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## Information and Notices

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## I

*(Information)*

## EUROPEAN PARLIAMENT

1976/77 SESSION

Sitting from 15 to 19 November 1976

European Centre, Kirchberg — Luxembourg

MINUTES OF PROCEEDINGS OF THE SITTING OF MONDAY, 15 NOVEMBER  
1976

IN THE CHAIR: MR SPÉNALE

*President*

The sitting was opened at 7.10 p.m.

**Resumption of session**

The President declared resumed the session of the European Parliament adjourned on 27 October 1976.

**Membership of committees**

The President reminded Parliament that at its sitting of 15 October 1976 it had provisionally appointed the members of the Italian delegation to the committees. They had taken their seats on that date and their credentials had been verified at the sitting on 27 October 1976.

Parliament confirmed the ratification of the appointments of these members to the committees, taking account of the changes made in the meantime <sup>(1)</sup>.

At the request of the Communist and Allies Group and the Christian-Democratic Group, Parliament ratified the appointment of:

- Mrs Iotti as a member of the Legal Affairs Committee, replacing Mr Vernaschi;
- Mr Noè as a member of the Committee on the Environment, Public Health and Consumer Protection, replacing Mrs Iotti.

**Presentation of petitions**

The President announced that he had received:

- from Mr Everhard, Mr Mermans and Mr Behrens a petition on the hazardous activities of Euratom

<sup>(1)</sup> See minutes of 15 and 27 October 1976.

in Geel/Mol involving the use of plutonium and similar substances in the immediate vicinity of houses and food-processing facilities;

- from Mrs Antony and others a petition on relations between the European Communities and Chile; and
- from Mr Feidt and others a petition on enquiries into the political affiliations of Commission officials.

These petitions had been entered under Nos 11/76, 12/76 and 13/76 of the general register provided for in Rule 48 (2) of the Rules of Procedure and, pursuant to paragraph 3 of that same rule, referred to the Committee on the Rules of Procedure and Petitions.

#### Documents received

The President announced that he had received the following documents:

(a) from the Council, requests for an opinion on:

- the proposal from the Commission of the European Communities to the Council for a Decision adopting the annual report on the economic situation in the Community and laying down the economic policy guidelines for 1977 (Doc. 393/76).

This document had been referred to the Committee on Economic and Monetary Affairs;

- the proposal from the Commission of the European Communities to the Council for a Regulation concerning the import of certain viticultural products originating in Greece into the three new Member States (Doc. 394/76).

This document had been referred to the Committee on External Economic Relations as the committee responsible and to the Committee on Agriculture for its opinion;

- the proposal from the Commission of the European Communities to the Council for a Regulation amending Annex IV to Regulation (EEC) No 816/70 laying down additional provisions for the common organization of the market in wine and the Common Customs Tariff as regards the exchange rates applicable to customs duties on certain wines (Doc. 395/76).

This document had been referred to the Committee on Agriculture;

- the proposal from the Commission of the European Communities to the Council for a

Regulation extending the period of validity of Regulations (EEC) No 1509/76 and (EEC) No 1522/76 on imports into the Community of prepared and preserved sardines originating in Tunisia and Morocco respectively (Doc. 402/76).

This document had been referred to the Committee on External Economic Relations as the committee responsible and to the Committee on Budgets, the Committee on Agriculture and the Committee on Development and Cooperation for their opinions;

- the proposals from the Commission of the European Communities to the Council for:

I. a Regulation amending Regulation (EEC) No 1162/76 on measures designed to adjust wine-growing potential to market requirements

II. a Regulation amending Regulation (EEC) No 1163/76 on the granting of a conversion premium in the wine sector (Doc. 410/76).

This document had been referred to the Committee on Agriculture as the committee responsible and to the Committee on Budgets for its opinion;

- the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulations (EEC) No 2682/72, (EEC) No 2727/75, (EEC) No 765/68 and (EEC) No 330/74 concerning the description of certain chemicals falling within subheading 29.16 A VIII of the Common Customs Tariff (Doc. 422/76).

This document had been referred to the Committee on Agriculture;

(b) from the committees, the following reports:

- second report by Mr Brégère on behalf of the Committee on the Environment, Public Health and Consumer Protection on the consumer and public health aspects of the manufacture and sale of fruit jams, jellies and marmalades and chestnut purée. (Doc. 376/76);

- interim report by Mr Nyborg on behalf of the Committee on Regional Policy, Regional Planning and Transport on the communication from the Commission of the European Communities to the Council on action in the field of transport infrastructure and the proposals from the Commission of the

- European Communities to the Council (Doc. 244/76) for:
- I. a Decision instituting a consultation procedure and creating a Committee in the field of transport infrastructure
  - II. a Regulation concerning aid to projects of Community interest in the field of transport infrastructure
- (Doc. 377/76);
- report by Lord Bessborough on behalf of the Committee on Energy and Research on the proposal from the Commission of the European Communities to the Council (Doc. 257/76) for a Decision on a four-year programme (1977 to 1980) in the field of scientific and technical education (Doc. 379/76);
  - report by Mr Spicer on behalf of the Committee on External Economic Relations on the advisability on enlarging the Community's competence in the field of external economic relations (Doc. 380/76);
  - report by Mr Albers on behalf of the Committee on Regional Policy, Regional Planning and Transport on the proposal from the Commission of the European Communities to the Council (Doc. 472/75) for a Regulation on a system of reference tariffs for the carriage of goods by inland waterway between Member States (Doc. 381/76);
  - report by Mr Albers on behalf of the Committee on Regional Policy, Regional Planning and Transport on the proposal from the Commission of the European Communities to the Council (Doc. 262/76) for a Regulation concluding the Agreement establishing a European laying-up fund for inland waterway vessels, and adopting the provisions for its implementation (Doc. 382/76);
  - report by Mr Seefeld on behalf of the Committee on Regional Policy, Regional Planning and Transport on the proposal from the Commission of the European Communities to the Council (Doc. 17/76) for a Regulation on the harmonization of certain social legislation relating to road transport (Doc. 396/76);
  - report by Mr Albertsen on behalf of the Committee on Social Affairs, Employment and Education on the first European social budget (revised) 1970 to 1975 (Doc. 397/76);
  - report by Mr Walkhoff on behalf of the Committee on Social Affairs, Employment and Education on the draft Commission recommendation to the Member States (Doc. 298/76) on vocational preparation for young people who are unemployed or threatened by unemployment (Doc. 398/76);
  - report by Mr Willi Müller, on behalf of the Committee on the Environment, Public Health and Consumer Protection on the proposal from the Commission of the European Communities to the Council (Doc. 341/76) for a Decision concluding a Convention for the protection of the Rhine against chemical pollution and an Additional Agreement to the Agreement signed in Berne on 29 April 1963 concerning the International Commission for the Protection of the Rhine against Pollution (Doc. 400/76);
  - report by Mr Guerlin on behalf of the Committee on the Environment, Public Health and Consumer Protection on the proposal from the Commission of the European Communities to the Council (Doc. 256/76) for a Directive supplementing, with regard to the chilling process, amended Directive 71/118/EEC on health problems affecting trade in fresh poultrymeat (Doc. 401/76);
  - report by Mr Pintat on behalf of the Committee on Energy and Research on the proposal from the Commission of the European Communities to the Council (Doc. 264/76) for a Decision reviewing the energy research and development programme adopted by the Council Decision of 22 August 1975 (Doc. 403/76);
  - report by Mr Artzinger, on behalf of the Committee on Economic and Monetary Affairs on the proposal from the Commission of the European Communities to the Council (Doc. 393/76) concerning a Decision adopting the annual report on the economic situation in the Community and laying down the economic policy guidelines for 1977 (Doc. 405/76);
  - report by Miss Boothroyd on behalf of the Committee on Development and Cooperation on the proposal from the Commission of the European Communities to the Council (Doc. 359/76) for a Regulation on the autonomous and special arrangements for beef and veal products originating in some signatory States

- of the ACP-EEC Convention of Lomé (Doc. 406/76);
- report by Mr B. Nielsen on behalf of the Committee on Development and Cooperation on the communication from the Commission of the European Communities to the Council (Doc. 323/76) on the three-year indicative food-aid programme, 1977 to 1979 (Doc. 407/76);
  - third report drawn up by Mr Hamilton on behalf of the Committee on the Rules of Procedure and Petitions on the amendment of Chapter XI of the Rules of Procedure of the European Parliament (Doc. 408/76);
  - report by Mr Memmel on behalf of the Committee on the Rules of Procedure and Petitions on the amendment of Rule 48 of the Rules of Procedure (Petitions) (Doc. 409/76);
  - report by Mr Schwörer on behalf of the Committee on Economic and Monetary Affairs on a motion for a resolution tabled by Mr Schwörer, Mr Mitterdorfer, Mr Mursch, Mr Brugger, Mr W. Müller, Mr Suck, Mr Schmidt, Mr Schwabe, Mr De Keersmaecker, Mr Vandewiele, Mr Bangemann and Mr Artzinger on third-party motor vehicle insurance in the Community (Doc. 357/76) — (Doc. 412/76);
  - report by Mr Scott-Hopkins on behalf of the Committee on Agriculture on the proposal from the Commission of the European Communities to the Council (Doc. 246/76) for a Regulation relating to the organization of a survey on the structure of agricultural holdings for 1977 (Doc. 413/76);
  - report by Mr de Koning on behalf of the Committee on Agriculture on the proposals from the Commission of the European Communities to the Council (Doc. 364/76) for:
    - I. a Regulation on a coresponsibility levy and measures for expanding markets in the milk and milk products sector
    - II. a Regulation temporarily suspending certain national and Community aids in the milk and milk products sector
    - III. a Regulation concerning a charge on certain oils and fats
    - IV. a Decision setting up a Community action for the eradication of brucellosis, tuberculosis and leucosis in bovines (Doc. 414/76);
  - report by Mr Liogier on behalf of the Committee on Agriculture, on the proposal from the Commission of the European Communities to the Council (Doc. 358/76) for a Regulation regarding the final date for submitting applications for aid from the European Agricultural Guidance and Guarantee Fund, Guidance Section, for 1977 (Doc. 417/76);
  - report by Mrs Dunwoody, on behalf of the Committee on Agriculture on the proposal from the Commission of the European Communities to the Council (Doc. 302/76) for a Regulation on the opening, allocation and administration of a Community tariff quota for frozen beef and veal falling within subheading 02.01 A II a) 2 of the Common Customs Tariff (1977) (Doc. 418/76);
  - report by Mr Ney, on behalf of the Committee on Agriculture on the proposal from the Commission of the European Communities to the Council (Doc. 240/76) for a Directive amending Directives 64/432 of 26 June 1964, 72/461 of 12 December 1972 and 72/462 of 12 December 1972 on health and veterinary problems (Doc. 419/76);
  - report by Mr Früh, on behalf of the Committee on Agriculture on the amendments to a proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 1696/71 on the common organization of the market in hops (Doc. 420/76);
  - report by Mr Ney on behalf of the Committee on the Environment, Public Health and Consumer Protection on the proposals from the Commission of the European Community to the Council (Doc. 132/76) for:
    - I. a Directive on the approximation of the laws of the Member States relating to veterinary medicinal products
    - II. a Directive on the approximation of the laws of the Member States relating to analytical, pharmacotoxicological and clinical standards and protocols in respect of the testing of veterinary medicinal products (Doc. 421/76);
- (c) the following motion for a resolution:
- motion for a resolution tabled by Sir Brandon Rhys Williams on disorders in world currency markets (Doc. 392/76).

This document had been referred to the Committee on Economic and Monetary Affairs.

(d) the following oral questions:

- the oral question with debate by Lord Bethell, Mr Spicer, Mr Herbert, Mr Martens, Mr Jahn, Mr Noè and Mr Premoli to the Council on Council implementation of the European Communities' November 1973 environment programme (Doc. 383/76);
- the oral question with debate by the European Conservative Group to the Council on the extension of fishing zones of Community Member States and preservation of fish stocks within the Community's proposed 200-mile exclusive economic zone (Doc. 384/76);
- the oral question with debate by the European Conservative Group to the Commission on the extension of fishing zones of Community Member States and preservation of fish stocks within the Community's proposed 200-mile exclusive economic zone (Doc. 385/76);
- the oral question with debate by Mr Cousté on behalf of the Group of European Progressive Democrats to the Commission on the situation in the craft trades industry (Doc. 386/76);
- the oral question without debate by Mr Geurtsen to the Commission on the protection of copyright in the field of photomechanical reproduction (Doc. 387/76);
- the oral question with debate by Miss Boothroyd, Mr Evans, Mr Adams, Mr Carpentier, and Mr Kavanagh to the Commission on consumer democracy (Doc. 388/76);
- the oral question with debate by Mr Osborn on behalf of the European Conservative Group to the Commission on trade with Japan (Doc. 390/76);
- the oral question with debate by Mr Prescott on behalf of the Socialist Group to the Council on the extension of the Community Member States' fishing zones to 200 miles on 1 January 1977; fishing agreements with non-Community nations and a revised common fishing policy (Doc. 391/76);
- the oral question with debate by Mr Nyborg, Mr Cointat, Mr Clerfayt, Mr Gibbons, Mr

Herbert, Mr Laban, Mr Lenihan, Mr Nolan and Mr Kofoed to the Council on establishing a common fishing policy for the Member States (Doc. 399/76);

- the oral question with debate by the Committee on Economic and Monetary Affairs to the Commission in the crisis and pre-crisis policy in the steel sector (Doc. 415/76);
- the oral question with debate by Mr Cousté, on behalf of the Group of European Progressive Democrats to the Commission on the crisis in the Community iron and steel industry (Doc. 416/76).

#### Text of treaties forwarded by the Council

The President announced that he had received from the Council a certified true copy of the following document:

- Commercial Cooperation Agreement between the European Economic Community and the People's Republic of Bangladesh.

#### Reference to committee

The President announced that the proposal from the Commission of the European Communities to the Council for a Directive on the approximation of the laws of the Member States relating to articles of precious metals (Doc. 466/75), which had been referred to the Committee on Economic and Monetary Affairs had now, at that committee's request, also been referred to the Committee on the Environment, Public Health and Consumer Protection for its opinion.

#### Authorization of a report

The President announced that, pursuant to Rule 38 of the Rules of Procedure, he had authorized the Committee on Social Affairs, Employment and Education to draw up a report on the communication from the Commission of the European Communities to the Council on the humanizing of working conditions.

#### Tabling of motions for resolutions

The President announced that he had received a motion for a resolution tabled by Mr Espersen, on behalf of the Socialist Group, with request for debate by urgent procedure pursuant to Rule 14 of the Rules of Procedure, on the abuse of the principle of the free movement of labour (Doc. 424/76).



He would consult Parliament on the urgency of this motion the following morning.

He also announced that he had received from Mr Springorum, on behalf of the Committee on Energy and Research, a motion for a resolution, with request for debate by urgent procedure pursuant to Rule 14 of the Rules of Procedure, on the present situation with regard to a Community energy policy following the Council meeting of 19 October 1976 (Doc. 378/76) and a motion for a resolution with request for debate by urgent procedure, pursuant to Rule 14 of the Rules of Procedure, on the results of the meeting of the Council of Research Ministers of 21 October 1976 (Doc. 404/76).

Parliament decided to adopt urgent procedure on these two motions and to debate them jointly the following day, Tuesday, 16 November, as fourth item on the agenda.

#### Limitation of speaking time

On a proposal from the President, Parliament decided to limit speaking time on all reports on the agenda to:

- 15 minutes for the rapporteur and for one speaker on behalf of each group
- 10 minutes for other speakers, and
- 5 minutes for speakers on amendments.

Speaking time on oral questions with debate was limited to:

- 10 minutes for the author of the question, and
- 5 minutes for other speakers.

#### Organization of the debate on political cooperation

The President announced that, pursuant to Rule 28 of the Rules of Procedure, speaking time had been allocated as follows for the debate scheduled to be held on Wednesday, 17 November, following the statement by the President-in-Office of the Council:

- Socialist Group: 30 minutes;
- Christian-Democratic Group: 25 minutes;
- Liberal and Allies Group: 20 minutes;
- Group of European Progressive Democrats: 15 minutes;
- European Conservative Group: 15 minutes;

— Communist and Allies Group: 15 minutes;

— non-attached members: between 5 and 10 minutes.

Mr Radoux spoke.

#### Order of business

##### *Procedure without report*

The President announced that, pursuant to Rule 27A (5) of the Rules of Procedure, the Commission proposal mentioned below had been placed on the agenda for that sitting for approval without report.

He reminded Parliament that unless any member asked leave to speak on this proposal or amendments were tabled to it before the opening of the sitting on Friday, 19 November 1976, he would declare this proposal to be approved pursuant to Rule 27A (6) of the Rules of Procedure:

- proposal from the Commission of the European Communities to the Council for a Regulation amending Annex IV to Regulation (EEC) No 816/70 laying down additional provisions for the common organization of the market in wine and the Common Customs Tariff as regards the exchange rates applicable to customs duties on certain wines (Doc. 395/76).

This proposal had been referred to the Committee on Agriculture.

After the following had spoken: Mr Liogier; Mr Lardinois, *Member of the Commission*, Miss Flesch, *Chairman of the Committee on Development and Cooperation*, Mr Prescott, Mr Lardinois, Mr Nyborg, Mr Dalyell, Mr Osborn, Mr Nyborg, Mr Dalyell, Mr Notenboom, *Vice-Chairman of the Committee on Economic and Monetary Affairs*, Mr Fellermaier, Mr Osborn, Mr Laban, *Vice-Chairman of the Committee on Agriculture*, Mr Liogier, Mr Hughes, Mr Laban, Mr Hughes, Mr Pisoni, Mr Laban and Mr Liogier, Parliament decided, on a proposal from the President, to place the following reports on the agenda for consideration by urgent procedure:

- Walkhoff report on unemployment among young people;
- Dunwoody report on frozen beef and veal (without debate); and
- Liogier report on the EAGGF (without debate).

Mr Liogier asked for his report on the EAGGF to be considered under the procedure with debate.

Parliament decided to postpone the report by Mr Liogier to the December part-session.

On a proposal from the President, Parliament adopted the following agenda for the present part-session:

*Tuesday, 16 November 1976*

*9 a.m. and 2 p.m.:*

- action taken by the Commission on the opinions of Parliament;
- Laban report on agricultural reform;
- Ligios report on olive oil offers;
- joint debate on the Springorum motions for resolutions on the Community's energy policy and research;
- Bessborough report on education;
- Pintat report on energy.

The oral question with debate to the Commission on trade with Japan was postponed to the December part-session.

- Schwörer report on third-party insurance (without debate);
- oral question without debate to the Commission on the protection of copyright.

*Wednesday, 17 November 1976*

*10 a.m. and 3 p.m.:*

- Question Time;
- statement by the President-in-Office of the Council on political cooperation followed by a debate.

The Berkhouwer report on the amendment of Parliament's Rules of Procedure had been postponed to the December part-session when it would be considered jointly with the third Hamilton report and the Memmel report on the amendment of the Rules of Procedure.

- second Hamilton report on the amendment of the Rules of Procedure (vote);
- second Martens report on the amendment of the Rules of Procedure (vote);
- joint debate on two oral questions to the Council and an oral question to the Commission on fishing policy;

— oral question with debate to the Council on the Communities' environment programme;

- Albertsen report on the first European social budget (revised);
- oral question with debate to the Commission on craft trades;
- de Broglie report on direct taxation.

*Thursday, 18 November 1976*

*10 a.m. and 3 p.m.:*

- Gerlach report on regional policy;
- Artzinger report on the economic situation in the Community;
- Walkhoff report on unemployment among young people.

The Schwörer report on medium-term economic policy had been withdrawn from the agenda.

- Seefeld report on road transport;
- Albers report on inland waterway transport.

The Albers report on a European laying-up fund for inland waterway vessels had been withdrawn from the agenda.

- joint debate on:
  - Giraud report on the carriage of goods by road,
  - Mursch report on the carriage of goods by rail,
  - Mitterdorfer report on the carriage of goods by rail, road and inland waterway;
- Nyborg interim report on transport infrastructures;
- oral question with debate to the Commission on Community water policy.

*Friday, 19 November 1976*

*9 a.m. to 12 noon:*

- possibly, continuation of Thursday's agenda;
- procedure without report;
- Dunwoody report on frozen beef and veal (without debate);

- oral question with debate to the Commission on raw materials;
- oral question with debate to the Commission on consumer democracy;
- second Bethell report on the dumping of wastes at sea;
- second Brégégère report on jams;
- W. Müller report on the protection of the Rhine against pollution;
- Ney report on veterinary medicinal products;
- Guerlin report on fresh poultrymeat.

