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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(76) 321 final.

Brussels, 30 July 1976

PROPOSAL FOR A COUNCIL DIRECTIVE

amending Directive 75/432/EEC on aid to shipbuilding

(submitted to the Council by the Commission)

Explanatory Memorandum

1. Council Directive 75/432/EEC on aid to shipbuilding establishes a category of aids to shipbuilding which may be considered compatible with the common market for the purpose of Article 92(3)(d) and harmonizes aids for the export of ships to non-member countries under Article 113.
2. As regards price guarantees, the Directive authorizes only the French scheme, since no others were in operation when the Directive was issued.
3. The United Kingdom Government has now decided to bring in a scheme of cost escalation cover which will operate on sales of ships by British yards both to British and to non-Community shipowners.

Where the sale is on credit, assistance may be given to cover any increase of between 7 % and 17 % per annum in the variable part of the price (approx. 70 % of the price). In the case of cash contracts the band is widened to 15 %. A premium of 1 % of the insured portion of the contract is payable in advance for each year of the risk's duration. The recipient may also opt for a threshold of assistance of between 7 and 15 %.

4. The proposed amendments ^{/to Directive 75/432/CEE} were made possible only when the British Government amended its original scheme.

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Originally, goods imported from other Member States for incorporation into ships being built in the United Kingdom did not qualify for the scheme; but this discrimination has now been removed.

Furthermore, by setting 20 February 1977 as the date for review of the scheme, the British Government has also complied with the requirement of degressivity.

Directive 75/432/EEC provides for notification of individual cases of application (Article 2(3)).

5. The UK Government has two basic reasons for introducing this scheme:

- (a) shipowners are losing confidence in yards which are due to be nationalized;
- (b) competition on prices and credit terms is extremely keen.

The result has been a fall-off in orders placed with British shipyards, and many are actually threatened with closure.

6. In order to assist the restructuring of British shipbuilding, which is faced with the same general crisis as shipbuilding throughout the world but in more serious terms for structural reasons, the present proposal for amendment of Directive 75/432/EEC declares the scheme to be compatible with the common market, subject to the conditions referred to at paragraph 4 above. The conditions are the same as those imposed by the Directive on the French guarantee scheme (Article 2(2)(b)).

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Proposal for a Council Directive amending Directive 75/432/EEC
on aids to shipbuilding

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Articles 92(3)(d) and 113 thereof,

Having regard to the proposal from the Commission,

Whereas Directive 75/432/EEC on aid to shipbuilding establishes a
new category of aid which may be considered compatible with the
common market,

Whereas Directive 75/432/EEC stipulates uniform principles, as required
by Article 113 of the Treaty, for the application of price guarantee schemes
for exports of ships to non-member countries,

Whereas, more particularly, Article 2(2)(b) and (3) of the said Directive
specifies the terms on which such schemes may be operated,

Whereas, therefore, the United Kingdom scheme of cost escalation cover,
which aims to facilitate the restructuring of British shipbuilding
by keeping enough business going for the restructuring to be made in
an orderly and progressive fashion, may be brought within the Directive
if it conforms to these uniform principles,

Whereas Directive 75/432/EEC should be amended accordingly,

HAS ADOPTED THIS DIRECTIVE:

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Article 1

The following fourth indent is added to Article 2(2)(b) of Directive 75/432/EEC:

"- in the United Kingdom, in the form of a scheme of cost escalation cover, provided that the terms of the scheme are made progressively more restrictive."

Article 2

This Directive is addressed to the Member States.

Done at Brussels,

For the Council,

The President