

The Commission accepts the urgent need to reinforce local information structures so that they can fully play their role as neighbourhood centres and serve the general public as efficiently as possible. It is also aware of the need to better publicise the existence of these structures and to ensure that their activities are better publicised. Although steps have been taken in this direction, more remains to be done. A site presenting the information relays is now available on the Europa server — under the heading 'The European Union near you', it gives the addresses of local information relays. Links with sites developed by the relays themselves are planned. The 'Europe Direct' service, which gathers together requests for information from citizens of all the Member States, systematically informs correspondents in every reply of the existence of the nearest information centre. The Commission representations do the same. Other approaches could be explored, such as publicity campaigns in local media. However, these would require a considerable investment in terms of funding and human resources.

(2000/C 170 E/109)

**WRITTEN QUESTION E-1761/99**

**by Luis Berenguer Fuster (PSE) to the Commission**

(11 October 1999)

*Subject:* Proceedings opened in relation to state aid in the Spanish electricity sector

DG IV has opened state aid proceedings in relation to the fact that the cost of transition to competition (CTC) for Spanish electricity companies has been set at PTA 1 300 000 million. According to press reports in Spain, the Vice-President, Mrs Loyola de Palacio, is seeking to be granted competence with regard to state aid in the energy sector, a development which is being viewed with some concern given that Mrs de Palacio was a member of the government which approved the state aid in question. Will the Commission continue the above state aid proceedings under the responsibility of the Commissioner for competition, or will the case be transferred to the Vice-President responsible for energy?

(2000/C 170 E/110)

**WRITTEN QUESTION P-1889/99**

**by Luis Berenguer Fuster (PSE) to the Commission**

(14 October 1999)

*Subject:* Possible conflict of interests in proceedings in relation to state aid

Spanish press coverage of the proceedings in relation to the state aid granted to Spanish electricity companies to cover the costs of transition to competition have highlighted the fact that the services working for Commissioners Monti and de Palacio are collaborating on setting the amount of these costs. It has even been reported that the Spanish Commissioner's position on the granting the subsidies 'to alleviate costs arising from liberalisation' is favourable.

The fact that Mrs de Palacio was a member of the government which approved the state aid in question (which put up Spanish consumers' electricity bills by 4,5 %) does not appear to constitute any obstacle to her passing judgement, in her new role, on decisions which she took in her former role.

Does the Commission believe that Commissioner de Palacio should refrain from involvement in proceedings investigating the compatibility with the Treaty of state aid which she had been involved in granting?

**Joint answer  
to Written Questions E-1761/99 and P-1889/99  
given by Mr Monti on behalf of the Commission**

(17 November 1999)

Regarding price developments in the electricity sector in Spain, the data sent to the Commission by Spain's national electricity commission show that the amount billed to Spanish consumers of electricity fell, in terms of the real percentage paid by households, by 3,1 % in 1996, 2,9 % in 1997 and 4,4 % in 1998, and is set to fall by 5,6 % in 1999.

As far as the 'state aid' aspects are concerned, CTCs (costs of transition to competition) are a matter for the Member of the Commission in charge of competition policy.

Nevertheless, the staff of that Member of the Commission obviously cooperate closely on such cases with the Directorate-General for Energy, which is under the responsibility of the Vice-President, Mrs de Palacio.

Furthermore, any decision on the case will be taken in accordance with the principle of collective responsibility.

As for Mrs de Palacio's involvement in reaching this future collective decision by the Commission on state aid granted to Spanish electricity companies, the Honourable Member's attention is drawn to Article 213(2) (formerly Article 157(2)) of the EC Treaty, which provides that 'the Members of the Commission shall, in the general interest of the Community, be completely independent in the performance of their duties. In the performance of these duties, they shall neither seek nor take instructions from any government or from any other body. They shall refrain from any action incompatible with their duties. Each Member State undertakes to respect this principle and not to seek to influence the Members of the Commission in the performance of their tasks'.

Several Members of the Commission have held government posts in the past. However, the fact that she has been a member of a government should not prevent Mrs de Palacio from taking part in the Commission's decision-making process. If this were the case, it would be equivalent to nullifying the Commission's obligation to act independently. Following the appointment of the Commission, its Members gave a solemn undertaking to the Court of Justice that they would meet their obligations as Commissioners and in particular those referred to above. Given these circumstances, the Commission does not agree with the Honourable Member that Mrs de Palacio should refrain from involvement in taking the decision in question.

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(2000/C 170 E/111)

**WRITTEN QUESTION E-1765/99**

**by Bartho Pronk (PPE-DE) to the Commission**

(11 October 1999)

*Subject:* Naturalisation of Foreigners Act in the Netherlands and discrimination against EU citizens

The Naturalisation of Foreigners Act entered into force in the Netherlands on 30 September 1998. It will only apply to citizens from outside the EU.

1. What is the Commission's view of the Act?
2. If the Commission feels the Act involves discrimination, will it draw the Netherlands' attention to this?
3. Why has the Commission still not replied to complaints from Dutch organisations, for example the complaint lodged on 8 September 1998 by LIZE (national consultative body of Southern Europeans) (dealt with by Carmel O'Reilly, reference Cabinet Flynn/ms D(98))?

**Answer given by Mrs Diamantopoulou on behalf of the Commission**

(19 November 1999)

The purpose of the Act in question is to help new arrivals to integrate. This is achieved by offering them Dutch courses as well as courses designed to improve their chances on the labour market. Participation in the integration programme is compulsory for new arrivals who, on the basis of an official test, are deemed to have insufficient knowledge of Dutch to be able to integrate into Dutch society in general and the labour market in particular. Failure to comply with the obligations laid down in the Act may result in a fine or other penalty.

The exclusion of Community nationals from the education programmes offered in accordance with the Act has highlighted the extreme complexity of the subject, necessitating detailed investigations.