The Spicer report on external economic relations had been postponed to the December part-session.

- Boothroyd report on beef and veal from certain ACP States;
- B. Nielsen report on food aid.

#### Time limit for tabling amendments:

On a proposal from the President, Parliament decided to set the time limit for tabling amendments to the de

Koning report on the milk sector (Doc. 414/76) at 12 noon on Friday, 19 November 1976.

#### Agenda for next sitting

The President announced the following agenda for the next sitting on Tuesday, 16 November 1976:

9 a.m. and 2.30 p.m.:

- action taken by the Commission on the opinions of Parliament;
- Laban report on agricultural reform;
- Ligios report on olive oil offers;
- joint debate on the Springorum motions for resolutions on the Community's energy policy and research;
- Bessborough report on education;
- Pintat report on energy;
- Schwörer report on third-party insurance (without debate);
- oral question without debate to the Commission on the protection of copyright.

The sitting was closed at 8.10 p.m.

H. R. NORD  
*Secretary-General*

Georges SPÉNALE  
*President*

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### MINUTES OF PROCEEDINGS OF THE SITTING OF TUESDAY, 16 NOVEMBER 1976

IN THE CHAIR: MR SPÉNALE  
*President*

The minutes of proceedings of the previous day's sitting were approved.

The sitting was opened at 9.05 a.m.

#### Documents received

#### Approval of minutes

The President announced that he had received from the Council a request for an opinion on the proposal from the Commission of the European Communities to the Council for a Regulation amending Regulation (EEC) No 97/69 on measures to be taken for uniform application of the nomenclature of the Common Customs Tariff (Doc. 423/76).

Mr Scott-Hopkins and Mr Lardinois, *Member of the Commission*, spoke.

This document had been referred to the Committee on External Economic Relations as the committee responsible and to the Committee on Agriculture for its opinion.

He had also received oral questions from Mr Glinne, Mr Dondelinger, Mr Cousté, Mr Cointat, Mr Dykes, Mr Fletcher, Mr Evans, Mr Hamilton, Mr Normanton, Mr Kofoed, Mr Spicer, Mr Nolan, Mr Brøndlund Nielsen, Mr Osborn, Mr Ellis, Mr Molloy, Mr Berkhouwer, Mr Sandri, Sir Brandon Rhys Williams, Mr Scott-Hopkins, Mr Bangemann, Mr Howell, Mr Dalyell, Mrs Dunwoody, Mr Gibbons, Mr De Clercq, Mr Cifarelli and Mr Gerlach, pursuant to Rule 47A of the Rules of Procedure, for Question Time on 17 November 1976 (Doc. 411/76).

#### Action taken by the Commission on the opinions of Parliament

Mr Lardinois, *Member of the Commission*, informed Parliament of the action taken by the Commission on the various opinions delivered by Parliament at its recent sittings.

The following spoke: Mr Fellermaier, Mr Dalyell, Mr Lardinois, Mr Dalyell and Mr Prescott.

#### Decision on the urgency of a motion for a resolution on the free movement of labour

Parliament decided to adopt urgent procedure for the motion for a resolution tabled by Mr Espersen, on behalf of the Socialist Group, on the abuse of the principle of the free movement of labour (Doc. 424/76), receipt of which had been announced at the previous day's sitting. It was decided to place this motion for a resolution on the agenda for the present sitting and to consider it at the beginning of the afternoon.

#### Report on agricultural reform

Mr Laban introduced his report, drawn up on behalf of the Committee on Agriculture, on the report by

the Commission of the European Communities on the application of the Council Directives on agricultural reform of 17 April 1972 (Doc. 301/76).

Mr Guerlin spoke on behalf of the Socialist Group and Mr McDonald on behalf of the Christian-Democratic Group.

IN THE CHAIR: MR BERKHOUWER

*Vice-President*

The following spoke: Mr Kofoed, on behalf of the Liberal and Allies Group, Mr Liogier, on behalf of the Group of European Progressive Democrats, Mr Scott-Hopkins, on behalf of the European Conservative Group, Mr Pisoni, Mr Bersani, Mr Lardinois, *Member of the Commission*, Mr Laban, *Rapporteur*, Mr Dalyell, Mr Lardinois, Mr Durand and Mr Dalyell.

Parliament now considered the motion for a resolution and first adopted the preamble and paragraphs 1 to 3.

On paragraph 4, Mr Martens had tabled, on behalf of the Christian-Democratic Group, amendment No 1 proposing the replacement of this paragraph by a new text. Mr de Koning now moved the amendment.

The rapporteur spoke.

Amendment No 1 was adopted.

Parliament adopted paragraph 5.

On paragraph 6, Mr Martens had tabled, on behalf of the Christian-Democratic Group, amendment No 2, proposing the replacement of this paragraph by a new text. Mr de Koning now moved the amendment.

The rapporteur spoke.

Amendment No 2 was rejected.

Parliament adopted paragraph 6.

Parliament adopted paragraphs 7 to 12.

Parliament adopted the following resolution:

#### RESOLUTION

on the report by the Commission of the European Communities on the application of the Council Directives on agricultural reform of 17 April 1972

*The European Parliament,*

— having regard to the report by the Commission of the European Communities (COM(76) 87 fin.),

— having regard to the report of the Committee on Agriculture (Doc. 301/76),

1. Regrets the delay in implementing the common structural policy as laid down by the Council in its structural Directives of 17 April 1972;

2. Notes that the Commission has at its disposal only a few initial data regarding the application of the Directives, so that a definitive evaluation of the results of Community and national measures is not possible;
3. Urges Member States to take at an early date the measures needed to implement the structural Directives completely and, in accordance with the provisions of these Directives, to provide the Commission with the relevant data in good time so that a full analysis of the results of the common structural policy can be made;
4. Points out that the aims of the common agricultural policy, i.e. a reasonable income for farmers, secure food supplies at reasonable prices and a stable market equilibrium cannot be achieved unless urgent steps are taken to supplement the market and price policy with a dynamic and effective structural policy;
5. Notes that:
  - (a) large discrepancies still exist between incomes in the agriculture sectors and those in other sectors of industry,
  - (b) such discrepancies also exist between agricultural incomes in the various sectors of agriculture and the various regions of the Community,
  - (c) small farms benefit least from the common price policy which has hitherto been the principal method of supporting agricultural incomes;
6. Believes that, within the structural policy, special attention should be paid to:
  - (a) potentially viable holdings where the farmers cannot be adequately assisted by means of the common price policy, where they do not have sufficient resources to improve the structure of their farms and where they require temporary direct income support under the common structural policy to tide them over until their farms become viable;
  - (b) holdings which are not potentially viable and where the farmers must be assisted under the cessation of farming scheme by the grant of temporary direct income support enabling them to maintain a reasonable income level until they qualify for the standard old-age pension arrangements;
7. Approves the establishment of a study group which, within the framework of the Standing Committee on Agricultural Structure, will study the difficulties that have delayed implementation of the Directives, and requests to be kept informed of the results of the activities of this study group;
8. Considers it important that the problem of insufficient coordination between a farmer's cessation of activity and the allocation of his land for the modernization of farms which have submitted a development plan, should be further examined and that a study should at the same time be carried out to see how the land banks that exist in some Member States can contribute to greater mobility of agricultural land in accordance with the objectives of the common structural policy;
9. Requests the Commission to look into ways of drawing up flexible production plans for a three-year period, renewable annually, taking account of expected trends in supply and demand in the Community and the need for Community agriculture to exert a stabilizing influence at international level;
10. Requests the Commission to investigate whether it would be possible to harmonize interest rates on loans to European farmers and alleviate their financial burden by setting up a European interest subsidy fund; points out in this connection the no doubt obvious fact that it is highly desirable for the extremely complex problem of the harmonization of fiscal systems in the Member States, especially in agriculture, to be resolved as soon as possible;

11. Urges the Council to take an early decision on the proposals regarding aid to young farmers, producer groups, the processing and marketing of agricultural products and measures in the forestry sector;
12. Instructs its President to forward this resolution and the report of its committee to the Council and Commission of the European Communities.

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#### Regulations on olive oil offers

Mr Pisoni, deputizing for the rapporteur, introduced the report drawn up by Mr Ligios, on behalf of the Committee on Agriculture, on the proposals from the Commission of the European Communities to the Council (Doc. 324/76) for:

- I. a Regulation amending Regulation (EEC) No 601/76 laying down special measures in particular for the determination of the offers of olive oil on the world market
- II. a Regulation amending Regulation (EEC) No 602/76 laying down special measures in particular for the determination of the offers of olive oil on the Greek market

(Doc. 374/76).

Mr Cifarelli and Mr Lardinois, *Member of the Commission*, spoke.

Parliament adopted the following resolution.

#### RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for:

- I. a Regulation amending Regulation (EEC) No 601/76 laying down special measures, in particular for the determination of the offers of olive oil on the world market
- II. a Regulation amending Regulation (EEC) No 602/76 laying down special measures, in particular for the determination of the offers of olive oil on the Greek market

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the EEC Treaty (Doc. 324/76),
- having regard to the report by the Committee on Agriculture and the opinion of the Committee on External Economic Relations (Doc. 374/76),

1. Approves the Commission's proposals;
2. Urges the Commission once more, however, as it has several times in the past, to submit as soon as possible the new rules on the common organization of the market in this sector, as it had undertaken to do before the end of 1976.

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<sup>(1)</sup> OJ No C 237, 9. 10. 1976, p. 2.

**Situation as regards the Community's energy policy  
— Outcome of the Council of Research Ministers**

The next item on the agenda was the joint debate on two motions for resolutions on energy and research.

Mr Springorum introduced the motion for a resolution which he had tabled, on behalf of the Committee on Energy and Research, on the present situation with regard to the Community energy policy following the Council meeting of 19 October 1976 (Doc. 378/76), and the motion for a resolution which he had tabled on behalf of the same committee on the results of the meeting of the Council of Research Ministers of 21 October 1976 (Doc. 404/76).

**Procedural motion**

The following spoke on a question of procedure: Mr Dalyell, Mr Hougardy, Lord Bessborough, Mr Broeksz, Mr Dalyell, Mr Broeksz and Mr Hougardy.

The sitting was suspended at 12.50 p.m. and resumed at 2.35 p.m.

IN THE CHAIR: MR MARTENS  
*Vice-President*

**Membership of committees**

At the request of the Christian-Democratic Group, Parliament ratified the appointment of Mr Vernaschi as a member of the Joint Parliamentary Committee of the EEC-Greece Association to replace Mr Noè.

**Abuse of the principle of the free movement of labour**

Mr Espersen introduced the motion for a resolution on the abuse of the principle of the free movement of labour (Doc. 424/76), the urgency of which had been decided that morning.

The following spoke: Mr Jakobsen, on behalf of the European Conservative Group, Mr Maigaard, Mr Brunner, *Member of the Commission*, Mr Prescott, Mr Brunner, Mr Maigaard, Mr Brunner, Mr Leonardi and Mr Brunner.

Parliament adopted the following resolution:

**RESOLUTION**

**on the abuse of the principle of the free movement of labour**

*The European Parliament,*

- having been informed that the Hertz Rent-a-Car Corporation, confronted with a legal strike by the staff of its Danish branch, has ordered workers from other EEC branches of Hertz to replace the Danish staff,
- protesting energetically against this abuse of the principle of the free movement of labour aimed at breaking a strike which has been started legally and is being held in accordance with normal rules,
- drawing attention to the consequences of such practices for social peace in the Community,

1. Urges the Commission to take the necessary steps to prevent this and similar abuses of the principle of the free movement of labour;
2. Instructs its President to forward this resolution to the Commission.

**Present situation with regard to the Community energy policy — Outcome of the Council of Research Ministers** (*continued*)

The following spoke in the debate on the two Springorum motions for resolutions (Docs. 378/76 and 404/76): Mr Dalyell on behalf of the Socialist Group, Mrs Walz, on behalf of the

Christian-Democratic Group, Mr Hougardy on behalf of the Liberal and Allies Group, Mr Liogier on behalf of the Group of European Progressive Democrats, Lord Bessborough, on behalf of the European Conservative Group, Mr Leonardi, on behalf of the Communist and Allies Group, Mr Jahn, on behalf of the Committee on the Environment, Public Health and Consumer Protection, Mr Radoux,

Mr Burgbacher, Mr Vandewiele, Mr Osborn, Mr Ellis, Mr Noè and Mr Normanton.

IN THE CHAIR: MR BEHRENDT

*Vice-President*

Mr Cifarelli, Mrs Ewing and Mr Brunner, *Member of the Commission*, spoke.

Parliament decided to consider first the motion for a resolution on the energy policy (Doc. 378/76).

The preamble and paragraphs 1 to 3 were adopted.

On paragraph 4, Mr Springorum had tabled amendment No 2, which he now moved.

Amendment No 2 was adopted.

Paragraph 4, accordingly amended, was adopted.

Paragraphs 5 to 7 were adopted.

On paragraph 8, Mr Patijn had tabled on behalf of the Socialist Group amendment No 1, proposing the deletion of this paragraph; he now moved his amendment.

The following spoke: the rapporteur, Mr Dalyell, Mr Waltmans and Mr Brunner, *Member of the Commission*.

Amendment No 1 was rejected.

Paragraph 8 was adopted.

Paragraphs 9 to 12 were adopted.

Parliament adopted the following resolution:

#### RESOLUTION

on the present situation with regard to a Community energy policy following the Council meeting of 19 October 1976

*The European Parliament,*

- having regard to the outcome of the meeting of the Council of the European Communities on 19 October 1976,
- having regard to the absence of a Community energy policy,
- having regard to the fact that the Community is constantly afflicted by an energy crisis which is steadily growing worse as a result of the Council's inability to take appropriate decisions,

1. Emphasizes that, in view of the serious threat that hangs over the Community's energy supply and consequently over its political and economic independence, the Council's irresponsible attitude may well lead to the Community's becoming completely paralysed;
2. Notes that for over three years the Council has not shown itself capable of introducing the Community mechanisms needed to overcome a crisis and that the appropriate Council of Ministers has met only six times in the past two years instead of twelve, as planned;
3. Emphasizes that it is already evident today that the 'objectives for 1985' in the sphere of energy policy cannot be achieved and that consequently the Community's dependence on other sources of energy remains undiminished;
4. Considers, moreover, that foreseeable developments on the world market in hydrocarbons may produce a structural crisis in the Community's supply of these products, and expresses profound concern at the plans of the oil-producing countries for a possible increase in the price of oil;
5. Points out that there is no point in the Community's wanting to take an active part in the work of international organizations in the sphere of energy, particularly within the framework of the North-South dialogue, if such activities are not supported by a coherent and determined Community policy;
6. Notes that the energy-saving programmes have not been implemented;
7. Is extremely concerned that the development of alternative energy sources has so far not been expedited and that reliable Community sources of energy are being virtually neglected;
8. Calls on the Council and Commission to persuade the Governments to adopt a clear stand on the problem of the use of nuclear energy and to offer their citizens fuller and more appropriate information than hitherto, and awaits proposals for Directives along these lines;



9. Draws the attention of European public opinion to the Council's inactivity in the sphere of a common energy policy;
10. Emphasizes that the Council bears, and will continue to bear, full responsibility for the serious effects of this attitude upon the future of the Community and its citizens;
11. For all these reasons, calls upon the Council and Commission, by immediately applying Article 235 of the EEC Treaty — as in the case of environmental protection and research — to create the legal basis required for a common energy policy in those areas where it does not yet definitely exist;
12. Instructs its President to forward this resolution to the Council and Commission.

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Parliament then considered the motion for a resolution on research (Doc. 404/76).

Parliament adopted the preamble and paragraph 1.

On paragraph 2, Mr Springorum had tabled amendment No 2, which he now moved.

Amendment No 2 was adopted.

Parliament adopted paragraph 2 thus amended.

Parliament adopted paragraphs 3 and 4.

On paragraph 5, Mr Laban, Mr Patijn and Mr Albers had tabled amendment No 1, which Mr Laban withdrew.

The rapporteur and Mr Cifarelli spoke.

Paragraph 5 was adopted after a modification had been made to the Italian text.

Parliament adopted paragraph 6.

Parliament adopted the following resolution:

#### RESOLUTION

on the results of the meeting of the Council of Research Ministers of 21 October 1976

*The European Parliament,*

having regard to its previous resolutions in the field of research policy, in particular its resolution of 14 September 1976 on the proposal from the Commission of the European Communities to the Council for a multiannual research programme of the Joint Research Centre, 1977 to 1980 <sup>(1)</sup>,

1. Notes the results of the meeting of the Council of Research Ministers of 21 October 1976 and regrets that the essential decisions were not taken;
2. Notes also the decision of this Council to meet again on 18 November 1976, and expects the necessary decisions, to be taken without further delay;
3. Calls on the Council most urgently, therefore, to adopt at this meeting the proposal from the Commission for a multiannual research programme of the Joint Research Centre, 1977 to 1980, in the form approved by the European Parliament as regards its financing and staff complement, since the continuation of direct Community research will otherwise be placed in jeopardy;

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<sup>(1)</sup> OJ No C 238, 11. 10. 1976, p. 12.

4. Calls on the Council furthermore to get the JET programme under way immediately, which includes taking a decision on the objectively most suitable site, and to bear in mind that rapid and positive action alone can help secure the long-term energy supplies which the Community so urgently requires;
5. Would deplore the concentration of research ministers on political bargaining to the detriment of achieving effective progress in the field of research itself;
6. Instructs its President to forward this resolution to the Council and Commission immediately so that it is available at the Council meeting of 18 November 1976.

#### Four-year technical education programme

Lord Bessborough introduced his report, drawn up on behalf of the Committee on Energy and Research, on the proposal from the Commission of the European Communities to the Council (Doc. 257/76) for a Decision on a four-year programme (1977 to 1980) in the field of scientific and technical education (Doc. 379/76).

IN THE CHAIR: MR LÜCKER

*Vice-President*

The following spoke: Mr Ellis, on behalf of the Socialist Group, Mr Noè, on behalf of the Christian-Democratic Group, Mr Liogier, on behalf of the Group of European Progressive Democrats, Mr Osborn, on behalf of the European Conservative Group and Mr Veronesi, on behalf of the Communist and Allies Group.

IN THE CHAIR: MR BEHRENDT

*Vice-President*

Mr Brunner, *Member of the Commission*, and the rapporteur spoke.

On the proposal for a Decision, third indent, Mr Dalyell had tabled amendment No 1 which he now moved.

The rapporteur and Mr Brunner spoke.

Since the result of the vote by show of hands was doubtful, Parliament voted by sitting and standing to reject amendment No 1.

On Article 2 of the proposal for a Decision, Mr Dalyell had tabled amendment No 2, proposing the deletion of this article.

The rapporteur spoke.

Amendment No 2 was rejected.

Parliament adopted the following resolution:

#### RESOLUTION

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision on a four-year programme (1977 to 1980) in the field of scientific and technical education**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 257/76),
- having regard to the report of the Committee on Energy and Research and the opinion of the Committee on Budgets (Doc. 379/76),

<sup>(1)</sup> OJ No C 187, 10. 8. 1976, p. 6.

1. Welcomes:
  - (a) the decision to base this programme on Article 235 of the EEC Treaty as well as on Article 7 of the Euratom Treaty,
  - (b) the extension of the scientific and technical training programme to non-nuclear sectors,
  - (c) the linking of this programme to the Community's sectoral research and development programmes;
2. Believes that this programme will contribute to the dissemination of scientific knowledge and techniques among young engineers and scientists throughout the Community;
3. Recognizes the value of creating as many contacts as possible between research establishments in the different Member States;
4. Calls on the Commission to restrict eligibility for grants in respect of non-member countries to applicants with experience of the appropriate advanced technology.
5. Requests the Commission to encourage and give favourable consideration to applications from scientists and engineers working in industry;
6. Proposes, accordingly, that the upper limit of expenditure commitments for the implementation of this programme be increased by 400 000 units of account, and the financial record sheet adjusted accordingly, so as to enable more applicants from industry to participate in this programme;
7. Approves the Commission's proposal but nevertheless invites it to adopt the following amendments pursuant to the second paragraph of Article 149 of the EEC Treaty and the second paragraph of Article 119 of the Euratom Treaty.

TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Decision on a four-year programme (1977 to 1980) in the field of scientific and technical education**

Preamble, recitals and Article 1 unchanged

*Article 2*

*The upper limit for expenditure commitments and for staff necessary for the implementation of this programme shall be five million units of account and seven Community officials; the unit of account being defined in Article 10 of the Financial Regulation of 25 April 1973 applicable to the general budget of the European Communities.*

*Article 2*

**The expenditure for the implementation of this programme is estimated at 5.4 million units of account; the unit of account being defined in Article 10 of the Financial Regulation of 25 April 1973 applicable to the general budget of the European Communities.**

Article 3 unchanged

ANNEX

Introduction unchanged

<sup>(1)</sup> For complete text, see OJ No C 187, 10. 8. 1976, pp. 6 and 7.

TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

*Paragraph 1*

Award of grants for scientific research work at various levels of training (diploma dissertations, Ph.D theses, post-doctorate research). Eligible for these grants are students of science or scientists and engineers from the Member States of the Community *holding a diploma or doctorate*. The research work must be carried out in a Community country other than the applicant's native country or his country of permanent residence.

Scientists and engineers from non-member countries with which the Community has relations in the scientific and technical field may be considered up to a maximum expenditure of 8% of the total operating funds of the programme.

*Paragraph 1*

Award of grants for scientific research work at various levels of training (diploma dissertations, Ph.D theses, post-doctorate research). Eligible for these grants are students of science or **well qualified** scientists and engineers from the Member States of the Community **including scientists and engineers working in industry**. The research work must be carried out in a Community country other than the applicant's native country or his country of permanent residence.

u n c h a n g e d

Paragraph 2 unchanged

**Decision on the energy research and development programme**

Mr Pintat introduced his report, drawn up on behalf of the Committee on Energy and Research, on the proposal from the Commission of the European Communities to the Council (Doc. 264/76) for a Decision reviewing the energy research and development programme adopted by the Council Decision of 22 August 1975 (Doc. 403/76).

The following spoke: Mr Mitchell, on behalf of the Socialist Group, Mrs Walz, on behalf of the Christian-Democratic Group, Mr Liogier, on behalf of the Group of European Progressive Democrats, Mr Osborn, on behalf of the European Conservative Group, Mr Veronesi, on behalf of the Communist and Allies Group, Mr Brunner, *Member of the Commission*, and Mr Pintat, *Rapporteur*.

Parliament adopted the following resolution:

**RESOLUTION**

**embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision reviewing the energy research and development programme adopted by the Council Decision of 22 August 1975**

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 235 of the Treaty establishing the EEC (Doc. 264/76),
- having regard to the report of the Committee on Energy and Research and the opinion of the Committee on Budgets (Doc. 403/76),

<sup>(1)</sup> OJ No C 241, 14. 10. 1976, p. 5.

1. Points out that it approved the proposal for an energy research and development programme;
2. Stresses once more the importance to the Community of an energy research programme;
3. Points out that only a policy aimed at saving energy and developing new sources will enable the Community to reduce its dependence on imported energy and that consequently research in these fields is essential;
4. Notes that, as it has requested, the energy research and development programme has been reviewed after the first year of operation;
5. Welcomes the Commission's success in coordinating indirect and direct research activities;
6. Believes that the proposed changes are appropriate at the present stage of the programme;
7. Approves the proposed changes to the energy research and development programme.

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#### Third-party motor vehicle insurance

Parliament adopted without debate the following resolution contained in the report drawn up by Mr Schwörer, on behalf of the Committee on Economic and Monetary Affairs, on the motion for a resolution tabled by Mr Schwörer, Mr Mitterdorfer, Mr Mursch, Mr Brugger, Mr W. Müller, Mr Suck, Mr Schmidt, Mr Schwabe, Mr De Keersmaecker, Mr Vandewiele, Mr Bangemann and Mr Arztinger, on third-party motor vehicle insurance in the Community (Doc. 357/76) — (Doc. 412/76):

#### RESOLUTION

on the motion for a resolution on third-party motor vehicle insurance in the Community

*The European Parliament,*

- having regard to the Commission's answer <sup>(1)</sup> to Oral Question No 0-47/76 on third-party motor vehicle insurance in the Community (Doc. 318/76),
  - having regard to the report of the Committee on Economic and Monetary Affairs and the opinion of the Committee on the Environment, Public Health and Consumer Protection (Doc. 412/76),
1. Takes the view that the approximation of legislation on third-party motor vehicle insurance is absolutely essential;
  2. Calls on the Commission to initiate without delay measures for the harmonization of the relevant legislation of the various Member States on civil liability and transfrontier claim settlement;
  3. Instructs its President to forward this resolution to the Council and Commission.

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<sup>(1)</sup> Debates of the European Parliament, provisional edition, 15. 10. 1976, p. 280.

**Oral question without debate: Protection of copyright**

Mr Geurtsen moved the oral question without debate which he had put to the Commission on the protection of copyright in the field of photomechanical reproduction (Doc. 387/76).

Mr Brunner, *Member of the Commission*, spoke.

**Agenda for next sitting**

The President announced the following agenda for the next sitting on Wednesday, 17 November 1976:

10 a.m. and 3 p.m.:

— Question Time;

— Statement by the President-in-Office of the Council on political cooperation, followed by a debate;

— second Hamilton report on the amendment of the Rules of Procedure (vote);

— second Martens report on the amendment of the Rules of Procedure (vote);

— joint debate on two oral questions to the Council and one oral question to the Commission on the fishing policy;

— oral question with debate to the Council on the Communities' environment programme;

— Albertsen report on the first European social budget (revised);

— oral question with debate to the Commission on craft trades;

— de Broglie report on direct taxation.

The sitting was closed at 7.35 p.m.

H. R. NORD  
*Secretary-General*

Georges SPÉNALE  
*President*

MINUTES OF PROCEEDINGS OF THE SITTING OF WEDNESDAY,  
17 NOVEMBER 1976

IN THE CHAIR: MR SPÉNALE

*President*

The sitting was opened at 10.20 a.m.

Mr Dykes spoke on a question of procedure.

**Approval of minutes**

The minutes of proceedings of the previous day's sitting were approved.

### Congratulations to Mr Hillery

The President congratulated on behalf of Parliament Mr Hillery, *Vice-President of the Commission*, who had been elected President of Ireland.

Mr Hillery thanked the President.

### Question Time

Parliament now considered the following questions put either to the Council or the Commission (Doc. 411/76):

#### Questions to the Council

Question No 1 by Mr Glinne on Council ostracism of the French Democratic Labour Confederation (CFDT) had been postponed to the December part-session at the request of its author.

#### Question No 2 by Mr Dondelinger: European elections

Mr Van Der Stoel, *President-in-Office of the Council*, answered this question and supplementary questions put by Mr Dondelinger, Mr Terrenoire, Mr Durieux, Mr Patijn and Mr Fellermaier.

#### Question No 3 by Mr Cousté: Differences between the United States and the Communities on the method of cutting tariffs and the treatment of agricultural produce

Mr Van Der Stoel, *President-in-Office of the Council*, answered this question and supplementary questions put by Mr Cousté and Mrs Dunwoody.

#### Question No 4 by Mr Cointat: The disastrous repercussions of the fall in the pound sterling

Mr Van der Stoel, *President-in-Office of the Council*, answered this question and supplementary questions put by Mr Cointat, Mr Hughes, Mr Johnston and Lord Bruce.

Mr Dykes put a further supplementary question. The President-in-Office of the Council answered this question together with Question No 5 which Mr Dykes had put on the role of sterling. He then answered supplementary questions put by Lord Castle, Lord Ardwick and Mr Dykes.

**Question No 6 by Mr Fletcher: Record of conclusions of the Council**

Mr Van Der Stoel, *President-in-Office of the Council*, answered this question and supplementary questions put by Mr Fletcher, Mrs Ewing, Mr Fellermaier, Mr Dalyell, Mr Ellis, Sir Derek Walker-Smith and Sir Peter Kirk.

Mr Van Der Stoel, *President-in-Office of the Council*, spoke.

Mrs Dunwoody spoke on a question of procedure.

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**Questions to the Commission****Question No 6a by Mr Spicer: Refugees from Angola**

Mr Cheysson, *Member of the Commission*, answered this question and supplementary questions put by Mr Spicer, Mr Mitchell and Mr Laban.

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**Question No 7 by Mr Evans: Directive 71/305/EEC coordinating procedures for the award of public works contracts**

Mr Gundelach, *Member of the Commission*, answered this question and a supplementary question put by Mr Evans.

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**Question No 8 by Mr Hamilton: Unemployment in the EEC**

Mr Thomson, *Member of the Commission*, answered this question and supplementary questions put by Mr Hamilton, Sir Brandon Rhys Williams, Mr Guerlin, Mr Carpentier and Mr Cifarelli.

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**Question No 9 by Mr Normanton: Japanese imports of ball-bearings**

Mr Gundelach, *Member of the Commission*, answered this question and supplementary questions put by Mr Normanton, Mr Gerlach, Mr Dalyell and Lord Castle.

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**Question No 10 by Mr Kofoed: Infringement proceedings against four countries****Question No 11 by Mrs Kellett-Bowman: International 'consensus' agreement on export credits**

Mr Gundelach, *Member of the Commission*, answered these questions.

Mr Kofoed spoke.

Mr Gundelach answered supplementary questions put by Mr Prescott and Mrs Kellett-Bowman.

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**Question No 12 by Mr Nolan: Artificial sugar**

Mr Lardinois, *Member of the Commission*, answered this question and a supplementary question put by Mr Nolan.

Mr Cointat spoke.

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**Question No 13 by Mr Brøndlund Nielsen: The effect of chemical substances on the ozone layer of the atmosphere**

Mrs Scarascia Mugnozza, *Vice-President of the Commission*, answered this question and a supplementary question put by Mr Noè.

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**Question No 14 by Mr Osborn: EEC environmental chemicals**

Mrs Scarascia Mugnozza, *Vice-President of the Commission*, answered this question and supplementary questions put by Mr Osborn and Mr Cifarelli.

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The President declared Question Time closed.

He reminded members that questions which it had not been possible to consider would be answered in writing unless their authors wished to receive an oral answer at the next Question Time.

The following spoke: Mr Sandri, on a question of procedure, and Mr Spicer.

**Statement by the President-in-Office of the Council on political cooperation**

Mr Van Der Stoel, *President-in-Office of the Council*, made a statement on political cooperation.

The following spoke in the ensuing debate: Mr Radoux, on behalf of the Socialist Group, Mr A.

Bertrand, on behalf of the Christian-Democratic Group and Mr Durieux, on behalf of the Liberal and Allies Group.

**Change in agenda**

The President informed Parliament that, at the author's request and with the agreement of the Bureau, the oral question with debate put by Mr Cousté, on behalf of the Group of European Progressive Democrats, to the Commission, on the situation in the craft trades industry (Doc. 386/76) had been postponed to the December part-session.

The sitting was suspended at 1.10 p.m. and resumed at 3.05 p.m.

IN THE CHAIR: MR SPÉNALE

*President*

had now also been referred to the Committee on Budgets for its opinion.

#### Reference to committee

The President announced that the proposals from the Commission of the European Communities to the Council for:

- I. a Decision instituting a consultation procedure and creating a committee in the field of transport infrastructure
- II. a Regulation concerning aid to projects of Community interest in the field of transport infrastructure

(Doc. 244/76)

which had been referred to the Committee on Regional Policy, Regional Planning and Transport,

#### Amendment of Chapter XI of the Rules of Procedure of Parliament (vote)

Parliament now voted on the motion for a resolution contained in the second report drawn up by Mr Hamilton, on behalf of the Committee on the Rules of Procedure and Petitions, on the amendment of Chapter XI of the Rules of Procedure of the European Parliament (Doc. 336/76), which had been debated at the sitting of Tuesday, 12 October 1976.

The President pointed out that the first indent and paragraphs 2 and 3 should be brought into line with the text of the second Martens report (Doc. 335/76).

Parliament adopted the following resolution by 118 votes to nil, with no abstentions:

#### RESOLUTION

on the amendment of Chapter XI of the Rules of Procedure of the European Parliament

*The European Parliament,*

- having regard to Rule 54 of its Rules of Procedure,
  - having regard to the second report of the Committee on the Rules of Procedure and Petitions (Doc. 336/76),
1. Decides to amend its Rules of Procedure as follows;
  2. Instructs its President to have this resolution published in the *Official Journal of the European Communities* and to forward it for information to the Council and Commission and to the Conference of Foreign Ministers, and instructs its Secretary-General to have published a new edition of the Rules of Procedure thus amended, making sure there is perfect concordance between the texts in the six official languages;
  3. Decides that the Rules of Procedure thus amended shall enter into force at the beginning of the next part-session.

EXISTING TEXT OF THE RULES

NEW TEXT

CHAPTER XI

CHAPTER XI

QUESTIONS

QUESTIONS

Rule 45 unchanged

*Rule 46*

*Rule 46*

1. Any *representative* may put questions to the Commission or Council and ask that they be placed

1. Any **member** may put questions to the Commission, to the Council or to the Conference of

## EXISTING TEXT OF THE RULES

on the agenda of Parliament and dealt with by oral procedure without debate.

Such questions shall be *passed* in writing to the President, who shall place them before the enlarged Bureau at the next sitting held for the purpose of drafting the agenda.

The enlarged Bureau shall decide whether the question is to be converted into a question for written answer *or dealt with by oral procedure without debate as provided below.*

The decision of the enlarged Bureau shall be notified immediately to the questioner and to the institutions concerned. If the question is addressed to the Commission such notification shall be made at least one week and if to the Council at least *six* weeks before the opening of the sitting on whose agenda it is to appear.

2. Questions shall be clearly worded and relate to specific points, not to problems of a general nature. Parliament shall set aside not more than half a day during each part-session for oral answers to these questions. Questions that remain unanswered during that period shall be carried forward to the next part-session or converted into questions for written answer, as the questioner may choose.

3. The questioner shall read out his question. He may speak to it for not more than 10 minutes. A member of the institution concerned shall give a brief answer. Where the question is addressed to the Commission, the questioner may ask one or two supplementary questions, to which the member of the institution concerned shall give a brief answer.

## NEW TEXT

**Foreign Ministers** and ask that they be placed on the agenda of Parliament and dealt with by oral procedure without debate.

Such questions shall be **submitted** in writing to the President, who shall place them before the enlarged Bureau at the next sitting held for the purpose of drafting the agenda.

The enlarged Bureau shall decide whether the question is to be converted into a question for written answer **or for oral answer at Question Time, or whether it is to be dealt with by the procedure provided under this Rule.**

The decision of the enlarged Bureau shall be notified immediately to the questioner and to the institutions concerned. If the question is addressed to the Commission such notification shall be made at least one week, and if to the Council, at least **five** weeks before the opening of the sitting on whose agenda it is to appear.

2. **Questions may be put to the Conference of Foreign Ministers under the same conditions as laid down in this rule for questions to the Council.**

3. **unchanged**

4. **unchanged**

5. **The enlarged Bureau may ask questioners to reword their questions.**

6. **If the author of an oral question without debate so requests, the question shall be withdrawn.**

Rule 47 unchanged

## Rule 47A

1. *A question time shall be set aside at the commencement of the second or third sitting day of*

## Rule 47A

1. **Question Time shall be held normally on the second and third sitting day of each part-session of**

## EXISTING TEXT OF THE RULES

*each part-session, when any representative may put a brief oral question to the Commission or Council.*

*Rule 46 shall not be affected by this provision.*

The procedure for the conduct of *questions* shall be governed by guidelines.

2. Before the close of Question Time, any political group or at least five *representatives* may request that a debate be held immediately thereafter on the *Commission's answer to a clearly defined question of general and topical interest, during which brief oral questions, suggestions or comments may be addressed to the Commission.*

*Rule 47 shall not be affected by this provision.*

*The procedure for the conduct of such debates shall be governed by guidelines.*

## NEW TEXT

Parliament, and shall in each case not exceed one-and-a-half hours.

2. Questions shall be submitted in writing to the President, who shall decide whether they are admissible; he shall determine the order in which they will be taken, and how they will be grouped.

The questioner shall be notified immediately of the President's decision.

3. During Question Time any member may put oral questions to the Commission or Council, in accordance with the provisions of this rule.

4. Questions may be put to the Conference of Foreign Ministers under the same conditions as laid down in this rule for questions to the Council.

5. Questions put to the Council and the Conference of Foreign Ministers shall be taken first on the second day of Question Time.

6. At each part-session, any member may put only one question respectively to the Commission, the Council, and the Conference of Foreign Ministers.

7. The procedure for the conduct of Question Time shall be governed by guidelines.

## Rule 47B

1. Before the close of Question Time, any political group or at least five **members** may request that a debate be held immediately thereafter on the answer given by the Commission, the Council or the Conference of Foreign Ministers on a specific matter of general and topical interest.

2. A debate as referred to in paragraph 1 may be requested only after the Commission, the Council or the Conference of Foreign Ministers has replied to all supplementary questions on the specific matter concerned.

3. The decision as to whether to hold a debate on request shall be taken by the President only at the close of Question Time and shall not be subject to debate. If he receives more than one request for such a debate, he shall decide thereon, without debate.

## EXISTING TEXT OF THE RULES

## NEW TEXT

Mrs Ewing spoke on a question of procedure.

**Amendment of Chapters I to X, XIII and XIV of the Rules of Procedure** (vote)

Parliament now voted on the motion for a resolution contained in the second report by Mr Martens on behalf of the Committee on the Rules of Procedure and Petitions on the amendment of Chapters I to X, XIII and XIV of the Rules of Procedure of the European Parliament (Doc. 335/76), which it had considered at its sitting of 12 October 1976.

On Rule 14 (3) Mr Krieg had tabled, on behalf of the Group of European Progressive Democrats, amendment No 1 which he now moved.

The rapporteur spoke.

On a proposal from the President, and with the agreement of Mr Krieg and the rapporteur, amendment No 1 was superseded by the following modification to the proposed new text: '... and

4. The debate shall be limited to one hour, excluding speaking time set aside for the Commission, the Council and the Conference of Foreign Ministers. No member shall speak for more than five minutes.

5. The order of speaking shall be governed by Rule 31 of the Rules of Procedure, the first speaker being a spokesman for the political group or the members who requested the debate.

accorded a place for debate at the discretion of Parliament'.

This modification was adopted by 122 votes to nil with no abstentions.

On Rule 20, Mr Broeks had tabled, on behalf of the Socialist Group, amendment No 3, which he now moved.

The rapporteur spoke.

Amendment No 3 was rejected by 80 votes to 43 with two abstentions.

On Rule 31A (1), Mr Broeks had tabled, on behalf of the Socialist Group, amendment No 2 proposing the deletion of this paragraph. He now moved the amendment.

The rapporteur spoke.

Amendment No 2 was adopted by 122 votes to nil with no abstentions.

Parliament adopted the following resolution by 122 votes to nil with no abstentions:

**RESOLUTION**

**on the amendment of Chapters I to X, XIII and XIV of the Rules of Procedure of the European Parliament**

*The European Parliament,*

— having regard to Rule 54 of its Rules of Procedure,

— having regard to the second report of the Committee on the Rules of Procedure and Petitions (Doc. 335/76),

1. Decides to amend its Rules of Procedure as follows:

2. Instructs its President to have this resolution published in the *Official Journal of the European Communities* and to forward it for information to the Commission and Council, and instructs its Secretary-General to have published a new edition of the Rules of Procedure thus amended, making sure there is perfect concordance between the texts in the six official languages;
3. Decides that the Rules of Procedure thus amended shall enter into force at the beginning of the next part-session.

EXISTING TEXT OF THE RULES

NEW TEXT

Chapters I to IV unchanged

CHAPTER V

CHAPTER V

AGENDA OF SITTINGS

AGENDA OF SITTINGS

*Rule 12*

*Rule 12*

1. *The enlarged Bureau shall prepare the draft agenda of sittings of Parliament on the basis of information passed to it by the Presidential Committee.*

1. On receipt of a preliminary draft agenda prepared by the President after consulting the political groups, the enlarged Bureau shall draw up the draft agenda.

*This committee shall consist of the members of the enlarged Bureau together with the chairman or one of the vice-chairmen of each of the parliamentary committees.*

deleted

The Commission and Council may attend *meetings of the Presidential Committee* at the invitation of the President.

The Commission and the Council may attend **the enlarged Bureau's deliberations on the draft agenda** at the invitation of the President.

2. *The President shall place before Parliament, for its approval, the draft agenda of sittings, which Parliament may amend.*

2. Parliament shall decide on the draft agenda submitted to it by the enlarged Bureau.

Once adopted, the agenda shall not be amended, except in application of Rules 14 and 32 or on a proposal from the President.

