Commission on 19 and 20 December was the education of the consumer from the time he reaches school age. Some eighty teachers and experts from all Community States compared the existing situation on this front and the experiments made in each country, particularly from the point of view of the education given and the methods used. At the end the participants urged the Commission to take steps to ensure that schoolchildren are systematically educated as consumers and that the necessary training and resources are made available to teachers.

Scientific Committee on Cosmetology

2.1.103. On 19 December the Commission decided to set up a Scientific Committee on Cosmetology³ to assist the Commission in carrying out the duties laid upon it by the Council Directive of 27 July 1976⁴ on the approximation of the laws of the Member States relating to cosmetic products. The Committee is made up of scien-

¹ Point 2.2.66.

² Point 2.3.21 and 2.3.22 and OJ C 6 of 12.1.1978.

³ OJ L 13 of 17.1.1978.

⁴ OJ L 262 of 27.9.1976.

tists highly qualified in several disciplines, and will advise the Commission so that the latter is able to submit appropriate proposals to the Council, particularly on permitted substances and on reviewing the list of provisionally permitted substances.

2.1.104. Parliament, at its sittings from 12 to 16 December, and the Economic and Social Committee,¹ at its meeting on 14 and 15 December, delivered Opinions on the Commission proposals to the Council concerning the colouring matters, preservatives and antioxidants authorized for use in foodstuffs intended for human consumption.

Agriculture and fisheries

1978/79 agricultural price proposals

2.1.105. The Commission's proposals on the fixing of prices for certain agricultural products for 1978/79 and on certain related measures² were sent to the Council on 9 December. Some introductory information on them was given to the Council meeting of Ministers of Agriculture on 12 and 13 December and to the Ministers of Economic and Financial Affairs on 19 December.

The Ministers of Agriculture took note of the Commission's statement that it reserved the right to make additional proposals-in particular as regards certain agri-monetary measures-in the light of subsequent Council discussions on the matter.

On 14 December the Commission also sent to the Council the annual report on the situation of agricultural markets in the Community.

Development of the Mediterranean regions

2.1.106. The same Council meeting heard an introductory statement on the guidelines concerning the development of the Mediterranean regions of the Community, together with measures relating to agriculture.³ The aim of this overall development scheme is to improve the competitive position of Mediterranean agriculture both within Community agriculture as a whole and in relation to non-member countries' production, without giving rise to greater protectionism or new structural surpluses.

Proposals for amendments to the common organization of the market in milk and milk products

2.1.107. On 31 December the Commission sent to the Council two proposals⁴ amending the common organization of the market in milk and milk products and authorizing, subject to certain conditions, the creation or maintenance of producer organizations on the lines of the Milk Marketing Boards.

The Commission emphasizes the useful purpose served by the Milk Marketing Boards and in particular their contribution to stabilizing the market by keeping consumption of liquid milk high (about 65% of the milk produced in the United Kingdom; an average of 150 kg per head per year as compared with the Community average of about 102 kg). This is consistent with the objectives in the milk sector, as in other sectors, since it avoids excessive pressure on the intervention system while continuing to ensure a fair standard of living for the agricultural population.

The producer organizations could be given two prerogatives: the exclusive right to purchase the milk produced in the region concerned and the right to equalize the prices paid to producers. This would enable the producer organizations to keep supplies of liquid milk to consumers stable despite seasonal variations in production (under

Point 2.3.67.

Points 1.4.1 to 1.4.5. Points 1.3.1 to 1.3.5. 3

OJ C 13 of 17.1.1978.

this system 90% of families in the United Kingdom receive home deliveries of milk daily).

In its proposals, the Commission emphasizes that approval of the organizations in question must be subject to certain conditions to ensure that the common organization of the market in milk and milk products operates properly and that the general principles of the Treaty are observed, in particular the free movement of goods. The organizations will thus not be allowed to limit the access to their national markets of milk and milk products from other Member States. The prerogatives will be granted to the producer organizations provided that in the region concerned at least 55% of the milk produced is used for direct human consumption and at least 80% of producers belong voluntarily to the organization.

Although proposing that the Milk Marketing Boards retain their main functions, the Commission is of the opinion that certain prerogatives which they now have should be abolished and in particular the control exercised by such organizations, by means of a licensing system, over the establishment of production and processing facilities.

Measures connected with the monetary situation

2.1.108. In response to the application by the French Government, the Council decided on 19 December¹ to devalue the representative rate for the French franc by 2.5% with effect from 1 February. The new 'green' rate will therefore be FF = 0.168670 u.a., 1 u.a. = FF 5.92874, resulting in an increase of 2.564% in agricultural prices expressed in French francs and a decrease of 2.9 points in monetary compensatory amounts.

2.1.109. In December² the Commission decided on several adjustments of the monetary compensatory amounts, applicable:

(i) in the wine sector, in view of the new activating prices and representative rates applicable from the beginning of the 1977/78 marketing year on 16 December;³

(ii) in Ireland and the United Kingdom, in view of the abolition of accession compensatory amounts on 1 January:

(iii) to some milk products, in particular animal feedingstuffs containing milk products and to certain egg and poultrymeat products; the amendment concerns the method of calculation.

Application of the common agricultural policy in the enlarged Community

2.1.110. The transitional period for the accession of the three new Member States ended on 1 January. In this connection several regulations were adjusted in December, in particular to forestall some effects of abolishing the accession compensatory amounts granted in respect of certain agricultural products. With effect from 1 January the 1977/78 guide prices and intervention prices for beef and veal in Ireland and the United Kingdom will be same as those obtaining since 1 May in all the other Member States.⁴

Common organizations of markets

2.1.111. In the cereals sector the normal period of validity for import licences in respect of rice was re-established⁵ by the Commission, the threat of disturbance which had prompted the adoption of the restrictive measures in July having ceased. In the case of barley the invitation to tender for the export refund, issued on 26 Au-

OJ L 328 of 21.12.1978.

² OJ L 318 of 13.12.1977, L 349 of 30.12.1977 and L 354 of 31.12.1977.

OJ L 314 of 8.12.1977.

Bull. EC 4-1977, point 2.1.58, Table 1. OJ L 316 of 10.12.1977.

gust, was extended¹ until 27 April next with the aim of safeguarding Community supplies on satisfactory market terms for users while ensuring the regular disposal for barley surpluses.

2.1.112. On 23 December² the Commission adopted Regulations laying down provisions for the sale of certain quantities of olive oil for export, applicable with effect from the beginning of 1978.

2.1.113. As regards oilseeds, on 19 December³ the Council adopted a Regulation providing for measures to support Community production of castor seeds from the 1978/79 marketing year onwards.

2.1.114. On 5 December⁴ the Council extended until 31 December 1982 the period for which Class III may be applied in respect of certain fruit and vegetables. Marketing of this product class can account for quite a large part of producers' revenue and also enables certain consumers with modest incomes to obtain supplies of the products in question. Having regard to consumers' requirements, the Commission decided on 23 December⁵ to make use of this possibility during the 1977/78 marketing year in respect of table grapes, citrus fruit and three varieties of apple.

2.1.115. At the beginning of the 1977/78 winegrowing year, the Council and the Commisson adopted several Regulations on prices.6

The Commission adopted the forward estimate for the new year.⁷ This shows that the quantity of table wines available exceeds total foreseeable requirements by more than four months consumption. Consequently, provision was made for the conclusion of long-term private storage contracts in respect of certain wines⁴ in 1977/78. The same measure was adopted⁴ in respect of grape musts and concentrated musts, with the exception of musts for the production of grape juice.

The Council examined the problem and adopted a Resolution, the object of which is to ensure the continued financing by the EAGGF Guidance Section of the conversion programme in the wine-growing sector beyond 1 January.

2.1.116. As regards milk and milk products, in addition to forwarding to the Council proposals on producer organizations⁸ the Commission decided⁹ on a thorough revision of the Regulation on special aid for skimmed milk for use as feed for animals other than young calves.

Other mechanisms had to be introduced to apply the Council's recent decision not to make the granting of aid subject to the conclusion of a delivery contract between the dairy and the breeder and also to smooth out certain administrative difficulties.

2.1.117. In the beef and veal sector, the Council approved the Commission's proposals forwarded in October and November, and on 13 and 19 December¹⁰ adopted the special import arrangements for 1978:

(i) estimate of imports of beef and veal for the processing industry (shortfall of 50 000 tonnes of meat on the bone):

(ii) estimate of imports of young male bovines weighing 300 kg or less and intended for fattening (requirement: 200 000 head);

(iii) Regulation opening, allocating and providing for the administration of a Community tariff quota for 38 500 tonnes of frozen boned beef

- OJ L 315 of 9.12.1977.
- OJ L 348 of 30.12.1977.
- 3 OJ L 332 of 24.12.1977 and Bull. EC 7/8-1977, point 2.1.70.
- OJ L 320 of 15.12.1977.
- OJ L 332 of 24.12.1977. s
- OJ L 312 of 6.12.1977, L 314 of 8.12.1977, L 318 of
- 13.12.1977, L 321 of 16.12.1977 and L 340 of 29.12.1977.
- OJ C 302 of 15.12.1977. 8
- Point 2.1.105.
- OJ L 321 of 16.12.1977.
 OJ L 330 of 23.12.1977.

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(subheading 02.01 A II(b) of the Common Customs Tariff);

(iv) Regulation increasing the volume of the Community tariff quota for the period 1 July 1977 to 30 June 1978, opened by the Regulation of 20 June 1977, in respect of heifers and cows, not intended for slaughter, of certain mountain breeds:

(v) Regulation on levies applicable until 31 August 1978 to imports of certain adult bovine animals and beef from Yugoslavia. Detailed rules for applying these arrangements were adopted.

The Commission also adopted¹ several intervention measures to boost exports of intervention meat and the sale in Belgium and Denmark of intervention preserves and to adjust buying-in prices in Ireland and the United Kingdom.

2.1.118. On 14 and 15 December, the Economic and Social Committee² delivered its Opinion on the Commission Communication to the Council on the operation of the common organization of the market in beef and veal and the report on the respective merits of premiums and intervention arrangements in the sector.³

2.1.119. On 20 December⁴ the Council adopted a Regulation on certain measures to prevent abuses resulting from the sale of agricultural products on board ship. With effect from 1 February, the quantity which a traveller may import duty-free will be limited, the Member States being authorized to decide what the limit should be. Following the agreement on 13 December, the Commission reintroduced, until 31 December 1979, the right to refunds on products (butter. cheese, meat and sugar) sold or distributed on board ship which are liable to be reintroduced into the Community by travellers free of levies.⁵

2.1.120. On 5 December⁶ the Council fixed the guide prices and intervention prices for the various fishery products for 1978. These prices7 are about 5% up on the previous year.⁸

Fisheries

Internal aspects

2.1.121. Three days of negotiations on 5, 6 and 7 December failed to yield an agreement within the Council on the Community system for the conservation and management of resources which it had undertaken to establish not later than 1 January. The meeting was suspended until 16 January under the 'stop the clock' procedure used previously in agricultural negotiations.

The Council decided to extend⁹ until 31 January all the Community regulations on fisheries, together with the national measures due to expire on 31 December. The extension also applies to the standstill agreement of 20 December 1976 whereby the Member States undertook to limit catches to the 1976 level.¹⁰

2.1.122. Considerable progress was made with regard to the technical conservation measures and the control arrangements proposed by the Commission. The Council managed not to become entangled in a debate on the principles regarding exclusive or preferential zones, but it was unable to find a solution to the crucial problem of the distribution of quotas between Member States for 1978. The gap between the positions remained large, some demands going far beyond the Commission's proposals.

The Commission was requested to amend its proposals in the light of the Council discussions for the resumption of negotiations on 16 January.

- 7
- Bull. EC 11-1977, point 2.1.74. 8
- Bull. EC 12-1976, point 2246. 9 OJ L 338 of 28.12.1977.
- 10 Bull. EC 12-1976, point 1203.

OJ L 316 of 10.12.1977 and L 327 of 20.12.1977.

² Point 2.3.65.

Bull. EC 10-1977, point 2.1.49.

OJ L 358 of 31.12.1977. OJ L 327 of 20.12.1977. OJ L 315 of 9.12.1977.

2.1.123. On 15 December Parliament¹ delivered its Opinion on a series of Commission proposals to the Council on the implementation of the Community system for the conservation and management of fishery resources.²

External aspects

Negotiations

2.1.124. At its meeting on 5, 6 and 7 December the Council adopted additional directives for the Commission to negotiate fisheries agreements with certain West African countries (Senegal, Mauritania, Guinea-Bissau and Cape Verde).

2.1.125. From 7 to 16 December, consultations were held with representatives of Sweden, The Faeroes, Canada and Norway on reciprocal fishing rights. They resulted in the respective positions being substantially aligned.

Interim measures

2.1.126. So as to ensure that Community fishermen could continue to fish in Yugoslav waters until a fisheries agreement could be negotiated and concluded between Yugoslavia and the Community in the first half of 1978, the Council authorized Italy to extend for six months the arrangements entered into with Yugoslavia in 1977 whereby Italy and Yugoslavia agreed to an interpretation which enabled them to continue to apply the fisheries agreement which they had signed on 15 June 1973.

2.1.127. In accordance with its decision to extend all the Community regulations on fisheries until 31 January, the Council adopted the necessary provisions for extending for one month the interim measures for the conservation and management of fishery resources applicable to vessels flying the flags of certain non-member countries.3

Structural policy

2.1.128. On 13 December the Council took note of a statement by the Commission Vice-President, Mr Gundelach, on the four proposals for Directives sent to the Council on 30 November⁴ with the second report on the implementation of the Directives of 17 April 1972 on the reform of agriculture. The discussion in the Council gave the delegations an opportunity to express their preliminary reactions to the proposals and the report and more general views and misgivings concerning structural policy.

The Commission also issued three Opinions on draft amendments notified by the Netherlands and Germany to the provisions implementing the Directives on the reform of agricultural structures.

2.1.129. On 20 December the Council adopted a Regulation on the organization of a survey on the structure of farms in 1979 and 1980.

On 15 December Parliament delivered its Opinion on the Commission's proposal.

European Agricultural Guidance and Guarantee Fund

Guarantee Section

2.1.130. On 31 December, the Commission sent to the Council a proposal for a Regulation laying down general rules for the financing of certain operations by the Guarantee Section, namely intervention measures in the form of buying-in, storage and disposal. These intervention mea-

Point 2.3.13 and OJ C 6 of 9.1.1978. Bull. EC 10-1977, points 1.6.1 to 1.6.5. OJ L 351 of 31.12.1977 and L 355 of 31.12.1977.

⁴ Bull. EC 11-1977, points 2.1.78 and 2.1.79 and 12-1977, point 1.4.5.

Agriculture and fisheries

sures are currently financed under transitional measures which were extended in 1971 until the end of 1977. In the light of experience gained and keeping the same broad outlines, it is proposed that the following amendments be made:

a more flexible approach to the financing of (i) interest charges in respect of national capital tied up by the buying-in of agricultural products;

(ii) a reduction in the standard amounts for the financing of material storage operations where real expenditure by an intervenion agency is far below the standard amounts:

(iii) taking into account, at the moment of entry into intervention, subsequent depreciation in quality resulting from storage;

(iv) evaluation of intervention stocks to be carried forward to the following year at the buyingin price.

Guidance Section

2.1.131. On 21 December the Commission granted aid totalling 139 650 639 u.a. for 422 projects, as shown in Table 4.

For the whole of 1977,¹ account was taken when allocating funds of the particularly difficult situation in Ireland as regards agricultural structures and of the submission for the first time of applications for aid for the Overseas Departments.

Since there will be no funds available from 1978 onwards for individual projects under the Regulation of 5 February 1964,² priority was given as far as possible to agricultural infrastructure projects. Projects covering the processing and marketing of agricultural products will still be able to receive aid under the Council Regulation of 15 February 1977.³

Conditions of competition

Pursuant to Articles 92 to 94 of the 2.1.132. EEC Treaty, the Commission decided to initiate

Table	4 —	Aid from	the EAGGF
		Guidance	

Number of projects	Aid in national currency	Aid in u.a.
48	FB 364 037 442	7 280 749
28	DKr 39 356 812	5 247 575
36	FF 135 668 939	24 426 413
92	DM 77 486 569	21 171 194
29	£ Irl. 4 469 946	10 727 863
115	Lit. 29 984 644 313	49 975 431
—	—	- 1
14	Fl. 23 454 275	6 479 081
60	£ 6 809 311	16 342 333
422		139 650 639
	of projects 48 28 36 92 29 115 — 14 60	All FB 364 037 442 28 DKr 39 356 812 36 FF 135 668 939 92 DM 77 486 569 29 £ Irl. 4 469 946 115 Lit. 29 984 644 313 - - 14 FI. 23 454 275 60 £ 6 809 311

the procedure laid down in Article 93(2) in respect of a set of aid measures provided for by the Region of Abruzzi for the improvement of stockfarming, and in particular:

(i) measures concerning bovine animals including a premium for in-calf heifers, a subsidy for the purchase of male breeding animals and free natural or artificial insemination services;

(ii) a health improvement programme for the eradication of various diseases.

The Commission considers that some of these measures constitute operating aid which is unlikely to have a lasting effect on the sector concerned and that others would appear not to be consistent with the appropriate measures proposed for the stock-farming sector, particularly as regards the rate of aid.

(iii) measures concerning sheep-farming in the same region: a subsidy for the purchase of male breeding animals and a premium for the rearing of ewes; the Commission recommended that these measures should not be implemented.

Bull. EC 7/8-1977, point 2.1.82.

²

OJ L 34 of 27.2.1964. OJ L 51 of 23.2.1977 and Bull. EC 2-1977, point 2.1.34.

2.1.133. The Commission decided to terminate the procedure laid down in Article 93(2) in respect of French aid for certain wine-growers; the quality premium proved to be consistent with the Council Decision of 15 March 1976.¹

2.1.134. The Commission did not comment under Article 93(3) on the following:

(i) a series of aid measures in the Region of *Friuli-Venezia Giulia* consisting mainly of aid in the form of reduced-interest loans to farmers and subsidies for farms and cooperatives having suffered damage as a result of the earthquakes;

(ii) aid measures provided for by the Province of *Trento* for areas affected by adverse weather conditions;

(iii) aid granted in *Sardinia* to make good damage caused by natural disasters (replenishment of cattle, sheep, goat and pig numbers reduced by particularly serious epizootic diseases; the Commission stressed the importance, however, of introducing adequate measures for preventing disease;

(iv) aid to *Sicily* for assistance and advancement in agriculture, including vocational training in technical subjects and accountancy, in-service training and the training of agricultural advisers and farm management counsellors;

(v) a Decree-Law in *Italy* concerning special measures in the wine-growing sector (short-term measures designed to facilitate the storage and distillation of table wine and the export of white table wines to non-member countries). The Commission stressed, however, that the aid measures would be examined under the Community provisions governing the common organization of the market;

(vi) four aid measures in *Denmark* for the introduction of, and dissemination of information about, new quality standards for potatoes;

(vii) aid in North Rhine-Westphalia for combating animal diseases (leucosis);

(viii) eight aid measures in *Belgium* (Hainaut) in the stock-farming sector (research, advisory services);

(1x) the extension of aid in the *Netherlands* for the installation of milk tanks;

(x) aid in the *United Kingdom* (Northern Ireland) for introducing a system for the classification of pig carcases. Using this system it should be possible to gather statistical data on prices and carry out quality controls more easily. 1

2.1.135. The Commission expressed certain reservations concerning the following:

(i) aid in *Campania* for increasing the value of agricultural products, in particular by means of subsidies for the use of irrigation water until a certain level of profitability is attained by the irrigation system. The Commission considered that the duration of the subsidy should be limited and the amount progressively decreased; it requested the Italian Government to confirm that the aid would be limited in this way, failing which it would be forced to re-examine the subsidies under the procedure laid down in Article 93(2) of the Treaty;

(ii) an amendment to an aid measure in the United Kingdom (Northern Ireland) to assist sheep farmers by facilitating the orderly marketing of sheep, thus regulating the number of slaughterings.

The Commission considered the aid incompatible with the common market and took note of the United Kingdom Government's intention to review the mechanism for granting the aid on the entry into force of the common market organization.

Harmonization of legislation

2.1.136. A number of measures were adopted by the Council and the Commission in December concerning veterinary matters and more specifically health problems. Community criteria were established for the national plans for the accelerated eradication of brucellosis, tuberculosis and enzootic leucosis in cattle. Plans which respect these criteria will qualify for the Community financial contribution provided for in the eradication scheme adopted on 17 May last as a measure under the 1977-80 milk programme. The Council Directive of 15 February 1971 on health problems affecting trade in fresh poultrymeat, which came into force in 1973, was supplemented as regards the chilling process. The Commission took a decision concerning certain rules for apply-

¹ OJ L 72 of 18.3.1976 and Bull. EC 3-1976, point 2241.

² OJ L 15 of 19.1.1978 and L 25 of 31.1.1978.

³ Bull. EC 10-1976, point 2229 and Supplement 10/76 – Bull. EC.

Bull. EC 7/8-1975, point 2258.

Transport policy

Transport policy

ing the Council Directive of 26 June 1964 on foot-and-mouth disease.¹

Farm accountancy data network

2.1.137. On 21 December² the Commission adopted a Regulation on the breakdown of returning holdings by division for the 1978 and subsequent accounting years. The Regulation marks the end of the period of expansion of the data network, which from 1979, will comprise some 28 000 returning holdings in the various regions of the Community, divided among the Member States as follows:

Italy	12 000
France	6 100
FR of Germany	3 500
United Kingdom	1 650
Denmark	1 535
Netherlands	1 500
Belgium	870
Ireland	700
Luxembourg	125

Luxembourg agriculture

2.1.138. On 19 December³ the Council adopted a Regulation on agriculture in the Grand Duchy of Luxembourg, implementing the tax provisions specific to Luxembourg wines laid down in the Convention on the economic union of Belgium and Luxembourg. This is a further extension,⁴ until 31 December 1978, of the Regulation of 16 December 1975.

Transport policy

Transport questions before the Council

2.1.139. A number of measures were taken at the Council meeting on transport in Brussels on

20 and 21 December. Mr Jos Chabert, the Belgian Minister of Transport, was in the chair.

International road passenger transport

2.1.140. The Council agreed in principle to a proposal for a Decision amending the directives for negotiations between the Community and non-member countries on the rules applicable to occasional international carriage of passengers by coach and bus. The amendment introduces a reciprocal information procedure and entrusts certain tasks connected with the administration of the agreement to the Secretariat of the European Conference of Ministers of Transport (ECMT).

Taxation of commercial road vehicles

2.1.141. The Council agreed to continue its discussions on the proposal for a first Directive on the adjustment of national taxation systems for commercial road vehicles, and to take a decision on it at a future meeting to be held before the end of June.

Community road transport quota

2.1.142. For the first time since 1975 the Council approved a 20% increase in Community quota authorizations for the carriage of goods by road and agreed on a simpler book of record sheets.⁵

First Directive laying down common rules for road transport

2.1.143. The Council agreed to increase the total distance as the crow flies for which frontier

OJ 121 of 29.7.1964.

² OJ L 320 of 22.12.1977.

³ OJ L 332 of 24.12.1977.

⁴ Bull. EC 12-1976, point 2255.

⁵ OJ L 358 of 31.12.1977.

carriage has been liberalized from 50 to 100 km and to arrange to liberalize the carriage of vehicles which have broken down and the carriage of spare parts for sea-going ships and aircraft. Liberalization of the carriage of other types of goods (particularly carriage on own account, transit operations and the carriage of perishable goods in controlled-temperature vehicles1) will be discussed at a later date.

Driving licence

2.1.144. The Council agreed in principle to the introduction of a Community driving licence; it decided to give priority to work on the mutual recognition of national licences and the establishment of a Community model for national licences, so that it would be able to take a decision at its next meeting.

European laying-up fund

2.1.145. With reference to access to the inland waterway transport market, the Council agreed in principle to a Decision amending the directives on the opening of negotiations with Switzerland for an Agreement establishing a European layingup fund for inland waterway vessels. This amendment was necessitated by the Opinion given by the Court of Justice in July on the compatibility of the initial draft Protocol with the rules of the Treaty.²

Transport infrastructures

2.1.146. The Council agreed to the institution of an improved consultation procedure³ on transport infrastructures; this procedure will greatly improve cooperation between the Commission and the Member States because it will provide information about plans and programmes and will make it possible to discuss certain aspects which are essential for appraising their value to the Transport policy

Community. The projects covered by the consultation procedure concern road, inland waterway and rail transport. The Council also set up a Committee on Transport Infrastructure.

Work programme

2.1.147. The Council took note of the Commission Communication of 28 November 1977⁴ which contains a list of priority business which the Commission would like the Council to complete by the end of 1980. It stated that it would endeavour to take account of these priorities as far as possible.

Organization of the markets

2.1.148. After being consulted on the implementation of the two Council Directives of 12. November 1974⁵ on admission to the occupations of road passenger transport operator and road haulage operator in national and international transport operations, the Commission sent a Recommendation to the Belgian Government on 16 December⁶ and two Opinions to the Italian Government on 23 December concerning the national provisions to be introduced to implement these Directives.

On 12 December⁷ the Council formally 2.1.149. adopted the Directive on the mutual recognition of diplomas, certificates and other evidence of formal qualifications for road passenger transport and goods haulage operators. This Directive,

OJ C 1 of 5.1.1976. OJ C 107 of 3.5.1977.

The initial procedure goes back to 1966: OJ 42 of 3.3.1966.

Bull. EC 11-1977, point 3.3.1.

OJ L 308 of 19.11.1974. 5

⁶ OJ L 25 of 31.1.1978.

OJ L 334 of 24.12.1977.

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which contains measures to encourage these operators to exercise their right to freedom of establishment, had been approved by the Council at its meeting on 27 October.¹

2.1.150. The same day it formally adopted a Regulation on the fixing of rates for the carriage of goods by road between Member States,² which it also approved in October.¹

2.1.151. In its Decision of 23 December the Commission authorized-under the fourth paragraph of Article 70 of the ECSC Treaty-extension until 31 December 1977 of the special tariff measures applying to the carriage of iron ore by rail from Lorraine and Western France to Belgium, Luxembourg and the Saar. The Commission had been requested by the French, German and Luxembourg Governments to extend the 1975 authorization, which expired on 31 December 1976, for one more year. The purpose of these tariff measures, which on several occasions have been used by the High Authority of the ECSC and later by the Commission, is to prevent disturbances on the labour market.

Harmonization of structures

2.1.152. On 12 December² the Council formally adopted a Regulation on the bringing into force of the European Agreement concerning the work of crews of vehicles engaged in international road transport (AETR); an overall compromise was reached in this matter in October.¹

2.1.153. On 12 December² the Council formally adopted the amendments to social legislation relating to road transport on which it had reached agreement at its meeting on 27 October in Luxembourg.

These amendments mainly concern:

(a) the abolition, for vehicles fitted with a tachograph, of the 'two-man crew' rule for certain vehicles covering distances of over 450 km;

- (b) longer weekly rest period;
- (c) a ban on certain types of remuneration;

(d) rules governing the rest periods of drivers accompanying their vehicles on a ferry boat or train:

(e) exemptions for certain domestic transport operations and a safeguard clause enabling the Commission to authorize the Member States, in the event of difficulties, to apply exemptions from the rules on drivers' driving and rest periods for a period of three years from 1 January 1978.

