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Information and Notices

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I

(Information)

COMMISSION

ECU ⁽¹⁾

30 April 1982

Currency amount for one unit:

Belgian and Luxembourg franc con.	45.0453	United States dollar	1.02190
Belgian and Luxembourg franc fin.	48.9234	Swiss franc	1.99679
German mark	2.38307	Spanish peseta	105.869
Dutch guilder	2.64672	Swedish krona	5.93212
Pound sterling	0.570256	Norwegian krone	6.10840
Danish krone	8.12920	Canadian dollar	1.24529
French franc	6.21927	Portuguese escudo	72.5037
Italian lira	1323.87	Austrian schilling	16.7847
Irish pound	0.690006	Finnish markka	4.63073
Greek drachma	64.2979	Japanese yen	240.861
		Australian dollar	0.962965
		New Zealand dollar	1.32285

The Commission has installed a telex with an automatic answering device which gives the conversion rates in a number of currencies. This service is available every day from 3.30 p.m. until 1 p.m. the following day.

Users of the service should do as follows:

- call telex number Brussels 23789;
- give their own telex code;
- type the code 'cccc' which puts the automatic system into operation resulting in the transmission of the conversion rates of the EUA;
- the transmission should not be interrupted until the end of the message, which is marked by the code 'ffff'.

Note: The Commission also has an automatic telex answering service (No 21791) providing daily data on calculation of monetary compensatory amounts for the purposes of the common agricultural policy.

⁽¹⁾ Council Regulation (EEC) No 3180/78 of 18 December 1978 (OJ No L 379, 30. 12. 1978, p. 1).
Council Decision 80/1184/EEC of 18 December 1980 (Convention of Lomé) (OJ No L 349, 23. 12. 1980, p. 34).

Commission Decision No 3334/80/ECSC of 19 December 1980 (OJ No L 349, 23. 12. 1980, p. 27).
Financial Regulation of 16 December 1980 concerning the general budget of the European Communities (OJ No L 345, 20. 12. 1980, p. 23).

Council Regulation (EEC) No 3308/80 of 16 December 1980 (OJ No L 345, 20. 12. 1980, p. 1).
Decision of the Council of Governors of the European Investment Bank of 13 May 1981 (OJ No L 311, 30. 10. 1981, p. 1).

Composition of the Advisory Committee on Safety, Hygiene and Health Protection at Work

(for the period 2 April 1982 to 1 April 1985)

Chairman: Mr Ivor Richard

I. GOVERNMENT REPRESENTATIVES

	(a) <i>Members</i>		(b) <i>Alternates</i>	
Belgium	Mr Bens	Dr Denonne	Mrs Marquegnies	Mr Gregoire
Denmark	Mr Burg	Mr Andersen	Mr Saxild	Mr Nepper-Christensen
Germany	Mr Kliesch	Dr Wagner	Mr Opfermann	Dr Wolff
Greece	Mr Vassilopoulos	Mrs Georgopoulou	Mrs Kafetzopoulou	Mr Zorbas
France	Mr Nutte	Mr Coursault-Durand	Miss Bune	Mr Babusiaux
Ireland	Mr Kennedy	Mr Conroy	Mr Morrison	Dr Murphy
Italy	Dott. Fredella	Dott. Fiore	Dott. Rocca-Ercolli	Dott. Guerrieri
Luxembourg	Mr Schuster	Mrs Dr Kieffer	Mr Mousel	Mr Demuth
Netherlands	Mr de Roos	Drs Siccama	Mr Rikmenspoel	Drs Vos
United Kingdom	Mr Martin	Dr Sorrie	Mr Munns	Dr Critchlow

II. EMPLOYERS' REPRESENTATIVES

	(a) <i>Members</i>		(b) <i>Alternates</i>	
Belgium	Mr Cordy	Mr Leonard	Mr Bormans	Mr Hardy
Denmark	Mr Falk	Mr von Grumbkow	Mr Linius	Mrs Andersen
Germany	Mr von Hassel	Mr Meyer	Mr Müller	Mr Winckler
Greece
France	Mr Cave	Mr Tassin	Mr Frederic-Moreau	Mr Fruchet
Ireland	Mr Clarke	Mr Rice	Mr Cassidy	Mrs Carroll
Italy	Dott. Garlando	Dott. Bussetti	Mr Giusti	Dott. Scarfini
Luxembourg	Mr Rauchs	Mr Olinger	Mr Berweiler	Mr Beffort
Netherlands	Mr den Boer	Mrs de Meester	Mrs de Quant	Mr Korten
United Kingdom	Mr Amis	Mr Eberlie	Miss Mackie	Miss Swiadkowska