If a procedural motion to amend the agenda is rejected, it shall not be tabled again during the same part-session

3. Before suspending the sitting the President shall announce the date, time and agenda of the next sitting.

3. unchanged

Rule 13 unchanged

*Rule 14*

*Rule 14*

1. A *proposal* that a debate be treated as urgent may be made to Parliament by the President, by at least 10 *representatives*, or by the Commission or Council.

1. A **request** that a debate be treated as urgent may be made to Parliament by the President, by at least 10 **members**, or by the Commission or Council.

## EXISTING TEXT OF THE RULES

## NEW TEXT

2. *Urgent procedure shall be adopted where it has been requested in writing by one third of the current members of Parliament.*

3. Questions to be dealt with by urgent procedure shall be given *absolute* priority over other items on the agenda.

4. *Where the adoption of urgent procedure has been decided upon by Parliament, discussion may take place* without a report or on the basis of an oral report by the appropriate committee.

As soon as the President receives a request for urgent debate, he shall inform Parliament of the fact; the vote on that request shall be taken at the beginning of the next sitting.

2. Where a request for urgent debate relates to the placing of a report on the agenda, only the person making the request or one speaker in favour, one speaker against, and the chairman, or rapporteur of the committee responsible may be heard, in each case for a maximum of five minutes.

In all other cases the spokesmen of the political groups may also be heard, at their request and for a maximum of three minutes each, unless they have already spoken on that request for urgent debate.

3. Questions to be dealt with by urgent procedure shall be given priority over other items on the agenda, and accorded a place for debate at the discretion of Parliament.

4. An urgent debate may be held without a report or on the basis of an oral report by the appropriate committee.

Chapters VI and VII unchanged

## CHAPTER VIII

## CONDUCT OF SITTINGS

*Rule 20*

1. The annual general report of the Commission on the activities of the Communities shall be *printed and distributed as soon as it is brought out.*

2. The various parts of the report shall be referred to the appropriate committees.

## CHAPTER VIII

## CONDUCT OF SITTINGS

*Rule 20*

1. The annual general report of the Commission on the activities of the Communities shall be distributed **immediately after publication.**

2. **unchanged**

3. Committees consulted under paragraph 2 shall not be obliged to submit a report.

Any committee may, where it feels it necessary for Parliament to make known its views on certain essential problems raised by the general report, bring these problems up by resorting to one of the existing procedures.

## EXISTING TEXT OF THE RULES

## NEW TEXT

## Rules 21 to 25 unchanged

## Rule 26

1. The debate shall be based on the report of the appropriate committee. Parliament shall vote only on the motion for a resolution.

2. Reference to committee may be requested at any time. Such a request shall always be granted if it is made by the committee responsible. Parliament may fix a time limit within which the committee shall report its conclusions.

3. Once the general debate and consideration of the texts have been concluded, only explanations of vote shall be permitted before the matter as a whole is put to the vote.

## Rule 26

1. unchanged

2. Reference to committee may be requested at any time. Such a request shall always be granted if it is made by the chairman or rapporteur the committee responsible or where, pursuant to Rule 33 (3), two votes have been taken with a request that the number of those present be ascertained, without the required number being reached.

Parliament may fix a time limit within which the committee shall report its conclusions.

3. unchanged

## Rules 27 and 27A unchanged

## Rule 28

1. The President may, *in agreement with* the chairmen of the political groups, propose to Parliament that speaking time be allocated for a particular debate.

2. *If Parliament decides to organize a debate in this way, the President shall convene the chairmen of the political groups, of the committees responsible and of the committees asked for their opinions.*

3. *They shall allocate speaking time among the political groups, ensuring in the process that neither the number nor the length of the sittings shown on the agenda is exceeded; they shall fix the time by which a vote is to be taken.*

## Rule 28

1. The President may, **after consulting** the chairmen of the political groups, propose to Parliament that speaking time be allocated for a particular debate. **Parliament shall decide on this proposal without debate.**

2. **deleted**

2. The President shall allocate speaking time in accordance with the following criteria:

- (a) a first fraction of speaking time shall be divided equally among all the political groups;
- (b) a further fraction shall be divided among the political groups in proportion to the total number of their members;
- (c) members not attached to a political group shall be allocated a total speaking time equal to the fraction allocated to each political group under subparagraph (a).



## EXISTING TEXT OF THE RULES

## NEW TEXT

*Rule 29*

1. Any *representative* may propose and speak in support of amendments.

2. Amendments shall relate to the text it is sought to alter. They shall be *submitted* in writing. The President shall decide whether they are in order.

Unless Parliament decides otherwise, *they* shall not be put to the vote until they have been printed and distributed in the official languages.

3. Amendments shall have priority over the text to which they relate and shall be put to the vote before that text.

4. If two or more mutually exclusive amendments are moved to the same part of a text, the amendment that departs furthest from the text submitted by the committee shall have priority and shall be put to the vote first. If it is adopted, the other amendments shall stand rejected. If it is rejected, the amendment next in priority shall be put to the vote and similarly for each of the remaining amendments. In case of doubt as to priority, the President shall decide.

5. Reference to committee may be requested at any time. Such a request shall always be granted if it is made by the committee responsible. Parliament may fix a time limit within which the committee shall report its conclusions on the amendments referred to it. *Reference of an amendment to committee shall not necessarily interrupt the debate.*

*Rule 29*

1. Any member may **table** amendments.

**On a proposal from the President, Parliament may fix a time limit for the tabling of amendments.**

**Parliament shall not deliberate on any amendment unless it is moved during the debate.**

2. Amendments shall relate to the text it is sought to alter. They shall be **tabled** in writing and **signed by one or more authors**. The President shall decide whether they are in order.

**No amendment shall be admissible if it is established that the wording in at least one of the official languages of the text it is sought to alter does not call for amendment; in that case the President shall seek out a suitable linguistic remedy jointly with those concerned.**

Unless Parliament decides otherwise, **amendments** shall not be put to the vote until they have been printed and distributed in the official languages.

3. **unchanged**

4. **unchanged**

5. Reference of **an amendment** to committee may be requested at any time. Such a request shall always be granted if it is made by the **chairman or rapporteur** of the committee responsible. Parliament may fix a time limit within which the committee shall report its conclusions on the amendments referred to it. **When an amendment is referred to committee, its discussion in plenary sitting, but not necessarily the general debate, shall be interrupted.**

Rule 30 unchanged

## EXISTING TEXT OF THE RULES

## NEW TEXT

*Rule 31**Rule 31*

1. The names of *representatives* who ask leave to speak shall be entered in the list of speakers in the order in which their requests are received.

1. The names of **members** who ask leave to speak shall be entered in the list of speakers in the order in which their requests are received.

2. The President shall call upon Representatives to speak, ensuring as far as possible that speakers of different political views and using different languages are heard in turn.

2. **unchanged**

On request, however, priority may be given to the *chairman of a political group who wishes* to speak on its behalf or to a *speaker* deputizing for him for the same purpose.

On request, however, priority may be given to the **rappporteur of the appropriate committee and to the chairman of political groups who wish** to speak on their behalf, or to **speakers** deputizing for them.

No representative may speak more than twice on the same subject, except by leave of the President.

**unchanged**

The chairman and the rapporteur of the committees concerned shall, however, be allowed to speak at their request.

**unchanged**

A *representative who wishes* to make a personal statement shall be heard, *but only at the end of a sitting*.

A **member who asks** to make a personal statement shall be heard **at the end of the discussion of the item of the agenda being dealt with**.

3. The Commission and Council shall be heard at their request.

3. **unchanged**

4. *On a proposal from the President, Parliament may decide to limit speaking time.*

4. **deleted**

*Rule 31A*

5. No *representative* may speak for more than five minutes on any of the following: the minutes of proceedings, explanations of vote, procedural motions and personal statements.

No **member** may speak for more than five minutes on any of the following: the minutes of proceedings, explanations of vote, procedural motions and personal statements **or, unless Parliament decides otherwise, for more than three minutes on amendments.**

Rule 32 unchanged

## CHAPTER IX

## CHAPTER IX

## VOTING

## VOTING

Rules 33 and 34 unchanged

*Rule 35**Rule 35*

1. Normally Parliament shall vote by show of hands.

1. **unchanged**

EXISTING TEXT OF THE RULES	NEW TEXT
2. If the result of the show of hands is doubtful, a fresh vote shall be taken by sitting and standing.	2. unchanged
3. If the result of this <i>second</i> vote is doubtful or whenever 10 or more <i>representatives</i> so desire, the vote shall be taken by roll call.	3. If the result of this <b>last</b> vote is doubtful, or whenever 10 or more <b>members</b> so desire, the vote shall be taken by roll call. <b>Rule 33 (2) and (4) shall not apply if the vote by roll call is taken merely to clarify a doubtful result.</b>
4. The roll shall be called in alphabetical order, beginning with the name of a <i>representative</i> drawn by lot. The President shall be the last to be called to vote.	4. The roll shall be called in alphabetical order, beginning with the name of a <b>member</b> drawn by lot. The President shall be the last to be called to vote.
Voting shall be by word of mouth and shall be expressed by 'Yes', 'No', or 'I abstain'. In calculating whether a motion has been adopted or rejected, account shall be taken only of votes cast for and against. The President shall establish the result of the count and announce it.	unchanged
Votes shall be recorded in the minutes of proceedings of the sitting in the alphabetical order of <i>representatives'</i> names.	Votes shall be recorded in the minutes of proceedings of the sitting in the alphabetical order of <b>members'</b> names.
5. Without prejudice to Rules 2 (2), 7 (2) and (4), 21 (4), 24 (2) and (3), 41 (5) and 54, motions put to the vote shall be declared adopted only if they have secured a majority of the votes cast.	5. unchanged
In the event of a tie, the motion shall stand rejected.	
6. In the case of appointments, voting shall be by secret ballot without prejudice to Rules 7 (1), 37 (2) and 41 (5), second subparagraph. Only ballot papers bearing the names of persons who have been nominated shall be taken into account in calculating the number of votes cast.	6. unchanged

Chapter X unchanged

Chapter XIII unchanged

CHAPTER XIV

MISCELLANEOUS PROVISIONS

CHAPTER XIV

MISCELLANEOUS PROVISIONS

## EXISTING TEXT OF THE RULES

## NEW TEXT

*Rule 54*

1. Motions for resolutions amending these Rules shall be printed and referred to the appropriate committee.
2. Such motions shall be adopted only if they secure the votes of a majority of the members of Parliament.

*Rule 54*

1. unchanged
2. unchanged
3. The Bureau shall lay down, through internal rules drawn up after consulting the appropriate committee, procedures for applying, interpreting and implementing these Rules of Procedure; these internal rules shall be incorporated in a single document published as an annex to the Rules of Procedure and entitled 'General instructions of the Bureau'.

**Statement by the President-in-Office of the Council on political cooperation** (*continued*)

Sir Peter Kirk spoke on behalf of the European Conservative Group in the continuing debate.

IN THE CHAIR: MR LÜCKER

*Vice-President*

The following spoke: Mr Sandri, on behalf of the Communist and Allies Group, Mr Deschamps, on behalf of the Christian-Democratic Group, Mr Dalyell, on behalf of the Socialist Group and Mr Guldberg, on behalf of the Liberal and Allies Group.

IN THE CHAIR: MR BERSANI

*Vice-President*

The following spoke: Lord Bethell, on behalf of the European Conservative Group, Mrs Dunwoody, on behalf of the Socialist Group, Mr Lücker, on behalf of the Christian-Democratic Group, and Mr Van Der Stoel, *President-in-Office of the Council*.

IN THE CHAIR: MR LÜCKER

*Vice-President*

Mr Radoux and Mr A. Bertrand spoke.

The President declared the debate on the statement by the President-in-Office of the Council closed.

**Oral questions with debate: Fishing policy**

The next item on the agenda was the joint debate on three oral questions on fishing.

The following spoke on a question of procedure: Mr Hughes, Mr Kofoed, Mr Scott-Hopkins and Mr Prescott.

Mrs Ewing spoke.

Mr Fletcher introduced the oral questions with debate which had been put on behalf of the European Conservative Group to the Council and Commission on the extension of the fishing zones of Community Member States and the preservation of fish stocks within the Community's proposed 200-mile exclusive economic zone (Doc. 384/76 and Doc. 385/76).

Mr Prescott introduced the oral question with debate, which he had put on behalf of the Socialist Group to the Council, on the extension of the Community Member States' fishing zones to 200 miles on 1 January 1977; fishing agreements with non-Community nations; and a revised common fishing policy (Doc. 391/76).

Mr Van Der Stoel, *President-in-Office of the Council* and Mr Lardinois, *Member of the Commission*, answered the questions.

The following spoke in the debate: Mr Vandewiele and Mr Kofoed.

IN THE CHAIR: MR YEATS

*Vice-President*

The following spoke in the continuing debate: Mrs Ewing, Mr McDonald, Mr Johnston, Mr Nyborg, Mr Scott-Hopkins, Mr Gibbons, Mr Spicer, Mr Creed, Mr Jakobsen, Mrs Kellett-Bowman, Mr Shaw, Mr Kavanagh, Mr Lenihan and Mr Van Der Stoel.

#### Change in agenda

On a proposal from the President, and after Mr Scott-Hopkins had spoken, Parliament decided to postpone the oral question by Lord Bethell and others on the Communities' environment programme (Doc. 383/76) to the December part-session.

At the request of Mr A. Bertrand, Parliament also decided to postpone to the following day the report by Mr Albertsen on the first European social budget (revised) (Doc. 397/76). This report would take second place on the agenda, after Mr Gerlach's report on regional policy.

#### Oral questions with debate: Fishing policy (continued)

Mr Lardinois, *Member of the Commission*, spoke in the continuing debate.

The President announced that he had received from Mr Dykes, Mr Fletcher, Mrs Kellett-Bowman, Mr

Scott-Hopkins and Mr Spicer, a motion for a resolution with request for an immediate vote pursuant to Rule 47 (4) of the Rules of Procedure to wind up the debate on oral question Doc. 385/76 on the extension of fishing zones of Community Member States and the preservation of fish stocks within the Community's proposed 200-mile exclusive economic zone (Doc. 425/76).

Mr Scott-Hopkins having withdrawn the request for an immediate vote, the motion for a resolution was referred to the Committee on Agriculture, as the committee responsible, and to the Legal Affairs Committee for its opinion.

Mr Gibbons spoke.

#### Directive on direct taxation

Mr de Broglie introduced his report, drawn up on behalf of the Committee on Economic and Monetary Affairs, on the proposal from the Commission of the European Communities to the Council (Doc. 67/76) for a Directive concerning mutual assistance by the competent authorities of Member States in the field of direct taxation (Doc. 372/76).

The following spoke: Mr Notenboom on behalf of the Christian-Group, Mr Liogier on behalf of the Group of European Progressive Democrats, Mr Normanton, on behalf of the European Conservative Group, and Mr Guazzaroni, *Member of the Commission*.

Parliament adopted the following resolution:

#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council relating to a Directive concerning mutual assistance by the competent authorities of the Member States in the field of direct taxation

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 99 of the Treaty establishing the EEC (Doc. 67/76),
- having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 372/76),

1. Notes that the tax evasion and avoidance practices which exploit the disparities between the tax laws of the Member States have seriously damaging repercussions internationally as well as within the Community, not only because of the budgetary losses that they entail, but also because they breach the principles of fair taxation and cause distortions in capital movements and conditions of competition;

<sup>(1)</sup> OJ No C 94, 27. 4. 1976, p. 2.

2. Approves, therefore, in line with the recommendation already made in the resolution of the European Parliament of 12 December 1974 <sup>(1)</sup>, the principle of mutual assistance by the competent authorities of the Member States in the field of direct taxation;

*As regards the consultation procedure*

3. Fears that the essentially bilateral procedure provided for in Article 9 might give rise to the application of different methods and hence to taxation disparities and distortions of competition within the Community, and considers it unsatisfactory in this respect that the Commission should be informed only *ex post facto* (Article 9 (3));

4. Notes that the proposed Directive contains no details of the sanctions to be applied for unreasonable delays or an unsubstantiated refusal on the part of the authorities of a Member State to furnish the necessary information.

*As regards the limitations on the exchange of information*

5. Considers that, because of their vagueness, the two general limitations on the exchange of information between Member States, based on considerations of public policy and the condition of reciprocity (Article 8 (2) and (3)), are unlikely to promote effective mutual assistance between the competent authorities of the Member States;

6. While accepting that there is an evident need to ensure strict control of the disclosure of information gathered in this area, also invites the Commission, in this same connection, to submit a proposal for a regulation to provide at Community level for appeals against the assessment made by the authorities of a Member State of the confidential nature of tax information and its disclosure, in the interests both of the States requesting the information where it is unjustifiably withheld and of the taxpayer where it is used for irregular purposes;

7. Approves, subject to these reservations, this proposal for a Directive, which is the first measure designed to establish a mutual assistance procedure at Community level, made necessary by the inability of the national tax authorities to cope with the problem of international tax evasion and avoidance.

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<sup>(1)</sup> OJ No C 5, 8. 1. 1975, p. 39, resolution, paragraph 16.

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**Agenda for next sitting**

The President announced the following agenda for the next sitting on Thursday, 18 November 1976:

*10 a.m. and 3 p.m.:*

- Gerlach report on regional policy;
- Albertsen report on the first European social budget (revised);
- Artzinger report on the economic situation in the Community;
- Walkhoff report on unemployment among young people;

- Seefeld report on road transport;
- Albers report on inland waterway transport;
- joint debate on:
  - Giraud report on the carriage of goods by road,
  - Mursch report on the carriage of goods by rail,
  - Mitterdorfer report on the carriage of goods by rail, road and inland waterway;
- Nyborg interim report on transport infrastructures;
- oral question with debate to the Commission on Community water policy.

The sitting was closed at 8.20 p.m.

H. R. NORD  
*Secretary-General*

Jacques SANTER  
*Vice-President*

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MINUTES OF PROCEEDINGS OF THE SITTING OF THURSDAY, 18 NOVEMBER  
1976

IN THE CHAIR: MR SANTER  
*Vice-President*

The sitting was opened at 10 a.m.

**Approval of minutes**

The minutes of proceedings of the previous day's sitting were approved.

Lord Bethell, Mr Jahn, Mr Scott-Hopkins and Sir Peter Kirk spoke on a question of procedure.

**Documents received**

The President announced that he had received from the Council requests for an opinion on:

- the proposal from the Commission of the European Communities to the Council for a Directive on the harmonization of laws in the Member States to combat illegal migration and illegal employment (Doc. 426/76).

This document had been referred to the Committee on Social Affairs, Employment and Education as the committee responsible and to the Legal Affairs Committee for its opinion;

- the proposal from the Commission of the European Communities to the Council for a Directive relating to the quality requirements for waters favourable to shellfish growth (Doc. 427/76).

This document had been referred to the Committee on the Environment, Public Health and Consumer Protection.

**Community regional policy for the regions at the Community's internal frontiers**

Mr Gerlach introduced his report, drawn up on behalf of the Committee on Regional Policy, Regional Planning and Transport, on the motion for a resolution tabled by Mr Gerlach, Mr Mitterdorfer and Mr Wieldraaijer, on the Community's regional policy as regards the regions at the Community's internal frontiers (Doc. 5/76) — (Doc. 355/76).

The following spoke: Mr Thomson, *Member of the Commission*, Mr Waltmans, on behalf of the

Socialist Group and Mr Brugger, on behalf of the Christian-Democratic Group.

IN THE CHAIR: MR SPÉNALE

*President*

The following spoke: Mr De Clercq, on behalf of the Liberal and Allies Group, Mr Herbert, on behalf of

the Group of European Progressive Democrats, Mrs Kellett-Bowman, on behalf of the European Conservative Group, Mr Mascagni, on behalf of the Communist and Allies Group, Mr Jahn, *Draftsman of the Opinion of the Political Affairs Committee*, Mr Ellis, Mr Nyborg, Mr Albers, Mr Thomson, Mr Gerlach, *Rapporteur*, Mr Herbert, Mr Thomson and Mr Gerlach.