2.1.154. The Coordinating Committee for the Freight Forecasting Study met on 12 and 13 December to discuss the technical aspects of forecasting models. The Committee also examined the data base to be used in the study and approved the methods proposed by the Commission for the preparation of regional value added and employment forecasts for each industrial sector, which will be used in the study's scenarios. The Commission put to the Committee the results of a trial collection of national energy production and consumption estimates, to be incorporated into the scenarios.

On 12 December² the Council formally 2.1.155. adopted the Regulation on the measures necessary to achieve comparability of the railway's accounting systems and of their annual accounts, which it had approved on 27 October.¹

2.1.156. On 7 December³ the Commission presented to the Council a proposal amending the Council Regulation of 26 June 1969⁴ on common rules for the normalization of the accounts of railway undertakings. The proposal extends the scope of the 1969 Regulation to railways other than national railways participating in interna-

Bull. EC 10-1977, point 2.1.65.

OJ L 334 of 24.12.1977. OJ C 307 of 21.12.1977. OJ L 156 of 28.6.1969. 2 3

Transport policy

tional transport operations, abolishes some categories in which normalization is optional, makes concertation in respect of other categories compulsory and simplifies the methods of calculation for the normalization of retirement and pension payments.

2.1.157. On 31 December the Commission sent a report to the Council on the progress made in the preparation of a programme of cooperation among railway undertakings, which it had undertaken to draw up at the Council meeting on 16 December 1976. It contains a short-term work programme drafted by the Group of Nine Railways of the European Communities and some additional measures necessitating the more active support of national governments and Community bodies.

2.1.158. On 15 December the Commission delivered a favourable Opinion on the laws, regulations and administrative provisions governing the Dutch railways, and on the provisions introduced by the Dutch Government to implement the Council Decision of 20 May 1975¹ on the improvement of the situation of railway undertakings and the harmonization of rules governing financial relations between such undertakings and States. The Commission found that all these provisions together would ensure the correct application of the 1975 Decision in the Netherlands.

2.1.159. On 14 December² the Commission decided to send the Governments of five Member States (FR of Germany, Belgium, Netherlands, France and Denmark) opinions concerning national measures to implement the Council Directive of 20 January 1976³ on reciprocal recognition of navigability licences for inland waterway vessels. For the first three countries the measures taken are endorsed, while France and Denmark are requested to supplement their rules on one point. Energy policy

Sea and air transport — Ports

2.1.160. On 20 December the Commission sent the Council a new proposal for a Regulation concerning accession to the United Nations Convention on a Code of Conduct for Liner Conferences. The Commission proposes in particular that the Member States ratify the Code, subject to special arrangements to prevent discrimination on the grounds of nationality between national shipping lines, and to preserve the principle of cargo-sharing on a commercial basis within the OECD area between members of liner conferences.

2.1.161. The Ports Working Party met in Brussels on 15 December to discuss the definition of distortion of competition between ports and to quantify certain types of port costs, in order to pinpoint the areas in which legal, administrative and organizational differences between Community ports might affect competition.

Energy policy

Formulating and implementing a Community energy policy

Energy problems before the Council

2.1.162. At a meeting to discuss energy on 13 December with Mr Willy Claes, the Belgian Minister of Economic Affairs, presiding, the Council took decisions mainly concerning the rational utilization of energy. Although it was unable to reach agreement on the other items on its agenda, progress was made on some matters.

^{&#}x27; OJ L 152 of 12.6.1975.

² OJ L 20 of 25.1.1978.

³ OJ L 21 of 29.1.1976.

Energy savings

2.1.163. In the context of the Community action programme on the rational utilization of energy,¹ the Council adopted a Directive on the performance, maintenance and regulation of heat generators and the insulation of the distribution system in new buildings. However, heat generators for which type-testing is not practical will be the subject of a subsequent proposal after appropriate technical study.

The Council also examined the proposal for a Regulation² on the granting of financial aid to demonstration projects in the field of energy saving. The Council noted that there was a favourable attitude towards the introduction of such a scheme. The Permanent Representatives Committee was instructed to examine in greater detail certain procedural aspects and the criteria for selecting projects.

Energy situation

2.1.164. The Council examined the energy situation in the Community and in the world on the basis of a Commission Communication³ describing the major trends which emerged on the Community energy market in 1977 and the main factors governing or influencing international developments.

Energy prices

2.1.165. On the subject of energy prices, the Council took note of work in progress within the Commission⁴ and asked the Commission to continue its analyses in close contact with the Member States, notably to answer the following questions:

(i) do the prices applied permit self-financing and sufficient profitability for attracting capital?

(ii) what part is played by charging systems in reducing the increase in energy consumption?

(iii) does the adoption of relative prices for fuels permit optimum utilization?

Objectives for 1985

2.1.166. The Council took note of the second Commission report on the achievement of Community energy policy objectives for 1985,5 but failed to adopt the draft Resolution before it, which was designed to adapt certain aspects of the energy objectives for 1985 set in December 1974. It did, however, work out a common approach as regards reducing the Community's dependence on imported energy and reducing between now and 1985 the ratio of the growth of energy consumption to economic growth.

Community financial aid

The members of the Council outlined 2.1.167. their views on whether the aim of introducing a system of Community financial aids to encourage the use of coal in power stations should be to diversify the Community's energy sources in favour of coal (including imported coal) or, simply, to promote the use of Community coal was to be encouraged. Work on this subject will continue within the Council, which also discussed the proposal concerning the introduction of a system of Community financial aid for financing stocks of hard coal, coke and patent fuel. It agreed to return to this point at its next meeting in the light of any new proposals or suggestions by the Commission.

Bull. EC 5-1977, point 2.1.74.

³ 4

Bull. EC 5-1977, point 2.1.75. Bull. EC 10-1977, point 2.1.77. Bull. EC 10-1977, point 2.1.78. Bull. EC 10-1977, point 2.1.78. Bull. EC 7/8-1977, point 2.1.102.

Energy policy

Refining problems

2,1,168. The Council once again discussed the problems of laying down a common approach to refining problems. It took note that the Commission would soon present a general review of the state of the Community's refining industry; it will come back to the matter at a later date.

2.1.169. On 12 December Parliament¹ gave its Opinion on the Commission's second report to the Council on the attainment of the common energy policy objectives for 1985.²

Sectoral problems

Notification of investment projects of interest to the Community

2.1.170. On 23 December³ the Commission decided to amend the rules for applying the basic Council Regulation of 18 May 1972⁴ on notifying the Commission of investment projects of interest to the Community in the petroleum, natural gas and electricity sectors. The new rules take into account certain amendments to the basic Regulation adopted by the Council in 1976 in the light of experience and provide that Member States should, well before building work begins, supply information concerning nuclear projects, the main electricity lines and cables, and power stations.

Hydrocarbons

Storage obligation for crude oil

2.1.171. On 31 December⁵ the Commission sent the Council a proposal amending the Council Directive of 20 December 19686 imposing an obligation on Member States of the EEC to maintain minimum stocks of crude oil and/or

petroleum products. To cope with oil supply difficulties, the Member States are obliged by the 1968 Directive to maintain permanently minimum stocks of the three main petroleum products (petrol, gas-oil and heavy fuel oil) corresponding to ninety days' consumption. However, because of the security offered by domestic production, it was stated that that part of internal consumption met by products derived from petroleum produced in a Member State may be deducted up to a maximum of 15% of consumption.

Because of the increase in Community crude oil production, mainly in the British zone of the North Sea, the Commission proposes that the exemption from the storage obligation should be increased from 15% to 40% (corresponding to minimum stocks for fifty-four days) for crude oil produced in the Member States. Contrary to previous provisions (which allowed only the oil-producing Member States to make the deduction), the Member State consuming the derivatives produced from such crude may operate this deduction. The logical outcome of these amendments is that each oil-producing Member State should guarantee the other Member States the normal supplies of oil in the event of supply difficulties.

Import and export forecasts

2.1.172. On 22 December the Commission decided to ask the Member States that the notification of hydrocarbon import and export forecasts-laid down by the Council Regulations of 18 May 1972,⁷ 17 December 1974,⁸ and 13 February 1975⁹—should be done for each firm in

OJ L 358 of 31.12.1977.

- OJ C 15 of 19.1.1978. OJ L 1308 of 23.12.1968. OJ L 120 of 25.5.1972. OJ L 349 of 28.12.1974. 8
- OJ L 45 of 19.2.1974.

Point 2.3.18 and OJ C 6 of 9.1.1978.

Bull. EC 7/8-1977, point 2.1.102.

OJ L113 of 28.4.1973.

1978 and no longer for all firms together as hitherto. The reason for this change is the situation of the oil market.

Coal

Revision of the coal market forecasts for 1977

2.1.173. On 21 December the Commission approved a revision of the Community coal market forecasts for 1977.1 This report-on which the ECSC Consultative Committee was consulted on 7 October²-updates the forecasts made at the beginning of the year.³

Because of the very low level of activity in the iron and steel industry, coke consumption in this sector should be around 52 million tonnes, representing 67 million tce or 8 million tce less than forecast.

Consumption of hard coal by power stations will probably be higher than in 1976, despite aboveaverage water levels. In all, power stations will have burned 124-125 million tonnes in 1977 compared with 121 million the previous year. Total hard coal production will come to around 237 million tonnes compared with 248 million in 1976, confirming the downward trend observed in recent years. The main reasons are short-time working in the FR of Germany as a result of slackening demand, and the drop in productivity in the United Kingdom.

In 1977 the increases in Community coal prices were near to or lower than inflation rates. The prices of coking coal imported from non-member countries changed little, if at all, in dollar terms; some rises occurred in steam coal prices.

Total imports from non-member countries will probably be a record 45-46 million tonnes.

Producers' stocks of hard coal and coke-oven coke still represent an acute problem in Germany; on the other hand, the situation is easing in the other Member States, sometimes as a result of Government intervention.

Industrial loans

2.1.174. The Commission, with the assent of the Council, has decided to grant STEAG Aktiengesellschaft, Essen, a loan of DM 300 million pursuant to the second paragraph of Article 54 of the ECSC Treaty. The loan will help to finance part of the first unit of Bergkamen power station which STEAG AG is to build in conjunction with VEW. This is a coal-fired unit in the 700 MW range and is due to be completed by 1981.

Technical research

2.1.175. The Commission has selected twentysix technical research projects, forming eight programmes-five in the field of mining engineering, one concerning coal preparation and two concerning product beneficiation. The corresponding requests for financial aid (15.73 million EUA for 1978) are contained in two memoranda sent to the ECSC Consultative Committee for consultation and to the Council for assent, the two steps which the Commission must take before it can make a formal decision on its contribution to the financing of these projects.

Nuclear energy

Agreement between the Community and Canada

2.1.176. The negotiations with the Canadian Government to amend parts of the 1959 agreement between Euratom and Canada ended in December.⁴

OJ C 5 of 7.1.1978.

² Bull. EC 10-1977, point 2.3.86. 3

OJ C 156 of 4.7.1977.

⁴ Point 2.2.63.

Proposal for negotiations with Australia

2.1.177. On 23 December the Commission asked the Council for directives to negotiate with Australia an agreement which could lead to the supply of Australian uranium to the Community.¹

Electricity

2.1.178. The Commission held a one-day symposium on heat pumps, attended by some 150 persons, in Brussels on 8 December. A rapid increase in the use of heat pumps could have very substantial results for the rational utilization of energy but their development in Europe is at present hindered by several factors, in particular the high cost of pumps already on the market, the reliability of some equipment and electricity prices. The aim expressed at the end of the discussion was to initiate a dialogue with the industry to define more clearly the problems affecting the development of pumps in the Community.

Research and development, science and education

Science, research and development

Scientific and Technical Research Committee

2.1.179. Meeting in Brussels on 15 December, the Scientific and Technical Research Committee (CREST) completed its examination of the Commission Communication on the Common Policy for Science and Technology² and submitted its opinion on the subject to the Commission and the Council.

The main point made by CREST in this opinion is that the Council should reaffirm that its Resolutions of 14 January 1974³ remain the basis for the formulation and implementation of this common policy.

CREST selected the following priority R & D sectors for 1978 and 1979: energy (new sources of energy and energy saving); raw materials; agriculture and food resources; environmental protection and radiological protection; medical research; town planning and social research; Community public services such as the Community Bureau of References and Euronet.

The Committee reserved its opinion on molecular biology and research on water as a resource and called on the Commission to examine these two subjects in detail in the course of 1978.

The Committee stressed the importance of comparing national and Community research policies, so as to ensure the constant updating of common policy guidelines. It envisaged carrying out these comparisons annually on the basis of reports presented to it by the Commission.

While recognizing the importance of Community involvement in advanced technology, the Committee noted the difficulties, as matters now stood, of putting into effect measures to promote industrial research projects. Accordingly, it urged the Commission to make a detailed examination of this subject on the basis of experience already acquired (e.g., under the ECSC Treaty) and to put forward concrete proposals in due course.

The Committee also recommended that the Commission study the national methods of assessing the research findings, with a view to working out methods applicable at Community level. It also recommended that the Commission should put forward more detailed proposals on this subject in 1978.

As regards the Community's international relations in the field of science and technology, the

Point 2.2.63.

² Supplement 3/77 — Bull. EC; Bull. EC 6-1977, points 1.3.1 to 1.3.4.

³ Eighth General Report, points 309 to 312; OJ C 7 of 27,1,1974; Bull. EC 1-1974, points 1401 to 1406.

Research, development, science, education

Research, development, science, education

Committee stressed the importance of cooperation between the Community, the Member States and other European countries; it urged the Commission to draw up proposals aimed at making this cooperation more effective. It also recommended the adoption of a concerted Community attitude towards the developing countries and called on the Council to give the Commission political guidelines in this matter.

As regards basic research, CREST urged the Commission to maintain its links with the European Science Foundation and to keep it informed of any measures of interest to the Community, which could be suggested to the European basic research bodies.

The Committee approved, with several amendments, the proposed five-year (1978-82) programme concerning long-term forecasts and assessments in the field of science and technology.

In another context, CREST adopted a report on the public financing of research in the Member States for the period 1970-77.

Fast Reactor Coordinating Committee

2.1.180. At its meeting on 7 December the Fast Reactor Coordinating Committee discussed in detail the Communication from the Commission on the breeder reactor option in a Community context.¹ Its response to this Communication was highly favourable.

After taking note of the status of the work of its specialized Group on Codes and Standards and on action that might be taken in this sector, the Committee discussed the US request to participate in several projects being carried out by its specialized Safety Working Group.²

Lastly, the Committee was informed that UNI-PEDE (International Union of Producers and Distributors of Electrical Energy) had decided to collaborate with the Commission in carrying out a joint study of scenarios for the introduction of sodium-cooled fast reactors. This study would take account of any constraints imposed as regards the reprocessing of fuel for this type of reactor.

Multiannual programmes

Interim JET Council

2.1.181. At its meeting on 20 December the Interim JET Council named the persons to be appointed to the following posts for the purposes of the project: Mr Romano Toschi will be Chairman of the Management Committee, Mr Hans Otto Wüster Project Leader and Mr Paul Henri Rebut Deputy Director in charge of the construction of the installation. When, in the coming months, the Council adopts the decision to set up the JET Joint Undertaking, these appointments will be confirmed on the understanding that the JET Executive Committee takes over the tasks at present assigned to the Management Committee.

In another connection, the Interim JET Council was informed of the status of the work being carried out by the three working parties3 which it had set up to study the statutory aspects, the financial aspects and the services to be provided by the host country in respect of the future Joint Undertaking. It was decided to set up a fourth working party, to study the problems of the staff assigned to the project.

Advisory Committee on Scientific and Technical Training

2.1.182. On 5 December the Commission convened the first meeting of the Advisory Committee on Scientific and Technical Training. This Committee is made up of two experts from each

Bull. EC 7/8-1977, point 1.3.4.

²

Bull. EC 6-1977, point 2.1.139. Bull. EC 10-1977, points 1.7.1 to 1.7.4 and Bull. EC 11-3 1977, point 2.1.106.

Member State, one from the government department concerned and the other from the highereducation or research sector. The Committee will be responsible for advising the Commission on the execution of the four-year (1977-80) indirect action programme in the field of scientific and technical education and training.¹

Conference on geothermal energy

2.1.183. At a conference organized by the Commission in Brussels from 6 to 8 December, the work carried out on geothermal energy under the (July 1975-June 1979) multiannual indirect action programme on non-nuclear energy research² was reported on and discussed. This conference was attended by more than 200 participants, drawn in particular from the Advisory Committee on Programme Management for Geothermal Energy and from the bodies with which the Commission had concluded research contracts. The exchange of views highlighted the thoroughly beneficial nature of Community cooperation in the field of geothermal energy research and helped to define clearer guidelines for the work to be continued after June 1979.

Advisory Committees on Programme Management (ACPMs)

2.1.184. At its meeting on 20 December the ACPM responsible for the solar energy research programmes conducted in the framework of direct and indirect action concentrated mainly on examining the research proposals received by the Commission regarding the execution of the second stage of the multiannual (July 1975-June 1979) indirect action programme in this area.

The Committee recommended the adoption of some sixty proposals in the following fields: photovoltaic conversion, cooling by solar energy, photochemical and photobiological conversion. The balance of the appropriations allocated for this kind of action in the existing multiannual programme will be used up to meet commitments under corresponding contracts.

2.1.185. On 12 December³ Parliament delivered its Opinion on the Commission proposal to the Council concerning a research and development programme on uranium prospection and extraction.⁴ The Economic and Social Committee, meeting on 14 and 15 December,⁵ delivered Opinions on the Commission proposals relating to a multiannual paper and paperboard recycling programme⁶ and on two concerted action projects on the development of large urban concentrations⁶ and the physical properties of foodstuffs.

Education

2.1.186. In December the Commission took stock of the measures taken to date and of the forthcoming stages provided for under the Community action programme in the field of education:⁷

(i) Launching of the first series of pilot projects concerned with the transition of young people from school to work.

(ii) Grant of appropriations for the first Community study visits programme for specialists in vocational education and guidance to examine developments in other Member States, with particular emphasis on the problems of transition from school to work.

(iii) Decision on the 1977 series of grants to promote collaboration between institutions of higher education in planning joint programmes of study, involving mobility of staff and students.

¹ OJ L 10 of 13.1.1977.

² OJ L 231 of 2.9.1975.

³ Point 2.3.20 and OJ C 6 of 9.1.1978.

⁴ Bull. EC 7/8-1977, point 2.1.116.

⁵ Point 2.3.69.

⁶ Bull. EC 7/8-1977, points 2.1.117 to 2.1.119.

⁷ OJ C 38 of 19.2.1976 and C 308 of 30.12.1976.

Research, development, science, education

(iv) Financing of the first Community study visits programme for higher education specialists to examine the organization and administration of higher education systems and institutions in other Member States.

(v) Launching in 1978 of a new Community scheme for intensive study visits to other Member States for administrators of secondary education.

Education Committee

2.1.187. At its meeting on 12 December the Education Committee discussed its work programme for 1978 and the guidelines which will be followed during the year in order to implement the Community action programme in the field of education.¹

The discussions also dealt with the compiling of education statistics and with preparations for a meeting of the Council and of the Ministers of Education meeting within the Council. A possible date for this meeting would be late 1978.

Handbook for students

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2.1.188. Pursuant to the Community action programme in the field of education,¹ the Commission has compiled a Handbook for Students which is devoted to higher education in the Community and which aims at promoting student mobility. In particular, this handbook contains information which is essential for choosing among the various courses of study offered in the Member States, as well as information on procedures for the award of scholarships, the social security schemes applicable, accommodation available, etc.

Seminar on higher education

2.1.189. The first seminar attended by delegates from the organizations representing the higher

education institutions other than the universities in the Member States was held on 7 and 8 December under Commission auspices. This seminar afforded the opportunity for discussions on the procedures envisaged for promoting cooperation among these institutions at Community level, as provided for in the Community action programme in the field of education.¹

Scientific and technical information and information management

Dissemination of research results

2.1.190. For the first time, the proceedings of a symposium-held in Luxembourg from 29 November to 1 December, under the auspices of the Commission-were published directly, not by the specialist departments within the Commission but by a consortium of three publishers representing three of the member countries-FR of Germany, France and the United Kingdom. The proceedings (or at least the first volume) were produced in the three languages concerned. The symposium was devoted to a technical problem-the casting and solidification of steel. This formula derived from a new Commission policy of using, wherever possible, specialist publishers, whose sales network permits better dissemination of research results. There are also useful spin-offs for the publishing and printing industry through the formation of multinational consortia which, while working at their own expense, are able to collaborate rationally on the production of major multilingual publications for the Commission.

OJ C 38 of 19.2.1976.

2. External relations

Scientific and technical information

Cooperative system for registering translations

2.1.191. On the Commission's initiative, the Stichting International Translations Centre (ITC), Delft, Netherlands, the Commission and the French Centre National de la Recherche Scientifique (CNRS) have signed an agreement for setting up a data base to centralize the notification of scientific and technical translations which they register. This data base at present covers translations of Asian and East European scientific and technical publications into the languages of the Community as well as translations. It is anticipated that this system will be expanded to cover all translations from an Eastern European language into another Western European language.

As from January 1978, the information in this data base will be published in a new joint referencetype bulletin called World Transindex which, in the interests of economy and rationalization at European level, will replace the Transatom Bulletin (EAEC), the Bulletin des Traductions (CNRS) and the World Index of Scientific Translations (ITC).

Enlargement

Accession negotiations: Greece

2.2.1. The fifth session of negotiations at ministerial level for the accession of Greece to the Communities was held in Brussels on 19 December. The two delegations reviewed the progress of work since the last ministerial meeting on 17 October.¹ For the Commission, Mr Natali outlined the Commission's future work programme regarding Greek accession and said that priority would be given to the presentation of Commission proposals to the Council in the field of the customs union for industrial products.

2.2.2. The tenth session at deputy level (Ambassadors) was held in Brussels on 9 December.

The Greek delegation presented a memorandum on the customs union and the free movement of industrial goods. The Community delegation made statements on social affairs, State aids and regional policy, agriculture and transitional measures.

2.2.3. The Commission and the Greek delegation continued the examination of Community secondary legislation and completed their work in the field of external relations which had begun in November.²

Multilateral approaches

International economic cooperation

2.2.4. The questions raised by North-South relations remained in the forefront of discussions during the last month of 1977, in both Community and other international forms. T

¹ Bull. EC 10-1977, point 2.2.3.

² Bull. EC 11-1977, point 2.2.2.

Community institutions

2.2.5. At its meeting on 19 and 20 December, the Council (General Affairs) agreed to 'take a general look at the matter of North-South relations' at one of its forthcoming meetings, following the CIEC and in preparation for the Ministerial session of UNCTAD (United Nations Conference on Trade and Development) due to be held from 6 to 10 March.

2.2.6. A Commission staff Communication has been prepared for the Council on forthcoming UNCTAD meetings on the North-South Dialogue. A number of guidelines are proposed.

International organizations

2.2.7. North-South relations were still the focal point of discussions at the second Committee of the United Nations General Assembly. The main outcome was the creation of a Committee of the Whole General Assembly¹ to coordinate the examination of North-South problems.

The General Assembly approved a resolution on the transfer of resources (referring to the work of the CIEC), and another dealing with the UNC-TAD conference on the creation of a Common Fund for Commodities.¹

Implementation of the UNCTAD IV programme

Ad hoc Intergovernmental Group on the Integrated Programme

2.2.8. The Ad hoc Intergovernmental Group on the Integrated Programme for Commodities held its fourth meeting from 12 to 15 December in Geneva. It examined the progress made in implementing the resolution on the integrated programme adopted by UNCTAD in Nairobi² in May 1976, and the timetable of meetings to be held on the programme during 1978.

While recognizing that the timetable fixed by UNCTAD IV for the preparatory meetings was no longer realistic, the Group recommended that a new impetus should be given to the preparatory work and negotiations. As regards the Common Fund, the Secretary-General of UNCTAD will hold consultations on its fundamental aspects so that the negotiating conference suspended on 1 December 1977³ at the request of the developing countries—can be resumed at the beginning of 1978.

As regards commodities, the preparatory meeting will have to be actively continued so that the negotiation stage can be reached as soon as possible after the end of February according to an indicative timetable to be decided on by the Trade and Development Board.

Preparatory meetings under the integrated programme for commodities

Phosphates

2.2.9. The Community took part in the first preparatory meeting for the possible negotiation of an agreement on natural phosphates which was held in Geneva from 5 to 9 December. The results of this meeting were somewhat disappointing mainly because of the absence of the main exporting country (Morocco) and the low-key approach taken by the two other major producers (United States and USSR); moreover, the developing countries which are large-scale importers of fertilizers (such as India and Pakistan) did not attend the meeting either.

The Community representative stressed the importance attached by the Community to the res-

¹ Point 2.2.36.

² Bull. EC 5-1976, point 1204.

³ Bull. EC 11-1977, point 2.2.12.

olution on the integrated programme and to the preparatory meetings on commodities. He insisted on the role played by natural phosphates because of their importance in agricultural production worldwide and pointed out that the Community, which was almost devoid of natural phosphates, depended on imports in order to meet its requirements, almost 70% of which were covered by the developing countries. In his statement the Community representative underlined the spectacular increase in the price of phosphates (which has considerably altered the balance between production and consumption) and urged that proper attention be given by the producing and consuming countries to trends in supply, demand, investment and prices; the Community and its Member States were ready to examine any constructive proposals mutually acceptable to all parties.

Lastly, the preparatory meeting requested that a further meeting of experts should be held to study the position of the world phosphates market and to draw up recommendations on the measures to be taken to attain the objectives set in the integrated programme.

Rubber

2.2.10. The UNCTAD Intergovernmental Task Force on Natural Rubber — which held its first session from 10 to 20 October¹—held its second session in Geneva from 6 to 9 December. Its task was to assess the specific points of a possible international agreement on natural rubber, with a view to submitting concrete recommendations to the third preparatory meeting which is scheduled to take place from 27 February to 3 March.

The Community had prepared its position on the basis of a Communication from the Commission to the Council on 23 November setting out the guidelines for a Community position for the UNCTAD discussions on natural rubber.² The approach was that although fundamental questions were still open at this stage, it could none

the less accept recommendations which would implicitly open the way to a subsequent positive decision on the negotiation of an international stabilizing agreement for natural rubber.

The results of the work of the Intergovernmental Task Force are along these lines and the recommendations adopted will be contained in the final report to the third preparatory meeting. Amongst other points to be considered as a basis for negotiation, the report recommends in particular an international buffer stock system as the keystone of a stabilizing agreement, which would, however, include other appropriate measures.

The Intergovernmental Task Force considers that in the light of its work and of any examination which the governments may find necessary, the third preparatory meeting should be able to take a decision regarding the negotiation of an international agreement on natural rubber.

Multilateral trade negotiations

Trade Negotiations Committee

Framework Group

2.2.11. The priority given to informal bilateral and multilateral negotiations has meant that the Framework Group, which met on 7 and 9 December, has not yet been able to deal with basic problems. In order to advance the Group's work, the GATT Secretariat has undertaken to prepare by January, on its own responsibility, an annotated list or an inventory of the main proposals submitted to date by the delegations, either orally or in writing.

