Commission will fulfil its role of ensuring that Community law, and the new framework in particular, is applied in a consistent manner, in accordance with the objectives laid down by Community law itself.


WRITTEN QUESTION E-3912/03
by Ole Krarup (GUE/NGL) to the Commission
(17 December 2003)

Subject: Oil extraction in the North Sea

Can the Commission state, as regards the Danish government’s agreement with A.P. Møller and the Dansk Undergrund Consortium on the conditions for oil extraction over the next 40 years in the North Sea, whether the clause in the agreement protecting the concession holders from additional taxation, has been notified as a state aid in accordance with Article 88(3) of the Treaty? If the agreement has not been notified, can the Commission state whether agreements between governments and private concession holders which grant the latter tax relief for a long period in the future should be regarded as state aids?

Answer given by Mr Monti on behalf of the Commission
(17 February 2004)

The Commission would point out that it was not given prior notification of the agreement to which the Honourable Member refers under Article 88(3) of the EC Treaty. However, the Danish authorities have sent the detailed documents on the agreement. These documents are currently under study, and the Commission cannot at this stage give a decision as to the type of measure.

The Commission would recall that as a general rule tax relief confined to certain activities or certain firms could constitute state aid.

WRITTEN QUESTION E-3928/03
by Stavros Xarchakos (PPE-DE) to the Commission
(19 December 2003)

Subject: Forests and building cooperatives in Greece

In her answer to my question E-3196/03, Commissioner Wallström states that ‘the Commission is not aware of statistics or information on unauthorised building in different Member States, thus the Commission can not assess the scale of unauthorised building in Greece.’ She goes on to state that ‘the Commission has never received information from the Greek authorities about the standards of workmanship of unauthorised buildings in Greece.’ In the same answer she states: ‘The Regulation on ‘Forest Focus’, that has recently been approved, includes a definition of forest and other wooded land, applicable to the actions that the Regulation will support.’ Finally she points out that: ‘The issue of the members of building co-operatives who have not yet received land although paying contributions to the building co-operative is a matter for national authorities and as such is regulated by national laws.’

I regret to note that the answer provided by the (very active) Commissioner is unsatisfactory, since a report specifically on unauthorised buildings was published in the Greek press on 5 December 2003, stating that the shoddy workmanship of such buildings ‘will fill Athens with coffins in the event of an earthquake
measuring 6 on the Richter scale’, while on the same day the Greek media were practically unanimous in condemning the government’s adoption of a law which threatens the survival of the few remaining forests in Greece. It is also noticeable that the Commissioner does not seem to be concerned about the fact that thousands of Greek citizens have been paying contributions to building cooperatives — often for decades — without receiving any benefits.

Will the Commission say whether under Community law this represents a violation of the rights — and exploitation — of thousands of Community nationals who pay contributions to cooperatives without receiving any benefit whatsoever? Since the Greek authorities have not forwarded information about unauthorised buildings, why does the Commission itself not request details about workmanship? Will Commissioner Wallström say what definitions of ‘forest’ and ‘wooded land’ are contained in the Directive to which she refers in her answer?

Answer given by Mrs Wallström on behalf of the Commission

(2 February 2004)

The Commission would like to inform the Honourable Member that is not aware of the content of media reports on unauthorised buildings in Greece, which were published in the Greek press on 5 December 2003. As stated in its previous reply to the Honourable Member’s written question E-3196/03(1) on 4 December 2003, the Commission has no statistics or information on unauthorised building in different Member States. As there is no binding Community legislation regarding building activity and standards, the procedures for granting building permissions are exclusively regulated by national legislation and the issue falls within the competence of the Greek authorities. Therefore, the Commission does not intend to request details about workmanship standards applied to illegal (unauthorised) buildings in Greece.

With regard to the definition of forest and wooded land, the Commission indicated in its first reply that the Union Forestry Strategy does not include an Union wide definition of forest and wooded land. National definitions of forests and forest land applies for Community legislation and financial instruments. The Commission would like to stress that Article 3 of Regulation (EC) No 2152/2003 of the Parliament and of the Council of 17 November 2003, concerning the monitoring of forests and environmental interactions in the Community (Forest Focus)(2) provides definitions for ‘forest’, ‘other wooded land’ and ‘other land’. These definitions have to be respected and implemented by Member States for the purposes of the above mentioned Regulation and the monitoring actions that the Regulation supports, however, their application is bound solely to this Regulation.

Regarding the issue of citizens who pay contributions to building co-operatives without receiving any benefits as yet, the Commission would like to maintain its position, according to which there is no Community competence and the issue is regulated by national laws.

(1) OJ C 78 E, 27.3.2004, p. 788.


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WRITTEN QUESTION P-3930/03 by Alexandros Alavanos (GUE/NGL) to the Commission

(16 December 2003)

Subject: Retention of privileges by the Agricultural Bank of Greece

Under Article 26(4) of N 1914/1990, ‘all the special arrangements which apply to the Agricultural Bank of Greece, with particular reference to its substantive and procedural privileges, to its immunities in respect of tax and other matters, to its debt instruments, to the guaranteeing of its debts and in general to its legal personality as an entity possessing rights and subject to obligations’ remain in force and are applied unchanged even following the conversion of the Agricultural Bank of Greece (ATE) into a limited liability company. On the basis of this provision the ATE, in its transactions with its customers, makes use of the