III. TRADE UNION REPRESENTATIVES

	(a) <i>Members</i>		(b) <i>Alternates</i>	
Belgium	Mr Thyre	Mr Silon	Mr Thissen	Mr Colle
Denmark	Mr Elikofer	Mrs Christensen	Mr Nielsen	Mrs Svanholt
Germany	Mr Konstanty	Mr Partikel	Mr Kienappel	Mr Gärtner
Greece
France	Mr Atlan	Mr Guevel	Mr Malnoe	Mr Diaz
Ireland	Mr Cassells	Mr O'Sullivan	Mr O'Halloran	Mr Keating
Italy	Mr Leli	Mr Stanziani	Mrs Tomassini	Mr Luciani
Luxembourg	Mr Junck	Mr Ehes	Mr Dunkel	Mr Nurenberg
Netherlands	Mr de Bruin	Mr Hogenes	Mr Buringh	Drs Schmitz
United Kingdom	Mr Lloyd	Mr Jacques	Mr Buckton	Mr Hamilton

**Notice pursuant to Article 19 (3) of Regulation No 17/62 (*) concerning a Notification
(IV/30.517 — Amersham Buchler)**

1. On 21 December 1981, Amersham International Ltd ('Amersham'), an English company, notified a series of agreements the first of which was made in 1971 for the foundation of a joint venture company named Amersham Buchler GmbH & Co. KG, with Amersham Buchler GmbH being the unlimited liability partner.

Amersham made an application to the Commission for negative clearance, or, failing that, an exemption under Article 85 (3).

2. The joint venture was formed jointly by:

- (a) The Radiochemical Centre GmbH ('TRC GmbH'), a 100 % subsidiary of Amersham; and
- (b) Buchler GmbH (formerly Buchler GmbH & Co. KG).

TRC GmbH holds 60 % and Buchler holds 40 % of the capital of the joint venture.

3. The agreements had the object:

- to establish a joint venture for the manufacture and marketing of radioactive material and products, and in particular of radiochemical products for research purposes, radiopharmaceutical products, and radiation sources, and
- to appoint the joint venture as the exclusive distributor of Amersham for the Federal Republic of Germany including West Berlin.

The agreements provide that the founding parties may not compete with the joint venture. In case a competitor gains control over one of the parties, the other party may require that the former ceases to be a party to the joint venture.

4. Before entering into these agreements, Amersham (then: The Radiochemical Centre) acted as a commercial department within the United Kingdom Atomic Energy Authority (UKAEA) (a body controlled by the UK Government). This Centre had responsibility for research, development,

(*) OJ Special Edition 1959-62, November 1972, p. 87.

manufacture, use and disposal of radioisotopes. In 1971, the commercial activities of the UKAEA in the field of radioisotopes were transferred to a newly created corporate entity, The Radiochemical Centre Ltd (TRC), which later changed its name to Amersham International Ltd. The UKAEA assured TRC access to its nuclear facilities and granted TRC the right to act as the commercial representative for all commercially applicable radioactive products emanating from the facilities of the UKAEA.

Buchler had acted for Amersham as sole distributor for Germany since 1960. Traditionally, Buchler had been producing radioactive sources derived from naturally occurring radioactive materials, especially radium. Other branches of production include radiation protection equipment, irradiation devices for the use in medicine, research and industry as well as the making of Quinidine salts and Quinidine.

5. In 1971, Amersham (then: TRC) and Buchler agreed to establish Amersham Buchler GmbH & Co. KG. Buchler transferred its radioactive product business to the joint venture but remained an independent producer as regards its other product lines.

The main task of the joint venture is to distribute the products made by Amersham. It is to ensure high standards of safehandling during transport and storage which radioactive products require. Moreover the joint venture provided the basis for creating a waste disposal service for the radioactive waste of which most customers could not dispose otherwise.