Bull. EC 10-1977, point 2.2.17.

² Bull. EC 11-1977, point 2.2.15.

Development

Development cooperation policy

Aid for non-associated developing countries

2.2.12. On 15 December, the Commission signed twenty financing agreements in Brussels with ten developing countries and six Asian and Latin American regional organizations. These agreements come under the Community's 1977 programme of financial and technical aid for the non-associated developing countries, on which a consensus emerged at the Council meeting on 28 November.¹

Relations with non-governmental organizations

2.2.13. By the end of December the Commission had committed its total 1977 budget allocation of 4 million u.a. for cofinancing with NGOs. Of the 150 projects accepted for appraisal during the year 113, submitted by 43 NGOs from the nine Member States of the Community for implementation in 44 developing countries, had been approved. Since the requests submitted by NGOs substantially exceeded the funds available, some are being carried over for consideration under the 1978 budget.

Generalized preferences

2.2.14. A Commission delegation was invited by the Yugoslav Government to attend an information seminar in Pristina on 12 and 13 December on the application of the system of generalized tariff preferences. This meeting was part of the campaign the Commission is running to enable developing countries to make better use of the preferences, and of the campaign to improve

trade relations between the Community and Yugoslavia.

2.2.15. Within the framework of the seminar programme—aimed at stepping up the information on various sectors in certain beneficiary countries—a Commission delegation was invited by the Governments of Bolivia and Peru to hold two seminars from the end of November to 5 December on the system of generalized preferences, one in La Paz and the other in Lima. Senior officials from the respective governments and a large number of businessmen and national civil servants attended.

Food aid and emergency aid

2.2.16. On behalf of the Community, the Commission decided on 12 December to grant emergency food aid in the form of 500 tonnes of skimmed-milk powder for free distribution to cyclone victims in India via the League of Red Cross Societies. The cost of the operation is estimated at 262 000 u.a.

2.2.17. On 15 December the Commission decided to grant emergency food aid in the form of 500 tonnes of cereals to drought victims in Tunisia. The operation, estimated to cost about 82 500 u.a., will be conducted via the League of Red Cross Societies.

2.2.18. On 16 December the Commission decided to grant drought victims in Laos emergency food aid in the form of 5 000 tonnes of cereals for delivery to destination. The operation, estimated to cost about 825 000 u.a., will be conducted via the Office of the United Nations High Commissioner for Refugees.

2.2.19. The same day, the Commission decided to release the entire special reserve of food aid for

¹ Bull. EC 11-1977, point 2.2.24.

Lebanon. This covers 25 000 tonnes of cereals, 1 240 tonnes of butteroil and 2 275 tonnes of skimmed-milk powder. This operation will cost an estimated 5.33 million u.a.

2.2.20. On 20 December the Commission decided on behalf of the Community to grant cyclone victims in India emergency aid of 100 000 u.a. via the Catholic Relief Service. The aid is for the purchase of blankets, agricultural equipment, water pumps, cattle, building materials, etc.

Commodities and world agreements

Wheat

2.2.21. The Community participated in a meeting from 5 to 9 December of the drafting group established by the International Wheat Council to examine the text of a draft negotiating document prepared by the secretariat of the International Wheat Council as the possible basis for an UNCTAD conference to negotiate a new agreement.

A useful discussion took place on the texts of the articles contained in the draft, but because of the conflict of views between the United States and the Community as to whether the agreement should be little more than a reserve stock arrangement (USA view) or a stabilizing arrangement incorporating price, supply and purchase commitments as well as a reserve stock (EEC view), it proved impossible to agree at this stage on a single draft concerning the structure.

Accordingly, two alternative drafts will be submitted to the special meeting of the International Wheat Council on 10 and 11 January, which is to decide whether to convene a negotiating conference, and which text to transmit to UNCTAD as the basis for such a conference. Commercial policy

A new draft Food Aid Convention (which comes under the International Wheat Agreement) was discussed on 7 December in London by a drafting group of which the Community is a member. This draft—prepared by the Secretariat of the International Wheat Council—keeps approximately to the wording of the Food Aid Convention of the 1971 agreement. Although there were no differences of opinion on almost the entire content of the draft, the group was unable to reach a consensus on the first two articles of the text.

Commercial policy

Formulating and implementing the common commercial policy

Import arrangements

Adjustment of basic regulations

2.2.22. In accordance with its Decision of 27 March 1975¹ on unilateral import arrangements in respect of State-trading countries, the Council adopted on 20 December the import quota system for 1978 to be applied in the Member States with regard to these countries. Various adjustments are made to the quota lists in force in 1977, particularly for textiles.²

2.2.23. On 20 December³ the Council decided to include new products in the Annex to its Regulation of 19 December 1969⁴ establishing common rules for imports from State-trading countries, following the abolition of certain quantita-

OJ L 99 of 21.4.1975.

² Points 1.2.1 to 1.2.3.

OJ L 338 of 28.12.1977.

OJ L 19 of 26.1.1970.

Commercial policy

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tive import restrictions with regard to these countries.

2.2.24. Still on 20 December¹ the Council added new products to List 1 annexed to its Regulation of 4 June 1974^2 on common rules for imports.

Easing of restrictive measures

2.2.25. Under the Council Decision of 27 March 1975 on unilateral import arrangements in respect of State-trading countries,³ the Commission has taken the following measures relaxing import restrictions:

Italy-Czechoslovakia: exceptional opening of an additional import quota for propellent powder;4

Italy-Hungary: exceptional opening of an additional import quota for hand-painted Herend porcelain;⁵

Italy-German Democratic Republic: exceptional opening of an additional import quota for Meissen porcelain;⁵

Italy-Czechoslovakia: exceptional opening of an additional import quota for ball bearings;⁵

Italy-Poland: exceptional opening of an additional import quota for ball bearing and parts thereof;⁵

Italy-Poland: exceptional opening of an additional import quota for vehicle-propelling engines.⁵

Investigation, surveillance and safeguard measures

2.2.26. Anti-dumping/anti-subsidy procedures — In December the Commission decided to initiate anti-dumping/anti-subsidy procedures concerning unalloyed wrought titanium,⁴ hole punching machines⁶ originating in Japan, kraft liner originating in the United States⁴ and sections of iron or steel originating in Spain.⁴ The Commission also terminated two procedures concerning imports of oil-cake of soya beans⁷ and haematite pig iron⁸ from Brazil, in the light of the guarantees given by the Brazilian Government and exporters.

2.2.27. Import surveillance — The Commission decided to make certain technical amendments to the surveillance of imports of slide fasteners⁹ and to extend the period of validity of Community surveillance of imports of certain phosphate fer-tilizers.¹⁰

2.2.28. Safeguard measures — On 20 December¹ the Council adopted a Regulation maintaining until the end of 1978 the rules authorizing imports into Italy of electric filament lamps originating in certain European State-trading countries; these rules were to expire on 31 December 1977. It was felt that the economic difficulties which had resulted in the safeguard measures still persisted and made this extension necessary.

Credit insurance and export credit

2.2.29. On 5 December the Council decided on the position which the Community should adopt regarding international negotiations on the application of certain guidelines in the field of export credit. These negotiations, which began on 7 December, will continue in January.

The Council Decision of 14 March 1977¹¹ concerning the application by the Community of cer-

¹ OJ L 338 of 28.12.1977.
² OJ L 159 of 15.6.1974.
³ OJ L 99 of 21.4.1975.
⁴ OJ C 304 of 17.12.1977.
⁵ OJ C 308 of 22.12.1977.
⁶ OJ C 312 of 28.12.1977.
⁷ OJ C 298 of 10.12.1977.
⁸ OJ C 315 of 31.12.1977.
⁹ OJ L 315 of 9.12.1977.
¹⁰ OJ L 327 of 20.12.1977.
¹¹ Bull. EC 3-1977, point 2.2.22.

tain guidelines in the same field will consequently be extended until the Community implements the revised guidelines, but not beyond 30 June 1978.

Specific measures of commercial policy

Textiles

Textiles negotiations

2.2.30. The month of December saw the culmination of bilateral negotiations with thirty-two countries exporting textiles at low prices, and the consensus which was reached in Geneva on the extension of the Arrangement regarding International Trade in Textiles (Multifibre Arrangement).1

Import arrangements

2.2.31. On 30 December² the Commission adopted a Regulation making imports into the Community of textile products originating in certain non-member countries subject to authorization and quantitative limits. The countries concerned are the signatories of the MFA with which the Commission concluded agreements or arrangements at the end of December following the bilateral negotiations which had been running since mid-October.

2.2.32. The same day the Commission adopted another Regulation on the import arrangements for certain textile products originating in Taiwan.2 These arrangements enter into force on 1 January following the expiry of the previous ones on 31 December.

Jute and hard fibres

2.2.33. The agreements negotiated by the Community with India in 1976 on trade in jute pro-

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ducts and trade in coir products were signed in India at the beginning of December; the draft agreements had been initialled in 1976, on 2 July³ and 7 April⁴ respectively. The two agreements were already being applied de facto, as had been agreed between the two parties when the drafts were initialled.

Iron and steel products

2.2.34. On 23 December the Commission adopted a Decision derogating from the ECSC High Authority Recommendation of 15 January 1964⁵ concerning an increase in the protective duty on iron and steel products at the external frontiers of the Community. The Decision will allow iron and steel products from developing countries to be imported free of duty. The 1977 tonnages and maximum levels have been renewed for 1978.

Non-ferrous metals

2.2.35. The Community quantitative export quotas at present in force for certain types of copper ash and residues and for certain types of copper, aluminium and lead waste and scrap were to expire on 31 December 1977, and since the arrangements for 1978 have not yet been finally adopted, the Council decided, on a proposal from the Commission, to renew these quotas on a pro rata basis for four months, i.e. until 30 April 1978.6

- Points 1.2.1 to 1.2.3. OJ L 357 of 31.12.1977. Bull. EC 6-1976, point 2304.
- Bull. EC 4-1976, point 2309. 4
- 5 OJ 8 of 22.1.1964.

OJ L 332 of 24.12.1977.

International organizations

United Nations

General Assembly

2.2.36. The thirty-second session of the United Nations General Assembly¹—which opened on 20 September, immediately after the end of the preceding session, which had resumed for one week in order to examine the results of the North-South Conference²—ended on 21 December.

During this session the Socialist Republic of Viet Nam and the Republic of Djibouti were admitted as new members of the United Nations and several resolutions were adopted on major issues affecting the international community, in particular the problems of southern Africa. Although the Nine did not always vote in an identical way on the subject, the fundamental convergence of their views was apparent, particularly as regards South Africa's apartheid policy.

Lengthy negotiations took place within the Economic Committee regarding the measures to be taken to assess the progress made in the application of the principles of the new international economic order as previously defined by the General Assembly.³ The developing countries wanted a kind of court of appeal within the framework of the General Assembly to which they could refer negotiations which had broken down in technical circles. The Assembly finally decided, by consensus, while stressing that negotiations of a worldwide impact concerning the setting up of the new international economic order would have to take place within the United Nations, to create a Committee of the Whole⁴ responsible for monitoring and following up the progress made and to give the necessary impetus in the event of difficulty. The Committee would also prepare an extraordinary session of the General Assembly (planned for 1980) one of whose tasks would be the adoption of a new international development strategy.

In accordance with the wishes of the Community countries in particular,⁵ this Committee will not be a negotiating body as such.

The failure of the Geneva meeting on the creation of a Common Fund for Commodities⁶ had repercussions on the General Assembly which, in a resolution adopted despite the abstention of a number of industrialized countries (including seven members of the Community), invited the industrialized countries concerned to take the appropriate political decisions to break the deadlock in the negotiations. However, a consensus was reached on a resolution concerning the acceleration of the transfer of resources, which referred in particular to the results of the CIEC.

The only resolution on the preparation of a new international development strategy for the next ten years was of a procedural nature, postponing discussion of this question until the next session of the Assembly. In the preceding discussions, the Community had put forward a concept for the new strategy which, while in line with the new international economic order, gave this development scheme for the next ten years a balanced dimension, in keeping both with economic realities and the overall needs of man.

Lastly, since its session in 1974 the Assembly had been nursing an initially ambitious project of restructuring the economic and social sectors of the United Nations system in order to adapt them to the needs of the new international economic order. The report to its Ad Hoc Committee, which was finally adopted during the present session and which was drawn up with active help from the Community, falls some way short of

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¹ Bull. EC 9-1977, point 2.2.24.

² Bull. EC 9-1977, point 1.3.4.

³ Bull. EC 9-1975, point 1104.

⁴ Point 2.2.7.

⁵ Bull. EC 11-1977, point 2.2.44. ⁶ Bull. EC 11-1977, point 2.2.12.

the initial objective of the developing countries, which wanted to strengthen the political role of the General Assembly and restructure the United Nations Secretariat. In the final analysis, it is the Economic and Social Council (ECOSOC) which gains from this operation, while UNCTAD is confirmed in its role, as defined in 1976. Coordination as regards development needs will be increased within the Secretariat.

Economic Commission for Europe

2.2.37. The Committee on the Development of Trade of the United Nations Economic Commission for Europe met from 28 November to 2 December in Geneva. The participants examined recent trends in East-West trade and stated their views on the means which should be used for its development.

The Committee expressed its satisfaction with the progress made in implementing the five-year work programme adopted at its preceding session.¹ As usual the representatives of the Community took an active part in all the discussions at this session.

UNCTAD

2.2.38. The *ad hoc* Intergovernmental Group on the Integrated Programme for Commodities met in Geneva from 12 to 15 December.²

United Nations Industrial Development Organization

2.2.39. The Community took part in the first consultation meeting on the oils and vegetable fats industry, which took place in Madrid from 12 to 16 December. The main aim of this meeting was to assess the prospects of the world in-

dustry in oils and vegetable fats up to the year 2000 and to identify an overall policy adapted to these prospects; another objective was to study the opportunities for international cooperation in creating new manufacturing capacities in the developing countries. This was the fourth meeting of the kind under the system of consultations on specific industrial sectors organized by UNI-DO.

Food and Agriculture Organization

FAO Council

2.2.40. The FAO Council met in Rome, on 1 and 2 December, following the annual conference of the FAO, which took place from 12 November to 1 December.³

The Council confirmed all the resolutions and decisions taken by the conference, of which the most important dealt with the following points: the 1977-79 budget, elections for the new Council, the Committee on Programmes, the Committee on Finance, a resolution on the creation of a special \$ 20 million fund for preventing post-harvest losses and the possibility of re-electing the Director-General for six years after his mandate has expired.

Intergovernmental Working Party on meat

2.2.41. The Community was represented at the meeting of the Intergovernmental Working Party on meat which was held in Rome from 5 to 8 December. The Group examined the international situation on the meat market, and studied production and consumption forecasts up to 1985.

¹ Bull. EC 12-1976, point 2335.

² Point 2.2.8.

³ Bull. EC 11-1977, point 2.2.46.

International organizations

International Fund for Agricultural Development

2.2.42. The inaugural meeting of the International Fund for Agricultural Development (IFAD) was held in Rome from 13 to 16 December.

The Fund was created following a recommendation adopted by the World Food Conference when it met in Rome from 5 to 16 November 1974^1 and in which 123 countries took part; the Community as such had been represented at the Conference by the President of the Council and the Member of the Commission with special responsibility for agriculture. With resources of more than \$ 1 000 million (of which \$ 567.3 million were contributed by the industrialized countries belonging to the OECD), the main aim of IFAD will be to fight malnutrition in the Third World.

General Agreement on Tariffs and Trade

Annual session of the contracting parties

2.2.43. The annual session of the Contracting Parties to the General Agreement on Tariffs and Trade, which was held in Geneva concentrated in particular on the main events in international trade during the last twelve months. The various delegations emphasized the different aspects of current commercial policy, highlighting the worrying aspect of certain trends towards protectionism, but also the encouraging efforts on the part of governments to resist these trends and their desire to give new impetus to the multilateral trade negotiations.

After giving a general outline of the present economic situation, the Community's spokesman described what the Community was doing to restrict the effects of the crisis both internally and with regard to its trading partners and to maintain a system of open and fair trade.

Organization for Economic Cooperation and Development

Conference on Youth Employment

2.2.44. The Commission was represented by Mr Vredeling, Vice-President, with special responsibility for employment and social affairs, at a highlevel intergovernmental conference on youth employment which was held in Paris on 15 and 16 December. In his speech to the conference, Mr Vredeling briefly described the measures to be taken to cope with the situation and explained what the Community had done in this respect.

The communiqué issued at the end of the conference noted that the youth unemployment situation was critical, stated that the creation of new jobs depended to a great extent on the rate at which the economy recovered, and underlined the need for a wide range of measures to ensure an adequate level of employment and labour mobility, and in particular the adoption by the OECD member countries of selective measures of a general economic nature. The participants in the conference also felt it was essential to strengthen the links between education and working life.

Committee for Agriculture

2.2.45. The Working Party on Agricultural Policies of the OECD Committee for Agriculture met from 5 to 8 December to examine the measures taken in this respect during the last year. It reached the conclusion that agricultural policies have all been affected by the economic crisis and that the instruments at their disposal had to be

¹ Bull. EC 11-1974, point 1402.

adjusted on the basis of a fairly limited range of options. As for short-term prospects, it appears that in 1978 agricultural policies will continue to develop in an extremely difficult context: this will leave only a very narrow margin for action to ensure both the income of producers and a reduction in structural surpluses, while keeping to budgetary constraints and finding the necessary additional solutions to the wider requirements of the economy in general.

Ad Hoc Steel Group

2.2.46. The principles which the member countries of the OECD will have to follow on the international level in order to cope with the problems raised by the steel crisis were set out in the conclusions adopted by the Ad Hoc Steel Group and published in December. The conclusions were as follows:

'The Group's discussions contributed to the mutual understanding of the problems confronting the participants' steel industries. The Group agreed that these problems have both short- and long-term aspects, that we face many common difficulties and that any solution must reflect the interrelatedness of these problems. The Group also agreed that a sustained upturn in economic growth among the industrialized countries will be critical to a successful solution to the steel problem.

An understanding was reached on several principles to guide the Group's participants in their efforts, whether joint or individual, to deal with steel problems. First, the Group recognizes that the rationalization of their countries' steel industries will be a difficult and sometimes painful process. Moreover, sustained, priority attention must be given to the longterm need of restructuring and modernization to promote a rational allocation of productive resources. Efforts to shift the burden of adjustment from one producing nation to another must be avoided in both the short and longer terms.

Second, any immediate measure must be consistent with the longer-term need to rationalize the world steel industry as well as with the free and fair flow of international trade. Quantitative restrictions are not a solution and would harm the longer-term interests of both importing and exporting countries. Third, the Group agreed that priority attention should be given to the problem of pricing. In times of slack demand prices are expected to fall and there will be tendencies toward sales at a loss. However, no nation can be expected to absorb for sustained periods large quantities of imports at unjustifiably low prices to the detriment of domestic production and employment.

The Group also decided to establish a monitoring mechanism which can make an important contribution on a continuing basis to the participants' understanding of trends within and among countries and to their ability to devise long and shortterm measures consistent with these principles cited above. The Group expects that the monitoring system, in addition to serving as an early warning system to identify incipient problems, will facilitate rational investment decisions in the future through increased transparency in the industry worldwide.'

Mediterranean countries

Development of the Mediterranean regions

2.2.47. On 9 December the Commission sent a Communication to the Council on the guidelines for the development of the Mediterranean regions of the Community, together with measures in the agricultural sector.¹ This Communication also considers the problems that would be caused by the accession of new Mediterranean countries to the Community.

Greece

2.2.48. The EEC-Greece Association Council met at ministerial level in Brussels on 19 December for a periodic review of the functioning of the Association in the light of the objectives of the Agreement. This was the first meeting at ministerial level since July $1976.^2$ Discussions covered in particular the difficulties in the agricultural sector.

2.2.49. A meeting of the Association Committee was held in Brussels on 2 December principally to inform Greece of the Community's ar-

Points 1.3.1 to 1.3.5.

² Bull. EC 7/8-1976, point 2340.

Mediterranean countries

rangements for the importation of Greek wine during 1978.

Cyprus

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2.2.50. At its meeting on 19 and 20 December the Council adopted a Regulation¹ concluding the Additional Protocol signed on 15 September 1977.² To cover the period between 1 January and the entry into force of the Protocol, it also adopted a Regulation on 20 December³ extending certain provisions of the arrangements currently applicable to trade between the Community and Cyprus.

2.2.51. Negotiations between the Community and Cyprus for the conclusion of an Additional Protocol laying down the arrangements for trade in the agricultural sector for the period from 1 January 1978 to 31 December 1979 were held in Brussels on 22 December. The Council issued directives for the opening of these negotiations at its meeting on 19 and 20 December.

During this initial round the Cypriot delegation turned down the Community's offer as being inadequate, given that from 1 January 1978 Cyprus will lose the Commonwealth preference on the UK market. The Commission will seek a new brief from the Council to enable it to make an improved offer. The negotiations should resume early in 1978.

Pending the conclusion of these negotiationsand in order to limit the harmful consequences for Cyprus of the loss of the Commonwealth preference-the Community introduced on 1 January⁴ measures autonomously granting Cyprus the arrangements contained in the negotiating directives.

Maghreb

2.2.52. The Interim Agreements between the European Economic Community and Algeria,

Morocco and Tunisia, which were signed on 25, 26 and 27 April 1976⁵ and extended for the first time on 28 June 1977,⁶ were once again extended by the Council on 19 December, until 30 June 1978.7

Lebanon

2.2.53. On 20 December, the Council asked the European Investment Bank to make 20 million u.a. available from its own resources as exceptional aid to Lebanon in the form of loans for reconstruction projects.

Spain

2.2.54. At its meeting on 20 December, the Council adopted negotiating directives to enable negotiations to be resumed with Spain with a view to making the technical and economic adaptations to the 1970 EEC-Spain Agreement required by the enlargement of the Community and the need to develop the Agreement.

ACP States and the OCT

Lomé Convention

Accessions to the Convention

2.2.55. On 21 December the Council formally confirmed that the Community agreed to the accession to the Lomé Convention of the Republic

OJ L 339 of 28.12.1977.

Bull. EC 9-1977, point 2.2.29. OJ L 340 of 29.12.1977. OJ L 355 of 31.12.1977.

Bull. EC 4-1976, point 2332. 6

OJ L159 of 29.6.1977 and Bull. EC 6-1977 point 2.2.54. OJ L 348 of 30.12.1977.

of Djibouti, in answer to that country's request made on 7 July.¹

Export earnings

Stabex

2.2.56. On 21 December the Commission approved a third and final instalment of transfers in respect of 1976, under the export earning stabilization system. This third instalment involves three ACP States and four products and amounts to 5138253 EUA, bringing the total transfers for 1976 to 36 287 357 EUA.²

All the transfers are shown in Table 5.

Table	5	 Transfers for 1976			
		— third instalment			

Recipient ACP State	Product	Amount in EUA
Madagascar	Cloves	1 139 516
Samoa	Wood in the rough	348 993
Uganda	Tea Cotton, not carded	1 399 953
	or combed	2 249 791
		5 138 253

Trade cooperation

Trade arrangements

2.2.57. On 21 December³ the Council adopted two Regulations derogating from the concept of originating products to take into account the special situation of Mauritius.⁴

Training

2.2.58. With the adoption by the EDF Committee, and then by the Commission, of the multiannual training programme for Zaire-involving

6 million EUA-the first series of multiannual training programmes was completed. The programmes concern twenty-nine countries and involve a total of 60 million EUA. They consist of different training schemes study and training grants, provision of instructors (training seminars) designed to suit the requirements as expressed by the ACP States.

The schemes, which began in March 1977, are aimed at providing most of the ACP States with a framework for training; this gives the Community an overall picture of the role played by Community aid in the training policy of the State concerned for the duration of the Lomé Convention.

The breakdown of the sums granted to the various countries is given in Table 6.

Table 6 — Training aid

		(the	ousand EUA)
Barbados	200	Ivory Coast	3 000
Benin	1 809	Gabon	410
Burundi	3 300	Gambia	404
Guyana	545	Cameroon	2 230
Upper Volta	2 532	Mali	2 1 3 2
Jamaica	2 790	Congo	1 100
Malawi	3 200	Ethiopia	1 631
Rwanda	1 300	Madagascar	1 900
Sierra Leone	1 800	Senegal	3 527
Trinidad and Tobago		Uganda	2 500
Ghana	2 250	Chad	1 900
Guinea-Bissau	980	Togo	4 924
Liberia	1 100	Mauritius	700
Botswana	1 200	Zaire	6 000
Kenya	2 000		

Bull. EC 7/8-1977, point 2.2.56.

4 Point 2.1.40.

² Bull. EC 4-1977, point 2.2.62 and 7/8-1977, point 2.2.58. OJ L 355 of 31.12.1977. 3

Association of the overseas countries and territories

Export earnings

Stabex

2.2.59. On 21 December the Commission cancelled the transfer it had decided last July1 to make to the Solomon Islands for copra (1 273 640 EUA). Hence, total transfers for 1976 amount to 3 300 316 EUA.

2.2.60. On 21 December the Council amended its decision of 29 June² on the association of the OCT by extending the list of products covered by the Stabex system.

European Development Fund

Financing decisions

2.2.61. Following the favourable opinions of the EDF Committee, the Commission took some more financing decisions under the fourth EDF in December. They concern the following proiects:

Caribbean (Saint Lucia) roads: Rural 800 000 EUA

Jamaica — Squatter settlements upgrading: 930 000 EUA

Liberia — Building and equipping four rural health centres: 670 000 EUA

All ACP and OCT - Financing of the Delegations and consultancy firms in 1978: 26 227 000 EUA

Kenva Dandora workshop cluster: ____ 215 000 EUA

Swaziland — Radio services improvement: 990 000 EUA

Niger — Construction of solar pumps and engines: 550 000 EUA

Lesotho — Rural clinic improvement programme: 300 000 EUA

Botswana, Tanzania, Zambia — Regional teaching establishment to accommodate provisionally the UN Institute for Namibia: 500 000 EUA

Jamaica — Jamal Foundation: Adult literacy project: 930 000 EUA

Mauritius — Multiannual training programme 1976-80: 700 000 EUA

Mali - Maternity hospitals, dispensaries and mother-and-child care centres Bamako: in 1785000 EUA

Burundi — Kirundo hospital and renovation of four hospital centres: 2 440 000 EUA

Niger — Renovation of primary schools and colleges of general education: 3 100 000 EUA

Botswana — Broadhurst stage II water supply scheme: 2 000 000 EUA

Zambia --- Mpongwe pilot project: 2 650 000 EUA

Cameroon — Village oil-palm plantations (Dibombari area): 1 435 000 EUA

Sierra Leone — Koinadugu integrated development project: 5 900 000 EUA

Madagascar — Development of the Andapa Basin (second phase): 5 440 000 EUA

Comoros — Development of maize growing: 1 900 000 EUA

Botswana — Sheep and goat development project: 1 190 000 EUA

Congo — Cattle farming in the Niari valley: 1 516 000 EUA

Benin — Development of farming: fish 714 000 EUA: Second EDF: 103 000 EUA

Upper Volta, Niger, Mali, Togo - Improvements to 109 km of road between Mango (Togo) and the Upper Volta frontier: 11 800 000 EUA

Upper Volta, Ivory Coast - Repair of metal bridge decks for structures on the Upper Volta section

Bull. EC 12-1977

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Bull. EC 7/8-1977, point 2.2.61. OJ L 165 of 25.6.1976 and Bull. EC 6-1976, point 2355. 2

of the Regie Abidjan-Niger (RAN) railway: 2 000 000 EUA

Sierra Leone, Liberia — Feasibility study of the Mano River hydro scheme: 2 369 000 EUA

Zaire — Multiannual training programme 1976-80: 6 000 000 EUA

Other countries

Fisheries¹

2.2.62. In December the Council gave the Commission directives for the negotiation of fisheries agreements with Senegal, Mauritania, Guinea-Bissau and Cape Verde. It also adopted a number of interim measures applicable to Sweden, Norway, Yugoslavia and Spain.