Parliament adopted the following resolution:

#### RESOLUTION

on the motion for a resolution on the Community's regional policy as regards the regions at the Community's internal frontiers

*The European Parliament,*

- having regard to the motion for a resolution tabled by Mr Gerlach and others on the Community's regional policy as regards the regions at the Community's internal frontiers (Doc. 5/74),
- having regard to the resolution on regional policy as regards the regions at the Community's internal frontiers adopted on 13 March 1975 <sup>(1)</sup> on the basis of the interim report drawn up by the Committee on Regional Policy and Transport (Doc. 467/74),
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport and the opinions of the Political Affairs Committee, the Legal Affairs Committee and the Committee on Social Affairs, Employment and Education (Doc. 355/76),

#### I. *Preliminary work*

##### 1. Notes:

- that the problems of the regions at the Community's internal frontiers have become a matter of increasing concern to the European Parliament,
  - that the Commission has not yet been in a position to take appropriate effective measures to counter the increasingly unfavourable economic situation of the border regions,
  - that the Council recognized the need for action for the border regions in its third medium-term economic policy programme of 9 February 1971 (OJ No L 49, 1. 3. 1971, p. 35), and made provision when creating the European Regional Development Fund for the Fund to be employed for these regions;
2. Recognizes that the Council of Europe and its bodies have attempted to draw the attention of national governments to the border regions and have thereby performed valuable preliminary work for transfrontier cooperation;
3. Welcomes the policies of the Council of Europe and the European Parliament with their identical objectives in this field and hopes for greater cooperation between these two institutions and energetic implementation of their common aims by the Council of the European Communities;

#### II. *Problems of the border regions*

4. Regrets that the internal border regions are hardly able to fulfil their bridging function between the Member States and that social, cultural and emotional conflicts have not yet been sufficiently dispelled;

<sup>(1)</sup> OJ No C 76, 7. 4. 1975, p. 25.



5. Is of the opinion that the border regions, like the peripheral regions, have enjoyed less favourable economic development than the central areas. Although most of the border regions are situated in a central position in Europe, they occupy a peripheral position with regard to their own country's economy;
6. Notes that one consequence of this border situation is imbalance between central regions and border regions as manifested in inadequate infrastructures, shortcomings in passenger and freight transport facilities, and often depopulation, and believes that these observations are admissible without fixing the precise geographic limits of the border regions; such demarcation could lead simply to a shift in the Community's internal frontiers;
7. Points out that this report represents only the first stage in a three-part European Parliament initiative. It is planned to follow it up with a second report on regional policy as regards the Community's external frontiers and a third report on the Community's maritime frontiers.

### III. Possible forms of cooperation

8. Considers it absolutely necessary to have proper statistical bases, methodological adjustments, basic economic analyses and efficient implementation instruments to initiate effective transfrontier regional planning for the structural improvement of the border regions;
9. Emphasizes that all possible means of communication should be used for transfrontier coordination in order to replace frequent institutional and executive duplication, competition and confusion with cooperation which will rationalize work, make transfrontier regional policy more transparent, alleviate social tensions and achieve optimal utilization of the economic resources available;
10. Stresses the need to create in the regions aid recipients with a sufficiently substantial legal structure to provide competent contractual partners for the donor institutions (national governments, European Regional Development and Social Funds, EIB);
11. Is not unaware that certain transfrontier activities by private industry could have fatal consequences if there were no transfrontier authority able, for instance, to avert the dangers to industrial policy and protection of the environment of uncontrolled expansion of industrial technology;
12. Hopes that the Community will take up in particular the problems of transfrontier workers who still have to contend with a number of problems: border controls, the closing of many border posts at night, fluctuations in income as a result of changing exchange rates, less job security and discrepancies in social insurance provisions. The early creation of the Passport Union (point 10 of the final communiqué of the 1974 summit conference, and the Commission's communication to the Council of 3 July 1975) should improve freedom of movement for workers;
13. Considers it necessary to have balanced settlement of industry in the border areas, advantages and disadvantages being considered not with reference to national considerations but on the basis of fair distribution within the regions;
14. Is of the opinion that, in congested areas close to national frontiers a transfrontier building and land use plan would displace narrow parochial policies and make possible a careful division of functions and optimal arrangement of settlement areas;
15. Has ascertained that in many cases public utilities in border areas could be financed much more acceptably if a transfrontier joint authority were to be founded which could ensure optimal exploitation of capacities;

16. Affirms that the consolidation of transfrontier transport infrastructures would contribute not only to socio-economic development but also to cooperation in all spheres of daily life;
17. Is of the opinion that the specific objectives of effective environmental protection require that it should not be cut off at national borders. The universally recognized 'polluter pays' principle makes transfrontier measures a necessity;
18. Is aware that transfrontier health services (systems for transporting patients, accident services and specialist clinics) would be welcomed by the inhabitants of border areas;
19. Also affirms that the consolidation of transfrontier cultural cooperation would provide a basis for all the more consequential trust-inspiring activities and should not be underestimated; it could be supported in a unique way by the influential regional mass media;
20. Is of the opinion that the frequently attractive border regions could be exploited by developing trans-frontier tourism and short-distance excursion venues, thereby contributing to economic recovery in the border regions concerned;

#### *IV. The Regional Fund as a financial instrument*

21. Emphasizes that the Council Regulation of 18 March 1975 establishing a Regional Development Fund (OJ No L 73, 21. 3. 1975) expressly refers to the need to support border regions, stating in Article 5 (1) (d) that account will be taken of:

'(d) whether the investment falls within a frontier area, that is to say within adjacent regions of separate Member States';

#### *V. European joint authorities as an organizational instrument*

22. Emphasizes that apart from the financial solidarity offered by the European Regional Development Fund, the border regions must be given organizational aid as the present legal situation makes transfrontier cooperation between municipalities and regions uncommonly difficult, since:

- the joint authority arrangement under national law makes it necessary for one partner in the transfrontier cooperation to subject himself to the legal system of the neighbouring country,
- international agreements make grass-roots regional policy a matter of 'distant' foreign policy and the preserve of the highest national authorities,
- the present proposals under Community law for forms of transfrontier cooperation (the European Company and the European Cooperation Grouping) are exclusively geared to private business;

23. Therefore desires to submit to those responsible for public welfare an equivalent legal framework for transfrontier cooperation in the form of the European joint authority proposed in this document, to enable the broad range of local authority activities and public utilities (transport undertakings, water, gas and electricity supplies, leisure facilities, medical and social services) and environmental protection, emergency services and promotion of industry to be developed to the benefit of participating local bodies;

24. Considers therefore that it has a special duty to urge the Commission to call on the Council to enact a Regulation on the creation of transfrontier regional authorities, and consequently includes the draft of such a Council Regulation in the present resolution;

25. Points out that the question of enforcement is today crucial to the various Community policies and that non-binding recommendations to the Member States which will not help the border regions should be replaced by other instruments;

26. Therefore urges the Commission to support the formation of European Joint Authorities when the Regulation has been adopted by the Council;

27. Therefore believes that the legal system proposed here, i.e. the European Joint Authority, offers the best framework under Community law for voluntary bilateral or trilateral cooperation between the Member States without any appreciable loss of sovereignty by the latter; any loss of the power of decision will be offset by the fact that representatives of the central authority will also be members of the Regional Council of the European Joint Authority and will therefore be able to exercise direct influence over its decisions; moreover, the activities of the future European Joint Authorities will be geographically limited;
28. Considers that the internal organization of the European Joint Authorities should be governed by flexible outline provisions of Community law, embodied in the regulation, with regard to the foundation and operation of such authorities and the minimum requirements as regards membership;
29. Believes that the national law of the country in which the authorities have their head office must govern relations with third parties in respect of the legal and executive powers of the authorities and legal recourse;
30. Is of the opinion that the Council Regulation should allow the cooperating local and regional authorities as much latitude as possible for independent arrangements depending on regional conditions; planning and coordination duties would be followed at a later stage by independent responsibility for administrative matters and participation in local authority and regional schemes compatible with the aims of public welfare and service;
31. Proposes in the Regulation, which is an integral part of this resolution, the following organizational structure for the European Joint Authorities:
- a Regional Council composed of representatives of member authorities, representatives of national supervisory institutions and, if necessary, a representative of the Commission of the European Communities,
  - a Regional Committee composed of senior administrative officials of the member authorities or administrative specialists;
32. Instructs its President to forward this resolution and the report of its committee to the Council and Commission, the Parliaments of Member States and the Council of Europe.

**Draft proposal for a Council Regulation on the creation of transfrontier regional authorities (European Joint Authorities)**

**THE COUNCIL OF THE EUROPEAN COMMUNITIES:**

Having regard to the Treaty establishing the European Economic Community, and in particular Article 235 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the following reasons:

Whereas, in the third programme for medium-term policy <sup>(1)</sup>, the Council of the European Communities

and the Governments of the Member States reaffirmed the Community's responsibility for a number of regional problems; whereas these included in particular the difficulties arising directly from the integration of the Community and the border areas were explicitly referred to in this connection;

Whereas according to the Decision of the Council and the representatives of the Governments of Member States of 22 March 1971 on the gradual creation of an economic and monetary union <sup>(2)</sup> — reaffirmed in the Decision of the Council and representatives of the Governments of Member States of 21 March 1972 <sup>(3)</sup> — in order to remove structural and regional differences measures should be taken to

<sup>(1)</sup> OJ No L 49, 1. 3. 1971, p. 5.

<sup>(2)</sup> OJ No C 28, 27. 3. 1971, p. 1.

<sup>(3)</sup> OJ No C 38, 18. 4. 1972, p. 3.

contribute to a balanced development of the Community;

Whereas by adopting Regulation (EEC) No 724/75 of 18 March 1975 establishing a European Regional Development Fund <sup>(1)</sup>, the Council honoured this commitment;

Whereas the structural, social and cultural imbalances in the border regions, whereby geopolitically corresponding areas are prevented from harmoniously developing their economic life and raising their standard of living, can be partially corrected in this way;

Whereas the aid measures by the European Regional Development Fund represent only one means of doing this, and in order to solve the problems of border regions it is also necessary to provide for the regions a permanent form of organization for transfrontier cooperation;

Whereas the Treaty does not provide the necessary powers to realize the objectives incumbent on the Community by virtue of Article 2 of the EEC Treaty the Community should be equipped with such powers by virtue of Article 235 of the Treaty,

HAS ADOPTED THIS REGULATION:

#### *Article 1*

##### **Foundation and operation**

1. European regional authorities (hereinafter referred to as 'European Joint Authorities') may be created by contract for a fixed or indefinite term subject to the terms and conditions and in the manner and with the effects laid down by this Regulation.

2. The members of the European Joint Authority shall lay down in the foundation statute their authority's head office which must be situated within the Community.

#### *Article 2*

##### **Membership requirements**

1. The European Joint Authority shall consist of at least two local or regional authorities or legal persons under public law which are entrusted with their own administration and belong to at least two Member States.

<sup>(1)</sup> OJ No L 73, 21. 3. 1975, p. 1.

2. Participation shall be restricted to authorities with representatives and powers of their own.

#### *Article 3*

##### **Legal and executive powers**

The European Joint Authority shall be a legal person under Community law and shall possess in each Member State the greatest measure of legal and executive authority accorded to legal persons by the statutory provisions of that Member State. In particular it may acquire assets in the form of personal and real estate, found enterprises under national private law or participate in existing enterprises.

#### *Article 4*

##### **Applicable law**

In as far as no provision is laid down in this regulation or the statute established by the contracting authorities, the law of the State in which the European Joint Authority has its head office shall be applied.

#### *Article 5*

##### **Objectives**

The task of the European Joint Authority shall be to create an area with balanced economic, social and cultural structures in the fields for which its member authorities are responsible by:

- drawing up its own plans and opinions on national plans,
- coordinating the implementation of national measures,
- assuming independent responsibility for regional administrative matters delegated to it,
- participating in all ways in local or regional projects which are compatible with the aims of public welfare or serve in all areas for which original responsibility has been transferred to the member authorities of which have been referred to them for implementation.

#### *Article 6*

##### **Rights**

1. The European Joint Authority shall have the same rights as those granted by Member States to

national bodies with similar aims (specific-purpose associations, public-law undertakings).

2. The European Joint Authority may create public welfare undertakings or participate in such undertakings where they already exist.

#### Article 7

##### Outline provisions for the Statute of the European Joint Authority

The European Joint Authority shall adopt a Statute containing the following outline provisions:

1. organization of the European Joint Authority (Article 8 of the Regulation);
2. provisions on the Regional Council and its working methods (Articles 9 and 10 of the Regulation);
3. provisions on the Regional Committee and its tasks (Article 11 of the Regulation);
4. termination of membership (Article 13 of the Regulation);
5. winding-up of the European Joint Authority (Article 14 of the Regulation).

#### Article 8

##### Organization of the European Joint Authority

The European Joint Authority shall consist of:

1. the Regional Council;
2. the Regional Committee.

#### Article 9

##### Regional Council

1. The Regional Council is the decision-making and supervisory organ of the European Joint Authority.
2. It shall be composed of representatives of member authorities. These shall be appointed for a period not exceeding four years. They may be reappointed.
3. The following shall participate in the Regional Council on an advisory basis:
  - (1) representatives of national supervisory institutions;

- (2) representatives of the Commission of the European Communities in as far as the Commission deems it necessary to participate.

#### Article 10

##### Working methods of the Regional Council

1. The Regional Council shall take decisions:
  - (1) as recommendations to the affiliated authorities. Such recommendations shall require a simple majority and their contents shall not be binding;
  - (2) as Directives binding on each member authority in respect of the objective to be attained while leaving the choice of the ways and means of attaining the object to the authority.

Such Directives shall require a majority of two-thirds of the members of the Regional Council.

2. The Regional Council shall also be responsible for:

- adopting the statute,
- amending the statute,
- adopting the budget,
- winding-up the European Joint Authority,
- forming committees,
- incorporating new members.

3. Decisions to amend the statute, to pass the budget, to incorporate new members or to wind up the European Joint Authority shall require a majority of two-thirds of the members of the Regional Council. Decisions falling into the other categories shall be made by simple majority of the members of the Regional Council.

#### Article 11

##### Regional Committee

1. The Regional Committee is the permanent administrative organ of the European Joint Authority which implements the decisions of the Regional Council. It shall be composed of senior administrative officials of the member authorities or persons whose chief occupation is that of administrative specialist, appointed by the Regional Council.
2. The Regional Committee may submit to the Regional Council proposals for the attainment of the objectives of the European Joint Authority.
3. Through its chairman the Regional Committee shall represent the European Joint Authority in legal and non-legal matters.

*Article 12***Legal recourse**

1. Any dispute as to the powers of the organs of the European Joint Authority between such organs or on the powers of the European Joint Authority *vis-à-vis* its member authorities shall be referred to the competent court in the country in which the European Joint Authority has its head office.
2. The statute may provide that disputes as to its contents shall be referred to the European Court of Justice pursuant to Article 177 (c) of the EEC Treaty.
3. Proceedings may be opened by the member authorities, their supervisory authorities, the European Joint Authority and the Commission of the European Communities.

*Article 13***Termination of membership**

1. Membership of the authority shall be deemed terminated:
  - (1) on withdrawal;
  - (2) on the winding-up of a member authority.
2. In the event of the winding-up of a member authority its membership shall automatically expire. The legal successor of such authority may exercise its

right to join the European Joint Authority within six months of such winding-up taking effect.

*Article 14***Winding-up of the European Joint Authority**

1. The European Joint Authority may be wound up by decision taken by two-thirds of the votes of the members of the Regional Council.
2. The European Joint Authority shall be deemed to be wound up when its member authorities belong to only one Member State.
3. The assets of the European Joint Authority shall be distributed among the member authorities. Such distribution shall be undertaken by the Regional Committee subject to the approval of the Regional Council. The organs shall remain in office until all matters relating to assets have been finally settled.

*Article 15***Entry into force**

This Regulation shall enter into force on . . . (after its publication in the *Official Journal of the European Communities*).

This Regulation shall be binding in its entirety and directly applicable in all Member States.

**Resignation of a member of Parliament**

The President announced that Mr Stewart had been appointed chairman of an important committee at the House of Commons, and was therefore resigning as member of the European Parliament.

The President congratulated Mr Stewart on his new appointment.

**Budgetary procedure**

In accordance with the provisions of the budgetary procedure, and in agreement with the Committee on Budgets, the pre-report time limit for tabling amendments to the Council's modifications, proposals for outright rejection and for forwarding

opinions to the committee responsible was set at 12 noon on 30 November 1976.

The post-report time limit was set at 6 p.m. on 10 December 1976 subject to the report of the committee responsible being submitted on 4 December 1976.

The budget debate would be held during the sitting on Tuesday, 14 December 1976, and the vote on Thursday, 16 December 1976.

Mr Dalyell spoke.

**First European social budget (revised)**

Mr Albertsen introduced his report, drawn up on behalf of the Committee on Social Affairs,

Employment and Education, on the first European social budget (revised) 1970 to 1975 (Doc. 397/76).

Mr Van Der Gun spoke on behalf of the Christian-Democratic Group.

The sitting was suspended at 1 p.m. and resumed at 3.05 p.m.

Sir Peter Kirk, Mr Lenihan and Mr Dalyell spoke on a question of procedure concerning the representation of Northern Ireland in the European Parliament.

**First European social budget (revised) (continued)**

Mrs Kellett-Bowman spoke on behalf of the European Conservative Group in the continuing debate on the Albertsen report (Doc. 397/76).

IN THE CHAIR: MR SCOTT-HOPKINS

*Vice-President*

The following spoke: Sir Brandon Rhys Williams, Mrs Kruchow, on behalf of the Liberal and Allies Group, Mr Hamilton, Mr Howell, Mr Adams, on

behalf of the Socialist Group, Mr Thomson, *Member of the Commission*, and Mr Albertsen, *Rapporteur*.

Parliament now considered the motion for a resolution.

Mrs Kellett-Bowman asked for a separate vote on paragraph 5.

Parliament adopted the preamble and paragraphs 1 to 4.

Sir Brandon Rhys Williams spoke.

Parliament adopted paragraph 5 and then paragraph 6.

Sir Brandon Rhys Williams, Mrs Kellett-Bowman and Mr Howell had tabled on behalf of the European Conservative Group amendment No 1 proposing the insertion of a new paragraph 6a after paragraph 6. Sir Brandon Rhys Williams now moved the amendment.

The rapporteur spoke.

Amendment No 1 was rejected.

Parliament adopted paragraphs 7 to 9.

Sir Brandon Rhys Williams gave an explanation of vote.

Parliament adopted the following resolution:

**RESOLUTION**

**on the first European Social budget (revised) 1970 to 1975**

*The European Parliament,*

— having regard to the first European Social Budget (revised) 1970 to 1975 (COM(76) 201 fin.),

— having regard to the report of the Committee on Social Affairs, Employment and Education (Doc. 397/76),

1. Commends the submission of the first European Social budget (revised) which provides a valuable picture of certain trends in and characteristic features of, the social policies conducted in the various Member States of the Community;

2. Regrets that this social budget for 1970 to 1975 was compiled at such a late date and therefore mainly in retrospect, and consequently suggest to the Commission that future social budgets should contain not only a survey of past trends but also medium-term prospects;

3. Also regrets that, in spite of the Commission's efforts, differences in interpretation have affected its compilation and jeopardized the exact value of the final figures;

4. Emphasizes the uncertainty attaching to some figures due not least to the limited field covered by the social budget and the fact that only current expenditure is taken into account;

5. Notes with satisfaction that in all Member States social expenditure increases as a percentage of national income in the period 1970 to 1975;
6. Takes the view that the fact that individual Member States do not allocate the same proportion of national income to social expenditure shows the need for harmonization of the social systems of the Community;
7. Wonders whether the considerable differences in national administration costs result exclusively from differences in interpretation or in the assumptions used as a basis for the collection of statistical data;
8. Calls on the Commission to improve the quality of future European social budgets, not least by strictly adhering to its own objectives and guidelines, i.e. that the area covered by the social budgets, should be extended, that the comparability of national forecasts should be improved and that the European social budget should be drawn up every two years;
9. Instructs its President to forward this resolution and the committee's report to the Council and Commission.

#### Filing of a petition

The President announced that petition No 6/76 by Mr Curry on better conditions for mentally ill patients after their discharge from hospital, which had been referred to the Committee on the Rules of Procedure and Petitions, had, at the request of that committee, been filed without further action since it did not fall within the sphere of activity of the Communities.

#### Decision adopting the annual report on the economic situation in the Community

Mr Notenboom, deputizing for the rapporteur, introduced the report drawn up by Mr Artzinger, on behalf of the Committee on Economic and Monetary Affairs, on the proposal from the Commission of the European Communities to the Council (Doc. 393/76) concerning a Decision adopting the annual report on the economic situation in the Community and laying down the economic policy guidelines for 1977 (Doc. 405/76).

The following spoke: Mr Haferkamp, *Vice-President of the Commission*, Mr Van Der Hek, on behalf of the Socialist Group, Mr Schwörer, on behalf of the Christian-Democratic Group, Mr Nyborg, on behalf of the Group of European Progressive Democrats, Mr Normanton, on behalf of the European Conservative Group and Mr Spinelli on behalf of the Communist and Allies Group.

