The General Elections Act of Malta foresees that any decision to transfer, correct or cancel voters can only be taken by an Electoral Commission, which includes appointees of both political parties. In addition, in the case of a challenge of a citizen’s right of vote on the ground of mental infirmity, the Electoral Commission can take a decision to cancel a registration only if the appointed Medical Board has previously decided by unanimous vote that the voter is of unsound mind. This Medical Board is composed of a medical doctor appointed as chairperson and a medical doctor appointed by each of the political parties. This legal procedure guarantees that no abusive cancellation of a citizen from the voters’ register takes place.

Therefore, while there have been challenges by both parties of some citizens’ right of vote, on the ground of mental infirmity, a cancellation of a registration can only be done following legally established procedures. The Commission is not aware that this has resulted in the cancellation of hundreds of registrations of these citizens. The Commission also noted that the Nationalist Party has withdrawn its challenges of some citizens’ right of vote on the ground of mental infirmity, and presented apologies to those who had been unduly challenged.

The Commission believes that the political campaign for the accession referendum in Malta has taken place until now in conformity with basic democratic rules. There has been, to its knowledge, no limitation to the right of the Labour Party and the ‘No side’ to hold meetings. The Commission is not aware of any attempt ‘to bias the civil service’.

The Commission wishes, however, to stress that the issue of accession to the Union is a subject of historical importance for Malta and which rises a lot of passion in a country that applied for membership already in 1990.

(2004/C 88 E/0328)

WRITTEN QUESTION P-0370/03
by José Ribeiro e Castro (UEN) to the Commission
(6 February 2003)

Subject: Closure of the Clarks factory in Portugal — Community aid — Relocation

The Portuguese media have extensively reported the recent announcement of the forthcoming closure of a shoe factory belonging to the British multinational Clarks in Castelo de Paiva, in the north of the country. As a result of this unexpected closure, some 600 workers will be made redundant and this will have a particularly devastating impact on the living conditions of families and workers resident in the area, which is in fact situated, for the purposes of the structural funds, in an Objective 1 region.

To set up the plant in 1988 and begin production in Castelo de Paiva, the company received considerable support from national and Community funds and was scheduled to continue production at least until 2007.

It has frequently been reported that Clarks is relocating the factory from Portugal to Romania and is now hoping that, by opening the new plant in Romania, it will become eligible for further Community funding as part of the aid being made available for pre-accession and the future integration of this Eastern European country.

Does the Commission have duly substantiated information regarding Clarks’ intention to relocate its factory from Portugal to Romania? Can the Commission guarantee that, as direct or indirect Community funding was granted for the Portuguese factory, no further direct or indirect funding will be granted to the Clarks group for the new factory in Romania (which would be equivalent to an indirect ‘premium’ for the closure of the Portuguese factory)?
Answer given by Mrs Diamantopoulou on behalf of the Commission

(24 April 2003)

The Commission does not have any specific information concerning this company's intention to relocate from Portugal to Romania. Moreover, to the Commission's knowledge, the company in question has not received pre-accession aid for the relocation of one of its plants, initially set up in Portugal, to Romania. Direct aid to companies under the PHARE programme is essentially aid for small and medium-sized enterprises, and aid for the 'relocation' of companies is not eligible. In general, pre-accession aid is administered by the candidate countries within programmes approved by the Commission, which means that there is no direct aid from the Commission and that the programming of aid is based on recognised development needs and/or a region or country's need for preparation for accession. The choice of location of a business depends on the market and is based on an analysis of the regions' and countries' comparative advantages. The direct aid available plays only a very minor role in these choices, especially as it is determined in accordance with global development needs rather than the needs of individual companies.

The Commission would also like to draw the Honourable Member's attention to its reply to Written Question P-89/03 by Ms Bastos (1), and in particular to those aspects related to the Community provisions which apply in this area.


(2004/C 88 E/0329) WRITTEN QUESTION E-0430/03

by Rosa Miguélez Ramos (PSE) to the Commission

(18 February 2003)

Subject: 'Prestige': State aid

The disaster resulting from the sinking of the Prestige oil tanker off the coast of Galicia has caused severe losses for many firms linked to the fishing industry and other marine activities, as well as significant socio-economic troubles for the regions affected.

The possibilities for alleviating these enormous losses include various exceptions to the rule laid down by Article 87(2) of the Treaty, which establishes the incompatibility with the common market of aid granted by the Member States to certain firms or for the production of certain goods. Paragraph 2(b) of that article states that 'aid to make good the damage caused by natural disasters or exceptional occurrences' is compatible with the common market.

Furthermore, Article 87(3)(e) states that ‘such other categories of aid as may be specified by decision of the Council acting by a qualified majority on a proposal from the Commission may be considered to be compatible with the common market’.

In addition, Article 88 establishes that ‘on application by a Member State, the Council may (...) decide that aid which that State is granting or intends to grant shall be considered to be compatible with the common market, (...) if such a decision is justified by exceptional circumstances.’

Can the Commission provide information on the initiatives it has put forward so that, in accordance with Article 87 of the Treaty, the firms affected are able to alleviate the losses resulting from this disaster by means of state aid, without this being considered incompatible with the common market?

Has any Member State submitted an application to be able to grant aid to firms or for the production of certain goods adversely affected by this disaster?