Industrialized countries

Canada

Nuclear Cooperation Agreement

2.2.63. At its meeting on 19 and 20 December the Council approved the agreement, in the form of exchanges of letters, negotiated between the Commission and Canada to adapt the guarantee clauses of the Euratom-Canada Cooperation Agreement of 6 October 1959 to the new Canadian policy. The approval by the Council of the negotiated texts enabled the Canadian Government, even before the signing of the Agreement—scheduled for early January 1978—to authorize the immediate resumption of deliveries of natural uranium to the European Community. These deliveries had been suspended since 1 January 1977.

Safeguard measures with regard to imports of footwear

2.2.64. Following the Canadian decision to impose restrictive measures under GATT Article XIX on imports of footwear for three years, the Commission delivered a Note Verbale to the Canadian Government on 12 December protesting against this action. The Commission does not believe that Community exports have disrupted the Canadian market.

EFTA countries

Meeting of the Joint Committees

2.2.65. The Joint Committees set up by the Agreements concluded between the Community and the EFTA countries met in December: EEC-Austria on 13 December, EEC-Sweden and EEC-Switzerland on 14 December, EEC-Iceland and EEC-Norway on 19 December and EEC-Finland on 20 December.

With the exception of Iceland, whose ECSC Agreement does not provide for a joint committee, the above meetings were immediately followed by the meetings of the Joint Committees set up under the ECSC-EFTA country agreements.

At these meetings, the delegations examined the functioning of the various Agreements and had a broad exchange of views on international economic problems and the situation on the steel market. Particular reference was made to the crisis measures adopted by the Community.

EEC-Sweden cooperation in the environmental field

2.2.66. An exchange of letters between the Commission and Sweden took place in Brussels

¹ Only the external aspects are dealt with here. The fisheries policy in general is discussed more fully in the section 'Agriculture and fisheries'.

on 9 December with a view to strengthening cooperation on environmental matters.

This cooperation will take the form of regular exchanges of information between Sweden and the Commission in certain sectors such as the longdistance transmission of air pollutants, pollution caused by motor vehicles, the control of dangerous substances and environmental information systems.

Similar cooperation arrangements are already in existence with the Governments of the United States, Canada, Switzerland and Japan.

Japan

High-level consultations

2.2.67. The eleventh meeting in the series of regular high-level consultations¹ took place in Brussels on 1 and 2 December. The Japanese Delegation was led by the Ambassador, Mr Miyasaki, who had meetings with Mr Haferkamp, Vice-President, and Mr Davignon, Member of the Commission.

The multilateral issues discussed included the GATT trade negotiations, the North-South Dialogue and the world economic situation.

The meeting took note of the report on the first meeting of the Joint Expert Study Group established as a result of Mr Jenkins' visit to Tokyo in October.² It was decided that the future work of this Group should concentrate mainly on analysing trade flows in certain selected areas, such as chemicals, non-electrical machinery, etc.

As regards the Community's exports to Japan, a review was carried out of areas where increased Japanese imports could contribute towards improving the present trade situation. These include chemicals, pharmaceuticals, footwear and agricultural products. The two parties reaffirmed their desire to organize as soon as possible the first meeting of the market study group with a view to analysing and improving the possibilites for exports to Japan of processed agricultural products. The two parties decided to pursue their cooperation efforts to ensure a constant and balanced development of trade. In this connection, the Community noted the fact that the Japanese expected to take due account of the interests of the Community in the external economic measures currently being drafted by their Government.

Visit to the Commission of Mr Ushiba

2.2.68. On 16 December Mr Ushiba, the Japanese Minister of State for External Economic Relations, visited the Commission to explain the external economic measures to be adopted by Japan to reduce the country's current account surplus. In his discussions with Mr Jenkins, Mr Ushiba indicated that Japan intended to reduce that surplus by increasing its imports. The first measures, comprising advance tariff cuts and the liberalization of certain products still under quota restrictions, had already been adopted on 6 December. Macroeconomic measures to stimulate the domestic growth rate were under urgent study. Mr Jenkins urged that Japanese imports from the Community be increased substantially and rapidly. Attention was drawn to the fact that Japan still maintained high tariff barriers with regard to processed foodstuffs, textiles, chemicals and pharmaceuticals.

Australia

Negotiation of an agreement for the supply of uranium

2.2.69. On 23 December the Commission asked the Council for a mandate to negotiate an Agreement with Australia which could lead to the supply of Australian uranium to the Community.

¹ Bull. EC 5-1977, point 2.2.58.

² Bull. EC 10-1977, point 2.2.63.

Given the responsibilities of the Community in the field of nuclear security and supply, an agreement of this kind with Australia would have to be negotiated and signed by the Community under Article 101 of the Euratom Treaty, as was the case with the United States and Canada.

The Commission has already received the text of a framework agreement which the Australian Government proposes as a basis for talks with interested States or organizations.

Parallel to these negotiations, the Commission also intends to explore the possibilities for a much wider agreement for nuclear cooperation with Australia.

Australia's uranium reserves are found mostly in the Northern Territory and Queensland. They amount to about 289 000 tonnes with supplementary reserves estimated at about 211 000 tonnes. Australia therefore possesses about one-fifth (20%) of known reserves in the Western world, although there has as yet been no large-scale exploitation of the deposits.

Developing countries

Asia

Association of South-East Asian Nations

2.2.70. A Commission delegation led by Mr Haferkamp, Vice-President, visited the countries of the Association of South-East Asian Nations from 3 to 20 December and met a large number of political leaders and prominent figures.

The mission, the main purpose of which was to reaffirm the importance which the Community attaches to the contribution of ASEAN to the economic development of South-East Asia, endeavoured to gain a better understanding of ASEAN's objectives and problems so that the Community could gear accordingly the aid it will continue to give for the integration of this region. 1

On various occasions during the trip, Mr Haferkamp made it very clear that the Community intended to pursue its open trade policy despite the difficulties being encountered.

Latin America

Meeting at Ambassador level

2.2.71. The second session of the eighth meeting at Ambassador level between the Community and the countries of Latin America¹ was held in Brussels on 12 December. The session was mainly devoted to an exchange of views on the main problems currently facing the world economy, which are also severe in the Community.

In view of the Latin American side's fear that this situation might lead to certain forms of protectionism, the Community representatives reaffirmed the Community's attachment to a liberal trade policy and its desire to contribute towards a positive conclusion in 1978 of the multilateral trade negotiations taking place within the framework of GATT. The particular cases studied in greater detail during the meeting included meat, textiles and sugar.

In the field of trade promotion, the Latin American countries expressed their satisfaction at the activities carried out in their favour in the context of the Community programme for the promotion of the developing countries' exports.

Lastly, approval was given at this session to the text of a new mandate for the Joint Working Party of Experts on Trade Questions, which had not met since 1975. In particular, the Working Party was instructed to consider the causes of the fluctuations in the trade between the two parties on the basis of an analysis of the available data.

Bull. EC 6-1977, point 2.2.72.

Other countries

3. Institutional and political matters

Argentina

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2.2.72. The signing took place in Brussels on 8 December of the Agreement in the form of an exchange of letters extending for one year the Trade Agreement concluded on 8 November 1971^1 between the European Economic Community and Argentina.

Election of Parliament

2.3.1. At its meeting on 5 and 6 December, the European Council reaffirmed its wish that direct elections to the European Parliament should take place in May/June 1978 and noted that eight Member States were in a position to hold elections at that time. The European Council noted that a Bill on this subject was then before the United Kingdom Parliament and expressed the hope that the legislative procedures in the United Kingdom would be completed in time to enable this objective to be attained. It also noted the determination of the United Kingdom Government to do all in its power to make this possible.

2.3.2. But in the division on the Bill on 13 December, the House of Commons rejected the proportional representation system proposed by the Government and approved the traditional firstpast-the-post method of election. This means that more time will probably be required to divide the country into constituencies, and so the first elections will not be able to take place in May/June 1978, the period originally planned by the European Council.

2.3.3. In a statement issued on 14 December, Mr Jenkins, the President of the Commission, said that he was disappointed with the vote and the fact that 'Britain alone will delay the ability of the whole Community to make an important democratic advance'. He also emphasized that every effort should be made to keep the delay as short as possible.

2.3.4. In a Resolution passed on 16 December, the European Parliament called on the Council to present it with proposals at the earliest opportunity with a view to determining the period during which the European elections should take place

OJ L 249 of 10.11.1971.

in the Member States, and on which Parliament was to be consulted.¹

European Union

2.3.5. In accordance with the decision taken at its meeting in November 1976,² the European Council, when it met in Brussels on 5 and 6 December, reviewed and approved the first annual reports on progress achieved towards European Union, which were presented by the Ministers of Foreign Affairs and the Commission.³

It was agreed that the two reports would be published jointly.4

European Foundation

2.3.6. At its meeting in Brussels on 5 and 6 December, the European Council considered the Commission's report on the terms of reference, nature and funding of a European Foundation.

It agreed in principle that such a Foundation should be established and asked the Commission and the Council each to examine the aspects of the question which concern it, so that at the next meeting (April 1978), the European Council will be in a position to take concrete decisions on implementing the project.5

Institutions and organs of the Communities

Parliament

Part-session in Strasbourg from 12 to 16 December

2.3.7. The focal point of the December sittings⁶ was the final reading and adoption of the Com-

munity budget for 1978, The thorniest point in this year's budget discussions was the question of the Regional Fund's allocation, and this dominated the agenda from 13 to 15 December. The question of future regional policy and the extent to which Parliament would be involved in it was brought up not only during the debate on the budget, but also during the general debate on the outcome of the most recent European Council of Heads of State or Government, which just the week before had reached a form of advance decision on the resources of the Fund for the next three years. The majority of the House felt that in taking this decision the European Council had encroached upon Parliament's own budgetary powers. The outcome of this was that for the first time the budget was not immediately established after the final vote on the last stage of the budget.

Among the other items discussed during this part-session were the question of the date for direct elections, the situation in various ailing economic sectors, energy objectives, Parliament's competence with regard to commercial cooperation agreements, fisheries policy, consumer and environmental matters, control over the ECSC budget and the agricultural market.

- Supplement 8/77 Bull. EC. Supplement 5/77 Bull. EC.

¹ Point 2.3.12.

Bull. EC 11-1976, point 2501. Bull. EC 11-1977, point 1.1.1 and 1.1.2.

This report was prepared from Die Woche im EP published by Parliament's Secretariat.

The complete texts of the Resolutions passed by Parliament are reproduced in OJ C 6 of 9.1.1978 and the report of proceedings is contained in OJ Annex No 224.

The political group and nationality of members are indicated in brackets by the following abbreviations: C-D = ChristianDemocrats, S = Socialists, L = Liberals and Democrats, C = European Conservatives, EPD = European Progressive Democrats, COM = Communists and Allies; B = Belgium, DK = Denmark, D = Federal Republic of Germany, F = France, IRL = Ireland, I = Italy, L = Luxembourg, NL = Netherlands, UK = United Kingdom.

Budget

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General budget for 1978 (15 December)

2.3.8. Parliament felt that the European Council of Heads of State and Government had jumped the gun in fixing appropriations for the Regional Fund on 5-6 December and viewed this as a challenge. The House strongly denounced this patent invasion of its rights, and protested that it was a generally accepted fact that Regional Fund appropriations were classified as non-compulsory expenditure and therefore open to definitive amendment by Parliament. Moved by this conviction, Parliament symbolically increased by one million EUA the 580 million EUA the summit had earmarked for appropriations for commitment for the Regional Fund for 1978. Parliament also raised the appropriations for payment for 1978 by 275 million EUA to 525 million EUA, an increase of 65 million EUA on the figure decided upon by the Heads of Government.

A more far-reaching amendment, which called for the full reinstatement of the 750 million EUA proposed by the Commission in its preliminary draft, failed by only eighteen votes to secure approval. The close division (82 votes to 28, with 12 abstentions) led to a brief procedural debate on the correct interpretation of the rules for majority votes as laid down in Article 203 of the EEC Treaty.

In adopting these amendments Parliament exceeded its margin of manoeuvre, which meant that a new rate of increase had to be agreed with the Council. The definitive adoption of the budget by the President of the House had therefore to wait until fresh consultations with the Council had taken place. During this 'deferred' stage of the conciliation procedure, on 19/20 December the Council agreed to the modifications requested by Parliament, thereby vindicating the House's claims that even the Heads of Government should not be allowed to encroach upon its budgetary powers. Exercising its budgetary powers Parliament was able to effect an increase of over 50% in the non-compulsory expenditure, on which it has the final word.

The debate

During the debate many speakers again criticized the top-heaviness of the Community budget to the detriment of the social and regional policies. Opening the budget debate the rapporteur, Mr Shaw (C/UK), drew attention to the increased responsibility that had fallen on Parliament's shoulders when the Treaty of 22 July 1975 extending its powers over the budget came into effect on 1 June 1977. Parliament now had full control over revenue and expenditure. The recent negotiations with the Council had, Mr Shaw said, clearly demonstrated that Parliament was now in a much stronger position.

Mr Eyskens, the Council President and Belgian State Secretary, summarized the Council's response to the amendments and proposals for modifications decided on by the House at the first reading: the Council had endorsed 60% of Parliament's proposals for appropriations for payment and 42% of its proposals for appropriations for commitment. Significantly, it had approved all the proposals in the key sector of social policy.

On the question of the Regional Fund, where the greatest divergence of opinion between Parliament and the Council was to be found, the Council President warned against contesting too strongly the compromise agreed on by the Nine, especially since the European elections were due in 1978. Mr Eyskens felt that it might be possible to make changes to the Regional Fund in coming years (1979 and 1980) in spite of the summit's decision. On Parliament's margin of manoeuvre, which has yet to be worked out between the Council and Parliament, Mr Eyskens felt there was a reasonable possibility that it could be exceeded, but not to the extent of 140 million EUA (appropriations for commitment) as requested by the House. The Council President also intimated

there might be a degree of flexibility in the appropriations for payment.

Mr Shaw pointed out that the Council had on the whole been more sympathetic than in previous years in its treatment of Parliament's amendments. Despite the fundamental differences in attitude towards the resources of the Regional Fund Parliament should not, in view of the generally positive result, tempt providence and use its new powers to reject the budget altogether.

Mr Aigner (C-D/D) called for a compromise solution acceptable to both sides and furthering the interests of the Community. 'We are condemned to succeed', he said, but both sides must work for it, and not just Parliament.

Mr Bangemann (L/D) warned against viewing the budget as a disaster, which, in view of the impressive advances that had been made during the year's negotiations, would be quite unfounded.

Mr Lange (S/D), the Chairman of the Committee on Budgets, suggested that the discussions between the Council, the Commission and Parliament on the distribution of budget appropriations should in future be held early enough to avoid having the major difficulties appear only towards the end of the budget procedure.

As the debate proceeded Mr Cointat (EPD/F) and Lord Bessborough (C/UK) supported Mr Shaw. Mr . Spinelli (COM/I) loudly denounced the Council's budget policy. He called upon the House to hold its ground and, if necessary, be prepared to face a delay in the final adoption of the budget.

The final vote revealed that opinions were clearly divided n the matter of the Regional Fund. The majority, consisting mostly of non-Italian Christian Democrats, Conservatives, Progressive Democrats and Liberals, voted for the rapporteur's compromise proposal. Most of the Socialists, the Italian Communists and a large number of Christian Democrats voted for the full reinstatement of the appropriations originally proposed by the Commission.

ECSC operational budget for 1978 (14 December)

2.3.9. In view of the financing applications received, the Commission estimates that for 1978 152 million EUA will be required. This would mean an increase in the ECSC levy, which would be unacceptable in the present iron and steel crisis. The Commission proposed an alternative scheme, whereby Member States would contribute 32 million EUA to the ECSC budget from customs revenue on imports of steel from nonmember countries.¹ Parliament supported the Commission's proposal.

ECSC budget for 1976 (14 December

2.3.10. Parliament gave a discharge to the Commission in respect of the ECSC's financial activities in the 1976 financial year.

Financial Regulation (13 December)

2.3.11. Mr Aigner (C-D/D), Mr Spénale (S/F) and Mr Bangemann (L/D) described the conciliation procedure between the Council and Parliament regarding the Financial Regulation of the Communities² as the first legislative act in Parliament's history.

This was the first time that the conciliation procedure had been used not to deal with financial aspects of Community legislation, but as a purely legislative act concerning organization. Mr Bangemann in particular pointed out that this first 'legislative' conciliation procedure had

¹ Bull. EC 11-1977, point 2.3.88.

² Bull. EC 11-1977, point 2.3.86.

Parliament

Parliament

served as a reminder that it was time to put an end to the 'artificial distinction' between legislative competence and budgetary competence in the Community. The next job, he said, was to build on this new and fruitful experience by redistributing the legislative and budgetary powers between the Council and Parliament. This included, on a practical level, the reorganization of responsibilities in the agricultural sector, where the legislative and financial aspects of regulations were inextricably linked.

Mr Lange (S/D), the Chairman of the Committee on Budgets, added that Parliament did not intend to encroach on the legislative powers of the Council in any way, but neither should the Council use its legislative acts to confine Parliament's budgetary powers by taking anticipatory decisions. It was time the situation was clarified to the satisfaction of all sides.

Results of the European Council (14 December)

2.3.12. Mr Simonet combined his account of the latest European Council with his farewell speech as President of the Council. Reporting on the meeting of Heads of Government on 5 and 6 December the Belgian Foreign Minister spoke on three topics: the economic and monetary situation, the decisions on the financing of the Community budget for 1978, and political cooperation.

Mr Simonet thanked Mr Jenkins, the President of the Commission, for the political initiative he had taken in resuscitating the plan for economic and monetary union. He said, however, that the debate in the European Council on the subject had been flavoured with pessimism. But speaking of the current situation in employment and investment the Council had nevertheless reached agreement on a number of short- and long-term guidelines, e.g., closer coordination on economic policy, improved monetary solidarity and still more structural measures in the crisis-stricken steel and textile industries. Discussing the Community budget, the Heads of Government had, despite the comparatively unfavourable conditions, succeeded in paving the way for the transition to financing from own resources. The resulting compromise meant that Member States could calculate their contributions, and finance the final deficit, by whichever method was the most advantageous.

Speaking of the United Kingdom, where Parliament had the previous day voted for the firstpast-the-post system for the first direct elections to the European Parliament, Mr Simonet expressed the hope that Mr Callaghan's government would put the Community's interest before internal political considerations when putting this decision into effect. Mr Simonet believed that if this were the case the elections could still take place in 1978.

Summing up his spell as Council President, Mr Simonet said he had tried, with modesty and determination, to see a number of issues through to their conclusion. The task for the future was, he said, to find our way back to economic growth (and not just from a quantitative point of view), in order that the Community might hold on its hard-won achievements. Likewise, the goal of economic and monetary union could be pursued only if the snake was kept alive.

Mr Jenkins concurred with the main points in Mr Simonet's summing-up of the prospects. He said the European Council on 5 and 6 December had been the most successful since he took office. He justified the Commission's plans for resuscitating economic and monetary union on the grounds that economic revival was unthinkable unless a Community-wide solution to the unemployment problem was found. Forward-looking possibilities for resolving unfavourable trends which might be brought on by enlargement should also be developed. He said finally that the plan might be a contribution on the part of the Community to world economic stability. Mr Fellermaier (S/D) paid tribute to Mr Simonet's efforts in the Council and particularly his acknowledgement of his obligations towards Parliament. He urged the Heads of Government to consider the possibility of rotating the Presidency of the Council once a year. But, he said, he was not happy about the fact that the European Council was increasingly taking over from the ordinary Council of the European Communities as a forum for ministerial debate. Parliament would then be in danger of being left out of any decisions taken outside the institutional framework of the Community.

Mr Klepsch (C-D/D) criticized the European Council's decisions as being of little contribution to the development of European integration. The fact that the Heads of Government had dealt only with unfinished business and failed to reach any decisions on guidelines showed that something was wrong in the way the Community institutions were working. Always achieving the basic minimum was not enough. He said Mr Jenkins's initiative in reviving economic and monetary union should not be put into cold storage.

Mr Berkhouwer (L/NL) expressed his disappointment at the decision reached the previous evening in the House of Commons, which had voted for the traditional British voting system to be used for the direct elections. He announced that his group was tabling a motion for a Resolution calling upon the Council to present to the House as soon as possible proposals for dates between which the elections should be held.

Mr Brugha (*EDP*/IRL) and Lord Bessborough (*C*/UK) welcomed the Commission's efforts to revive economic and monetary union. They saw this as a decisive opportunity to strengthen the Community. Speaking for the Italian Communists Mr Galluzzi was worried that the European Council seemed to be unaware of the gravity of the present crisis in Europe, since once again it had demonstrated its inability to agree on any policy decisions. He said he was all in favour of shifting more responsibilities on the Community, since the individual Member States were no longer able to resolve the crisis independently. But, he added, this could not happen unless democratic controls were correspondingly increased.

The Resolution called upon the Council to present Parliament with its proposals for the dates for direct elections without delay. Under the Act concerning direct elections the election date is decided by the Council of the European Communities after consulting Parliament.

Fisheries policy

(15 December)

2.3.13. The Community has extended its fishing zone to 200 miles. There is some disagreement as to the way this should be interpreted — Britain and Ireland want to keep a 50-mile zone to themselves, and the remaining seven countries wish the whole 200-mile zone to be open to all Community fishing vessels.

There was a comprehensive debate on the Commission's proposals regarding the common fisheries policy,¹ which took in a question from Mr Müller-Hermann (C-D/D). The proposals concern the laying-down of total permissible catches and their distribution amongst the Nine, measures for the conservation of fishery resources, measures of control for fishing activities and reorganization of the fisheries sector.

Following the recommendation of Mr Corrie (C/UK), the rapporteur, Parliament approved the principles which prompted the Commission's proposals.

Meeting between Mr Sadat and Mr Begin (15 December)

2.3.14. In connection with the Middle East Conference, which had opened in Cairo the pre-

¹ Bull. EC 10-1977, points 1.6.1 to 1.6.5.

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vious day, Parliament appealed to the representatives of the nations concerned to join in the dialogue started by the historic meeting between Mr Sadat and Mr Begin. The House was firmly convinced that a just and lasting peace in that part of the world had to be based on the principles laid down in the declaration on the Middle East adopted by the European Council on 29 June 1977.¹

Development policy

(13 December)

2.3.15. The results of the Council meeting on development cooperation held on 28 November² were explained by Mr Outers, the Belgian Minister for Development Cooperation and President of the Council:

(i) special aid of \$1000 million (Community contribution \$1000 million (Community contribution \$385 million) to developing countries from industrialized countries (North-South Dialogue), to be granted through the International Development Association (IDA):

financial and technical aid for non-associated (ii) developing countries: agreement on a basic regulation and thereby the release of the 60 million EUA set aside for 1978:

(iii) coordination of bilateral aid: more informal contacts between governments;

(iv) generalized tariff preferences for 1978: expected to cover 5 100 million EUA for industrial products and 1 300 million EUA for agricultural products;

(v) food aid: 150 000 tonnes of skimmed-milk powder to be supplied in 1978;

(vi) new world wheat agreement: negotiating mandate for the Commission.

North-South Dialogue

(14 December)

2.3.16. What measures have been taken to implement the Community's decision to transfer \$285 million to a special account with the IDA (World Bank International Development Association)? What sort of agreement will the Community and the Member States conclude with the IDA, and how long will the payment take?

These were the questions asked by Mr Dewulf (C-D/B), to which Mr Simonet, President of the Council, answered that the Council of Development Ministers had approved the necessary negotiating mandate on 28 November. The agreement with the IDA would take the form of a mixed agreement, meaning that it would be signed by the Community itself as well as by each individual Member State. The contributions would be divided up according to Member State, but it could be said that this was an exercise that involved more than simply coordinating each Member State's participation and was basically a Community operation in every sense. Member States would pay their contributions in two instalments, the first (at least 45% of the eventual total contribution) as early as possible in 1978, and the rest on 1 January 1979, subject to approval by the national parliaments.

Ratification of cooperation agreements (14 December)

2.3.17. Is the demand for ratification by the Member States of cooperation agreements concluded between the Community and certain nonmember countries-and notably the Mediterranean countries-legally sound and desirable? Does the intervention of national authorities in Community agreements serve any purpose, given that the financial aid granted by the Community to non-member countries is to be drawn exclusively from the Community budget as from 1 January 1978?

These questions were put to the Council and the Commission by Mr Ripamonti (C-D/I) and the

Bull. EC 6-1977, point 2.2.3. Bull. EC 11-1977, point 2.3.21. 2

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Parliament

Committee on External Economic Relations and the Committee on Development and Cooperation. The topical relevance of these questions was brought out by the refusal of the French Senate the previous day to ratify the Association Agreement between the Community and Algeria.

Mr Simonet, President of the Council, replied that most of the Agreements had been negotiated before the possibility of including such financial obligations in the budget had arisen. This meant that Member States had to ratify agreements according to their own internal procedure. But after 1 January 1978 the Community would have full responsibility.

Energy

Energy supply—objectives for 1985 (12 December)

2.3.18. The Community's dependence on imported energy should be restricted to not more than 50% by 1985. Oil should represent a much smaller proportion of total energy consumption. Following the recommendation put forward by Mr Osborn (C/UK), the rapporteur, the House agreed to these objectives. The Council of Energy Ministers was due to meet the following day. The Commission's second report on energy enumerated five basic means of securing these two primary objectives:

- (i) more rational use of energy,
- (ii) development of nuclear energy,

(iii) increased domestic production of oil (particularly in the North Sea—at least 140 million tonnes per year),

(iv) increased use of natural gas as a substitute for oil,

(v) increased use of coal in power stations to compensate for the foreseeable delay in nuclear power station construction.

Mr Brunner, Member of the Commission, warned against the false sense of security that might be encouraged by the current drop in oil prices in certain countries. The Community must, in the long term, be prepared for a considerable increase in oil prices, and the corresponding consequences for the balance of payments.

Mr Brunner called upon the Council to manifest its support to the seven OPEC countries that support a freeze in oil prices. Meanwhile, new ways of cooperating with the uranium-producing countries should be found, so as to get round the question of non-proliferation.

Uranium supplies — interim arrangement with Canada (14 December)

2.3.19. Laborious negotiations with Canada have finally led to a temporary arrangement for the supply of uranium, Mr Brunner reported. The agreement is valid for three years and includes extensive non-proliferation guarantees. This means that supplies of uranium from Canada can recommence early in 1978.