6. On the information available to it at present, the Commission intends to take a favourable decision on the agreement summarized above. Before doing so it invites all interested third parties to submit their observations within one month from the date of this publication quoting reference No IV/30.517 to the following address:

Commission of the European Communities,
Directorate-General for Competition,
Directorate for Restrictive Practices, Abuse of
Dominant Positions,
Rue de la Loi, 200,
B-1049 Brussels.

II

(Preparatory Acts)

COMMISSION

Proposal to amend the proposal for a Council Directive concerning the assessment of the environmental effects of certain public and private projects ⁽¹⁾*(Submitted by the Commission to the Council pursuant to the second paragraph of Article 149 of the EEC Treaty on 1 April 1982)*

At the sitting of the European Parliament on 18 February 1982, the Commission accepted the substance of certain amendments proposed by the Parliament. In accordance with Article 149 of the EEC Treaty, the Commission proposes the attached amendments to its original proposal.

⁽¹⁾ OJ No C 169, 9. 7. 1980, p. 14.

TEXT ALREADY PROPOSED ⁽¹⁾

AMENDED TEXT

Preamble and recitals unchanged

Article 1

1. This Directive shall apply to the assessment of the environmental effects of those public and private projects which are likely to have significant effects on the environment.

2. For the purposes of this Directive:

development project means a proposal:

- (a) to construct buildings, installations or facilities;
- (b) to extract minerals;
- (c) to make substantial changes in the landscape;

Article 1

1. Unchanged

2. Unchanged with the exception of the following:

⁽¹⁾ The full text is contained in OJ No C 169, 9. 7. 1980, p. 14.

TEXT ALREADY PROPOSED

AMENDED TEXT

modification project means a proposal:

- (a) to construct an extension or modification of buildings, installations or facilities;
- (b) to make a substantial change in the use of buildings, installations or facilities;
- (c) to extend or modify mineral workings;

project means either a development project or a modification project;

competent authority means the authority or the authorities responsible in each Member State for executing the tasks set out in the present Directive in respect of a given project;

developer means the applicant for planning permission for a private project or the public authority which proposes a project;

planning permission means the decision of the competent authority to permit a project in the private sector or the corresponding decision to proceed in the case of a project in the public sector;

Article 3

1. The assessment provided for in Article 2 shall consider the effects of projects on:

- water, air, soil, climate, flora, fauna and their inter-relationships,
- the built-up environment, including the architectural heritage, and the landscape.

2. The effects on these resources shall be assessed by reference to the need to protect and improve human health and living conditions as well as to preserve the long-term productive capacities of the resources.

Article 4

1. Development projects of the classes listed in Annex 1 shall be made subject to an assessment in accordance with Articles 6 to 11.

For the purpose of excluding exceptional cases which are unlikely to have any significant effect on the

competent authority means the authority or the authorities **designated as** responsible in each Member State for executing the tasks set out in the present Directive in respect of a given project;

developer means the applicant for **authorization** for a private project or the public authority which proposes a project;

authorization means the decision of the competent authority or **authorities allowing the developer to carry out the project**;

Article 3

1. **The environmental impact assessment shall identify, describe and evaluate in the light of each individual case, and in accordance with the following Articles, the direct and indirect effects of a project on:**

- **human beings, fauna and flora,**
- **soil, water, air, climatic factors,**
- **material assets, including the cultural heritage, and the landscape,**
- **natural resources,**
- **the ecological balance.**

2. The effects shall be assessed with regard to the need to protect and improve human health and living conditions **and to preserve the reproductive capacity of ecosystems as well as the diversity of species.**

Article 4

1. Development projects of the classes listed in Annex 1 shall be made subject to an assessment in accordance with Articles 6 to 11.

Member States may, however, in exceptional circumstances, exempt such projects from the provisions of

TEXT ALREADY PROPOSED

environment, the competent authority may, with the agreement of the Commission, exempt a particular project below a specified threshold from the assessment mentioned above and, where appropriate, make it subject to a simplified form of assessment.

2. Projects of the classes listed in Annex 2 and modification projects of the classes listed in Annex 1 shall be made subject to an assessment in accordance with Articles 6 to 11, whenever their characteristics so require.

