

Proposal for a Council Directive on the implementation of the Agreement between the Swiss Confederation and the European Economic Community concerning direct insurance other than life assurance

COM(89) 436 final — SYN 221

(Submitted by the Commission on 7 September 1989)

(90/C 53/02)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 57 (2) thereof,

Having regard to the proposal from the Commission,

In cooperation with the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas an Agreement between the Swiss Confederation and the European Economic Community concerning direct insurance other than life assurance was signed at ... on ...;

Whereas one of the effects of that Agreement is to impose, in relation to insurance undertakings which have their head offices in the Swiss Confederation, legal rules different from those applicable, under Title III of Council Directive 73/239/EEC of 24 July 1973 on the coordination of laws, regulations and administrative provisions relating to the taking-up and pursuit of direct insurance other than life assurance ⁽¹⁾, to agencies and branches established within the Community of undertakings whose head offices are outside the Community;

Whereas the coordinated rules relating to the pursuit of these activities within the Community by the Swiss undertakings subject to the provisions of the Agreement of

... must take effect on the same date in all the Member States of the Community; whereas that Agreement will not come into force until the first day of the calendar year following the date on which the instruments of approval are exchanged,

HAS ADOPTED THIS DIRECTIVE:

Article 1

The Member States shall amend their national provisions to comply with the Agreement signed on ... between the Swiss Confederation and the European Economic Community within a period of 24 months following the notification of this Directive, and shall immediately inform the Commission thereof.

Article 2

The Member States shall specify in their national provisions that the amendments thereto made pursuant to the Agreement shall not come into force until the date on which the Agreement enters into force.

Article 3

This Directive is addressed to the Member States.

⁽¹⁾ OJ No L 228, 16. 8. 1973, p. 3.