levels. For this reason, most commercially available chlorine or hypochlorite solutions carry warning labels cautioning the user to utilise these products under ventilation.

On the other hand, the possible health risks related to the use of chlorine in swimming pools must be weighted against its health benefits as the most effective means to sanitise and disinfect.

In light of this study and the knowledge of the health risks of chlorine, the Commission considers that proper ventilation of indoor swimming pools remains the most appropriate means to prevent the risks in question. The need for proper ventilation is well known by the competent authorities of the Member States, which are responsible in the first instance for health and hygiene measures related to the local specific conditions of this type of installations.

(2001/C 318 E/037)

WRITTEN QUESTION E-0334/01

by John Bowis (PPE-DE) to the Commission

(13 February 2001)

Subject: Lloyd's Insurance

1. Further to the answer to Question E-3473/00 (1) given by Commissioner Bolkestein on behalf of the Commission on 21 December 2000, will the Commission say under which UK law and in which year the first Council Directive 73/239 (2) was correctly implemented in the UK and what steps have been taken by the Commission since that date to ensure that this law was properly implemented?

2. With regard to complaint number 99/5049 will the Commission explain:

(a) the continuing delays in reaching a decision as to the lack of solvency certification as directed by Directive 73/239 and implemented in the UK Insurance Co. Act 1982?

(b) whether they have received any response to their letter to the British Government of 16 October 2000?

(c) what deadlines were defined in the letter of 16 October?

(d) whether the UK Government has complied with the stated deadlines?


Answer given by Mr Bolkestein on behalf of the Commission

(30 May 2001)

1. The operation and regulation of Lloyd's is extremely complex. The Commission's understanding is that the primary requirements of Council Directive 73/239/EEC of 24 July 1973 on the coordination of laws regulations and administrative provisions relating to the taking-up and pursuit of the business of direct insurance other than life assurance as regards Lloyd's were first implemented into British national law by means of the Insurance Companies Act 1982 and amending legislation. The form of the audit certificates was determined by The Insurance (Lloyd's) Regulations 1983.

In view of the substantial number of complaints received by the Commission from disaffected Lloyd's Names, the Commission is re-examining the proper application of the Community requirements for Lloyd's under the Directive.
With regard to complaint 99/5049:

a) The administrative examination has taken longer than usual because of the file complexity. The allegations made are extremely grave and are being carefully examined by the Commission. With regard to the required solvency certificates, the British authorities have confirmed that these have been provided in accordance with the requirements of Council Directive 73/239/EEC. The Commission is currently examining the nature of the solvency certificate provided. The British authorities are fully cooperating with the Commission in this examination.

b) The Commission has received an extensive response to its letter to the British authorities dated 16 October 2000.

c) The letter of 16 October gave a deadline of six weeks. In view of the comprehensive and detailed nature of the questions raised by the Commission’s letter which related to events going back over almost 20 years, the Commission granted an extension of this deadline to the British authorities by letter dated 5 December 2000.

d) The British authorities submitted an extensive response dated 25 January 2001. This letter is currently being examined by the Commission as described above.

WRITTEN QUESTION E-0341/01
by Karla Peijs (PPE-DE) and Bartho Pronk (PPE-DE) to the Commission
(13 February 2001)

Subject: Imposition of special tax on use of cars with a foreign number plate

Dutch nationals posted to a foreign country who are resident abroad for a relatively long period are hit by the Netherlands tax inspectorate. If they hire a car abroad in order to visit the Netherlands for the weekend and, at the end of the weekend, take it back to the foreign country concerned, they are required by the Netherlands tax authorities to pay in full the amount of the special tax in respect of the rental charge for the car.

1. Why can a person temporarily posted abroad not hire a car there that does not have a Netherlands number plate when he/she wishes to travel home?

2. This special tax on use (a non-harmonised tax) is levied in the Netherlands. Does the Commission consider it appropriate for the Netherlands to impose this tax in the case of people travelling back to the Netherlands using cars hired abroad?

3. Does the Commission consider it appropriate, in cases where the person in question is employed by the European Central Bank and consequently enjoys the immunity accorded by his/her status as an ECB official, that the Netherlands should impose the special tax? Does the Commission not regard this as contrary to the principles of the internal market?

4. Does this problem also exist in other Member States?

Answer given by Mr Bolkestein on behalf of the Commission
(3 May 2001)

The Commission would inform Honourable Members of the European Parliament that, on the question of temporary tax-exempt use of a vehicle in a Member State other than that where the vehicle is registered, the basic criterion laid down in Directive 83/182/EEC (1) is that of the normal residence of the user of the vehicle, a detailed definition of the term 'normal residence' being given in Article 7 of the Directive and in relevant ECJ case law. A person's normal residence is the place where he has his personal ties, where his proprietary interests lie and where he spends most of the year.

The following distinction has to be made:

- If the person's normal residence is in Germany, in the city where the Central European Bank has its headquarters, and if he works there, he may use a wholly tax-exempt car with German plates in any other Member State, including the Member State of which he is a national (or which is his State of origin) for a maximum six months a year.