The competent authority shall establish the criteria and thresholds necessary to determine which of those projects are to be made subject to an assessment in accordance with Articles 6 to 11 or, where appropriate, to a simplified form of assessment.

3. The competent authority shall examine which projects other than those mentioned above are likely to have a significant effect on the environment, having regard in particular to the environmental sensitivity of the site of the projects with a view to determining which projects should be made subject to an assessment in accordance with Articles 6 to 11 or, where appropriate, to a simplified form of assessment.

Article 6

1. The Member States shall adopt the necessary measures to ensure that the developer prepares, with the assistance of the competent authority when necessary, and supplies with his application for planning permission the following information in an appropriate form:

- a description of the proposed project and, where applicable, of the reasonable alternatives for the site and design of the project,
- a description of the environment likely to be significantly affected by the proposed project, including, where applicable, the environment in other Member States,
- an assessment of the likely significant effects on the environment, including, where applicable, effects on the environment in other Member States,
- a description of the measures envisaged to eliminate, reduce or compensate adverse effects on the environment,

AMENDED TEXT

the aforesaid Articles. Where Member States grant such exemptions, they shall:

- (a) consider whether any other form of assessment would be appropriate;
- (b) make arrangements for the public concerned to be informed and consulted in an appropriate manner; and
- (c) immediately inform the Commission of the reasons for granting the exemption.

2. Unchanged

3. Unchanged

Article 6

1. The Member States shall adopt the necessary measures to ensure that the developer prepares, with the assistance of the competent authority when necessary, and supplies with his application for **authorization** the following information in an appropriate form:

- unchanged
- unchanged
- unchanged
- unchanged

TEXT ALREADY PROPOSED

- a description of the relationship between the proposed project and existing environmental and land-use plans and standards for the area likely to be affected,
- in the case of significant effects on the environment, an explanation of the reasons for the choice of the site and design of the proposed project, compared with reasonable alternative solutions which might have less adverse effects, if any, on the environment,
- a non-technical summary of the items above.

2. The information to be supplied in accordance with paragraph 1 shall also contain the data referred to in Annex 3 to the extent that they are relevant to the stage of the planning procedure and to the specific characteristics of the project and of the environment likely to be affected, and to the extent that the developer can reasonably be expected to be able to obtain them, taking into account existing knowledge and assessment methods.

3. At the appropriate stages of the planning procedure, the competent authority shall require completion of, or assist in completing when appropriate, the information to be supplied by the developer.

Article 7

1. The competent authority shall send for opinion the application for planning permission as well as the information gathered pursuant to Article 6 to all relevant administrative authorities and other statutory authorities or bodies with specific responsibility for environmental matters. The competent authority shall determine the authorities and bodies to be consulted and shall fix, where necessary, a suitable time limit within which comments shall be delivered.

2. If the project is likely to produce a significant effect on the environment in another Member State, the competent authority shall also ensure that the information gathered pursuant to Article 6 is sent for comment to the competent authority in that Member State and fix a suitable time limit within which comments should be returned.

Article 8

1. The competent authority shall publish the fact that the application for planning permission has been made, shall make publicly available the application for

AMENDED TEXT

— unchanged

— unchanged

— unchanged

2. The information to be supplied in accordance with paragraph 1 shall also contain the data referred to in Annex 3 to the extent that they are relevant to the stage of the **authorization** procedure and to the specific characteristics of the project and of the environment likely to be affected, and to the extent that the developer can reasonably be expected to be able to obtain them, taking into account existing knowledge and assessment methods.

3. At the appropriate stages of the **authorization** procedure, the competent authority shall require completion of, or assist in completing when appropriate, the information to be supplied by the developer.

Article 7

1. **The Member States shall take the measures necessary to ensure that the authorities which may be concerned by the project by reason of their environmental responsibilities and which are designated by the Member States are given an opportunity to express their opinion on the application for authorization on the basis of the information gathered pursuant to Article 6, in accordance with the detailed arrangements laid down by national law.**

2. Unchanged

Article 8

1. The competent authority shall publish the fact that the application for **authorization** has been made, shall make publicly available the application for

TEXT ALREADY PROPOSED

planning permission, as well as the information gathered pursuant to Article 6, and shall arrange appropriate consultation with the public concerned. In the light of the importance of the likely environmental effects and of the number of persons likely to be affected, the competent authority shall decide the best means for giving the information to the public within a suitable time limit and for ascertaining the views of the public.