Research

Uranium from sea-water? (12 December)

2.3.20. Basic studies and technological research should open up new possibilities for uranium extraction within Community countries and improve the chance of self-sufficiency. This is the objective of one of the Commission's proposed three-year programmes on research and development on uranium exploration and extraction for which the Community would provide 4.65 million u.a. In view of the difficulties the uraniumproducing countries have recently been causing the Community as regards supplying the reactors that are currently in operation, Parliament followed the recommendation of the rapporteur, Mr Veronesi (COM/I) and supported the objective set by the Commission. It did, however, stress that far greater emphasis should be placed on research into the extraction of uranium from seawater, since this was already technically possible, and the source practically inexhaustible.

Environment

(16 December)

Asbestos

2.3.21. It is time to draw conclusions from the knowledge that exposure to asbestos presents a danger for those who work with it. It was this primary consideration which prompted Parliament to follow up an own-initiative report from its Committee on the Environment, Public Health and Consumer Protection by addressing a list of concrete demands to the Commission which, taken together, aim at an improvement in living and working conditions for those concerned. Measures were to include bans, information campaigns, the development of substitutes for asbestos, etc.

Aerosol sprays

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2.3.22. In order to preserve the ozone layer in the stratosphere there must be a strict ban on the use of fluorocarbons as a propellant in aerosol sprays; there is no other way of protecting human and animal life from excessive ultraviolet solar radiation, which leads to skin cancer. Parliament noted with satisfaction that the Commission has now moved into action on this field, but regretted that it had chosen to use the 'recommendation' formula, which is not binding on the Member States.

Agricultural policy

Agricultural prices for 1978: up by 2% (15 December)

2.3.23. If the Community wants to master its agricultural problems, it must follow a moderate agricultural prices policy. This is why the Commission proposes raising agricultural prices by an average of only 2% (expressed in u.a.) for 1978/79, as Mr Gundelach, Commission Vice-President, explained to the House.

Exchange rate fluctuations will translate this into a considerably higher increase in real terms for most countries, with the exception of those whose currencies are appreciating. Mr Gundelach emphasized this, and went on to announce that special measures would shortly be forthcoming for the Mediterranean regions of the Community, which were the least favourably placed economically.

Commercial policy

Textiles

(16 December)

2.3.24. The Community textile industry can remain strong and an efficient employer only if urgent steps are taken to restrict the detrimental effects of imports from low-cost countries. This was Parliament's interpretation of the situation, and it warned that efforts to industrialize developing countries should not be concentrated in the textiles sector. The House felt it was particularly important to improve the competitiveness of the European textile industry, and said that unilateral action by Member States would be 'a waste of resources'. It placed the greatest importance on the speedy conclusion of the renegotiation of the Multifibre Arrangement.

If this were to fail, the Community should unilaterally introduce and implement the necessary import regulations. The twelve-point Resolution also made many other suggestions.

Council

2.3.25. In December, the European Council held its third meeting of the year.

The Council held ten meetings devoted to fisheries, the budget, the environment, agriculture, energy, economic and financial affairs, foreign affairs and transport. For the first time, meetings were also held on public health and post and telecommunications.

European Council

(Brussels, 5 and 6 December)

2.3.26. President: Mr Tindemans, Prime Minister of Belgium.

From the Commission: Mr Jenkins, President, Mr Ortoli, Vice-President.

Economic situation of the Community: The European Council held a broad exchange of views on the economic and social situation in the Community.¹

European unit of account: The European Council agreed that the European unit of account (EUA) would be introduced into the general budget of the Community from 1 January 1978.²

European Regional Development Fund: The European Council reached agreement on a three-year programme for the ERDF for 1978-80.³

Election of the European Parliament: The European Council reiterated its wish that the election of Parliament take place in May or June 1978.⁴

European Union: The European Council examined and approved the first annual reports on European Union presented by the Foreign Ministers and the Commission.⁵

European Foundation: The European Council approved the principle of establishing a European Foundation.⁶

Recourse to Article 155 of the EEC Treaty: The European Council took note of the Commission's report on the possibilities offered by Article 155 of the EEC Treaty and instructed the Council to examine this question on the basis of more detailed proposals to be presented by the Commission.

Legal cooperation: The European Council took note of a communication from the President of France on developing legal cooperation between the Member States.

486th meeting — Fisheries

(Brussels, 5 to 7 December)

2.3.27. President: Mr Humblet, Belgian Minister of Agriculture and Small Firms and Traders.

From the Commission: Mr Gundelach, Vice-President.

Fisheries policy: The Council held a searching debate on the principles which will guide the preparation of the definitive fisheries regime but failed to reach agreement.⁷ It was agreed to adjourn the deliberations until 16 January. The existing regulations were extended until 31 January. The Council approved additional directives for the Commission for negotiations with Guinea-Bissau, Mauritania and the Senegal and asked the Commission to present proposals with a view to enabling Community fishermen to continue fishing in Yugoslav waters.⁸ Under the existing market organization for fishery products the Council fixed certain prices for the 1978 fish year.⁹

- Point 2.1.1.
- Point 2.3.115.
 Point 2.1.85.
- ³ Point 2.1.85 ⁴ Point 2.3.1.
- ⁵ Point 2.3.1.
- Point 2.3.5.
- ⁷ Point 2.1.121.
- ⁸ Points 2.1.124 to 2.1.126.
- ⁹ Point 2.1.120.

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487th meeting — Budget

(Brussels, 7 December)

2.3.28. President: Mr Eyskens, Belgium State Secretary for the Budget.

From the Commission: Mr Tugendhat, Member.

Financial Regulation: Under the conciliation procedure, a meeting was held between the Council and a delegation from Parliament to discuss the new Community Financial Regulation. A common viewpoint emerged on all the matters reviewed.¹

General Budget for 1978: Continuing its deliberations on the draft of the General Budget for 1978 and of the questions left outstanding at its meeting on 22 November, namely the appropriations to be entered for the Regional Fund and food aid, the Council, at the second reading, drew up the draft Budget.²

488th meeting — Environment

(Brussels, 12 December)

2.3.29. President: Mr Dhoore, Belgian Minister for Public Health and the Environment.

From the Commission: Mr Natali, Vice-President.

Titanium dioxide: The Council approved in principle the Directive concerning waste from the titanium dioxide industry.³

Surface fresh water: The Council adopted a Decision establishing a common procedure for the exchange of information on surface fresh water in the Community.⁴

Toxic and dangerous wastes: Continuing its discussion on the proposal for a Directive concerning toxic and dangerous wastes,⁵ the Council agreed to set up a Committee on adaptation to scientific and technical progress.⁵

Protection of birds: The Council approved in principle the key elements of a draft Directive on the protection of birds.⁶

Air pollution: The Council held a general debate on possible Community measures against air pollution by sulphur compounds.⁷ It also took note of a communication from the French Delegation concerning the future work of the Council or matters to do with the environment.

489th meeting — Agriculture (Brussels, 12 and 13 December)

2.3.30. Presidents: Mr Humblet, Belgian Minister of Agriculture and Small Firms and Traders and Mr Dalsager, Danish Minister of Agriculture.

From the Commission: Mr Gundelach, Vice-President.

Agricultural prices for 1978: After Mr Gundelach, Vice-President of the Commission, had introduced the Commission's proposals for the 1978/79 farm prices⁸ and for certain related measures, the Council held a preliminary discussion on the proposals.⁹

Mediterranean agriculture: The Council heard a statement by Mr Gundelach on the guidelines for developing the Community's Mediterranean regions and on measures for agriculture.¹⁰

Green French franc: The Council agreed to a 2.5% devaluation in the rate of the green French franc with effect from 1 February 1978.¹¹

Beef and veal: A number of measures were approved in respect of various Regulations concerning imports of beef and veal.¹²

⁶ Point 2.1.95.

¹ Point 2.3.113.

² Point 2.3.107.

³ Point 2.1.93.

⁴ Bull. EC 6-1977, point 2.1.69.

⁵ Point 2.1.94.

⁷ Point 2.1.96.

 ⁸ Points 1.4.1 to 1.4.5.
 ⁹ Point 2.1.105.

¹⁰ Points 1.3.1 to 1.3.5 and 2.1.106.

¹¹ Point 2.1.108.

¹² Point 2.1.117.

Veterinary matters: The Council approved three Directives on veterinary matters.¹

Fruit and vegetables: The Council was still unable to reach agreement on the amendment of the basic Regulation on fruit and vegetables to strengthen Community preference for certain citrus fruits, notably oranges.

Sales aboard ships: The Council approved the amended Regulations concerning certain measures intended to obviate abuses resulting from the sale of agricultural products on ships.²

490th meeting — Public health (Brussels, 13 December)

2.3.31. President: Mr Dhoore, Belgian Minister for Public Health and the Environment.

From the Commission: Mr Vredeling, Vice-President.

The Member States' Ministers of Health, meeting with the Commission for the first time at Community level (Council meeting and meeting of the representatives of the Member States' Governments within the Council) held an initial discussion on various highly important matters arising in all the Member States. The four items on the agenda were: economic aspects of health; health education (particularly in relation to smoking, the abuse of drugs in sport, and nutrition); combating certain diseases (including the problem of vaccinations); mutual assistance in the event of disasters and exceptionally serious diseases.³

491st meeting — Energy

(Brussels, 13 December)

2.3.32. President: Mr Claes, Belgian Minister of Economic Affairs.

From the Commission: Mr Brunner, Member.

Energy situation: The Council reviewed the energy situation at both Community and world level.⁴

Rational use of energy: Within the framework of the Community action programme for the rational use of energy, the Council approved a Directive on the performance, regulation and inspection of heat generators and on insulation of heat distribution in new buildings.⁵ It also reviewed the proposal for a Regulation on granting financial aid to demonstration projects for energy saving.⁵

Coal: The Council continued to work on the introduction of a system of Community financial aid to encourage the use of coal in electric power stations.⁶

Refining problems: The Council discussed the problem involved in defining a Community approach to the problems of refining.⁷

Energy objectives for 1985: The Council took note of the Commission's second report on the achievement of the 1985 objectives under the Community energy policy and reviewed the draft of a Resolution modifying certain points of the 1985 objectives adopted by the Council in 1974.⁸

Work programme: A target work programme for 1978 was adopted to serve as the basis for the Council's activity during the year.

492nd meeting — Posts and telecommunications (Brussels, 15 December)

2.3.33. President: Mr Defosset, Belgian Minister of Posts and Telecommunications.

From the Commission: Mr Davignon, Member.

At this meeting of the Council and the representatives of the Member States' governments meet-

Point 2.1.136.

Point 2.1.119.

Points 1.5.1 to 1.5.4. Point 2.1.164.

Point 2.1.164.

Point 2.1.167.

⁷ Point 2.1.168.

Point 2.1.166.

ing within the Council, the following items were discussed. $^{\rm l}$

Posts

(i) Application of internal rates in postal services between Member States;

(ii) Abolition of the customs presentation charge on consignments of a non-commercial character (small postal packets and parcels);

(iii) Harmonization of address coding, automatic reading and sorting systems.

Telecommunications

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(i) The respective roles of the public authorities responsible for managing the telecommunications monopoly and of the private sector;

(ii) Charges for users of telecommunications networks;

(iii) Coordination of telecommunications development projects in the Community.

493rd meeting — Economic and financial affairs (Brussels, 19 December)

2.3.34. President: Mr Geens, Belgian Minister of Finance.

From the Commission: Mr Ortoli, Vice-President, Mr Tugendhat and Mr Burke, Members.

Conclusions of the European Council: The Council considered the action to be taken on the conclusions of the European Council.²

Strengthening the mechanism for medium-term financial assistance: The Council adopted a Decision on the adjustment of medium-term financial assistance.³ VAT Financial Regulation, new Regulation 2/71: These two Regulations, on which the Council had worked out a common guideline on 21 November, were formally adopted.⁴

Manufactured tobacco: The Council adopted a Directive laying down special criteria to apply during the second stage of harmonization of structures to the excise duties which Member States apply to their manufactured tobaccos.⁵

Duty-free allowances in international travel: The Council adopted a Directive granting Denmark a five-year derogation from application of the harmonized rules on exemption from turnover tax and excise duties on imports in international travel.⁶

494th meeting — Foreign affairs (Brussels, 19 and 20 December)

2.3.35. Presidents: Mr Simonet, Belgian Minister of Foreign Affairs and Mr Claes, Belgian Minister of Economic Affairs.

From the Commission: Mr Jenkins, President, Mr Ortoli, Mr Gundelach, Mr Natali, Vice-Presidents, Mr Cheysson, Mr Brunner, Mr Davignon, Mr Giolitti, Mr Tugendhat, Members.

Steel: The Council made a searching appraisal of all the measures, internal and external, to be applied from 1 January 1978. At the end of the discussion, overall agreement on policy had been reached.⁷

Mediterranean policy: The Council heard a statement from Mr Gundelach, Vice-President of the Commission, on the Communication relating to the

Points 1.6.1 to 1.6.7.

Point 2.1.2.

³ Point 2.1.3. ⁴ Point 2.3.11

⁴ Point 2.3.114. ⁵ Point 2.1.67.

⁶ Point 2.1.68.

⁷ Point 1.1.1.

main guidelines for the development of the Mediterranean regions.¹

Yugoslavia: The Council reviewed progress made in preparing the negotiating directives for the conclusion of a new Agreement with Yugoslavia in the spirit of the Joint Declaration made in Belgrade on 2 December 1976. It also authorized Italy to extend, for six months, the fishing arrangement with Yugoslavia.

1978 budget: The Council examined the increases in non-compulsory expenditure of 34 million EUA in payment appropriations and 80 million EUA in commitment appropriations, and the 135 million EUA in payments and 183 million in commitments for the Regional Fund, approved by Parliament on 15 December.

Pursuant to the last subparagraph of Article 203(9) of the EEC Treaty, the Council, for its part, approved the increases and the new rates that resulted for commitment appropriations and for payment appropriations.

The Council endorsed the rate applicable to resources accruing from VAT (rate provided for in the second subparagraph of Article 4(1) of the Decision of 21 April 1970, which Parliament had set at 0.64%²

Greece: The Council prepared for the 45th meeting of the EEC-Greece Association Council, at Ministerial level, and for the fifth Ministerial meeting on the accession negotiations with Greece.³

Textiles: The Council approved the results of all the bilateral negotiations conducted by the Commission with the textiles supplier countries.⁴ It also agreed that the Community should accept the extension of the Multifibre Arrangement.⁴

Regional policy: The Council considered at length the outstanding questions, namely the final distribution of national quotas, the creation of a nonquota section and the transcription in a Regulation of the appropriations allocated to the Regional Fund for coming years by the European Council. $^{\circ}$

Japan: The Council discussed trade relations between the Community and Japan.

IAEA: The Council took note of progress made in the negotiations between Euratom and the IAEA on the inspection procedures for certain nuclear installations situated in the seven Member States which have signed the Verification Agreement.

Euratom-Canada Agreement: The Council approved the conclusion of the exchange of letters supplementing the Euratom-Canada Nuclear Cooperation Agreement.⁶

Spain: The Council adopted the negotiating directives for the resumption of negotiations with Spain to supplement the EEC-Spain Agreement.⁷

Lebanon: The Council asked the European Investment Bank to grant special aid to Lebanon in the form of loans for reconstruction projects.⁸

Export credits: The Council extended its Decision of 14 March 1977 on the application of certain guiding principles in the field of export credits.⁹

Review of the Social Fund: The Council formally adopted all the texts relating to the review of the Social Fund.¹⁰

Cyprus: The Council adopted directives for opening negotiations with Cyprus for a Protocol laying down the arrangments for trade in the agricultu-

⁴ Points 1.2.1 to 1.2.3.

Points 1.3.1 to 1.3.5.

² Point 2.3.108.

³ Point 2.2.48.

⁵ Point 2.1.86.

⁶ Point 2.2.63.
⁷ Point 2.2.54.

⁸ Point 2.2.54.

Point 2.2.33.
 Point 2.2.29.

¹⁰ Point 2.1.71.

Council

ral sector.¹ It also agreed on measures to be applied autonomously to Cyprus in respect of agriculture during the first three months of 1978.¹ The Council also adopted the Regulation concluding the EEC-Cyprus Additional Protocol.²

Council proceedings: The Council took note of the customary report advising it of progress made on the main problems under examination by the Council in a composition other than of Foreign Ministers. The purposes of this report is to give the Foreign Ministers an overall picture of Community activities.

495th meeting — Transport

(Brussels, 20 and 21 December)

2.3.36. President: Mr Chabert, Belgian Minister of Transport.

From the Commission: Mr Burke, Member.

Community quota: The Council adopted the Regulation amending the Community quota for the carriage of goods by road between Member States.³

Carriage of goods by road: The Council approved the Directive amending the first Council Directive establishing common rules for certain types of carriage of goods by road between Member States.⁴

Driving licences: The Council agreed in principle on the introduction of a Community driving licence.⁵

Transport infrastructure: The Council approved the plans for introducing a consultation procedure and setting up a Committee on Transport Infrastructure.⁶

International road passenger transport: The Council approved the decision amending the directives for negotiations between the Community and nonmember countries belonging to the ECMT concerning the system applicable to occasional international carriage of passengers by coach and bus.⁷

Taxation of commercial road vehicles: The Council agreed to resume its discussions on this matter and make a ruling at a forthcoming meeting during the first half of 1978.⁸

Temporary laying-up of vessels: The Council approved in principle the Decision amending the Directives on the opening of negotiations with Switzerland for an agreement on the temporary laying-up of vessels.³

Work programme: The Council took note of the Commission's Communication on priorities for the Council's work programme up to 1980.⁹

Summer time: The Council took note of progress made in respect of the proposal for a Directive on summer time arrangements. It was hoped that the difficulties encountered in examining this matter could be overcome during the first half of 1978.

Financial Regulation: The Council approved the amended Financial Regulation which comes into force on 1. January 1978.¹⁰

Commission

Activities

2.3.37. The Commission held three meetings in December. The main items on the agendas were

- Point 2.2.51.
- Point 2.2.50.
- Point 2.1.145.
- ⁴ Point 2.1.143.
- ⁵ Point 2.1.144. ⁶ Point 2.1.146.
- ⁷ Point 2.1.140.
- ⁸ Point 2.1.141.
- ⁹ Point 2.1.147.
- ¹⁰ Point 2.3.113.

the European Council meeting on 5 and 6 December, the problems in the Community steel industry, farm prices and completion of the budgetary procedure.1

Steel: The Commission adopted a comprehensive Communication to the Council on steel policy. In line with its statements to the Council in November, the Commission adopted a number of measures under the powers vested in it by the ECSC Treaty and proposed to the Council other measures which fall within the Council's province; all these measures fit into an overall plan to balance production and consumption of steel, stabilize prices at a reasonable level, maintain the traditional pattern of trade with the main nonmember countries under conditions which do not upset the internal market and embark on the reorganization of the Community steel industy.²

Monetary-policy: The Commission sent the Council a proposal on medium-term financial assistance.3

Agricultural policy: The Commission adopted its farm price proposals for 1978/79.4 Its decision came after the preparatory discussions at earlier meetings.⁵

Problems of the Mediterranean regions: A comprehensive Communication was adopted on the development of the Community's Mediterranean regions together with a set of proposals to the Council on Mediterranean agriculture.6

Energy policy: The Commission sent a Recommendation to the Council for the conclusion of the Euratom-Canada Agreement, which will enable supplies of Canadian uranium to be resumed.7

Lomé Convention: The Commission adopted the financing decisions for 1976 under the system for stabilizing export earnings.8

ECSC Budget: The Commission officially adopted the ECSC operational budget for 1978.9

Relations with workers' and employers' organizations

2.3.38. During December, three preliminary consultation meetings were held with the European Trade Union Confederation (ETUC).

The first considered working conditions and action which the trade union organizations can deploy in that field.

The ETUC Energy Group prepared its work programme for 1978.

The Union representatives on the Consultative Committees met in order to coordinate their action more effectively and thus present their views more cogently.

Court of Justice¹⁰

New cases

Case 146/77 — British Beef Company Limited v The Intervention Board for Agricultural Produce

2.3.39. The High Court of Justice, Queen's Bench Division, Commercial Court, submitted a reference to the Court of Justice on 2 December for a preliminary ruling¹¹ on the question whether Regulation (EEC) No 2424/76 altering the monetary compensatory amounts¹² applies to exports effected in performance of contracts concluded

т Points 2.3.107 to 2.3.110.

² Points 1.1.1 to 1.1.4.

³ Point 2.1.3.

Points 1.4.1 to 1.4.5.

Bull. EC 11-1977, point 2.3.23.

Points 1.3.1. to 1.3.5.

Point 2.2.63. Point 2.3.59.

Point 2.3.111.

For further details see the material published by the Court of Justice in the Official Journal and in the European Court Reports.

¹¹ OJ C 314 of 30.12.1977. ¹² OJ L 275 of 6.10.1976.

Court of Justice

prior to the date on which the regulation entered into force and, if so, on the grounds that provision is not made in it for transitional measures enabling persons who had entered into contracts to avoid losses caused by such alterations.

Case 147/77 — Commission v Italian Republic

2.3.40. The Commission brought an action in the Court of Justice on 6 December¹ under Article 169 of the EEC Treaty to establish that Italy has failed to fulfil its obligations under Article 5 of the EEC Treaty and under Directive 74/577/EEC on stunning of animals before slaughter.²

Case 148/77 — Firma H. Hansen jun. & O.C. Balle GmbH & Co., Flensburg v Hauptzollamt Flensburg

2.3.41. The Finanzgericht Hamburg asked the Court of Justice on 7 December to give a preliminary ruling on a series of questions.³ The Court would like to know whether, when potable spirits coming from a French overseas department are imported into Germany, the fact that a tax is imposed on them at a higher rate than the lowest rate applied to domestic production, is compatible either with Article 95 or Article 37 of the EEC Treaty.

Case 149/77 — Miss G. Defrenne, Jette v Sabena, Brussels

2.3.42. The Belgian Cour de Cassation asked the Court of Justice on 12 December for a preliminary ruling³ on the question whether the imposition of a different age limit for men and women presumed to be engaged in the same work, which may have pecuniary effects, especially as regards retirement benefits and pensions, is compatible with Community law, in particular with Article 119 of the EEC Treaty. Case 150/77 — Société Bertrand, Arnage v Société Paul Ott KG, Neustadt/Stuttgart

2.3.43. The French Cour de Cassation, acting pursuant to the Protocol⁴ concerning the interpretation by the Court of Justice of the Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters,5 asked the Court of Justice on 15 December³ for an interpretation of Article 13 of the Convention. The Court of Cassation would like to know in particular whether the sale of a machine by one company to another for a price payable in two instalments after 60 and 90 days may be regarded as a sale on deferred terms of movable property.

Case 151/77 — Fa. Peiser & Co., Kommanditgesellschaft, Norderstedt v Hauptzollamt Hamburg-Ericus

2.3.44. In the course of proceedings concerning the levying of monetary compensatory amounts on imports of biscuits and chocolate coming from the Netherlands into Germany, the Finanzgericht Hamburg asked the Court of Justice on 15 December³ for a ruling on the validity of Regulation (EEC) No 800/77 fixing such amounts.6

Case 152/77 — Commission official v Commission

2.3.45. Following Case $74/72^{7}$ in which the Court had rejected an application made with a view to securing a higher degree of invalidity than had been awarded the plaintiff by the Commission, an arbitration procedure was initiated. Since the Commission has not adopted the opin-

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- 5 OJ L 299 of 31.12.1972. 6
- OJ L 97 of 21.4.1977.

OJ C 314 of 30.12.1977. OJ L 316 of 26.11.1974. OJ C 20 of 25.1.1978. OJ L 204 of 2.8.1975.

Bull. EC 7-1973, point 2423.

ion of one of the doctors on the arbitration board, the plaintiff brought an action before the Court of Justice on 16 December to secure the award of the degree of invalidity determined by that doctor.1

Case 153/77 — Koninklijke Scholten-Honig NV, Amsterdam v (1) Council and (2) Commission

2.3.46. Following a series of references to the Court (Cases 101/76,² 103/77,³ 125/77⁴ and 143/775), an isoglucose producer instituted proceedings against the Council and the Commission on 19 December⁶ for the recovery of compensation for damage which he claims to have suffered as a result of the application of Regulations (EEC) Nos 1862/767 and 2158/768 providing for the recovery by the national authorities of production refunds for starch intended for the production of isoglucose.

Case 154/77 — Procureur du roi v Mr P. Dechmann, Noirefontaine

2.3.47. The Neufchâteau Tribunal de première instance, in the course of proceedings concerning the failure by a meat retailer to observe the consumer prices for pigmeat specified by the Belgian Ministerial Order of 27 March 1977, asked the Court of Justice on 19 December for a preliminary ruling⁶ on the compatibility of this Order with Regulation No 121/67/EEC on the common organization of the market in pigmeat,9 and with the regulations which laid down the basic price of pigmeat.

Case 155/77 — Commission v French Republic

2.3.48. The Commission brought an action before the Court of Justice on 20 December pursuant to Article 169 of the EEC Treaty to establish that France, by applying a system of minimum prices to imports of main-crop potatoes coming from other Member States, has failed to fulfil its obligations under the EEC Treaty.⁶

Court of Justice

Case 156/77 — Commission v Kingdom of Belgium

2.3.49. The Commission brought an action before the Court of Justice on 21 December⁶ to establish that Belgium, by failing to comply with Decision 76/649/EEC on aid from the Belgian Government to the Société nationale des chemins de fer belges (SNCB) for through international railway tariffs for coal and steel,10 has failed to fulfil its obligations under Article 93 of the EEC Treaty.

Case 157/77 — Commission official v Commission

2.3.50. A Commission official brought an action against the Commission on 23 December for the annulment of its decision not to appoint the plaintiff to a post as assistant translator.6

Case 158/77 — Mr J. Seidl, Regenstauf v(1) Council and (2) Commisson

2.3.51. A German poultry breeder brought an action before the Court of Justice on 23 December⁶ for compensation for the damage which he suffered because his business was considered to be of an industrial nature and was consequently ineligible for the tax advantages granted to agricultural undertakings pursuant to Regulations (EEC) No 2464/69 on measures to be taken in

- Bull. EC 10-1977, point 2.3.43.
- Bull. EC 11-1977, point 2.3.35. OJ C 24 of 28.1.1978.
- OJ L 206 of 31.7.1976.
- 8 OJ L 241 of 2.9.1976.
- OJ 117 of 19.6.1967.
- ¹⁰ OJ L 299 of 20.8.1976.

OJ C 20 of 25.1.1978. 2

Bull. EC 5-1977, point 2.3.64. Bull. EC 7/8-1977, point 2.3.66.

