

# ARCHIVES HISTORIQUES DE LA COMMISSION

COLLECTION RELIEE DES  
DOCUMENTS "COM"

COM (78)372

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### ***Disclaimer***

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.

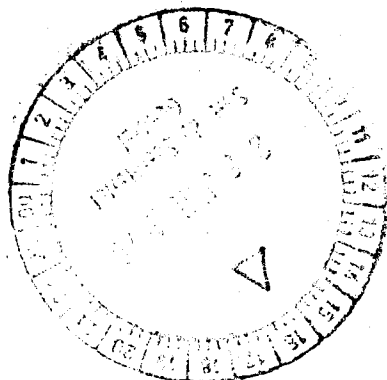
In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 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(78) 372 final

Brussels, 26 July 1978



Amendment to the Proposal for a Council  
Directive on the protection of participants  
in home study courses

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(presented by the Commission to the Council  
pursuant to Article 149 para 2 of the EEC  
Treaty)

COM(78) 372 final

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Amendment to the Proposal for a Council Directive on the  
protection of participants in home study courses  
(presented by the Commission to the Council pursuant to  
Article 149 para 2 of the EEC Treaty)

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Original text

Amended text

Third recital

Whereas any disparity between the  
legislation in the different Member  
States may have a direct effect on  
the functioning of the common market;  
whereas it is therefore necessary to  
harmonize legislation in this field;

Third recital

Whereas disparities in the  
legislations of the different Member  
States have a direct effect on the  
functioning of the common market;  
whereas it is therefore necessary to  
harmonize legislation in this field;

Insert a new recital 6 a :

Whereas it is appropriate to confirm  
expressly that interested parties  
should have appropriate judicial  
remedies against decisions of national  
authorities having competence under  
this Directive;

Article 1

Paragraph 1 and paragraph 2 a) - d)  
unchanged.

Insert a new point e) :

e) 'accreditation' means authorization  
from a Member State to offer home  
study courses.

Article 2

1. Each Member State shall ensure  
that an organizer who wishes to  
offer home study courses :  
a) must be accredited for this  
purpose or

Article 2

1. Each Member State shall ensure  
that an organizer who wishes to  
offer home study courses :  
a) must be accredited for all  
courses or for individual

courses;

or

...

Rest unchanged

Article 3

b) Accreditation is granted for a period of three years and shall be renewable;

Article 3

1.a) unchanged

b) Accreditation is granted for a period of three years and shall be renewable at the request of the organizers concerned;

Rest unchanged

Insert a new Article 4 a after

Article 4 :

The Member States shall ensure that all decisions to refuse or withdraw accreditation taken pursuant to provisions implementing this directive may be subject to judicial review.

Such decisions shall state

the reasons upon which they are based and be notified to the party concerned with an indication of the remedies available to him under the law in force in the Member States and of the time allowed for the exercise of these remedies.

Article 5 (concerns only English version)

and has requested such a visit in writing

Article 5

or has requested such a visit in writing

Article 8 (concerns only English version)

Paragraphs 1 to 3 unchanged

Article 8

4. The Member States shall take steps to ensure that a contract in respect of participation in a course

4. The Member States shall take steps to ensure that a contract in respect of participation in a course

which has been concluded without observing the provisions of Articles 5 and 8(1) or which has not been signed by the contracting parties shall be invalid.

Article 17

2. The Member States shall send to the Commission the text of the main provisions of national law which they adopt in the field covered by this directive.

which has been concluded without observing the provisions of Articles 5 and 8(1) or which has not been signed by the contracting parties shall be void.

Article 17

Paragraph 1 unchanged

2. The Member States shall send to the Commission the text of the provisions of national law which they adopt in the field governed by this Directive.