

(2003/C 110E/144)

WRITTEN QUESTION P-2924/02
by Roger Helmer (PPE-DE) to the Commission

(9 October 2002)

Subject: Breach of Staff Regulation — Article 12

Further to a report in the Internet publication 'The Sprout', would the Commission confirm that it is investigating a breach of Article 12 of its Staff Regulations pertaining to an e-mail sent by Joanne Abbess, an official in DG Admin?

I received a spam e-mail from Ms Abbess inviting me to participate in the 'Stop the War' demonstration in the UK on 28 September, as I believe did all MEPs and Commission staff. Would the Commission confirm that this is a clear breach of Article 12 and that it is taking appropriate action against this breach?

Answer given by Mr Kinnock on behalf of the Commission

(6 November 2002)

The Commission considers that sending spam messages raises issues of compatibility with the Staff Regulations. With that in mind the Commission was preparing detailed internal rules on the use of e-mail in order to explicitly forbid the sending of such unsolicited e-mails. Those rules have been produced since the events referred to in the Honourable Member's question and are being put into effect.

The Commission will further investigate the specific case mentioned by the Honourable Member and will take any necessary measures on the basis of the facts relevant to the matter.

(2003/C 110E/145)

WRITTEN QUESTION E-2929/02
by Konstantinos Hatzidakis (PPE-DE) to the Commission

(17 October 2002)

Subject: Ban on electronic games in Greece

The Greek Government passed law 3037/2002 banning the installation and operation of electronic games, whether for use in private or in public. One of the locations where the operation of electronic computer games is banned is Internet cafés (Article 3).

In certain quarters in Greece there are claims that, under Directive 1998/34/EC⁽¹⁾, the above-mentioned law ought to be considered a technical regulation and consequently the Greek Government ought to have notified the law to the European Commission.

In addition, it is alleged that the prohibitions imposed by the above-mentioned law conflict with Community Directive 2000/31/EC⁽²⁾, which establishes an area without internal barriers for information society services. The same sectors of opinion stress that law 3037/2002 conflicts with Decision 3052/95/EC⁽³⁾ on the free movement of goods because it prohibits the use of games software.

Does the above-mentioned law conflict with Community law, specifically Directives 1998/34/EC and 2000/31/EC and Decision 3052/95/EC?

Does this law contravene Articles 23 and 28 of the Treaty establishing the European Community, on the free movement of goods, Article 43 concerning the right of establishment and Articles 49 and 50 concerning freedom to provide services?

⁽¹⁾ OJ L 204, 21.7.1998, p. 37.

⁽²⁾ OJ L 178, 17.7.2000, p. 1.

⁽³⁾ OJ L 321, 30.12.1995, p. 1.