Court of Justice

agriculture as a result of the revaluation of the German mark.¹ This action follows another case in which the applicant discontinued proceedings since the Council and the Commission had raised the defence that the action was barred by lapse of time.²

Judgments

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Case 95/76 — Commission official v Commission

2.3.52. A retired Commission official brought an action on 30 September 1976 against the Commission to have the amount credited to his account under the temporary joint provident scheme of the institutions of the Communities at the time of the entry into force of the Staff Regulations taken into consideration for the purposes of calculating his pension rights.3

The Court rejected this action in its judgment of 15 December.⁴

Case 126/76 — Firma Gebrüder Dietz, Frankfurt/Main, v Commission

2.3.53. On 24 December 1976, a German firm which on 17 December 1971 had concluded a contract for the sale of a considerable quantity of sugar to an Italian firm brought an action before the Court of Justice for damages for the loss which it claimed to have suffered as a result of the fact that the Commission had failed to adopt transitional measures to protect sales contracts signed before 19 December 1971, the date of the conference of the Group of Ten in Washington at which it was decided to realign parities and following which Italy introduced a system of monetary compensatory amounts.5

The Court dismissed the action in its judgment of 15 December 1977.4

Case 55/77 — Mrs M.E. Reboulet, née Maris, Collonges Mont d'Or v Rijksdienst voor Werknemerspensioenen, Brussels

2.3.54. The Arbeidsrechtbank Antwerpen referred to the Court of Justice on 28 April 1977 a preliminary question concerning the precedence of Community law over national law, namely, whether Article 84(4) of Regulation (EEC) 1408/716 (social security) overrides the Belgian Law on the use of languages in legal proceedings.7

In its judgment of 6 December the Court held that this provision imposes on the authorities, institutions and courts of the Member States an obligation to accept, in an official language of another Member State, all claims or other documents relating to the application of the Regulation in question, it being prohibited to discriminate in this connection on the basis of the nationality or place of residence of the persons concerned.8

Case 59/77 — Ets A. De Bloos SPRL, Leuze v SCA Bouyer, Tomblaine

2.3.55. In an action between a Belgian firm and a French undertaking relating to the unilateral breach of a sole agency agreement, in respect of which the Court of Justice had already been requested to give a preliminary ruling on the jurisdiction ratione loci of the court before which the action had been brought (Judgment 14/76),⁹ this jurisdiction being governed by the Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters, the Mons Cour d'appel submitted a further series of questions for a preliminary ruling on substantative matters to the Court of Justice on 11 May 1977.

- OJ L 312 of 12.12.1969.
- 2 Bull. EC 11-1977, point 2.3.48.
- Bull. EC 9-1976, point 2438. OJ C 20 of 25.1.1978. 3
- 4
- Bull. EC 12-1976, point 2446. OJ L 149 of 5.7.1971.
- 7
- Bull. EC 4-1977, point 2.3.56. 8
- OJ C 314 of 30.12.1977.
- Bull. EC 10-1976, point 2460.

The defendant undertaking had called into guestion a letter from the Commission dated 28 April 1969 in which the latter stated its intention of taking no action, pursuant to Regulation $67/67^{1}$ on the application of Article 85(3) of the Treaty to certain categories of exclusive dealing agreements, in regard to the notification of the distribution agreement, in view of the fact that it did not provide for absolute territorial protection. The Mons Cour d'appel therefore requested the Court of Justice to give a ruling firstly on whether it was possible to contest the validity of a Commission Decision using the procedure in subparagraph (b) of the first paragraph of Article 177 of the EEC Treaty, even though the party contesting its validity was precluded from doing so under Article 173 of the EEC Treaty, and secondly on whether such a decision was in accordance with Community law, and whether the declaration that Article 85(1) of the EEC Treaty was inapplicable remained effective after 31 December 1972, the final date laid down under Regulation $67/67.^2$

In its judgment of 14 December the Court held that during the period between the notification of an agreement and the date on which the Commission takes a decision, the courts before which a dispute is brought relating to an old agreement duly notified or exempted from notification must give such an agreement the legal effects attributed thereto under the law applicable to the contract; those effects may not be called into question by any objection which may be raised concerning its compatibility with Article 85(1) of the EEC Treaty.³

Case 60/77 - Fritz Fuss KG, Elektrotechnische Fabrik, Albstadt-Ebingen v Oberfinanzdirektion München

2.3.56. The Bundesfinanzhof requested the Court of Justice on 12 May 1977 to give a preliminary ruling relating to the tariff classification in respect of electrical components which, when assembled, make up audible or visual electric warning systems.⁴

Court of Justice

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In its judgment of 15 December the Court classified these products under heading No 85.17 of the Common Customs Tariff.³

Case 62/77 --- Carlsen Verlag, GmbH, Reinbek v Oberfinanzdirektion Köln

2.3.57. The Bundesfinanzhof requested the Court of Justice on 17 May 1977 to give a preliminary ruling on the tariff classification of children's books.⁴

In its judgment of 8 December the Court held that heading No 49.03 and Note 5 to Chapter 49 of the Common Customs Tariff must be interpreted as referring to children's picture books bound otherwise than in paper in which the pictures take up almost the whole page and constitute the essential means by which the meaning is conveyed whilst the short captions serve merely a simple explanatory purpose.³

Case 63/77 — Firma Ludwig Poppe, Wedel bei Hamburg v Oberfinanzdirektion Köln

2.3.58. The Bundesfinanzhof requested the Court of Justice on 17 May 1977 to give a preliminary ruling on the tariff classification of stencils (flimsy paper and carbon paper bound together).6

In its judgment given on 15 December the Court held that this product must be classified under heading No 48.18 as 'other stationery of paper'.³

Case 66/77 — Mr Petrus Kuyken, Hasselt v Rijksdienst voor Arbeidsvoorziening, Brussels

2.3.59. The Arbeidsrechtbank of Hasselt, in an action relating to the right to unemployment ben-

¹ 2

OJ 57 of 25.3.1967. Bull. EC 5-1977, point 2.3.50. 3

OJ C 20 of 25.1.1978. 4

Bull. EC 5-1977, point 2.3.51. 5

Bull. EC 5-1977, point 2.3.53. Bull. EC 5-1977, point 2.3.54.

Court of Justice

Court of Justice

efit of a Belgian student who had pursued his studies in the Netherlands and who did not therefore meet the time-limit requirements laid down in Article 124 of the Belgian Royal Decree of 20 December 1963¹ relating to employment and unemployment, asked the Court of Justice on 31 May 1977 whether the provisions of that Article were compatible with Community law.²

In its judgment given on 1 December, the Court held that, for the purposes of the entitlement to unemployment benefit of former students who have never been in employment, neither the Treaty establishing the EEC nor the provisions of Regulation (EEC) No 1408/71 of the Council relating to unemployment require a competent institution in a Member State to treat studies completed in another Member State as though they had been completed in an establishment instituted, recognized or subsidized by the competent State.3

Case 73/77 - T.E. Sanders, Arnhem, v R. van der Putte, Noordwijkerhout

2.3.60. In an action between a Dutch lessee of a commercial property situated in Germany and the lessor, also Dutch, who himself leases the shop from a third party, in connection with the terms of the leasing contract for the business, the Hoge Raad der Nederlanden asked the Court of Justice on 15 June 1977 for a preliminary ruling on, amongst other things, the interpretation of the concept of 'leasing of real property' in Article 16(1) of the Convention on Jurisdiction and the Enforcement of Judgments in Civil and Commercial Matters,⁴ and on whether the exclusive jurisdiction of the courts of the State in which the real property is situated applies to the various points of this contract, namely the leasing of the business, the rent for the shop and payment of an indemnity for the commercial property.5

In its judgment given on 14 December the Court held that this concept must not be interpreted as including an agreement to rent under a usufructuary lease a retail business (verpachting van een

winkelbedrijf) carried on in immovable property rented from a third person by the lessor, and that a dispute as to the existence of the agreement which forms the subject of the action does not affect the reply given as regards the applicability of Article 16 of the Convention.⁶

Case 76/77 — Auditeur du travail, Charleroi, v Bernard Dufour, Creyf's Interim & Creyf's International

2.3.61. Criminal proceedings against a hirer-out of labour and a firm which had hired from him the services of a driver had been brought before the Tribunal du travail in Charleroi. The individual control book required under Regulation (EEC) No 543/69⁷ had not been issued to the driver, and in order to establish who is responsible for issuing it, the Tribunal asked the Court of Justice on 30 June 1977 for a number of preliminary rulings on the interpretation of the word 'undertaking' in the said Regulation.⁸

In its judgment of 15 December, the Court held that it is the duty of the transport undertaking to ensure that the provisions of Article 14(7) and (8) of Regulation (EEC) No 543/69 are observed. The position would be different only if national legislation adopted in pursuance of Article 14(9) of the Regulation in the special case of hiring of labour were to impose that duty on the undertaking providing the temporary labour.⁶

- Bull. EC 6-1977, point 2.3.49. 6
- OJ C 20 of 25.1.1978. OJ L 77 of 29.3.1969. 7
- Bull. EC 6-1977, point 2.3.52.

Moniteur belge 506 of 18.1.1964. Bull. EC 5-1977, point 2.3.57.

² 3

OJ C 314 of 30.12.1977. 4

OJ L 299 of 31.12.1972. 5

Court of Auditors

Responsibilities of Members

2.3.62. The Court of Auditors has divided responsibilities between its Members as follows:

Mr Murphy, President

• External organizations:

European Schools

Business Cooperation Centre

Institute for Economic Analysis and Research

Euratom Supply Agency

Subsidies to institutions of higher education

Subsidies to European movements

Centre for the Development of Vocational Training

Foundation for the Improvement of Living and Working Conditions

• Regulations and internal and external procedures

Sir Norman Price

• Own resources:

Levies, premiums, supplementary or compensatory amounts within the framework of the common agricultural policy

Levies and other duties in the sugar sector Customs duties and other duties

VAT

• Annual report and presentation of Opinions of the Court; follow-up of the observations of the Court

Mr Lelong

- EAGGF Guarantee
- Work programme of the Court

Mr Angioi

- EAGGF Guidance
- Regional Fund

• Studies, documentation and Legal Service of the Court

Mr Gaudy

- Social Fund
- ECSC
- Accounting and budget of the Court

Mr Mart

- European Development Fund
- Aid to non-member countries
- Food aid
- Relations with the other institutions
- Public relations

Mr Johansen

• Operational expenditure (buildings, equipment and miscellaneous)

- Publications Office
- Statistical Office
- Information Offices
- European Export Bank
- · Liaison with national audit bodies

Mr Leicht

- Staff expenditure
- Energy
- Administration of the Court (staff, buildings, accommodation, supplies and repairs)

Mr Middelhoek

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- Research and investment expenditure
- Ex-budget accounts
- Working methods and training.

Opinions on the Financial Regulation

2.3.63. On 2 December, the Court of Auditors delivered an Opinion on the articles of the draft Financial Regulation relating to audit.

In March 1978, the Court will give a supplementary Opinion on the entire Financial Regulation; this will be taken into consideration should any amendments be made to the Financial Regulation.

Economic and Social Committee

154th plenary session

2.3.64. The 154th plenary session of the Economic and Social Committee was held in Brussels on 14 and 15 December with Mr de Ferranti, the Chairman, in the chair.

Opinions

Changes in the common organization of the market in beef and veal

2.3.65. In its Opinion, adopted by 50 votes to 19 with 15 abstentions, the Economic and Social

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Committee broadly approves the Commission's planned changes in the beef and veal sector.

However, when final proposals are submitted, the Commission should supply more information concerning the slaughter grant, the variable grant and the intervention system.

The Committee notes that the Commission does not intend to make substantial changes to its policy on trade with non-member countries. It requested that farmers no longer be asked to bear more than their fair share of the consequences of the relevant agreements.

The Committee also holds that an overall review of the changes to the common organization of the market in beef and veal should include the following matters:

(i) ways of ensuring that supplies reach consumers at reasonable prices;

(ii) improvements to the marketing system;

(iii) harmonization of national laws on veterinary matters and on feedingstuffs;

(iv) the establishment of marketing standards for processed products.

Exchange rates for agriculture

2.3.66. The Committee adopted this Opinion by a large majority with only one vote against. It felt that procedures should be made more flexible in order to increase the effectiveness of the EAGGF.

It was also held that any changes in the procedures should not be harmful to the recipients of aid, especially in those Member States with weaker currencies.

Use of additives in foodstuffs

2.3.67. In three Opinions, the first of which (colouring agents) was adopted by 58 votes with 13 abstentions and the other two (antioxidants and preservatives) unanimously, the Committee partially endorsed the Commission's proposals. It emphasized that it was desirable not to add to the possible uses of additives which the Scientific Committee for Food had not yet definitely cleared. It was expected that the toxicology studies would be finished in 1978. The Committee thought, however, that the temporary derogations allowing certain Member States to authorize the use of these colouring agents, could be continued.

The authorizations for the use of additives laid down in the three directives were accepted by the Committee subject to the favourable opinion of the Scientific Committee for Food. It insisted that the application of these additives should be clearly defined, especially when the acceptable daily intake is very low.

It insisted that, as in the case of diphenyl, consumers should be adequately informed, especially, for example, when the pesticide ethoxyquin was applied to harvested apples and pears.

Food quality

2.3.68. In an Opinion adopted unanimously the Committee welcomes the fact that the Community recognizes the usefulness of the proposed research, both from the point of view of developing the food-processing industry and from the point of view of improving the quality of food.

It notes that as part of an alignment within the Community, it may be necessary to amend Member States' food legislation so as to enable research findings to be put into effect.

Recycling of paper and board

2.3.69. In this Opinion, which was adopted unanimously, the Committee notes that the proposed research programme is part of the policy being worked out by the Commission for the bet-

ter use of raw materials. The objectives of the policy are not only to make better use of raw materials, but also to reduce water and energy consumption.

The Committee urges in particular that the use of waste paper should not be unduly constrained by national standards.

It emphasizes the importance of the following secondary action if th programme is to be achieved:

(i) central and local authorities should be made more aware of the need to collect waste paper and should encourage people to keep it separately from other rubbish;

(ii) reafforestation should be studied in the wider context of general land usage;

(iii) the Community should encourage a constant interchange of information on how to improve the recovery rate of waste paper;

(iv) there should be an investigation into why more use is not made of waste paper.

Urban concentrations

2.3.70. In this Opinion, which was adopted unanimously, the Committee welcomes the proposed combined research on the growth of large urban concentrations.

It is aware that the responsibility for programmes to tackle the problems of the large number of urban concentrations, the character of which is often many-sided, rests with the Member State Governments and the local and regional authorities. Coordination and exchange of information is of great importance to the Member States. This is a task for the Community institutions. The Community must use its position to stimulate action based on a sense of urgency.

An investigation should be carried out into the ways and means of reinforcing the Regional Fund and the Social Fund to assist in attaining this objective.

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ECSC Consultative Committee

The Committee recommends that the Decision should contain provision for bringing together the results of these studies on urban growth and making the information available to the Member States.

ECSC Consultative Committee

188th meeting

2.3.71. The ECSC Consultative Committee held its 188th meeting in Luxembourg on 9 December; the meeting was chaired by Mr Ackermann, the Committee Chairman and was attended by Mr Davignon, Member of the Commission.

Steel

2.3.72. On behalf of the Commission, Mr Davignon made a statement on the steel crisis. With demand very low and a dearth of investments, the crisis had forced Community prices down to a level below that of the leading foreign industries. Emphasizing that financial assistance could never be more than a hazardous palliative, Mr Davignon stressed that it was absolutely necessary to maintain internal solidarity and ensure that the Council endorsed this on 19 December, otherwise the common steel market would be in peril.

The main objective was still to reorganize production and the effort must be intensified in 1978 so that Community steel could again be competitive on world markets. But this would necessitate additional Community resources in order to deal with the social problems which arise.

In reply to Mr Davignon's statement, the coal industry representatives (Mr Peeters and Mr Gardent) and the steel men called for more forceful action by the Commission in respect of coal and regretted that the Commission had not reacted more vigorously at the outset of the steel crisis.

Mr Ferry contended that, failing application of Article 58 of the ECSC Treaty (manifest crisis), equally, if not more, effective measures should be applied. He congratulated the Commission on having acted on prices and considered that a 15% increase, as contemplated by the Commission, was a reasonable target. Mr Ferry pointed out, however, that if production was to be adjusted to demand, there had to be some way of monitoring all imports. He urged that from January onwards a general and automatic system be put into operation with the aim of preventing steel products being imported at prices distinctly below the guide price, no matter where they came from. On the matter of subsidies, he said that no real solution to the crisis would be found unless aid schemes were very extensively harmonized.

Mr Capanna, supported by Mr Portanova, complimented the Commission for what it had done but drew attention to the disruption of the market caused by sales of seconds and items from stock.

For the workers, Mr Doyen and Mr Judith demonstrated that discipline on prices and imports was inadequate and that the measures must be tightened. The workers could not accept any reorganization which meant a further loss of jobs. They stated that reorganization and industrial conversion in the regions involved must be meticulously synchronized.

2.3.73. In his report on the forward steel programme, Mr Terrel emphasized the tenuity of the assumptions concerning domestic consumption and the danger that imports would be higher than forecast whilst exports were threatened (particularly those to the United States as a result of the measures laid down by the US Administration).

Budgetary matters

2.3.74. In a unanimously adopted Opinion, the Committee conveyed its approval to the Commission for presenting to the Council a draft Decision requiring the Member States in 1978 to pay 32 million EUA to the ECSC budget so that the necessary funds would be available for restructuring the steel industry. On this point, the Committee proposed to allocate to the ECSC budget the revenue accruing from the Community action which the Committee was hoping for in respect of imports at abnormally low prices.

Coal

2.3.75. In an introductory statement, the Commission representative pointed out that the Commission felt that the coal production target adopted by the Member States was inadequate. It should be raised, although this would mean that imports would increase.

Mr Gardent and Mr Peeters drew the Commission's attention to the permanent crisis besetting the coal industry and the need to apply the same principles of solidarity for coal was were desired for steel. Mr Gardent made the point that Europe being a net importer of coal as the United States was a net importer of steel, Europe should apply the American steel policy to coal.

In conclusion, the Committee felt that it ought to hold a more comprehensive debate on energy and coal.

189th meeting

2.3.76. The Consultative Committee assembled for a special meeting in Luxembourg on 28 December. The meeting was chaired by Mr Ackermann, the Committee Chairman and was attended by Mr Davignon, Member of the Commission. The meeting considered four draft Decisions concerning:

(i) the fixing of minimum prices for certain steel products;

(ii) the requirement that steel companies issue certificates of conformity for certain steel products;

(iii) compliance with the rules on prices by steel stockholders;

(iv) a ban on alignment on offers of steel products and pig iron from certain non-member countries.

The Committee threw its full support behind the crisis measures which the Commission intends to apply from 1 January 1978 to remedy the problems in the steel industry; the Commission's arrangements were approved by 59 votes for, 3 against and 5 abstentions.

2.3.77. In his introductory statement, Mr Davignon dwelt on the crucial value of the measures on prices: an increase in guide prices, extension of minimum prices to cover merchant bars and wide hot-rolled strip (a differentiation of these prices), introduction of certificates of conformity for products sold by companies and the obligation for stockholders to adhere to the established prices.

On the external front, Mr Davignon said that the measures were designed to maintain a balance in the patterns of trade in steel products on the world market, including the Community.

With this in mind, the Commission attached utmost importance to the conclusion of bilateral agreements with the chief exporting countries of steel products to the Community and envisaged the possibility of banning alignment on offers from countries with which agreements had been made.

To avoid upheavals on the Community market as a result of imports at abnormally low prices, the Commission had decided to tighten and speed up the anti-dumping procedure by means of emergency and temporary arrangements in line with the rules of GATT and resting on a base price.

2.3.78. In the debate, nearly twenty speakers took the floor to state their case. The representatives of the users and processors pleaded for an understanding of the problems which an increase in domestic prices meant for them and of the competition they would face from their counterpart, in non-member countries who could obtain Community steel at lower prices.

Except for the CGT delegate, the workers' representatives supported the Commission's measures but pointed out that their acceptance still hinged on the synchronization of economic and social measures. Lastly, the producers' representatives applauded Mr Davignon and the Commission for the courage and determination which these decisions implied.

2.3.79. Mr Davignon accepted the proposal by the users to take stock of the steel market situation at certain intervals so as to be able to eliminate any problems which arose.

Mr Davignon assured the workers' representatives that if budget funds for social purposes proved inadequate, he would endeavour to secure the agreement of the Commission and the Council for a supplementary budget.

European Investment Bank

Loans raised

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2.3.80. The European Investment Bank has issued a $\pounds 25$ million Eurosterling bond issue with option of payment in dollars.

The issue was underwritten by an international syndicate of banks.

Carrying a coupon of 9¼%, payable annually on 15 December, the bonds have a life of fifteen

Bull. EC 12-1977

years and were offered for public subscription at an issue price of 99%%; the yield is therefore 9.78%.

The issue is redeemable at par at term on 15 December 1992.

A Purchase Fund will operate during the first ten years, should the price of bonds drop below par, to buy back bonds to a nominal value of $\pounds 250\ 000\ each$ quarter, i.e. 4% of the initial amount per year. If the Purchase Fund were to be used completely, the average duration of the loan would be reduced to about eleven years.

Advance redemption will be possible only from 15 December 1987 onwards, at declining premiums.

Application has been made to list the bonds on the Luxembourg stock exchange.

The Bank has also signed a contract for the issue of \$50 million of seven-year notes. The loan, which is to be placed with investors in the Middle-East countries, was underwritten by a syndicate of Middle-East banks. The notes carry a coupon of 8.25%, payable annually, and were offered to the public at par. The issue is redeemable at par at term on 10 January 1985. The Bank may, however, redeem all or some of the notes in advance on 10 January 1983 at 101% and on 10 January 1984 at 100½%. Application has been made to list the issue on the Luxembourg stock exchange.

Loans granted

Exchange risk guarantee

2.3.81. The Bank and the UK Government have agreed on exchange risk guarantee mechanisms.

For an annual charge of 1% the Government guarantees EIB loans granted in the United Kingdom against the effects of exchange rate fluctuations. The guarantee will be accorded after a close examination of each case.

These facilities are in answer to a request made last March by the European Council for the Bank to seek ways of stepping up its operations to counter the Community's economic problems, especially unemployment.

The Board of Governors found that one way of facilitating the Bank's operations would be for Member States to introduce or extend guarantees, notably against exchange risks.

Denmark

2.3.82. A loan equivalent to DKr 50 million (7.1 million EUA) has been granted to the Danish Government (Ministry of Finance) for fifteen years at 8.4% to help to finance construction of an airport at Godthaab, Greenland.

The runway will be 950 m long and there will be equipment enabling aircraft to land in poor visibility, allowing the airport to function for about 85% of the year despite Greenland's severe climate. Construction is expected to cost about Dkr 100 million and the airport should come into operation in 1980.

The project forms part of a plan evolved by a Ministry of Greenland special committee set up to find ways of overcoming problems of internal communications.

With a rugged surface area almost four times the size of France, five-sixths covered by ice, the island possesses no medium or long-distance overland transport system.

Under the new plan STOL (short take-off and landing) aircraft will be used for regular air services between main towns; helicopters will be used for links with secondary towns.

In fact the finance granted by the EIB in Greenland (DKr 139.2 million since 1973) is, on a per capita basis, thirteen times the average for the whole Community, a recognition by the Bank of the particular problems in this large, remote part of the Community.

France

2.3.83. The Bank has granted Société Lorraine de Laminage Continu (Sollac) a loan for the equivalent of FF 110 million (19.6 million EUA). The loan is for fifteen years with interest payable of 9.7%.

It will go towards financing the first stage of a programme to modernize the steelworks at Serémange (Moselle). This stage will cost an estimated FF 630 million.

Sollac operates a complex of works in Lorraine, comprising a coking plant, blast furnaces, a steelworks and strip mills. These installations complement one another and are partly integrated with those of Sacilor (Aciéries et Laminoirs de Lorraine) its main shareholder, which produces sheet and strip, and Dillinger Hüttenwerke AG, its Saarland shareholder, which produces plate.

The Sacilor-Sollac group is currently engaged in a programme to modernize and restructure its production plant to put it on a better footing to cope with the difficult conditions affecting the iron and steel industry throughout the world and to improve its profitability by replacing ageing plant with modern installations.

This programme will have the effect of securing a large number of the jobs in the Lorraine iron and steelworks which have been badly hit by the recession in the sector. It forms part of an overall plan to restructure the French iron and steel industry which has already received substantial financial aid from the French Government and the ECSC.

2.3.84. A loan for the equivalent of FF 15 million (2.7 million EUA) has been granted by the EIB for financing installations at Fos sur Mer, near Marseilles, to combat oil pollution in the Mediterranean.

Recent international agreements on sea pollution have designated the Mediterranean a special zone in which tankers will no longer be allowed to discharge polluted water. The new installations at Fos sur Mer, costing a total of some FF 125 million, will permit the cleaning of tankers.

The facilities comprise plant for treating ballast water from oil tankers and rinsing out their tanks together with a quay to receive vessels of up to 450 000 dwt.

The funds have been made available to Port Autonome de Marseille for twelve years with interest payable at 9%.

2.3.85. The Bank has granted a loan for the equivalent of FF 334.5 million (60 million EUA) for the modernization and extension of the international telecommunications system in France.

The funds are for a project which should achieve an increase of about 55% in the number of international and intra-Community telephone links in France. The new installations will make automatic dialling available for all international calls. The scheme will also increase the number of international telex circuits by about 30%.

Overall, the cost of the project has been estimated at around FF 1 130 million, more than half of which relates to equipment to be used wholly or mainly for communications with other Community countries.

The loan from the Bank is for fifteen years at an interest rate of 9.35%. This goes in the first instance to the Caisse Nationale des Telecommunications in Paris, which will pass on the funds to the Administration des Postes et Telecommunications---PTT.

Ireland

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2.3.86. The Bank has granted a new loan for development of the Irish telecommunications

system. The loan is for the equivalent of $\pounds 17$ million (26 million EUA) for a period of twenty years at an interest rate of 9.6%.

It will go towards financing the construction of five new telephone exchanges and the modernization and extension of fifty others under a fiveyear (1973-78) expansion programme for the country's telecommunications service being carried out by the Department of Posts and Telegraphs.

Italy

2.3.87. A loan for the equivalent of Lit 30 000 million, (29.75 million EUA) has been granted to the Cassa per il Mezzogiorno in support of the various works designed to exploit the waters of the Sinni River in Basilicata. It is for twelve years at 8.05%.

This scheme forms part of the Cassa's Special Project No 14, the purpose of which is to relieve the chronic problem of inadequate water supplies that inhibits agriculture and stands in the way of industrial development in Basilicata and Apulia.

The loan will be used to finance construction of a dam and 450 million m³ reservoir at Monte Cotugno, Basilicata and an aqueduct leading from it to Ginosa in Apulia.

2.3.88. Construction of the first section of the Palermo by-pass in Sicily has received support in the shape of a loan for the equivalent of Lit 7 800 million (7.73 million EUA) made to the Cassa on the same terms.

The existing road cannot accommodate the increasing volume of through traffic in Palermo: vehicle movements will be eased considerably once there is a new expressway linking the motorways to the east and the west of the city. Costed at Lit 15 600 million, this first section of the by-pass is intended primarily to improve links between the city and its industrial quarters and facilitate access to the airport at Punta Raisi. 2.3.89. Also in the transport sector, the EIB has advanced the equivalent of Lit 7 000 million (6.94 million EUA) to the Cassa for a series of works to improve container-handling operations in the Port of Naples. This loan is likewise for twelve years at 8.05%.

This redevelopment scheme is needed to cope with the ever-increasing volume of containerized cargo passing through Naples. The project falls into a number of phases, and it is the first of these, involving fixed investments of the order of Lit 15 000 million, that is being financed by the Bank.