IN THE CHAIR: MR YEATS

*Vice-President*

The following spoke: Mr Burgbacher, Lord Ardwick, Mr Lenihan, Sir Brandon Rhys Williams, Mr

Prescott, Mr Haferkamp and Mr Notenboom, deputizing for the rapporteur.

Parliament now considered the motion for a resolution and first adopted the preamble and paragraphs 1 to 6.

Mr Nyborg had tabled, on behalf of the Group of European Progressive Democrats, amendment No 1 proposing the insertion of a new paragraph 6a after paragraph 6. He now moved the amendment.

Mr Notenboom and Mr Prescott spoke.

Amendment No 1 was rejected.

Parliament adopted paragraphs 7 and 8.

On paragraph 9, Sir Brandon Rhys Williams had tabled amendment No 2, which he now moved.

Mr Notenboom, deputizing for the rapporteur, spoke.

Amendment No 2 was rejected.

Parliament adopted paragraphs 10 to 16.

Mr Normanton had tabled amendment No 3 proposing the insertion of a new paragraph 16a after paragraph 16. He now moved the amendment.

Mr Notenboom, deputizing for the rapporteur, and Mr Normanton, spoke.



Amendment No 3 was rejected.

Mr Notenboom, deputizing for the rapporteur, spoke.

Parliament adopted paragraph 17.

Amendment No 4 was adopted.

On paragraph 18, Sir Peter Kirk had tabled, on behalf of the European Conservative Group, amendment No 4, which Sir Brandon Rhys Williams now moved.

Parliament adopted paragraph 18 thus amended.

Parliament adopted the following resolution:

#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council concerning a Decision adopting the annual report on the economic situation in the Community and laying down the economic policy guidelines for 1977

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council (COM(76) 557 fin.),
  - having been consulted by the Council pursuant to Article 4 of the Council Decision of 18 February 1974 on the attainment of a high degree of convergence of the economic policies of the Member States of the European Community (Doc. 393/76),
  - having regard to the report of the Committee on Economic and Monetary Affairs (Doc. 405/76),
1. Hopes that the economic upturn will continue;
  2. Considers that, in view of the many factors of uncertainty, it is correct to make a cautious and differentiated assessment of economic developments in 1977;
  3. Singles out those signs which seem to point to a continued economic upturn;
    - growing confidence in the future among consumers and savers,
    - incipient results from the efforts by governments and workers' and employers' organizations to slow down the incomes race,
    - the reduction in price and cost rises,
    - the rise in productivity and profits in many branches of industry, which has increased the chances of higher investment,
    - the continued expansion of world trade;
  4. Draws attention on the other hand to the risk of:
    - the economic upturn being brought to a halt by the lack of Community and international solidarity,
    - the disparities between price and cost rises in the Member States not only not decreasing during 1977 but even increasing again;
  5. Endorses the Commission's proposals:
    - for a restrictive approach to consumption in Member States having a large external deficit and high underlying rates of inflation,
    - not to restrain the increasing expansion in domestic demand in those Member countries without balance of payments problems and where a further slowdown in price increases is likely, so as to facilitate the process of adjustment within the Community;

6. Draws attention to the importance, if the medium-term targets (stability, growth and full employment) are to be attained, of achieving in the short-term a substantial growth in productive investment in order to reduce unemployment due to the present economic situation; believes that the attitude of the parties in the forthcoming wage negotiations may have a much greater influence on the investment climate than traditional devices for encouraging investment;
7. Stresses that the social partners can be expected to show a sense of responsibility only when a solution is found to the problems of distribution of wealth and its acquisition by the workers;
8. Notes that despite the favourable short-term economic prospects, no substantial fall in unemployment can be expected, since it also has structural causes, which must be tackled within the framework of a medium-term structural policy;
9. Concurs with the Commission in attaching greater importance to monetary and credit policies as means of fighting inflation and therefore welcomes the Commission's proposals for restricting the money supply in each Member State;
10. Deplores the fact that — even though they are adopted by the Council in the form of a decision — the guidelines are not in practice looked upon by the Member States as fully binding;
11. Stresses that Member States are under an obligation, when departing from the guidelines, to consult the Council and the Commission on their reasons for doing so;
12. Notes with mounting concern that economic growth is leading to increased divergencies between 'the most prosperous and the poorest regions in the Community'; is therefore of the opinion that regional and sectoral structural policies must be strengthened financially and better organized at Community level;
13. As regards the measures to achieve a greater convergence of economic and monetary development in the Member States, refers to its opinion on the fourth medium-term economic policy programme;
14. Draws attention to the Community's share of responsibility for the world economy as a whole and for its weaker members in particular and believes that everything should be done to enable the Community, in accordance with the letter (Article 116, EEC Treaty) and spirit of the Treaties, to take up a common position at international meetings;
15. Regrets that the European Parliament, under the present procedure for dealing with the annual economic report and Member States' revenue and expenditure policies and economic policies, has only a limited opportunity to influence the decision-making process in the national parliaments;
16. Therefore calls upon the Community institutions to draw up jointly a new procedure, under which the European Parliament:
  - (1) will be consulted on the drawing up of guidelines for Member States' revenue and expenditure policies (second quarter),
  - (2) will assess to what extent Member States' financial and budgetary policies comply with the guidelines drawn up by the Community in order to draw the appropriate conclusions for the following year's guidelines;
17. Regrets moreover that the Community's own budget is largely national and cannot as yet be used as an instrument of economic policy;
18. Instructs its President to forward this resolution also to the Governments of the Member States and to the national parliaments.

### Recommendation on unemployment among young people

Mr Walkhoff introduced his report, drawn up on behalf of the Committee on Social Affairs, Employment and Education, on a draft recommendation from the Commission of the European Communities to the Member States (Doc. 298/76) on vocational preparation for young people who are unemployed or threatened by unemployment (Doc. 398/76).

IN THE CHAIR: MR SCOTT-HOPKINS

*Vice-President*

#### Change in agenda

The following spoke: Mr Broeksz, who proposed that the speaking time originally fixed by Parliament for the present part-session should be reduced by half, and Mr Evans.

Parliament adopted Mr Broeksz's proposal.

Mr Spicer spoke on a question of procedure.

Mr Evans, *Chairman of the Committee on Regional Policy, Regional Planning and Transport*, asked for the report by Mr Seefeld on road transport (Doc. 396/76) and the report by Mr Albers on the carriage of goods by inland waterway (Doc. 381/76) to be postponed to the December part-session.

Mr Brégègère asked for the oral question on Community water policy (Doc. 330/76) to be postponed to the December part-session.

The following spoke on these requests: Mr Mursch, Mr Scarascia Mugnozza, *Vice-President of the*

*Commission*, Mr Fellermaier, on behalf of the Socialist Group, and Mr Osborn.

Parliament adopted Mr Evans' request.

Parliament adopted Mr Brégègère's request.

Mrs Kellett-Bowman spoke on a question of procedure.

### Recommendation on unemployment among young people (*continued*)

The following spoke in the debate on the Walkhoff report (Doc. 398/76): Mr Van Der Gun on behalf of the Christian-Democratic Group, Mrs Kellett-Bowman on behalf of the European Conservative Group, Mr Evans, Mr Haferkamp, *Vice-President of the Commission*, Mr Walkhoff, *Rapporteur*, Mr Van Der Gun, Mr Albers and Mr Walkhoff.

Parliament then considered the motion for a resolution.

Mr Albers asked for a separate vote on paragraph 11 and Mr Van Der Gun for a separate vote on paragraph 2.

Parliament adopted the preamble and paragraph 1.

Parliament adopted paragraph 2.

Parliament adopted paragraphs 3 to 10.

Parliament adopted paragraph 11.

Parliament adopted paragraphs 12 and 13.

Parliament adopted the following resolution:

### RESOLUTION

embodying the opinion of the European Parliament on the draft recommendation from the Commission of the European Communities to the Member States on vocational preparation for young people who are unemployed or threatened by unemployment

*The European Parliament,*

- having been optionally consulted by the Commission on this draft recommendation (Doc. 298/76),
- having regard to the report of the Committee on Social Affairs, Employment and Education (Doc. 398/76),

1. Expresses its regret that, in spite of repeated objections by the European Parliament, the Commission has again opted for the non-binding legal form of the recommendation;
2. Is concerned about the extent of youth unemployment in the Community, which has to be seen in terms of unemployment as a whole; shares the fear that this is a long-term problem which will not be solved automatically by increased demand for labour; and also considers that unemployment is to a certain extent determined by the economic system operated by the countries of the Community;

3. Believes nevertheless that it is very important also in the short term to take measures which, while not tackling the problem at the roots, will lead to a reduction in unemployment and above all to better integration of young people into working process;
4. Takes the view that young people with no vocational training are the hardest hit by unemployment, and agrees with the Commission that the problems of these young people must be dealt with urgently;
5. Points out that it is poorly educated young people in particular who often cannot obtain training places and that vocational preparation must take account of this fact;
6. Expresses doubts about the Commission's policy, although agreeing with its aims, as the measures recommended are sometimes both incomplete and unrealistic;
7. Proposes that a period of two years be recommended for vocational preparation, and that the list of measures given by the Commission be extended to include:
  - (a) introduction to the working environment and practical experience of various fields of work,
  - (b) training of young people with the following alternative aims, having regard to their capabilities: qualification as a skilled worker, specialized training to a level below that level or assistance in special workshops to enable young people to earn their own living;
8. Considers in this connection that, where appropriate, young people ought to be given the opportunity to complete elementary schooling;
9. Expects the countries of the Community to be recommended to set up training centres in cases where companies do not provide sufficient training places;
10. Regrets the lack of any reference to the need for state undertakings to provide more training places and jobs for young people;
11. Considers it unrealistic to recommend that 'young people threatened by unemployment should be given reasonable leave of absence from their work in order to undertake vocational preparation';
12. Points out that the coordination and improvement repeatedly called for by the European Parliament in the vocational guidance provided for in the EEC Treaty have hitherto remained merely empty phrases, and fears that this Commission recommendation will not produce any radical progress either;
13. Takes the view that the idea behind the recommendation must be supported, but asks the Commission to increase the likelihood of its proposals being carried into effect by supplementing and formulating them more realistically as part of a binding programme of action.

**Directive on certain types of carriage of goods by road — Regulation on international goods transport by rail — Regulation on the carriage of goods by rail, road and inland waterway**

The next item on the agenda was a joint debate on three reports on goods transport.

Mr Albers, deputizing for the rapporteur, introduced the report drawn up by Mr Giraud on behalf of the Committee on Regional Policy, Regional Planning and Transport, on the proposal from the Commission of the European Communities to the Council (Doc. 324/75/I) for a Directive on the establishment of common rules for certain types of carriage of goods by road between Member States (Doc. 348/76).

IN THE CHAIR: MR YEATS

*Vice-President*

Mr Mursch introduced his report, drawn up on behalf of the Committee on Regional Policy, Regional Planning and Transport, on the proposal from the Commission of the European Communities to the Council (Doc. 324/75/V) for a Regulation concerning the fixing of rates for international goods transport by rail (Doc. 349/76) and the report drawn up by Mr Mitterdorfer on behalf of the Committee on Regional Policy, Regional Planning and Transport, on the proposal from the Commission of the European Communities to the Council (Doc.

324/75/VIII) for a Regulation concerning a system for monitoring the market for the carriage of goods by rail, road and inland waterway between Member States (Doc. 350/76).

The following spoke: Mr Osborn on behalf of the European Conservative Group, Mr Mursch, on behalf of the Christian-Democratic Group, Mr Evans, *Chairman of the Committee on Regional Policy, Regional Planning and Transport*, and Mr Scarascia Mugnozza, *Vice-President of the Commission*.

Parliament adopted the resolution contained in the Giraud report (Doc. 348/76):

#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive on the establishment of common rules for certain types of carriage of goods by road between Member States

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 75 of the EEC Treaty (Doc. 324/75/I),
  - having regard to the report of the Committee on Regional Policy, Regional Planning and Transport and to the opinion of the Committee on Economic and Monetary Affairs (Doc. 348/76),
1. Notes that the proposed Directive merely makes a number of additions to the previous Directives of 1962 <sup>(2)</sup>, 1972 <sup>(3)</sup> and 1974 <sup>(4)</sup>;
  2. Notes also that the new measures to liberalize certain international transport operations concern exceptional cases;
  3. Feels, however, that this relatively minor measure should be placed in a more general context;
  4. Emphasizes in particular the need to maintain parallel progress in the liberalization of the markets and the harmonization of the conditions of competition (cost of infrastructures, social provisions, taxes, technical restrictions, etc.);
  5. Also considers that a policy of liberalization should be accompanied by safeguards in case the market should be seriously disrupted;
  6. Once again deplores the piecemeal policy involving minor measures, which conceal the lack of an overall concept and of major decisions;
  7. Poses the question whether, in view of the failure to reach a general compromise on the priorities of the common transport policy (Council of Transport Ministers of 10 and 11 December 1975), the Council should

<sup>(1)</sup> OJ No C 1, 5. 1. 1976, p. 28.

<sup>(2)</sup> OJ No 70, 6. 8. 1962, p. 2005/62.

<sup>(3)</sup> OJ No L 291, 28. 12. 1972, p. 155.

<sup>(4)</sup> OJ No L 84, 28. 3. 1974, p. 8.

continue to be 'burdened' with opinions which will not be taken into consideration, until the basic principles relating to transport, which Parliament has already approved, are adopted;

8. Is convinced that the rule that Council decisions on transport matters must be taken unanimously is likely to prevent a decision from being taken, even in areas not affecting the vital interests of the Member States, such as increases in Community quotas or the harmonization of the introduction of summer time within the Community;

9. Insists most strongly that the Council of Transport Ministers should take steps to resolve the situation and, subject to the reservations set out above, approves this proposal.

Parliament adopted the following resolution contained in the Mursch report (Doc. 349/76):

#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation concerning the fixing of rates for international goods transport by rail

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 75 of the EEC Treaty, (Doc. 324/75),
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport and the opinion of the Committee on Economic and Monetary Affairs (Doc. 349/76),

1. Refers to its resolution of 25 September 1974 <sup>(2)</sup>;
2. Welcomes the fact that the Commission submitted on 18 November 1975 eight proposals for Regulations and Directives together with a communication on the operation of the markets in the transport sector, and on 10 December 1975 a further proposal (Doc. 472/75), in which, for the first time, some of the features of the proposed common transport policy are discernible;
3. Welcomes the Commission's proposal that action should be taken simultaneously in the various sectors of the common transport policy, and suggests that the Council adopt these proposals with the proviso that it simultaneously issues a policy statement which makes the aim of parallel progress credible to the parties directly concerned and to the public;
4. Approves the principle of orientating the common transport policy towards a market economy;
5. Points out that limiting action to the introduction of market economy principles and extensive liberalization may cause structural difficulties for international transport if national and international transport systems are too divergent;
6. Urges, therefore, that common provisions for national transport be introduced as soon as possible so that the discrepancies between national and international arrangements are but a transitional feature;

<sup>(1)</sup> OJ No C 1, 5. 1. 1976, p. 28.

<sup>(2)</sup> OJ No C 127, 18. 10. 1974, p. 24.

7. Points out that liberalization of transfrontier transport will increase competition between the transport undertakings of the various countries and that this competition can only be fair if costs are sufficiently harmonized, which is not the case at present;
8. Points out that if the proposed measures are to operate satisfactorily, it is essential to convince those concerned that a coherent common transport policy will be established and to eliminate the impression that Community measures are disconnected experiments;
9. Approves the Commission's proposal for a Council Regulation concerning the fixing of rates for international goods transport by rail (Doc. 324/75, Part V);
10. Urges, therefore, that even when the railways take commercial responsibility for their tariffs, an arrangement be maintained to enable a reversion to tariffs fixed by the state in times of crisis without further legislation being necessary;
11. Urges, further, that Community law be extended to include rules against unfair competition, such as the deliberate harm caused to their competitors by transport undertakings charging prices which do not cover the additional cost to them of the transport operation concerned;
12. Urges that if the rules against unfair competition and the precautionary measures to deal with crisis situations cannot be implemented as part of a general regulation, along with the Regulation on reference tariffs, they should be included in the Regulation on tariffs;
13. Calls for greater emphasis to be placed on the Community's interest in the setting up of through international tariffs;
14. Requests the Commission, therefore, to make the following amendments to its proposal, pursuant to the second paragraph of Article 149 of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES (1)

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Regulation on the fixing of rates for international goods transport by rail  
within the Community**

Preamble unchanged

Whereas the organization of the freight transport market has to be conceived on the basis of a market economy in order to ensure the optimum allocation of resources; whereas this conception extends, in particular, to the system of rates and conditions of transport which form an important element of the common transport policy required by the Treaty;

unchanged

Whereas, in consequence, the fixing of rates and conditions of transport should be freely done by the

Whereas, in consequence, the fixing of rates and conditions of transport should be freely done by the

(1) For complete text, see OJ No C 1, 5. 1. 1976, p. 28.

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**TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES**

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**TEXT AMENDED BY THE EUROPEAN PARLIAMENT**

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transport undertakings themselves and not by the authorities imposing compulsory tariffs;

transport undertakings themselves and not by the authorities imposing compulsory tariffs, **except in an obvious crisis situation or in the circumstances provided for in Regulation (EEC) No 1191/69;**

Whereas this concept has to be reached in stages beginning with the present situation and, in the first place, with international goods transport;

Whereas this concept has to be reached in stages beginning with the present situation and, in the first place, with international goods transport; **whereas during this stage further progress must be made towards the harmonization of cost factors in the social, technical and fiscal fields; whereas in a second stage the concept of this Regulation will be extended to cover transport within the Member States, with account to be taken of progress achieved towards harmonization;**

Whereas the achievement of this concept in the railway sector depends upon the principles of the commercial management of international traffic in the undertakings;

u n c h a n g e d

Whereas, as a result, the railway administrations must achieve a balance between receipts and costs for corresponding services; this obligation does not exclude the possibility of medium term cross-subsidization within the sector;

Whereas, as a result, the railway administrations must achieve a balance between receipts and costs for corresponding services; this obligation does not exclude the possibility of medium-term cross-subsidization within the **international transport sector;**

Whereas the conversion of international railway tariffs towards a free market situation should allow a more flexible adaptation by the undertakings concerned both of rates to costs and to the market situation and that because of this, the intervention of the public authorities in the drawing up of transport rates should be ended subject to the proviso that Member States may impose compulsory tariffs in conformity with Regulation (EEC) No 1191/69 of 26 June 1969;

Whereas the conversion of international railway tariffs towards a free market situation should allow a more flexible adaptation by the undertakings concerned both of rates to costs and to the market situation and that because of this, the intervention of the public authorities in the drawing up of transport rates should be ended subject to the proviso that Member States may impose compulsory tariffs in conformity with Regulation (EEC) No 1191/69 of 26 June 1969 **and to the occurrence of an obvious crisis situation;**

Whereas, henceforth, it will be necessary to modify the national legislative or administrative procedures which still involve the interference of public authorities in the tariff policy of the railways;

u n c h a n g e d

Whereas the range of measures envisaged is likely to contribute, within the framework established by Article 9 (1) of the Council Decision of 20 May 1975, to the improvement of the railways' financial position in a sector of activity to which, owing to its

Whereas the range of measures envisaged **should** contribute, within the framework established by Article 9 (1) of the Council Decision of 20 May 1975, to the improvement of the railways' financial position in a sector of activity **in which, in view of the**



TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES

characteristics, commercial management is particularly suitable;

Whereas the drawing up of through tariffs for goods transport between Member States is likely on the one hand to strengthen the competitive position of the railways and, on the other hand, to increase the attractiveness of the railways' services to the customer;

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

long-term increase in long-distance transport in Europe, this objection is most likely to be achieved;

Whereas the drawing up of through tariffs for goods transport between Member States is likely on the one hand to strengthen the competitive position of the railways and, on the other hand, to increase the attractiveness of the railways' services to the customer; whereas, in addition, through tariffs will help to reduce the economic significance of national frontiers and so to improve trade between the Member States as called for in the European Treaties;

10th to 13th recitals unchanged

Article 1 unchanged

Article 2

1. The railway undertakings will themselves establish tariffs and conditions for international freight transport taking into account their obligations under the EEC and ECSC Treaties.

2. In conformity with the objectives set out in the provisions of Article 9 (1) of the Council Decision of 20 May 1975 <sup>(1)</sup>, the railways must ensure that receipts for international freight transport are equal to the corresponding costs.

3. The provisions of this Article do not affect the right of Member States to impose compulsory tariffs in accordance with Council Regulation (EEC) No 1191/69 of 26 June 1969 <sup>(2)</sup>.