2.3.90. For the construction of a training centre at Aquila, Abruzzi, for telecommunications engineers, the Bank has granted the equivalent of Lit 2 500 million (2.48 million EUA) to IMI—Istituto Mobiliare Italiano—in the form of a tenyear loan carrying interest at 7.85%.

The proceeds of this loan are to be on-lent to SIP—Società Italiana per l'Esercizio Telefonico pA, which is investing a total of some Lit 10 000 million in the school. The centre will provide facilities for keeping technicians fully abreast of the latest developments in telecommunications technology.

2.3.91. The EIB has lent Lit 25 000 million (24.72 million EUA) to the Fiat group for the construction of a plant in the Ufita Valley (Avellino in Campania) to manufacture and assemble coachwork for buses.

This is a twelve-year loan interest charged at 8.05%, granted to IMI for crediting to Fiat Veicoli Industriali SpA.

The plant, with fixed assets totalling around Lit 50 000 million, will have a capacity of eighteen buses a day, using chassis from a Fiat plant in Turin. It will replace an existing coachwork plant in Novara, which will be refitted for production of other, mainly precision engineering items. The project involves the creation of 1 300 jobs, rising gradually to 2 000, which should make a solid contribution to the easing of Campania's unemployment problems.

2.3.92. Lit 7 500 million (7.44 million EUA) has been loaned to IMI for ten years at 7.85% for onlending to Fiat Carrelli Elevatori SpA, to help it expand a fork-lift truck plant at Bari in Apulia.

This project calls for Lit 17 000 million of fixed investments and will raise capacity from 5 000 to 7 500 trucks per annum. It comes under a programmed concentration of Fiat lift truck production at Bari, one result of which will be to increase the workforce by 280.

2.3.93. In support of small and medium-scale industrial ventures in Sardinia, the EIB has granted the Cassa per il Mezzogiorno a global loan for the equivalent of Lit 7 000 million (6.94 million EUA) for twelve years for crediting to CIS—Credito Industiale Sardo.

2.3.94. A loan of Lit 8 000 million (7.93 million EUA) has been made to ENI—Ente Nazionale Idrocarburi for eight years at 8.75%.

The funds will be used to increase the capacity of three plants—at Florence, Massa and Talamona—belonging to ENI's Nuovo Pignone gas transmission equipment and nuclear engineering subsidiary.

Fixed investments in this case total Lit 17 000 million. The project offers substantial Community benefits in that it will enhance the role and advance the technology of a European venture in a field closely involved in the Community's efforts to improve its energy supplies.

United Kingdom

2.3.95. The equivalent of $\pounds 20$ million (30.6 million EUA) has been made available by the EIB to help to finance small and medium-scale indus-

trial ventures in the assisted areas of the United Kingdom, in a new scheme agreed upon between the Bank and the Government.

A contract of mandate has been signed between the Bank and the Secretary of State for Industry, the Secretaries of State for Scotland and Wales and the Department of Commerce in Northern Ireland under which they will act as agents of the EIB in providing loans in the areas for which they are responsible.

Priority will be given to projects carried out by small and medium-sized companies which will create or safeguard employment in special development areas and development areas.

Loans will be for amounts between $\$30\,000$ and \$2.6 million and may cover up to 50% of the fixed asset costs involved in a project. The term will be seven years; after two years deferment, repayment will be by equal six-monthly instalments of capital and interest. The interest rate will be 7.5%.

Though the loans will be disbursed in foreign currency, the Government will safeguard borrowers from the effects of any fluctuations in exchange rates; it will also provide the EIB with the necessary security, in the form of a guarantee for each loan. The Government will make a charge of 1% p.a.

2.3.96. The Bank has granted a loan of $\pounds 19.8$ million (30.3 million EUA) for fifteen years at 8.6% to the National Water Council; the funds will be passed on to the Northumbrian Water Authority as further fresh water supplies in NE England.

This scheme involves the construction of a dam and reservoir with about 200 million m³ storage capacity at Kielder on the North Tyne and a system of tunnels and pipelines which will be used to regulate the flow of the Tyne, Wear and Tees.

2.3.97. \pounds 11.9 million (18.2 million EUA) has been granted to the British Steel Corporation in

two loans, each for twelve years at an interest rate of 8.6%.

The larger of the loans (\pounds 8 million) will cover about half the cost of a third iron ore unloader at Redcar, part of the BSC South Teesside steelmaking complex, one of five major, modern and fully integrated centres being developed by the Corporation.

The second loan (\pounds 3.9 million) will again cover about half the cost of modernizing Templetown Brickworks at Consett in County Durham, BSC's only producer of carbonizing silica bricks, used in coke ovens.

2.3.98. \pounds 7.2 million (11 million EUA) has been lent to help to finance service depots for British Rail's 200 km/h high speed trains which will be introduced in 1978/79 on the East Coast (London – York – Edinburgh – Aberdeen) main line. The loan has been granted to the British Railways Board for a term of fifteen years at an interest rate of 8.45%.

The diesel-powered HST will cut an hour off the London-Edinburgh journey and almost 1 hour 50 minutes off the London-Aberdeen time.

The EIB loan will cover half the cost of four special servicing/cleaning depots to be set up in Aberdeen, Edinburgh, Newcastle and Leeds, which together will provide some 260 jobs.

2.3.99. A loan totalling the equivalent of \pounds 52.3 million (80 million EUA) has been granted by the EIB to the Electricity Council (London); the term is fifteen years and the interest rate \$.65%.

The loan will help to meet the construction cost of a nuclear power station at Heysham, Near Lancaster.

This plant should begin to come on stream early in 1980 at an estimated final cost of around £360 million, including initial fuel charge. It is being equipped with two advanced gas-cooled reactors designed for a net rated output of about 1 250 MW.

Portugal

2.3.100. The 150 million EUA 'emergency aid' offered to Portugal by the Community in the form of long-term loans from the European Investment Bank has now been completed with the granting of a loan to aid small- and medium-scale industrial ventures.

All the finance has come from the EIB's own resources and each of the loans granted (nine in total) has received a 3% interest rebate paid directly from the Community budget.

Of the 150 million EUA, 79 million (53%) has gone to infrastructure investment, in the form of increased power supplies and port development; 44 million EUA (29%) has been provided for industry, and 27 million EUA (18%) has gone to irrigation and expansion of agricultural production.

A further 200 million EUA in EIB long-term loans between 1978 and 1982 is provided for under a financial Protocol between the EEC and Portugal, signed in September 1976. Ratification of the Protocol by the Member States of the EEC is under way. Loans up to 150 million EUA may be provided with a 3% interest rebate paid from the Community budget.

2.3.101. The Bank has granted a global loan to Banco de Fomento Nacional (BFN), the Portuguese national development bank. The 9 million EUA will be used for the financing of small and medium-sized industrial and, possibly, tourism ventures selected in agreement with the EIB. The loan is for ten years, at a net interest rate of 5.9%, after deduction of the 3% rebate.

Set up in 1959, BFN is one of the main sources of medium- and long-term financing in Portugal and the most important one for the manufacturing sector. Its activity is an essential element for the implementation of the Government's policies to encourage industrial development and an active and well-defined role for the private sector, together with State-owned industry.

Cameroon

2.3.102. Under the terms of the Lomé Convention, the European Investment Bank has granted a loan from its own resources for the equivalent of 2 million EUA (CFAF 560 million) to help to finance extension of a cement works and clinker grinding plant in the United Republic of Cameroon.

The funds have been made available to Cimenteries du Cameroun (CIMENCAM) for ten years, with interest payable at 5% per annum after taking account of the interest subsidy drawn from the European Development Fund.

CIMENCAM's main shareholders are Société Nationale d'Investissement du Cameroun (SNI) and Cementerie del Tirreno (CEMENTIR), a member of the Italian FINSIDER group.

The project, with a total cost of around 9 million EUA, is intended to boost annual output from the Figuil cement works, North Cameroon, from 50 000 to 70 000 tonnes and production at the Bonaberi clinker grinding works, Douala, from 300 000 to 480 000 tonnes. The venture constitutes one of the priority objectives of Cameroon's fourth Five Year Economic Development Plan (1976-81).

This capacity should cover the projected rise in cement demand in both Cameroon and neighbouring Chad which receives the bulk of its supplies from the Figuil works.

Finance for the project is also being provided by the Caisse Centrale de Coopération Economique, Paris.

Ivory Coast

2.3.103. Under the Lomé Convention, the Bank has granted a loan of 11 million EUA (CFAF

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3 080 million) to help to finance improvements in the country's electricity supplies, in particular to Abidjan, the capital; it has been granted to EECI (Energie Electrique de Côte-d'Ivoire) for fifteen years at an interest rate of 5.4% after deduction of a 3% subsidy drawn from the resources of the European Development Fund.

EECI, over 75% State-controlled, is to build an electricity dispatching and operations control centre at Abidjan to handle energy from all its hydroelectric and thermal power stations. A high voltage line is also to be erected, to bring increasing volumes of hydro power to Abidjan, which accounts for two-thirds of the country's demand for energy.

At an estimated cost of 24 million EUA, this project is a key feature of the EECI investment programme, which implements the Ivory Coast Government decision to exploit to the full the country's hydroelectric potential by building three new hydro power stations and extending the grid to all parts of the country.

2.3.104. Assistance totalling 1 690 000 EUA (CFAF 473.2 million) has been provided to help finance the construction of a dessicated coconut factory, to be built by the Société ivoirienne de coco râpé (SICOR), a semi-public concern under the majority control of the State company, Sodepalm.

This plant will have an annual capacity of 7 500 tonnes and will supply the European market. It is to be constructed at a cost of about 6 million EUA at Jacqueville (75 km west of Abidjan), where there are some 10 000 hectares of coconut plantations; about 260 jobs will be created.

The finance takes two forms: a 1 440 000 EUA loan to SICOR for thirteen years at 5.15% (after deduction of the interest subsidy) and the acquisition of a holding in the company's capital on behalf of the EEC. This equity participation is worth about 250 000 EUA and has been funded out of resources reserved under the Lomé Con-

vention for risk capital operations, managed by the EIB.

Rwanda

2.3.105. Under the terms of the Lomé Convention the Bank has granted a subordinated loan—repayable only after settlement of priorranking loans—for 3 million EUA (31.8 million Rwanda francs) to contribute towards meeting the cost of building a tin foundry in Rwanda which forms part of a programme for stepping up the country's output of tin and tungsten ore.

The loan has been made to Société des Mines du Rwanda (Somirwa), whose shareholders are the Republic of Rwanda and the Belgian company Geomines; the term is fifteen years with interest payable at 2% per annum until the end of 1981 and 6% thereafter.

The finance is provided from the amount set aside under the Lomé Convention for risk capital operations, managed by the Bank.

The foundry will be constructed near Kigali and will process tin ore (cassiterite) at present exported as concentrate; annual cassiterite production from Somirwa mines will be raised from 2 200 to 2 500 tonnes and tungsten ore (wolfram) output from 825 to 1 080 tonnes.

The project, with a total cost of 10 million EUA, is one of the priority objectives set by the Rwanda Government's industrialization policy.

Implementation of the venture will make a substantial contribution towards diversifying Rwanda production and increasing its export and budgetary revenue.

Tanzania

2.3.106. Under the Lomé Convention the Bank is providing 4.9 million EUA (46.5 million Tanzania shillings) towards the cost of establishing a canvas mill at Morogoro, 180 km west of Dar-es-Salaam in Tanzania.

The funds will enable the National Development Corporation, which will wholly own the mill, to finance 40% of its equity contribution, the remainder coming from its own resources. The State-owned NDC is the country's foremost industrial holding corporation with majority interests in more than twenty enterprises.

When in full production, expected in 1983, the mill, which forms part of an integrated industrial estate, will produce about 8.8 million m^2 of canvas per year and will provide some 770 jobs. Over half the canvas will be used locally to manufacture shoes (mainly at another factory on the estate), tyre cord and made-up goods mostly for the home market; the rest will be exported as loomstate or dyed and finished fabric.

The finance is provided in the form of a conditional loan at an interest rate of 2% drawn from resources set aside under the Lomé Convention for various types of risk capital operations to be handled by the EIB; the term of the loan is twenty years, with provision for earlier repayment linked to the profitability of the mill. Other Community finance is also being provided from the resources of the European Development Fund.

Financing Community activities

Budgets

General budget for 1978

2.3.107. Following the meeting of the European Council in Brussels on 5 and 6 December, the Council continued its second reading of the draft budget on 7 December during which it altered Parliament's amendment concerning the Regional Fund and the proposed modification concerning food aid. For the Regional Fund it allocated 580 million EUA in appropriations for commitment and 460 million EUA in appropriations for payment in the draft budget. On food aid, 76.05 million EUA in non-differentiated appropriations was entered for the 1978 Skimmed-milk Powder Programme (equivalent to 150 000 tonnes).

2.3.108. On 15 December Parliament gave its second reading to the draft general budget for 1978. Its decisions produced increases of 81.9 million EUA in commitment appropriations and 98.9 million EUA in payment appropriations. The increases were mainly for the following items: staff (ninety-five additional posts: 1.8 million EUA), research, energy, industry and transport (57.8 million EUA in commitment appropriations and 18.8 million EUA in payment appropriations, Regional Fund (1 million EUA commitment appropriations and 65 million EUA in payment appropriations); cooperation with developing countries (16 million EUA in commitment appropriations and 8 million EUA in payment appropriations), disasters (5 million EUA) and miscellaneous (0.3 million EUA).

The decisions taken throughout the budgetary procedure have, as far as non-compulsory expenditure is concerned, produced a rate of increase in expenditure over 1977 which exceeds the maximum rate calculated in accordance with the provisions of the Treaties.¹ Having obtained implicit Parliamentary approval on 15 December the new rate received the Council's assent on 19 December² so that the President of the Parliament was able to announce on 21 December that the budget had been finally adopted.³

The 1978 budget is for the first time expressed in European units of account (EUA).⁴

Bull. EC 4-1977, point 2.3.78.

² Point 2.3.35.

Point 2.3.8.

⁴ At 15 December 1 EUA = Bfrs 40.52, DM 2.58, Fl 2.78, \$ 0.648, Dkr 7.13, FF 5.75, Lit 1050.

	1977	ın ua.		1977 in	EUA		,	1978 in E	% Change				
Sector	Commitment appropriations	Payment appropriations	Commitment appropriations	%	Payment appropriations	%	Commitment appropriations	%	Payment appropriations	%	Commitment appropriations	Payment appropriations	
			1	2	3	4	5	6	7	8	9 = 5.1	10 = 7:3	
COMMISSION													
ntervention appropriations													
Agriculture	7 463 103 500	7 295 903 500	7 455 703 600	72.61	7 288 503 600	75.92	9 181 743 700	72.28	9 131 743 700	73.87	+ 23.15	+ 25.2	
Social	636 587 000	189 597 000	524 142 500	5.10	158 352 500	1.65	592 653 000	4.67	559 107 000	4.52	+ 13.07	+ 253.0	
Regional	500 000 000	400 000 000	398 300 000	3.88	318 600 000	3.32	581 000 000	4.57	525 000 000	4.25	+ 45.87	+ 64.7	
Research, energy				• 10					004 055 000	• •			
ndustry and transport	289 427 840	234 136 503	276 117 900	2.69	220 778 700	2.30	317 188 795	2.50	294 255 303	2.38	+ 14.87	+ 33.2	
Development cooperation	269 880 100	269 880 100	308 026 000	3.00	308 026 000	3.21	558 742 000 ¹ 4.40		380 942 000 1	3.08	+ 81.39	+ 23.6	
liscellaneous	token entry	token entry	token entry	-	token entry		token entry		token entry	—	_		
	9 158 998 440	8 389 517 103	8 962 290 000	87.28	8 294 260 800	86.40	11 231 327 495	88.42	10 891 048 003	88.10	+ 25.32	+ 31.3	
dministrative appropriations													
staff	284 107 500	284 107 500	343 939 900	3.35	343 939 900	3.58	387 433 000	3.05	387 433 000	3.13	+ 12.65	+ 12.6	
Administrative expenditure	83 181 240	83 181 240	98 010 400	0.96	98 010 400	1.02	105 740 200	0.83	105 740 200	0.86	+ 7.89	+ 7.89	
nformation	8 090 000	8 090 000	8 130 000	0.08	8 130 000	0.08	13 018 000	0.10	13 018 000	0.11	+60.12	+ 60.12	
Aid and subsidies	31 976 100	31 976 100	35 729 700	0.35	35 729 700	0.37	45 308 100	0.36	45 308 100	0.37	+ 26.81	+ 26.8	
	407 354 840	407 354 840	485 810 000	4.73	485 810 000	5.06	551 499 300	4.34	551 499 300	4.46	+ 13.52	+ 13 5	
ontingency reserve	3 985 000	3 985 000	3 985 000	0.04	3 985 000	0.04	5 000 000	0.04	5 000 000	0.04	+ 25.47	+ 25.4	
Reimbursement to Member States	629 514 300	629 514 300	629 514 300	6.13	629 514 300	6.56	689 600 000	5.43	689 600 000	5.58	+ 9.54	+9.5	
Commission total	10 199 852 580	9 430 371 243	10 081 599 300	98.19	9 413 570 100	98.06	12 477 426 795	98.23	12 137 147 303	98.18	+ 23.76	+ 28.9	
THER INSTITUTIONS ²	153 886 416	153 886 416	186 295 000	1.81	186 295 000	1.94	224 857 289	1.77	224 857 289	1.82	+ 20.70	+ 20.3	
Grand total	10 353 738 996	9 584 257 659	10 267 894 300	100.00	9 599 865 100	100.00	12 702 284 084	100.00	12 362 004 592	100.00	+ 23.71	+ 28.7	

Table 7 — Comparison between the budget for 1977 and the budget for 1978 adopted by Parliament

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¹ Including the amounts (10 7% 000 EUA), for the reinstatement of the 1976 budget appropriations (Article 930: Cooperation with non associated developing countries) which lapsed on 31 December 1977. ² Administrative appropriations only.

Preliminary draft			Council draft first reading					Change				Parliament draft — first reading			T		ge		Council draft — Second reading					Cì	hange		Budget — ado	rliament on 15 Dec.	. 1977	Change								
Sector	Commitmen appropriation			Payment propriations	%	Commitm appropriat		%	Payment appropriations	%	Amount (3-1)	% (3/1)	Amount (42)	% (4/2)	Commitment appropriations	%	Payment appropriations	%	Amount (7-3)	% (7/3)	Amount (8-4)	% (8/4)	Commitment appropriations	*	Payment appropriations	%	Amount (11-7)	% (11/7)		% (12/8)	Commitment appropriations	%	Payment appropriations	%	Amount (15-11)	% (15/11)	Amount (16–12)	% (16/12)
	1	_	_	2		3			4		,		• •		/		8		y		10		11	ļ	12		13		14		15		16		17		18	
COMMISSION																												i										
Intervention appropriations Agriculture Social Regional	8 882 822 (593 020 : 750 000 (500 4.	51	822 822 600 559 474 500 525 000 000	4.51	580 93		74.91 4.73 3.24	9 154 112 600 416 202 000 390 000 000	3.48		- 2 04	- 143 272 5	00 - 25.61	8 923 493 700 592 653 000 750 000 000	4 57		4.52 (-) 280 618 900 +) 11 715 000 +) 352 000 000 	+ 2.02	+142 905 000	+ 34.34	587 653 000	4.66	554 107 000	4.52	- 5 000 000	- 0.84	+ 273 168 900 - 5 000 000 - 65 000 000	- 0.89	9 181 743 700 592 653 000 581 000 000	4.67	9 131 743 700 559 107 000 525 000 000	4.52	+ 81 100 + 5 000 000 + 1 000 000	+ 0.85		+ 0.90
Research, energy, industry and transport Development	521 912 (400 291 017	3.22			1.83	259 467 003						390 979 795				+) 166 106 400				259 363 395					1	- 52 527 600		317 188 795		294 255 303					
cooperation Miscellaneous	930 349 token entr		-	633 045 700 oken entry	5.10 —	434 14 token e		3.53 —	303 342 000 token entry	2.54		- 53.34	-329 703 7	00 - 52.08	824 340 000 token entry	6.36 —		1.96 (—	+) 390 198 000	+ 89.88	+ 309 440 000 	+ 73.09	542 742 000 token entry	4 30	372 942 000 token entry	3.04 —	- 281 598 000 	- 34.16 	- 239 840 000 	- 39 14	.558 742 000 ¹ token entry	4.40 —	380 942 000 ¹ token entry	3 08	+ 16 060 000	+ 3.01	+ 8 000 000	+ 215
	11 678 105 4	408 88.	80 10	940 633 817	88.13	10 842 00	65 995	88.24	10 523 123 603	88.00	-836 039 413	- 7.16	-417 510 2	14 - 3.82	11 481 466 495	88.63	10 883 333 003 88	3.08 (+) 639 400 500	+ 5.90	+ 360 209 400	+ 3.42	11 151 420 995	88.36	10 794 134 303	88.02	- 330 045 500	- 2.87	- 89 198 700	- 0.82	11 231 327 495	88.42	10 891 048 003	88.10	+ 79 906 500	+ 0.72	+ 96 913 700	+ 0.90
Administrative appropriations Staff Administrative expenditure Information Aid and subsidies	401 731 1 108 413 1 13 392 (44 811 1 568 348 1	200 0. 000 0. 700 0.	82 10 34	401 731 300 108 413 200 13 392 000 44 811 700 568 348 200	0.87 0.11 0.36	90	80 200 18 000 58 100	3.13 0 86 0.07 0.34	384 876 800 105 580 200 9 018 000 41 558 100 541 033 100	0.88 0.08 0.35	- 4 374 000	2.61 32.66 7.26	- 2 833 0 - 4 374 0 - 3 253 6	00 - 32.66 00 - 7.26	388 131 000 105 740 200 13 018 000 46 368 100 553 257 300	0.82 0.10 0,36	105 740 200 0 13 018 000 0 46 368 100 0).86 ().11 ().38 (+) 3 254 200 +) 160 000 +) 4 000 000 +) 4 810 000 +) 12 224 200	+ 0.15 +44.36 +11.57	+ 160 000 + 4 000 000 + 4 810 000	+ 0.15 +44 36 +11 57	385 655 800 105 740 200 13 018 000 45 308 100 549 722 100	0.84 0.10 0.36	105 740 200 13 018 000 45 308 100	0.86 0.11 0.37	- 2 475 200 		- 2 475 200 - 1 060 000 - 3 535 200	- 0.64 	387 433 000 105 740 200 13 018 000 45 308 100 551 499 300	3.05 0.83 0.10 0.36 4.34	45 308 100	0.86 0.11 0.37	+ 1 777 200		+ 1 777 200	
Contingency reserve		000 0.		5 000 000				0.04	5 000 000		_	-	_	_	5 000 000).04	_	_	_		5 000 000					-	_		5 000 000	0.04		0.04	-	+ 0.32		<u> </u>
Reimbursement to Member States of 10% of own resources	689 600	000 5.	24	689 600 000	5.56	689 60	00 000	5.61	689 600 000	5.77	_	_	_	_	689 600 000	5 32	689 600 000 5	5 58	-	_	-	_	689 600 000	5.46	689 600 000	5.62	_	_	_	_	689 600 000	5.43	689 600 000	5 58	-	-	_	—
Commission total	12 941 053	608 98.	40 12	203 582 017	98.31	12 077 6	99 095	98.29	11 758 756 703	98.33	-863 354 513	- 6.67	-444 825 3	14 - 3.65	12 729 323 795	98.26	12 131 190 303 98	3.18 (+) 651 624 700	+ 5.40	+ 372 433 600	+ 3.17	12 395 743 095	98.22	12 038 456 403	98.17	- 333 580 700	- 2.62	- 92 733 900 -	- 0.76	12 477 426 795	98.23	12 137 147 303	98 18	+ 81 683 700	+ 0 66	+ 98 690 900	+ 0.82
OTHER INSTITUTIONS ²	210 095	092 1.	60	210 095 092	1.69	209 74	41 802	1.71	209 741 802	1.67	- 353 290	- 0.18	- 353 2	90 0.18	225 074 597	1.74	225 074 597 1	182 (+) 15 332 795	+ 7.68	+ 15 332 795	+ 768	224 598 621	1.78	224 598 621	1 83	- 475 976	- 0.21	- 475 976 -	- 0.21	224 857 289	1.77	224 857 289	1.82	+ 258 668	+ 0.12	+ 258 668	+ 012
Grand total	13 151 148	700 100,	,00 12	413 677 109	100,00	12 287 4	40 897 1	00,00	11 968 498 505	100,00	-863 707 803	- 6 57	-445 178 6	04 - 3.59	12 954 398 392	100 00	12 356 264 900 100).00 (+) 666 957 495	+ 5.43	+ 387 766 395	+ 3.24	12 620 341 716	100.00	12 263 055 024	100.00	- 334 056 676	- 2.58	- 93 209 876 -	- 0.75	12 702 284 084	100.00	12 362 004 592 1	100.00	+ 81 942 368	+ 0.65	+ 98 949 568	+ 0.81

Table 8 — Community expenditure by sector at the various stages of the budgetary procedure

¹ Including the amounts (10.796.00 EUA), for the reinstatement of the 1976 budget appropriations (Art. 930. Cooperation with non-associated developing countries) which lapsed on 31 December 1977 ² Administrative appropriations only.

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Expenditure

2.3.109. The budget for 1978 totals 12 702 284 084 EUA¹ in commitment appropriations,² an increase of 23.71% over 1977 and 12 362 004 592 EUA in payment appropriations, an increase of 28.8% over 1977.

Compulsory expenditure totals 10 355 798 700 EUA in commitment appropriations, an increase of 23.8% over 1977 and 10 174 998 700 EUA in payment appropriations, an increase of 24.1% over 1977; this expenditure represents 82.3% of the total budget compared with 85.4% in 1977.

Non-compulsory expenditure totals 2 346 485 384 EUA in commitment appropriations, an increase of 23.3% over 1977, and 2 187 005 892 EUA in payment appropriations, an increase of 56% over 1977; this expenditure accounts for 17.7% of the total budget compared with 14.6% in 1977.

The allocations for the main Community policy areas in the 1978 budget are as follows (commitment appropriations):³

1. Appropriations for the agricultural sector—still 72.3% of the budget—increase by 23.2% in relation to 1977.

2. Appropriations for the regional sector increase by 45.9% in relation to 1977 (4.6% of the total budget).

3. Appropriations for the social sector increase by 13.1% in relation to 1977 (4.7% of the total budget).

4. Appropriations for the research, energy, industry and transport sector move up by 14.9% in relation to 1977 (2.5% of the total budget).

5. Appropriations for the development cooperation sector increase by 81.4% in relation to 1977 (4.4% of the total budget).

Lastly, the repayment to the Member States of 10% of own resources accounts for 5.4% of the total budget.

Although they have no direct effect on the size of the budget, special mention should be made of

the guarantee given by the budget to a new type of loan, namely the Community loans intended to finance investment projects in industry; the maximum amount of such loans is 1 000 million EUA.

Revenue

2.3.110. Budget revenue may be broken down as follows:

	million EUA
Agricultural levies	1 686.1
Sugar and isoglucose levy	376.9
Customs duties	4 833
VAT	5 330.3
ECSC	5.0
Other	130.7
	12 362.0

ECSC operational budget for 1978

2.3.111. In their opinions to the Commission both Parliament and the ECSC Consultative Committee favoured maintaining the ECSC levy rate at 0.29%. The Member States also agreed to Commission proposals calling for a reduction in ECSC administrative expenditure⁴ from 18 to 5

³ For details of commitment appropriations and payment appropriations see Table 8.

⁴ This is a flat figure paid from the ECSC operational budget to the general budget.

¹ Including the amounts (10 796 000 EUA) for the reinstatement of the 1976 budget appropriations (Article 930: Cooperation with non-associated developing countries) which lapsed on 31 December 1977.

² The term 'commitment appropriations' should not be confused with the term 'appropriations for commitment'. The former is used in budgetary calculations and is the sum of 'appropriations for commitment' and 'non-differentiated appropriations', while the latter is a legal concept. The same applies for 'payment appropriations' and 'appropriations for payment'. 'Non-differentiated appropriations' must be added both to appropriations for commitment and appropriations for payment, for they are such that they allow amounts to be committed and then payment to be made.

million EUA and the payment of a special contribution of 32 million EUA to the ECSC Budget principally to offset the financial effects of the steel crisis. Accordingly, on 21 December the Commission decided to fix the 1978 levy rate at 0.29%. Taking into account other anticipated resources (revenue from interest on investment and loans from non-borrowed funds, cancellation of commitments which would not be realized, etc.), it is expected that, as a result of this decision, the ECSC operational budget requirement of 152 million EUA will be met as follows:

Administrative expenditure	5	million	EUA
Aid for resettlement etc.	60	million	EUA
Research aid	41	million	EUA
Interest relief grants, investme	nt		
and redevelopment loans		million	EUA
Aid for coking coal	6	million	EUA

Apart from administrative expenditure, the main differences between this budget and the previous financial year's concern the chapters on aids for resettlements (60 million EUA as against 25 million EUA in 1977) and interest relief grants (40 million EUA compared with 21.8 million EUA in 1977) and take particular account of the foreseeable effects of the steel crisis.

ECSC operational budget for 1977

2.3.112. The Commission has adjusted its estimates concerning the ECSC operational budget¹ with the specific aim of covering an increased allocation to the Chapter on aid in the form of interest relief grants (21.8 million EUA instead of 15 million EUA); this is designed to facilitate redevelopment and conversion investment in the steel sector as part of the Commission's appropriations (38.4 million EUA instead of 42 million EUA), thereby raising the total amount of the budget from 111 million to 114.2 million EUA. On the revenue side, the downward adjustment in estimates of revenue from levies from 89 million EUA to 81.5 million EUA occasioned by the depressed state of the steel market has meant that the budget has had to be balanced by drawing on the contingency reserve of 10 million EUA (in the ECSC balance sheet at 31 December 1976) and 0.7 million EUA in unused revenue from the 1976 financial year.

Financial Regulation

Amendment of the Financial Regulation

2.3.113. The Conciliation Committee, mandated to seek an agreement between the Council and Parliament on the text of the Financial Regulation,² held its third meeting on 7 December.

In the light of the opinion delivered by the Court of Auditors on 2 December³ the Committee examined the provisions relating to auditing, the only point still unresolved. It was decided that the Court of Auditors and its members could, in their function, be assisted by staff from the Court of Auditors provided that the tasks assigned to the latter were specifically laid down and kept as brief as possible.

On 13 December Parliament passed a Resolution embodying an opinion on the outcome of conciliation.⁴

On 21 December the Council adopted the amended Financial Regulation which was published as a 'new financial regulation' and came into force on 1 January 1978.⁵

It was agreed that the Court of Auditors would deliver its opinion in March 1978 on the entire Financial Regulation. On the basis of this opinion, the Commission would, if appropriate, put forward new amendments to the Regulation.

At the request of Parliament certain provisions of this Regulation relating to research and investment appropriations and borrowings and loans should be reconsidered.

¹ OJ L 352 of 22.12.1976.

² Bull. EC 11-1977, point 2.3.86.

³ Point 2.3.11.

Point 2.3.63.

⁵ OJ L 356 of 31.12.1977.

Regulation 2/71 — VAT Financial Regulation

2.3.114. Mindful of the paramount need for the system of financing the Budget entirely from the Communities' own resources to take effect from 1 January 1978, Parliament decided at its sitting on 14 December not to initiate conciliation proceedings with the Council on the proposal for a Regulation implementing the Decision of 21 April 1970 and on the amended proposal for a Regulation implementing the same Decision in respect of own resources accruing from VAT.¹

At its meeting on 19 December the Council finally approved both these Regulations which will also take effect from 1 January 1978.²

Own resources

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European unit of account

2.3.115. At its meeting on 5 and 6 December the European Council decided in principle to introduce the European unit of account (EUA) for the Budget of the Communities from 1 January 1978. On 21 December the Council adopted the following procedure for implementing this decision:

(i) the regulation applying the EUA to the acts of the institutions will be formally adopted by 31 March 1978;

(ii) until this regulation comes into effect the budget will be executed in EUA on the basis of the relevant articles of the new Financial Regulation (Articles 10, 26, 30 and 63), certain transitional provisions recorded in the minutes of the Council meeting and monthly rates for converting the EUA into national currencies.

Article 131 of the Act of Accession

2.3.116. Article 131 of the Act of Accession provides that for 1978 and 1979 the amounts to be paid to the Community budget by the new

Member States will be limited according to a formula using the difference between the amounts they actually paid in 1977 and the amounts they would have paid if certain reductions had not been applied during the transitional period.

The Commission and certain Member States had interpreted these provisions in one way, while other Member States had interpreted them differently.

After the Council had attempted to find a solution on a number of occasions, the European Council took a decision on 6 December.

It confirmed that the 1978 budget will be established in EUA and will be adopted and executed without regard to Article 131 of the Act of Accession (all the Member States will pay in full, without any reduction, the customs duties, agricultural levies and VAT or GNP contributions).

It also decided that for 1978 and 1979 the Commission will, each quarter, calculate the financial compensation which will be paid outside the budget; the calculations will be based, for each Member State, on the interpretation of Article 131 which is the most advantageous to it, and this will give rise to a deficit, since it will not be possible to cover in full the repayments due to Member States.

This deficit will be financed (outside the budget) by the nine Member States, which again may choose the most advantageous of the following scales of distribution:

(i) overall budgetary scale;

- (ii) VAT scale;
- (iii) 1976 GNP scale;

(iv) proportional scale (relative share of each Member State calculated as described in the previous paragraph).

Bull. EC 7/8-1977, points 2.3.105 and 2.3.106, Bull. EC 11-1977, point 2.3.87. ² OJ L 336 of 27.12.1977.

The Council will decide at the appropriate time how to finance any amount still outstanding.

ECSC financial operations

Loans raised

2.3.117. In December the Commission raised the following loans:

(i) private placings totalling DM 55 million, for terms varying from eight to ten years and at rates between 5.50% and $6\frac{1}{8}\%$;

(ii) a private placing of SF 65 million carrying a coupon of 4.50% for eight years;

(iii) a SF 80 million bond issue.

This loan was underwritten by a syndicate of Swiss banks. The bonds carry a coupon of 4.50%, payable annually and run for fifteen years.

The loan was offered to the public at par.

Application has been made for the bonds to be admitted to official quotation on the Zurich, Basle, Geneva, Lausanne and Berne stock exchanges.

Loans granted

Loans paid

2.3.118. Some 96 million EUA was paid out in loans under Article 54 of the ECSC Treaty.

Industrial loans

A total of 95.2 million EUA was paid out during the period in question to seven undertakings to finance the following programmes:

Coal industry

— Increasing coke-oven capacity

Ruhrkohle AG, Essen (Prosper coking works)

- Rationalization and modernization of collieries belonging to Ruhrkohle AG, Essen

Lohberg colliery

Niederberg colliery

Grimberg and Haus Aden collieries

Monopol III fields

Ewald and Recklinghausen collieries

Consolidation and Pluto collieries

Nordstern colliery

— Training centre

Preussag Aktiengesellschaft, Hanover (Ibbenbüren training centre).

Steel industry

- Rationalization of pig iron and steel production

Société des aciéries et tréfileries de Neuves-Maisons, Châtillon, Paris (Neuves-Maisons Works)

Stahlwerke Peine-Salzgitter AG, Peine (Salzgitter Works)

Société des Aciéries et Laminoirs de Lorraine, Sacilor SA, Hayange (Fontoy, Homécourt, Hagondange, Joeuf, Rombas and Hayange Works) British Steel Corporation, London (Redcar

Works)

- Rebuilding of steel works damaged by the Friuli earthquake

Ferriere Nord SpA, Rivoli di Osoppo (Udine).

Low-cost housing

Loans for the construction and fitting-out of lowcost housing amounted to 0.8 million EUA.

Loan decisions

2.3.119. The Commission also took nine Decisions on the granting of loans under Article 54(1) of the ECSC Treaty and has obtained Council approval for the granting of two loans under Article 54(2) and for three loans under Article 56 These Decisions involve a total of 280.7 million EUA, of which 275.3 million EUA is in industrial loans and 5.4 million EUA in conversion loans.

The loans relate to the following undertakings:

Industrial loans

Coal industry

- Thermal power station

STEAG Aktiengesellschaft, Essen (Bergkamen plant).

Steel industry

1

- Infrastructure project

British Oxygen Company Limited, London (Redcar and Teesside Works)

- Increasing coke-oven capacity

British Steel Corporation, London (Ravenscraig Works)

- Direct reduction

British Steel Corporation, London (Hunterston Works)

- Rationalization of pig iron and steel production

Dalmine SpA, Milan (Dalmine Works)

Société Lorraine de laminage continu SA (SOL-LAC), Paris (Sérémange Works)

- Rationalization of the production of steel sections

Giuseppe e Fratello Redaelli SpA, Milan (Rogoredo Works)

--- Rationalization of the production of flats Stahlwerke Bochum AG, Bochum (Bochum Works)

- Production of fine and special steels Società per l'industria e l'elettricità Terni SpA, Rome (Terni Works)

- Vocational training centre

Hoesch Werke AG, Dortmund Training Centre).

Conversion

- France

Lorraine

Luchaire SA, Paris (Boulay/Moselle Works)

Auvergne

Rockwool Isolation SA, Paris (Saint-Eloy-les-Mines, Puy-de-Dôme)

- United Kingdom

Wales

Country Produce Limited, London (Sandycroft Industrial Estate, Hawarden, Deeside).

Euratom financial operations

Loans raised

2.3.120. In December the Commission signed two loan contracts on behalf of Euratom:

(i) a \$18 million private placing for five years, with an interest rate of $8\frac{34\%}{3}$;

(ii) a DM 18 million private placing at $6\frac{1}{2}\%$ for 15 years.

Pursuant to the Council Decision of 29 March 1977,¹ the proceeds of these loans will be used to help finance nuclear power stations in the Community.

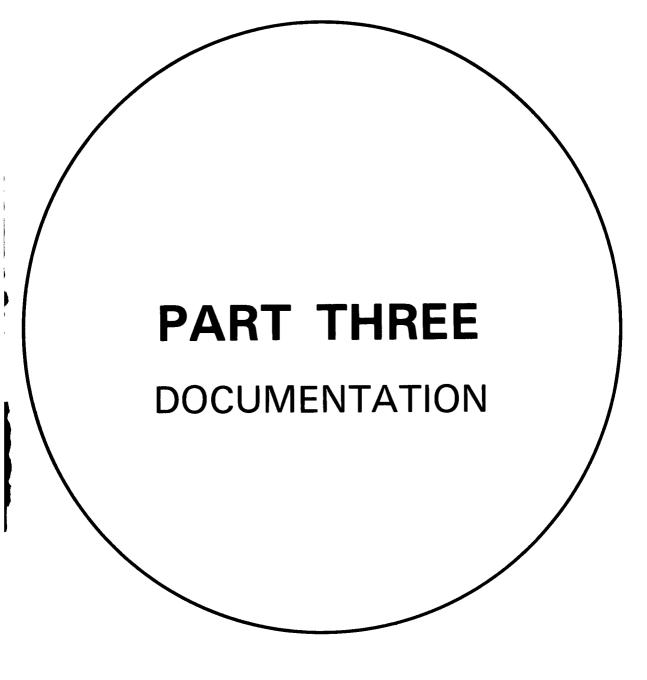
Loan granted

2.3.121. The Council Decision of 29 March 1977¹ empowered the Commission to contract loans of 500 million EUA on behalf of the European Atomic Energy Community (Euratom), the proceeds of which would be on-lent for financing investment projects in the industrial production of nuclear electricity and in industrial installations for the fuel cycle. The machinery has therefore been set up to promote the development of the nuclear energy needed to safeguard future energy supplies; it will also reduce the Community's dependence on energy imports.

From the proceeds of the first Euratom loan² the Commission granted two loans totalling 95 million EUA at the end of 1977.

¹ Bull. EC 3-1977, point 2.1.101.

² Bull. EC 10-1977, point 2.3.99.



Additional references in the Official Journal

Since the issues of the Official Journal of the European Communities bearing the dates of the closing days of December had not all been printed when Bulletin 12-1977 went to press, it was considered preferable to hold over for the next issue the section 'Additional references in the Official Journal'. This section in Bulletin 1-1978 will therefore refer to issues of the Official Journal published in December 1977 and January 1978.

1977 Contents

The 1977 table of contents, based on the standard contents of the Bulletin and also comprising the titles of chapters in Part One (Special Features) and Part Three (Documentation) and a list of Supplements issued in 1977 will shortly be published.

This annual table of contents, a feature which first appeared in Bulletin 1-1977, is being published separately for the convenience of readers who wish to bind in a single volume the eleven issues of the Bulletin published in 1977.

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Grants for research into European integration 1978-79

In order to encourage university research in the field of European integration, the Commission of the European Communities will award in July 1978

15 RESEARCH GRANTS OF A MAXIMUM OF FB 180 000

CONDITIONS:

- 1. The awards will be given to young university teachers at the start of their career who, individually or as a team, are doing research work on European integration.
- 2. Applications should be submitted in duplicate and contain:
 - a 5-10 page typed description of the research project;
 - an estimate of costs;
 - a completed application form;1
 - a curriculum vitae;
 - the names of two persons of academic standing to whom reference can be made. These papers are not returned to applicants.
- 3. Applicants should be under 40 years of age.
- 4. Awards are not renewable.
- The maximum award is FB 180 000, paid as follows: 1st half — at the commencement of the research 2nd half — on receipt of the typed text referred to in paragraph 8.
- 6. Award holders who do not complete their research must reimburse the amount they have received.
- 7. Employees of the institutions of the European Communities as well as their spouses and children are not eligible to apply.
- 8. The work must be drawn up in one of the official languages of the European Communities. The final text must be typed in duplicate and submitted within 12 months of the making of the award.
- 9. The Commission of the European Communities may assist with the costs of publishing the work up to a maximum of FB 30 000.
- 10. The awards will be made by 15 July 1978 at the latest.
- 11. Applications must be submitted by 31 March 1978 to:

Commission of the European Communities Directorate-General for Information University Information 200 rue de la Loi 1049 Brussels (Belgium) — tel. 735 00 40 or 735 80 40

¹ Application forms can be obtained from the above address or from the Offices of press and information of the European Communities listed below:

Bonn: Zitelmannstraße, 22, D-5300 Bonn Brussels: 73, rue Archimède, B-1049 Bruxelles Copenhagen. Gammel Torv, 4, Postbox 144, DK-1004 København-K Dublin: 29, Merrion Square, IRL-Dublin 2 The Hague: Lange Voorhout, 29, NL-Den Haag London: 20, Kensington Palace Gardens, GB-London W8 4QQ Luxembourg: Bätiment Jean Monnet, rue Alcide de Gasperi, Luxembourg-Kirchberg Paris: rue des Belles-Feuilles, 61, F-75782 Paris Cedex 16 Rome. Via Poli, 29, I-00187 Roma Ankara : 13, Bogaz Sokak, Kavaklidere, TR-Ankara Athens 2, Vassilissis Sofias, Gr-Athens 134 Geneva. rue de Vermont, 37-39, CH-1211 Genève 20 Ottawa Association House (Suite 1110), Sparks Street, 350, CN-Ottawa Santiago Avda R Lyon, 1177, RCH-Santiago de Chile, Postal address : Castlla 10093 Tokyo Kowa 25, 8-7 Sanban-Cho, Chiyoda-Ku. Tokyo Washington: 2100 M Street N.W. (suite No 707) USA-Washington D C 20037 De europæiske Fællesskabers publikationer Veröffentlichungen der Europäischen Gemeinschaften Publications of the European Communities Publications des Communautés européennes Pubblicazioni delle Comunità europee Publikaties van de Europese Gemeenschappen

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Denne oversigt omfatter såvel officielle som ikkeofficielle publikationer (monografier, serier, tidsskrifter, oplysningspjecer), der er udkommet i den omhandlede periode og offentliggjort af Europa-Parlamentet, Rådet, Kommissionen, Domstolen, Det økonomiske og sociale Udvalg og Den europæiske Investeringsbank. Disse publikationer kan fås ved henvendelse til de nedenfor nævnte adresser.

Anmodningerne skal indeholde nøjagtig angivelse af referencenumre forud for titlerne.

Dieses Verzeichnis enthält die im Bereichszeitraum erschienenen amtlichen und nichtamtlichen Veröffentlichungen (Monographien, Reihen, Zeitschriften und Informationsdienste) des Europäischen Parlaments, des Rates, der Kommission, des Gerichtshofes, des Wirtschäfts- und Sozialausschusses und der Europäischen Investitionsbank. Diese Veröffentlichungen sind bei den nachstehend aufgeführten Stellen erhältlich. Bei Anfragen sind die den Titeln vorangestellten Referenzen vollständig anzugeben.

This list includes both official and unofficial publications (such as monographs, series, periodicals, newsletters) which were published in the given period by the European Parliament, the Council, the Commission, the Court of Justice, the Economic and Social Committee and the European Investment Bank. These publications can be obtained from the adresses mentioned hereinafter.

It is imperative that orders give the complete reference which precedes each title.

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Cette liste comprend les publications, officielles ou non (monographies, séries, périodiques, notes d'information), parues durant la période de référence et publiées par le Parlement européen, le Conseil, la Commission, la Cour de justice, le Comité économique et social et la Banque européenne d'investissement. Ces publications peuvent être obtenus aux adresses énumérées cidessous.

Les demandes doivent mentionner de façon complète les références précédant les titres.

Il presente elenco comprende le pubblicazioni, ufficiali o meno (monografie, serie, periodici, note d'informazione), edite nel periodo di riferimento dal Parlamento europeo, dal Consiglio, dalla Commissione, dalla Corte di giustizia, dal Comitato economico e sociale e dalla Banca europea per gli investimenti. Tali pubblicazioni possono essere ottenute presso gli indirizzi qui di seguito elencati.

Le richieste dovranno comportare i riferimenti completi che precedono i titoli.

Deze lijst omvat de al dan niet officiële publikaties (monografieën, series, tijdschriften, nieuwsmededelingen) welke in de loop van het vermelde tijdvak verschenen zijn en door het Europese Parlement, de Raad, de Commissie, het Hof van Justitie, het Economisch en Sociaal Comité en de Europese Investeringsbank werden uitgegeven. Deze publikaties zijn bij de hierna vermelde adressen verkrijgbaar.

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Anvendte forkortelser Abkürzungen Conventional Symbols

IRL

Irsk In irischer Sprache In Irish Langue irlandaise Lingua irlandese Iers

DK

Dansk In dänischer Sprache In Danish Langue danoise Lingua danese Deens

D

Tysk In deutscher Sprache In German Langue allemande Lingua tedesca Duits

Ε

Engelsk In englischer Sprache In English Langue anglaise Lingua inglese Engels

F

Fransk In französischer Sprache In French Langue française Lingua francese Frans

I

Italiensk In italienischer Sprache In Italian Langue italienne Lingua italiana Italiaans

NL Nederlandsk

In niederländischer Sprache In Dutch Langue néerlandaise Lingua olandese Nederlands

S

Spansk In spanischer Sprache In Spanish Langue espagnole Lingua spagnola Spaans

(IRL.DK.D.E.F.I.NL.S.)

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Signes conventionnels Segni convenzionali Gebruikte afkortingen

Un solo volume con testi diversi in più lingue Een afzonderlijk deel met verschillende teksten in meerdere talen

FB

Belgisk franc Belgischer Franken Belgian franc Franc belge Franco belga Belgische frank

DKr

Dansk krone Dänische Krone Danish krone Couronne danoise Corona danese Deense kroon

DM

Tysk mark Deutsche Mark German mark Mark allemand Marco tedesco Duitse mark

FF

Fransk franc Französischer Franken French franc Franc français Franco francese Franse frank

Lit

Italiensk lire Italienische Lira Italian lira Lire italienne Lira italiana Lire Fl

Nederlandsk gylden Holländischer Gulden Dutch guilder Florin néerlandais Fiorino olandese Gulden

£

Pund sterling Pfund Sterling Pound sterling Livre sterling Sterlina inglese Pond sterling

US \$

US-dollar US-Dollar United States dollar Dollar des États-Unis d'Amerique Dollaro USA US-dollar

p.

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Fællesskabsret Gemeinschaftsrecht Community Law Droit communautaire Diritto comunitario Communautair recht

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Månedlig bulletin over udenrigshandelen Monatsbulletin der Außenhandelsstatistik Monthly external trade bulletin Bulletin mensuel du commerce extérieur Bollettino mensile del commercio estero Maandbulletin van de buitenlandse handel (månedlig monatlich monthly mensuel mensile maandelijks) (DK.D.E.F.I.NL) Abonnement annuel: FB 1500,- DKr 231,- DM 98,-FF 180,- Lit 30000 Fl 103,50 £ 21.45 US \$ 36.6 Økonomiske, monetære og finansielle spørgsmål Wirtschaft, Währung und Finanzen Economic, Monetary and Financial Affairs Économie, monnaie et finances Economia, moneta e finanze Economia, geldwezen en financiën

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Den økonomiske situation i Fællesskabet(kvartalsvis)Die Wirtschaftslage der Gemeinschaft(vierteljährlich)The Economic Situation in the Community(quarterly)La situation économique de la Communauté(trimestriel)La situazione economica della Comunità(trimestriel)De economische toestand van de Gemeenschap(driemaandelijks)

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Timelønninger. Arbejdstid Stundenverdienste. Arbeitszeit Hourly earnings. Hours of work Gains horaires. Durée du travail Retribuzioni orarie. Durata del lavoro Uurverdiensten. Arbeidsduur (DK/D/E/F/I/NL) Abonnement annuel FB 540,- DKr 85,40 DM 35,30 FF 73,50 Lit 13000 Fl 36,60 £ 8.60 US \$ 14.70

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Industri Industrie Industry Industrie Industria Industrie

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Pig Iron and Steel. Basic Prices and Iron and Steel Undertakings

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ondernemingen

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Abonnement annuel FB 5200,- DKr 800,- DM 338,-FF 623,- Lit 104000 Fl 359,- £ 74.30 US \$ 127

Kvartalsbulletin for industriproduktionen Vierteljährliches Bulletin der industriellen Produktion Quarterly bulletin of industrial production Bulletin trimestriel de la production industrielle Bollettino trimestrale della produzione industriale Kwartaalbulletin van de industriële produktie (kvartalsvis . vierteljährlich . quarterly . trimestriel . trimestrale . driemaandelijks) (DK/D/E/F/I/NL) Abonnement annuel FB 600,- DKr 92,50 DM 39,-FF 72,- Lit 12000 Fl 41,50 £ 8.60 US \$ 14.65

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Energi Energie Energy Énergie Energia Energie

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Transport Verkehr Transport Transports Trasporti Vervoer

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Månedsoversigt over transport Monatsübersichten des Verkehrs Monthly tables of transport Tableaux mensuels des transports Tabelle mensili dei trasporti Maandgegevens van het vervoer (månedlig . monatlich . monthly . mensuel . mensile . maandelijks) (DK/D/E/F/I/NL) Abonnement annuel FB 700,-- DKr 108,-- DM 45,50 FF 84,-- Lit 14000 Fl 48,50 £ 10 US \$ 17.10

Landbrugspolitik Landwirtschaft Agriculture Politique agricole Agricoltura Landbouw

KOMMISSIONEN - KOMMISSION - COMMISSION -COMMISSION - COMMISSIONE - COMMISSIE

 Vegetabilsk produktion Pflanzliche Erzeugung Crop production Production végétale Produzione vegetale Plantaardige produktie (uregelmæssig . unregelmäßig . irregular . irrégulier . irregolare . onregelmatig) (DK/D/E/F/I/NL) Abonnement annuel FB 1750, – DKr 270, – DM 114, – FF 210, – Lit 35000, – Fl 121, – £ 25.00 US \$ 42.70

b. Manedlig statistik for kød Monatliche Statistik von Fleisch Monthly statistics of meat Statistiques mensuelles de la viande Statistiche mensili della carne Maandelijkse statistieken van vlees (månedlig . monattlich . month . mensuel . mensile . maandelijks) (D/E/F/I) Abonnement annuel FB 2300 DKr 354,- DM 150,-FF 276,- Lit 46000 Fl 159,- £ 32.85 US \$ 56.10

c. Månedlig statistik for mælk Monatliche Statistik von Milch Monthly statistics of milk Statistiques mensuelles du lait Statistiche mensili del latte Maandelijkse statistieken van melk (månedlig . monatlich . monthly . mensuel . mensile . maandelijks) (D/E/F/I) Abonnement annuel FB 1400,- DKr 215,50 DM 91,-FF 168,- Lit 28000 Fl 97,- £ 20.00 US \$ 34.15

d. Månedlig statistik for æg Monatliche Statistik von Eiern Monthly statistics of eggs Statistiques mensuelles des æufs Statistiche mensili delle uova Maandelijkse statistieken van eieren (månedlig . monatlich . monthly . mensuel . mensile . maandelijks) (D/F) Abonnement annuel FB 1400,- DKr 215,50 DM 91,-FF 168,- Lit 28000 Fl 97,- £ 20.00 US \$ 34.15

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ii) Salgspriser for vegetabilske produkter. Verkaufspreise pflanzlicher Produkte. Selling prices of vegetable products. Prix de vente de produits végétaux. Prezzi di vendita dei prodotti vegetali. Verkoopprijzen van plantaardige produkten. (tomånedlig . zweimonatlich . bimonthly . bimestriel . bimestrale . tweemaandelijks) (D/E/F/I) Abonnement annuel pour i et ii: FB 2000,- DKr 308,- DM 130,- FF 240,-Lit 40000 Fl 138,- £ 28.60 US \$ 48.80

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Landbouwbulletin (maandelijks)	Gratis
(DK.D.E.F.I.NL)	

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Schnellbericht – Pflanzliche Erzeugung	Gratis
Rapid information - Crop production	Gratis
Note rapide – Production végétale	Gratuit
Nota rapida – Produzione vegetale	Gratuito
Spoedbericht – Plantaardige produktie	Gratis
(uregelmæssig . unregelmäßig . irregular . irregolare . onregelmatig) (D/E/F)	irrégulier .

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Spoedbericht – Landbouwprijzen	Gratis
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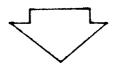
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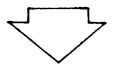
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