4. When supplying the information provided for in Article 8 of the Council Decision of 20 May 1975, the railways will also supply states with detailed information on the obligation provided for in paragraph 2.

Article 3

The Governments of the Member States will take all the steps necessary to remove from their national

Article 2

1. unchanged

2. unchanged

3. In the event of an obvious crisis situation, compulsory rail tariffs may be fixed.

4. unchanged

5. unchanged

Article 3

1. The Governments of the Member States will take all the steps necessary to remove from their

<sup>(1)</sup> OJ No L 152, 12. 6. 1975, p. 3.

<sup>(2)</sup> OJ No L 156, 28. 6. 1969, p. 1.

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TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES

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legislation any provisions which are incompatible with commercial management of international freight transport by rail and especially those provisions referring to a *priori* or a *posteriori* approval of rates and conditions of transport by the governing authorities.

Article 4

1. The transport of goods between Member States shall be controlled by a system of through reference tariffs *which take account of the needs of the markets concerned* and the interests of the railway undertakings.

2. Through tariffs are established for freight consignments on the basis of a single transport contract which conforms with the provision of the international convention concerning the transport of freight by rail (CIM) on the lines figuring in the list given in Article 59 of that Convention.

3. Through tariffs are established either on the basis of general tariffs, or on the basis of special tariffs. *They may be differentiated according to any of the criteria which contribute to their reference function.*

Articles 5 to 11 unchanged

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TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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national legislation any provisions which are incompatible with commercial management of international freight transport by rail and especially those provisions referring to a *priori* or a *posteriori* approval of rates and conditions of transport by the governing authorities.

**2. However, the Member States will retain existing provisions or introduce new provisions which enable them to comply with Article 2 (3) without delay and without further legislation.**

Article 4

1. The transport of goods between Member States shall be controlled by a system of through reference tariffs set up by the railways for all transport services **where the market situation and the interests of the railway undertakings justify such a system.**

2. **unchanged**

3. Through tariffs are established either on the basis of general tariffs, or on the basis of special tariffs. **As far as possible, they should be differentiated to take account of the characteristics of individual transport operations and to avoid an excessively high or low freight tariff in individual cases.**

Parliament adopted the following resolution contained in the Mitterdorfer report (Doc. 350/76):

## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation concerning a system for monitoring the markets for the carriage of goods by rail, road and inland waterway between the Member States

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council, pursuant to Article 75 of the EEC Treaty (Doc. 324/75),
  - having regard to the report by the Committee on Regional Policy, Regional Planning and Transport and the opinion of the Committee on Economic and Monetary Affairs (Doc. 350/76),
1. Notes with satisfaction that the Commission has submitted a series of proposals designed to provide the impetus for a practical definition of the regulations required to implement the principles formulated in the communication submitted to the Council in 1973 on the development of a common transport policy;
  2. Regrets, however, that the Council was unable to go more thoroughly into this communication and feels that failure to make further progress will undermine confidence in the sectors concerned, whose cooperation is essential for the reforms deriving from the implementation of the common policy;
  3. Urges that everything be done to ensure that the Council undertakes a constructive review of the entire situation and thus succeeds in maintaining a proper balance between the decisions required on individual measures;
  4. Considers that priority should be given to setting up machinery for monitoring the markets, without which any analysis of the overall situation may well present a distorted picture both at the level of the individual operators and at the level of national and Community public authorities;
  5. Approves, therefore, this proposal for machinery to monitor the markets, but reserves the right to submit the problems dealt with in this report to closer study at a later stage when it is asked for its opinion on the implementing regulations;
  6. Takes the view that the system for monitoring the markets must be given an important part to play in determining possible future crisis situations;
  7. Invites the Member States to take action to enable the Commission of the European Communities to obtain such information and statistical data as is necessary, to be collected and compiled in accordance with accepted criteria and within fixed time limits.

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<sup>(1)</sup> OJ No C 1, 5. 1. 1976, p. 28.

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**Communication, Decision and Regulation on transport infrastructure**

Mr Evans, deputizing for the rapporteur, introduced the interim report drawn up by Mr Nyborg, on behalf of the Committee on Regional Policy, Regional Planning and Transport, on the communication from the Commission of the European Communities

to the Council on action in the field of transport infrastructure and the proposals from the Commission of the European Communities to the Council (Doc. 244/76) for:

- a Decision instituting a consultation procedure and creating a committee in the field of transport infrastructure
- a Regulation concerning aid to projects of Community interest in the field of transport infrastructure

(Doc. 377/76).

The following spoke: Mr Osborn, on behalf of the European Conservative Group, Mr Nyborg, *Rapporteur*, Mr Scarascia Mugnozza, *Vice-President of the Commission*.

Parliament adopted the following resolution:

#### RESOLUTION

on the communication from the Commission of the European Communities to the Council on action in the field of transport infrastructure and embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council for a Decision instituting a consultation procedure and creating a Committee in the field of transport infrastructure and a Regulation concerning aid to projects of Community interest in the field of transport infrastructure

*The European Parliament,*

- having regard to the communication and proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 244/76),
- having regard to the interim report of the Committee on Regional Policy, Regional Planning and Transport (Doc. 377/76),
- recalling the disappointing lack of progress that has been made towards the construction of a common transport policy,
- taking into consideration the importance it has consistently attached to the need to give a Community dimension to transport infrastructure projects of Community interest,

1. Welcomes the present initiative taken by the Commission in this field whilst reserving its right to give a more detailed opinion;
2. Recalls to the Council the views concerning the need for common action in the field of transport infrastructure, which it has already urged in paragraph 8 I(b), II(d) and IV(b) of its resolution on the principles of the common transport policy <sup>(2)</sup> and in paragraphs 6 and 7 of its resolution concerning permanent links across certain sea straits <sup>(3)</sup>;
3. Urges the Council to give speedy and favourable consideration to the initiative and general principles contained in the Commission's communication and proposals.

<sup>(1)</sup> OJ No C 207, 2. 9. 1976, pp. 7 and 9.

<sup>(2)</sup> OJ No C 127, 18. 10. 1974, p. 24.

<sup>(3)</sup> OJ No C 5, 8. 1. 1975, p. 43.

**Agenda for next sitting**

The President announced the following agenda for the next sitting on Friday, 19 November 1976:

9 a.m. to 12 noon:

- procedure without report;
- Dunwoody report on frozen beef and veal (without debate);
- oral question with debate to the Commission on raw materials;
- oral question with debate to the Commission on consumer democracy;
- second Bethell report on the dumping of wastes at sea;
- second Brégégère report on jams;
- W. Müller report on protection of the Rhine against pollution;
- Ney report on veterinary medicinal products;
- Guerlin report on fresh poultrymeat;
- Boothroyd report on beef and veal from certain ACP States;
- B. Nielsen report on food aid.

The sitting was closed at 9.15 p.m.

H. R. NORD  
*Secretary-General*

James SCOTT-HOPKINS  
*Vice-President*

**MINUTES OF PROCEEDINGS OF THE SITTING OF FRIDAY, 19 NOVEMBER  
1976**

IN THE CHAIR: MR SCOTT-HOPKINS  
*Vice-President*

The sitting was opened at 9 a.m.

**Approval of minutes**

The minutes of proceedings of the previous day's sitting were approved.

**Documents received**

The President announced that he had received:

- (a) from the Joint Parliamentary Committee of the EEC-Turkey Association, the recommendations adopted in Ankara on 9 November 1976 (Doc. 428/76).

This document had been referred to the Committee on External Economic Relations, the Committee on Social Affairs, Employment and Education, the Political Affairs Committee and the Committee on Agriculture;

- (b) from the Council, a proposal for a transfer of appropriations between chapters in Section III — Commission — of the general budget of the European Communities for the financial year 1976 (Doc. 429/76).

This document had been referred to the Committee on Budgets.

**Change in the name of a group**

The President announced that, by letter of 15 November 1976, Mr Durieux, chairman of the Liberal and Allies Group, had informed him that his group would henceforward be called the 'Liberal and Democratic Group' (see Annex).

Annex IV to Regulation (EEC) No 816/70 laying down additional provisions for the common organization of the market in wine and the Common Customs Tariff as regards the exchange rates applicable to customs duties on certain wines (Doc. 395/76).

**Procedure without report**

Since no member had asked leave to speak, and no amendments had been tabled, the President declared approved, under the procedure without report laid down in Rule 27A of the Rules of Procedure, the following Commission proposal which had been announced during the sitting of 15 November 1976:

— proposal for a Council Regulation amending

**Regulation on frozen beef and veal**

Parliament adopted without debate the resolution contained in the report by Mrs Dunwoody on behalf of the Committee on Agriculture on the proposal from the Commission of the European Communities to the Council (Doc. 302/76) for a Regulation on the opening, allocation and administration of a Community tariff quota for frozen beef and veal falling within subheading 02.01 A II a) 2 of the Common Customs Tariff (1977) — (Doc. 418/76).

**RESOLUTION**

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the opening allocation and administration of a Community tariff quota for frozen beef and veal falling within subheading 02.01 A II a) 2 of the Common Customs Tariff (1977)

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 43 of the Treaty establishing the EEC (Doc. 302/76),
- having regard to the report of the Committee on Agriculture and the opinion of the Committee on External Economic Relations (Doc. 418/76),

Approves the Commission's proposal.

<sup>(1)</sup> OJ No C 233, 5. 10. 1976, p. 2.

**Oral question with debate: Needs for basic raw materials**

Lord Bessborough moved the oral question with debate which he had put, on behalf of the European Conservative Group, to the Commission on the needs for basic raw materials (Doc. 331/76).

Mr Simonet, *Vice-President of the Commission*, answered the question.

The following spoke: Mr Jahn, on behalf of the Christian-Democratic Group, Mr Nyborg, on behalf

of the Group of European Progressive Democrats, and Mr Normanton, on behalf of the European Conservative Group.

The President declared the debate on this question closed.

**Oral question with debate: Consumer democracy**

Lady Fisher moved the oral question with debate which Miss Boothroyd, Mr Evans, Mr Adams, Mr Carpentier and Mr Kavanagh had put to the Commission on consumer democracy (Doc. 388/76).

Mr Simonet, *Vice-President of the Commission*, answered the question.

The following spoke: Mrs Squarcialupi, on behalf of the Communist and Allies Group, Mr Mitchell, Lord Bethell and Lord Bruce.

The President declared the debate on this question closed.

#### Directive on the dumping of wastes at sea

Lord Bethell introduced his second report, drawn up on behalf of the Committee on the Environment, Public Health and Consumer Protection, on the proposal from the Commission of the European Communities to the Council (Doc. 497/75) for a Directive concerning the dumping of wastes at sea (Doc. 375/76).

The following spoke: Mr Jahn, on behalf of the Christian-Democratic Group, Mrs Kruchow, on

behalf of the Liberal and Democratic Group, Mr Nyborg, on behalf of the Group of European Progressive Democrats, Mr Veronesi, on behalf of the Communist and Allies Group, and Mr Simonet, *Vice-President of the Commission*.

Parliament now considered the motion for a resolution and first adopted the preamble and paragraphs 1 to 5.

On paragraphs 6 to 8 Mrs Kruchow had tabled, on behalf of the Liberal and Democratic Group, amendment No 1 proposing the deletion of these paragraphs. She now moved the amendment.

The rapporteur and Mr Jahn spoke, the latter on behalf of the Committee on the Environment, Public Health and Consumer Protection. Amendment No 1 was rejected.

Parliament adopted paragraphs 6 to 8 and then paragraph 9.

Parliament adopted the following resolution:

#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive concerning the dumping of wastes at sea

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 497/75),
  - having regard to the second report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 375/76),
1. Recognizes that marine pollution remains a very important threat to the natural environment;
  2. Notes that all Member States have signed the London Convention, the global agreement on the dumping of wastes at sea, but that not all of these Member States have ratified it;
  3. Notes that various Member States have signed three other international agreements on the dumping of wastes at sea — the Oslo Convention, the Barcelona Convention and the Baltic Convention — but that not all of these Member States have ratified them;
  4. Recognizes the need for every Member State to apply and enforce the rules and criteria for dumping, as laid down by the international convention appropriate to the sea area in question;

<sup>(1)</sup> OJ No C 40, 20. 2. 1976, p. 3.

5. Recognizes that the provisions of various conventions may properly vary according to the different characteristics of the sea areas to which they apply;
6. Invites the Commission to amend Annexes I and II to its proposal so that the lists of substances for which dumping is restricted coincide exactly with the provisions in the international conventions appropriate to their various sea areas;
7. Invites the Commission to ensure in its proposal, that its own proposed enforcement procedures do not conflict with, or in any way duplicate, the enforcement procedures of the various international conventions;
8. Expresses the hope that the Community will sign and ratify the London, Oslo, Baltic and Barcelona Conventions;
9. Considers that, thus amended, the present directive provides a means of implementing these international conventions at Community level.

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#### Manufacture and sale of jams

Mr Brégère introduced his second report, drawn up on behalf of the Committee on the Environment, Public Health and Consumer Protection, on the consumer and public health aspects of the manufacture and sale of fruit jams, jellies and marmalades and chestnut purée (Doc. 376/76).

IN THE CHAIR: MR SANTER

*Vice-President*

Mr Simonet, *Vice-President of the Commission*, spoke.

Parliament adopted the following resolution:

#### RESOLUTION

on the consumer and public health aspects of the manufacture and sale of fruit jams, jellies and marmalades, and chestnut purée

*The European Parliament,*

- having regard to the amended proposal from the Commission of the European Communities to the Council for a Directive on the approximation of the laws of the Member States relating to fruit jams, jellies and marmalades, and chestnut purée <sup>(1)</sup>,
- having regard to its resolution of 18 December 1975 on the Commission's proposals for the elimination of technical trade barriers, in particular for Directives on the approximation of the laws of the Member States on taximeters, lifting and mechanical handling appliances and electrically operated lifts, and on fruit jams, jellies and marmalades, and chestnut purée <sup>(2)</sup>,
- having regard to the second report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 376/76),

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<sup>(1)</sup> OJ No C 202, 4. 9. 1975, p. 2.

<sup>(2)</sup> OJ No C 7, 12. 1. 1976, p. 38.



1. Emphasizes that the Commission's amended proposal for a Directive should not be confined to the elimination to technical barriers to trade but should primarily be based on considerations of consumer policy and public health;
2. Recalls in this connection the obligations entered into by both the Council and Commission in the preliminary programme of the European Economic Community for a consumer protection and information policy <sup>(1)</sup> of 14 April 1975;
3. Endorses on the whole the opinion drafted by Mr Liogier on behalf of the Committee on Public Health and the Environment (Doc. 343/75/Annex);
4. Insists that manufacturers fully respect the provisions laid down in Annex IV to the Directive, which restrict the sulphur dioxide content of finished products to 10 and 50 mg/kg;
5. Calls on the Commission, in the framework of the provision laid down in Article 13 (2) of the amended proposal for a Directive for reviewing, on the basis of information gained during the five-year transitional period, the possibility of adding preservatives to products having a content of dry soluble matter of less than 63 %, to propose a Regulation which takes full account of consumer interests;
6. Consequently calls upon the Commission, pursuant to the second paragraph of Article 149 of the EEC Treaty, to submit to the Council the following amendments to its proposal for a Directive of 25 July 1975 on fruit jams, etc.:
  - a) where products with a content of dry soluble matter of less than 63 % are put on to the market, consumers should be informed by means of an easily legible notice on the containers or labels that the products concerned should be stored in a cool place,
  - (b) the use of colouring matter should be quantitatively restricted. Moreover, in accordance with the proposal for a Directive on the labelling of foodstuffs, all colouring matter must be specified on containers or labels. Annex III (2) should be altered accordingly,
  - (c) precise maximum quantities should be laid down in Annex III (2) for each additive authorized,
  - (d) indication of the sulphur dioxide content (SO<sub>2</sub>) should be made obligatory and the appropriate addition incorporated in Annex IV or elsewhere in the proposed Directive,
  - (e) the obligation provided for in the Directive to specify the additives used must not be whittled away by the application of escape clauses. Consequently, in Article 6 (5), the words: 'relating to labelling in force in the Member State in which the product is to be consumed' should be replaced by 'laid down in the proposal for a Directive on the labelling and presentation of foodstuffs for sale to the ultimate consumer',
  - (f) the provision concerning the specification of particulars in the national language or languages of the consumer must be made binding. Consequently, in the second paragraph of Article 8, the word 'may' should be replaced by the word 'must',
  - (g) indication of the time limit for consumption must be made obligatory. Consequently, the optional provision proposed by the Commission in Article 9 should be deleted and an obligatory provision added in Article 6,
  - (h) the detailed rules concerning methods of sampling and analysis should be drawn up not later than the date of application of the Directive. This makes an addition to Article 11 necessary,
  - (i) the working procedure of the Standing Committee for Foodstuffs laid down in Article 12 should, by incorporating the usual changes, be brought into conformity with the stand already taken up by the European Parliament on the institutional aspect of this problem,
  - (j) products intended for export should be clearly indicated as such if they are to be exempt from Community regulations. The first part of Article 14 should therefore read as follows:

'This Directive shall not apply to products which can be proven to be intended for export to countries outside the Community',

<sup>(1)</sup> OJ No C 92, 25. 4. 1975, p. 1.

(k) the Directive should be applied within one year of its notification. Article 15 (1) should therefore read as follows:

'Member States shall, within one year following notification of this Directive, make such amendments to their laws as may be necessary to comply with the provisions of this Directive and ensure its application. They shall forthwith inform the Commission thereof',

(l) Member States must communicate to the Commission the text of all provisions of internal law which they intend to adopt in the field covered by this Directive in good time for the Commission to express its opinion on them. Article 15 (2) should be amended accordingly;

7. Urges the Council, when drawing up the final text of the Directive, to take full account of these reservations and requests of the European Parliament, which are based on considerations of consumer policy and public health;

8. Instructs its President to forward this resolution and the committee's report to the Council and Commission.

#### Decision on protection of the Rhine against pollution

Mr Willi Müller introduced his report, drawn up on behalf of the Committee on the Environment, Public Health and Consumer Protection, on the proposal from the Commission of the European Communities to the Council (Doc. 341/76) for a Decision concluding a Convention for the protection of the Rhine against chemical pollution and an Additional Agreement to the Agreement signed in Berne on 29 April 1963 concerning the International Commission for the Protection of the Rhine against Pollution (Doc. 400/76).

The following spoke: Mr Jahn, on behalf of the Christian-Democratic Group, Mr Kruchow, on behalf of the Liberal and Democratic Group and Mr Simonet, *Vice-President of the Commission*.

Parliament adopted the following resolution:

#### RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Decision concluding a Convention for the protection of the Rhine against chemical pollution and an Additional Agreement to the Agreement signed in Berne on 29 April 1963 concerning the International Commission for the Protection of the Rhine against Pollution

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 235 of the EEC Treaty (Doc. 341/76),
- having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Legal Affairs Committee (Doc. 400/76),

<sup>(1)</sup> OJ No C 239, 12. 10. 1976, p. 3.

1. Expresses its satisfaction with the results obtained by the Commission in the negotiations within the framework of the International Commission for the Protection of the Rhine against Pollution;
2. Approves the Commission's proposal;
3. Recalls its resolutions of 19 November 1970 <sup>(1)</sup>, 16 December 1971 <sup>(2)</sup> and 20 June 1975 <sup>(3)</sup>;
4. Requests the Commission to insist on advantage being taken of the latest scientific findings in the implementation of the Convention and on everything being done to achieve progress in keeping the Rhine clean.

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<sup>(1)</sup> OJ No C 143, 3. 12. 1970, p. 30.

<sup>(2)</sup> OJ No C 2, 11. 1. 1972, p. 22.

<sup>(3)</sup> OJ No C 157, 14. 7. 1975, p. 92.

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#### Directives on veterinary medicinal products

Mr Ney introduced his report, drawn up on behalf of the Committee on the Environment, Public Health and Consumer Protection, on the proposals from the Commission of the European Communities to the Council (Doc. 132/76) for:

- I. a Directive on the approximation of the laws of the Member States relating to veterinary medicinal products
- II. a Directive on the approximation of the laws of the Member States relating to analytical, pharmacotoxicological and clinical standards and protocols in respect of the testing of veterinary medicinal products

(Doc. 421/76).

The following spoke: Mr Nyborg, on behalf of the Group of European Progressive Democrats and Mr Simonet, *Vice-President of the Commission*.

Parliament adopted the following resolution:

#### RESOLUTION

embodying the opinion of the European Parliament on the proposals from the Commission of the European Communities to the Council:

- I. a Directive on the approximation of the laws of Member States relating to veterinary medicinal products
- II. a Directive on the approximation of the laws of Member States relating to analytical, pharmacotoxicological and clinical standards and protocols in respect of the testing of veterinary medicinal products

*The European Parliament,*

- having regard to the proposals from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council pursuant to Article 100 of the EEC Treaty (Doc. 132/76),

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<sup>(1)</sup> OJ No C 152, 5. 7. 1976, p. 1.

— having regard to the report of the Committee on the Environment, Public Health and Consumer Protection and the opinion of the Committee on Economic and Monetary Affairs (Doc. 421/76),

1. Notes with satisfaction that, with the present proposals for Directives, the Commission has taken a first step towards achieving the free movement of veterinary medicinal products;
2. Welcomes the Commission's endorsement of the principle that any regulations in the field of the production and distribution of these medicinal products must have the safeguarding of public health as its main objective;
3. Regrets, however, that the Commission has opted for the introduction in stages of proposals which are too limited both in scope and content;
4. Considers that the envisaged reciprocal recognition of authorizations to place veterinary medicinal products on the market should have been treated within the framework of these Directives;
5. Recommends the Commission, in view of the increasingly industrial nature of stock-breeding and in view of the fact that the number of veterinary preparations is distinctly smaller than the number used in human medicine, to broaden the field of application of the present proposals to cover medicated feedingstuffs, serums and vaccines;
6. Also regrets that, in the interests of the ultimate user, the distribution of and publicity for these medicinal products is not satisfactorily regulated;
7. Considers it desirable that supervision and inspection of the authorizations granted by the Member States should continue to be carried out in the first instance by the competent authorities of the Member States concerned;
8. Considers that it is not desirable to set up a new committee for veterinary medicinal products, since the tasks it is intended to assume can be taken over by one of the existing committees;
9. Requests the Commission to incorporate the following amendments in its proposal pursuant to the second paragraph of Article 149 of the EEC Treaty.

TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES <sup>(1)</sup>

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Directives:**

- I. the approximation of the laws of the Member States relating to veterinary medicinal products**
- II. the approximation of the laws of the Member States relating to analytical, pharmacotoxicological and clinical standards and protocols in respect of the testing of veterinary medicinal products**

**I**

**Council Directive on the approximation of the laws of the Member States relating to veterinary medicinal products**

Preamble and first four recitals unchanged

<sup>(1)</sup> For complete text, see OJ No C 152, 5. 7. 1976, p. 1.

TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES

Whereas the provisions of this Directive which concern veterinary medicinal products are not adequate, although appropriate, for veterinary medicinal products *used to confer active immunity, to diagnose the state of immunity and to confer passive immunity and for medicinal products based on radioactive isotopes*; whereas it is therefore advisable not to prescribe their application to such products for the present;

*Whereas medicated feedingstuffs do not come within the ambit of this Directive; whereas it is necessary, as much for public health as economic reasons, to prohibit the use of unauthorized medicinal products in the manufacture of medicated feedingstuffs;*

Whereas marketing authorization shall be refused where a medicinal product lacks therapeutic effect or where there is insufficient proof of such effect promised by the manufacturers;

Whereas it is advisable, in order gradually to achieve freedom of movement of veterinary medicinal products, to facilitate the granting of marketing authorization *in several* Member States for one and the same medicinal product;

Whereas, for this purpose, *a Committee for Veterinary Medicinal Products should be set up*, composed of representatives of the Member States and of the Commission, *responsible for giving* an opinion as to whether a particular veterinary medicinal product complies with the requirements set out in this Directive;

Whereas *this Directive is only one stage in the achievement of the aim of freedom of movement of veterinary medicinal products; whereas, for this purpose, new* measures will prove necessary, in the light of experience gained, especially within the said Committee, *for the removal of the remaining barriers to freedom of movement;*

Whereas, in order to facilitate the movement of veterinary medicinal products and to prevent the checks carried out in one Member State from being repeated in another, minimum requirements for manufacture and imports from third countries and the grant of authorization relating thereto, should be applied to veterinary medicinal products, as specified in second Council Directive 75/319/EEC of 20 May 1975 on the approximation of provisions laid down by law, regulation or administrative action relating to proprietary medicinal products <sup>(1)</sup>,

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

Whereas the provisions of this Directive which concern veterinary medicinal products are not adequate, although appropriate, for veterinary medicinal products based on radioactive isotopes; whereas it is therefore advisable not to prescribe their application to such products for the present;

deleted

unchanged

Whereas it is advisable, in order gradually to achieve freedom of movement of veterinary medicinal products, to facilitate the granting of marketing authorizations **in the** Member States for one and the same medicinal product;

Whereas, for this purpose, **the Pharmaceutical Committee** composed of representatives of the Member States and of the Commission **should be able to give** an opinion as to whether a particular veterinary medicinal product complies with the requirements set out in this Directive;

Whereas, to achieve freedom of movement of veterinary medicinal products, **further** measures will prove necessary in the light of experience gained, especially within the said Committee;

unchanged

<sup>(1)</sup> OJ No L 147, 9. 6. 1975, p. 13.

TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

HAS ADOPTED THIS DIRECTIVE:

HAS ADOPTED THIS DIRECTIVE:

Article 1 unchanged

*Article 2*

*Article 2*

1. The provisions of this Directive shall apply to veterinary medicinal products whether offered for sale in the form of proprietary medicinal products, ready-made veterinary medicinal products or premixes.

1. The provisions of this Directive shall apply to veterinary medicinal products whether offered for sale in the form of proprietary medicinal products, ready-made veterinary medicinal products, premixes, **or medicated feedingstuffs.**

2. The provisions of this Directive shall not apply to:

2. The provisions of this Directive shall not apply to:

(a) *medicated feedingstuffs;*

(a) **deleted**

(b) *veterinary medicinal products used with a view to producing active immunity, diagnosing the state of immunity and producing passive immunity;*

(b) **deleted**

(c) veterinary medicinal products based on radioactive isotopes;

(a) **unchanged**

(d) veterinary medicinal products not prepared in advance and intended for one particular animal.

(b) **unchanged**

3. However, pending separate provisions for medicated feedingstuffs, a premix shall not be used for the manufacture of medicated feedingstuffs if it has not received the authorization referred to in Article 3.

3. **unchanged**

Articles 3 to 13 unchanged

*Article 14*

*Article 14*

Authorization shall be valid for five years and shall be renewable for five-year periods, on application by the holder *within the three months preceding* the date of expiry, in accordance with the provisions of Article 13.

Authorization shall be valid for five years and shall be renewable for five-year periods, on application by the holder **at least three months before** the date of expiry, in accordance with the provisions of Article 13.

*Article 15*

*Article 15*

1. In order to facilitate the adoption of a common position by the Member States with regard to marketing authorizations, *a Committee for Veterinary Medicinal Products, hereinafter called 'the Committee', is hereby set up; it shall be composed of representatives of the Member States and of the Commission.*

In order to facilitate the adoption of a common position by the Member States with regard to marketing authorizations, **the pharmaceutical Committee, composed of representatives of the Member States and of the Commission shall, when so requested by a Member State, examine questions relating to the implementation of Articles 10, 20 and 33, in accordance with Articles 16 to 21.**

2. *The Committee shall, when so requested by a Member State, examine questions relating to the implementation of Articles 10, 20 and 33, in accordance with Articles 16 to 21.*

2. **deleted**

3. *The Committee shall draw up its own rules of procedure.*

3. **deleted**

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TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

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Articles 16 to 18 unchanged

*Article 19*

1. If several applications have been submitted in accordance with Article 4 for marketing authorization for the same veterinary medicinal product, and one or more Member States have granted such authorization while one or more of the other Member States have refused it, one of the Member States concerned may bring the matter before the Committee.

*The same shall apply where one or more Member States have suspended or withdrawn marketing authorization while one or more of the other Member States have not done so.*

*Article 19*

1. If several applications have been submitted in accordance with Article 4 for marketing authorization for the same veterinary medicinal product, and one or more Member States have granted such authorization while one or more of the other Member States have refused it, one of the Member States concerned may bring the matter before the Committee.

**If one or more Member States have suspended or withdrawn marketing authorization the Committee shall be informed of this decision forthwith.**

Paragraphs 2 to 4 unchanged

Articles 20 to 32 unchanged

*Article 33*

The following particulars shall appear in legible characters on containers and outer packages of medicinal products:

Subparagraphs 1 to 6 unchanged

7. *delay if any;*

7. **if necessary, the delay;**

Subparagraphs 8 to 11 unchanged

Rest of Article 33 unchanged

Articles 34 to 42 unchanged

*Article 43*

Paragraph 1 unchanged

2. The other provisions of this Directive shall be applied progressively, *within 15 years of the notification referred to in Article 42*, to veterinary medicinal products placed on the market by virtue of previous provisions.

*Article 43*

2. The other provisions of this Directive shall be applied progressively, *within five years of its entry into force*, to veterinary medicinal products placed on the market by virtue of previous provisions.

Paragraph 3 unchanged

Article 44 unchanged

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TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

II

**Council Directive on the approximation of the laws of Member States relating to analytical, pharmacotoxicological and clinical standards and protocols in respect of the testing of veterinary medicinal products**

Preamble, recitals and Article 1 unchanged

*Article 2*

The amendments necessary for adapting the requirements of the Annex to this Directive to technical progress shall be adopted in accordance with the procedure laid down in Article 3 (5) and (6) (as amended) of the Council Directive of ... relating to analytical, pharmacotoxicological and clinical standards and protocols in respect of the testing of proprietary medicinal products.

*The Committee referred to in Article 3 (as amended) of the said Directive* may examine any question relating to the application of this Directive which is brought up by its chairman, either on his own initiative or at the request of the representative of a Member State.

*Article 2*

The amendments necessary for adapting the requirements of the Annex to this Directive to technical progress shall be adopted in accordance with the procedure laid down in Article 3 (5) and (6) (as amended) of the Council Directive of 20 May 1975 (75/318/EEC) relating to analytical, pharmacotoxicological and clinical standards and protocols in respect of the testing of proprietary medicinal products.

*The Pharmaceutical Committee set up by the Council Decision of 20 May 1975 (75/320/EEC)* may examine any question relating to the application of this Directive which is brought up by its chairman, either on his own initiative or at the request of the representative of a Member State.

Articles 3 and 4 unchanged

Annex unchanged

**Directive on trade in fresh poultrymeat**

Mr Willi Müller introduced the report drawn up by Mr Guerlin on behalf of the Committee on the Environment, Public Health and Consumer Protection, on the proposal from the Commission of the European Communities to the Council (Doc. 256/76) for a Directive supplementing, with regard to the chilling process, amended Directive 71/118/EEC on health problems affecting trade in fresh poultrymeat (Doc. 401/76).

The following spoke: Mr Spicer, on behalf of the European Conservative Group, Mr Scott-Hopkins and Mr Simonet, *Vice-President of the Commission*, who proposed that in the amendment proposed by Parliament to Article 4 (9) of the proposal for a Directive, the word 'non-corrodible' be replaced by 'non-deteriorating'.

On the proposal for a Directive, Article 5, Mr Spicer had tabled amendment No 1 on behalf of the European Conservative Group.

The following spoke: the deputy rapporteur, Mr Spicer, Mr Willi Müller and Mr Scott-Hopkins.

Amendment No 1 was adopted.

Parliament adopted the following resolution, together with the modification proposed by Mr Simonet:



## RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Directive supplementing, with regard to the chilling process, amended Directive 71/118/EEC on health problems affecting trade in fresh poultrymeat

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
  - having been consulted by the Council pursuant to Articles 43 and 100 of the EEC Treaty (Doc. 256/76),
  - having regard to the report of the Committee on the Environment, Public Health and Consumer Protection (Doc. 401/76),
1. Notes with satisfaction the report from the Commission to the Council concerning chilling processes for slaughtered poultry;
  2. Refers to its resolution of 25 September 1974 <sup>(2)</sup>;
  3. Notes with surprise that a hygienically unsatisfactory poultry chilling process has still not been prohibited;
  4. Understands, however, the economic difficulties which a prohibition of this kind on the 'Spinchiller' process would signify for the poultrymeat industry;
  5. Recalls that, in its basic Directive 71/118/EEC of 15 February 1971, the Council stated then that the prohibition referred to would have effect from 1 January 1976;
  6. Points out, however, that in Directive 75/431/EEC <sup>(3)</sup>, the date on which the prohibition was to have taken effect was postponed until 18 months after submission by the Commission of a report on admissible chilling processes but not beyond 1 January 1978;
  7. Is of the opinion that, since improved chilling processes are available, the Spinchiller process should be prohibited at an early date;
  8. Requests the Commission, therefore, pursuant to the second paragraph of Article 149 of the EEC Treaty, to amend as follows the present Directive laying down standards for immersion chilling processes, with a view to achieving satisfactory results as regards hygiene.

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<sup>(1)</sup> OJ No C 200, 26. 8. 1976, p. 5.

<sup>(2)</sup> OJ No C 127, 18. 10. 1974, p. 29.

<sup>(3)</sup> OJ No L 192, 24. 7. 1975, p. 6.

TEXT PROPOSED BY THE COMMISSION  
OF THE EUROPEAN COMMUNITIES

TEXT AMENDED BY THE EUROPEAN PARLIAMENT

**Council Directive supplementing, with regard to the chilling process, amended Directive 71/118/EEC on health problems affecting trade in fresh poultrymeat**

Preamble, recitals and Articles 1 to 3 unchanged

Article 4 (a), (b), (c), (d), (e) and (f) unchanged

(g) The equipment used for chilling by immersion must be made of *stainless steel*. The carcasses must on no account remain in the first half of the apparatus or the first tank for more than half an hour. During each pause of over half an hour by the elevators or conveyors used to remove the poultry from the chilling units the agitation must cease, whether it is produced mechanically or by displacement of air.

(g) The equipment used for chilling by immersion must be made of a **non-deteriorating material**. The carcasses must on no account remain in the first half of the apparatus or the first tank for more than half an hour. During each pause of over half an hour by the elevators on conveyors used to remove the poultry from the chilling units the agitation must cease whether it is produced mechanically or by displacement of air.

Subparagraphs (h), (i) and (j) unchanged

Articles 5 and 6 unchanged

**Regulation on beef and veal originating in certain ACP States**

Lord Walston, deputizing for the rapporteur, introduced the report drawn up by Miss Boothroyd on behalf of the Committee on Development and Cooperation, on the proposal from the Commission of the European Communities to the Council (Doc. 359/76) for a Regulation on the autonomous and special arrangements for beef and veal products originating in some signatory states of the ACP-EEC Convention of Lomé (Doc. 406/76).

The following spoke: Lord Bruce on behalf of the Committee on Budgets, Lord St. Oswald and Mr Simonet, *Vice-President of the Commission*.

Parliament adopted the following resolution:

**RESOLUTION**

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a Regulation on the autonomous and special arrangements for beef and veal products originating in some signatory States of the ACP-EEC Convention of Lomé

*The European Parliament,*

- having regard to the proposal from the Commission of the European Communities to the Council <sup>(1)</sup>,
- having been consulted by the Council (Doc. 359/76),

<sup>(1)</sup> OJ No C 248, 21. 10. 1976, p 7.

- having regard to Council Regulation (EEC) No 1599/75 of 24 June 1975 on the arrangements applicable to agricultural products and certain goods resulting from the processing of agricultural products originating in the African, Caribbean and Pacific States or in the overseas countries and territories, and to Council Regulation (EEC) No 3328/75 of 18 December 1975 renewing the arrangements for the reduction of import charges on beef and veal products originating in the African, Caribbean and Pacific States, as amended by Regulation (EEC) No 1466/76,
  - having regard to the report of the Committee on Development and Cooperation and the opinions of the Committee on Agriculture and the Committee on Budgets (Doc. 406/76),
1. Approves the proposal for a Regulation extending the beneficial arrangements for the ACP countries concerned for 18 months;
  2. Believes that the proposed measure will provide a greater degree of stability and facilitate the production of beef and veal in those countries which are very dependent on them, while taking account of developments in the market situation.

#### Wishes for a speedy recovery

The President announced that he had just heard that Mr Brøndlund Nielsen had been involved in a road accident in Denmark.

On behalf of Parliament he wished Mr Nielsen a speedy recovery.

#### Communication on the three-year indicative food-aid programme

The next item on the agenda was the report by Mr Brøndlund Nielsen, on behalf of the Committee on Development and Cooperation, on the communication from the Commission of the European Communities to the Council (Doc. 323/76) concerning the three-year indicative food-aid programme (1977 to 1979) (Doc. 407/76).

The following spoke: Lord Bruce, on behalf of the Committee on Budgets, Mr Broeksz, on behalf of the Committee on Development and Cooperation, Lord St. Oswald, on behalf of the European Conservative Group, Mr Laban and Mr Simonet, *Vice-President of the Commission*.

Parliament adopted the following resolution:

#### RESOLUTION

embodying the opinion of the European Parliament on the communication from the Commission of the European Communities to the Council concerning a three-year indicative food-aid programme (1977 to 1979)

#### *The European Parliament,*

- having regard to the communication from the Commission of the European Communities to the Council (COM(76) 452 fin.),
- recalling its resolution of 12 July 1974 on the memorandum from the Commission of the European Communities on Community food-aid policy <sup>(1)</sup>,

<sup>(1)</sup> OJ No C 93, 7. 8. 1974, p. 88.

- having been consulted by the Council (Doc. 323/76),
- having regard to the report of the Committee on Development and Cooperation and to the opinions of the Committee on Agriculture and the Committee on Budgets (Doc. 407/76),
1. Emphasizes that the Community's food-aid programme should be made an integral part of the common agricultural policy and that the aid should be allocated with reference both to needs and market conditions in the recipient countries; and welcomes the Commission's proposal to establish a medium-term programme allowing the Community to grant a substantial volume of aid, whilst promoting in parallel indigenous production;
  2. Notes that under the proposals, it will still be possible for Member States to select the size of their national contributions in cereals, while providing for the opportunity of increasing the role of Community aid, which it welcomes;
  3. Regrets that the European Community alone among the major donors has not so far responded to the call made at the World Food Conference for an increase in food aid in cereals;
  4. Approves the specific proposals for 1977, but calls upon the Commission to set increased minimum targets for skimmed-milk powder and butteroil for the year 1978 and again for 1979;
  5. Notes that the programme is indicative, so that firm commitments continue to be made on an annual basis only;
  6. Stresses that, in view of the chronic and growing shortage in food requirements of the developing world and in particular of cereals, the greatest efforts should be made to reach the proposed targets, and that in no circumstances should deliveries be allowed to fall below those of 1976;
  7. Believes that in a world of growing interdependence, food aid is both a useful instrument of policy and of mutual benefit to both parties; stresses in this connection the need to reorganize and control the distribution of aid to ensure that it has maximum effect and reaches the people in greatest need.

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#### **Appointment and verification of credentials of a member of the European Parliament**

The President announced that the Danish Folketing had appointed Mr Ove Hansen as a member of the European Parliament to replace Mr Albertsen with effect from 19 November 1976.

On a proposal from the enlarged Bureau which, pursuant to Rule 3 (1) of the Rules of Procedure, had satisfied itself that this appointment complied with the provisions of the Treaty, Parliament ratified this appointment.

#### **Amendments to the report on the milk sector**

On a proposal from the President, the amendments to the de Koning report on the milk sector (Doc. 414/76), the time limit for which had expired, were referred to the Committee on Agriculture.

#### **Dates for next part-session**

On a proposal from the enlarged Bureau, Parliament decided to hold its next sittings from 13 to 17 December 1976 in Luxembourg.

**Adjournment of session**

The President declared the session of the European Parliament adjourned.

**Approval of minutes**

Pursuant to Rule 17 (2) of the Rules of Procedure, the minutes of that day's proceedings were approved.

The sitting was closed at 12.15 p.m.

H R. NORD  
*Secretary-General*

Jacques SANTER  
*Vice-President*

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**ANNEX****NEW NAME FOR A POLITICAL GROUP**

At its meeting of 5 November 1976 in The Hague, the Liberal and Allies Group <sup>(1)</sup> unanimously decided to change its name as follows:

- Den liberale og demokratiske gruppe (Danish);
- Liberale und Demokratische Fraktion (German);
- Liberal and Democratic Group (English);
- Groupe libéral et démocratique (French);
- Gruppo liberale e democratico (Italian);
- Liberale en Democratische Fractie (Dutch).

Luxembourg, 19 November 1976.

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<sup>(1)</sup> OJ of the ECSC No 7, 28. 4. 1954, p. 310.