Article 9

The provisions of Articles 7 and 8 do not affect the obligation of the competent authority to respect the limitations imposed by national laws, regulations, administrative provisions and accepted practices with respect to industrial and commercial secrecy, as well as to the public interest.

Article 10

1. The competent authority in its decision on an application for planning permission shall take into consideration the information gathered pursuant to Articles 6, 7 and 8, and shall, to that end, make an assessment of the likely significant effects of the proposed project.

2. The competent authority, except when the planning permission is refused on grounds other than environmental, shall make publicly available, either in a separate document or as part of the decision on application for planning permission, the following:

- its assessment of the likely significant effects on the environment of the proposed project,
- a synthesis of the main comments and opinions received pursuant to Articles 7 and 8,
- the reasons for granting or refusing the planning permission,
- the conditions, if any, to be attached to the planning permission.

AMENDED TEXT

authorization, as well as the information gathered pursuant to Article 6, and shall arrange appropriate consultation with the public concerned. In the light of the importance of the likely environmental effects and of the number of persons likely to be affected, the competent authority shall decide the best means for giving the information to the public within a suitable time limit and for ascertaining the views of the public.

2. If the project is likely to produce a significant effect on the environment in another Member State, the population of that Member State should also be able to take part in the consultation process. The Member States shall determine, in the framework of their bilateral or multilateral relations, the most appropriate arrangements for this purpose.

Article 9

The provisions of Articles 7 and 8 do not affect the obligation of the competent authority to respect the limitations imposed by national laws, regulations, administrative provisions and accepted practices with respect to industrial and commercial secrecy, as well as to the public interest.

Where Article 7 (2) applies, the transmission of information to another Member State shall be subject to the limitations in force in the Member State in which the project is proposed.

Article 10

1. The competent authority in its decision on an application for **authorization** shall take into consideration the information gathered pursuant to Articles 6, 7 and 8, and shall, to that end, make an assessment of the likely significant effects of the proposed project.

2. The competent authority, except when the **authorization** is refused on grounds other than environmental, shall make publicly available, either in a separate document or as part of the decision on application for **authorization**, the following:

- unchanged
- unchanged
- **where appropriate, its opinion on the outlined alternatives, including that of not pursuing the project,**
- the reasons for granting or refusing the **authorization**,
- the conditions, if any, to be attached to the **authorization**.

ANNEX 1

DEVELOPMENT PROJECTS ⁽¹⁾ REFERRED TO IN ARTICLE 4 (1)

TEXT ALREADY PROPOSED

AMENDED TEXT

Items 1 to 7 unchanged

8. Processing of rubber (48)

Factories for the primary production of rubber
 Manufacture of rubber tyres (481.1)

8. Processing of rubber (48)

Factories for the primary production of rubber
 Manufacture of rubber tyres (481.1)
Factories for the renewal or reprocessing of rubber products

Item 9 unchanged

⁽¹⁾ Development projects are classified, as far as possible, in the classes, groups and sub-groups of the 'General Industrial Classification of Economic Activities' within the European Community adopted by the Statistical Office of the European Communities, 1970. Reference numbers of the classification are indicated, where applicable.

ANNEX 2

PROJECTS ⁽¹⁾ REFERRED TO IN ARTICLE 4 (2)

TEXT ALREADY PROPOSED

AMENDED TEXT

Items 1 and 2 unchanged

3. Energy industry

Research plants for the production and processing of fissionable and fertile material
 Production and distribution of electricity, gas, steam and hot water (except the production of electricity from nuclear energy) (16)
 Storage of natural gas

3. Energy industry

Research plants for the production and processing of fissionable and fertile material
 Production and distribution of electricity, gas, steam and hot water (except the production of electricity from nuclear energy) (16)
Storage of fossil fuels

Items 4 to 8 unchanged

⁽¹⁾ The projects are classified, as far as possible, in the classes, groups and sub-groups of the 'General Industrial Classification of Economic Activities' within the European Community adopted by the Statistical Office of the European Communities, 1970. Reference numbers of the classification are indicated, where applicable.

TEXT ALREADY PROPOSED

AMENDED TEXT

9. Textile, leather, wood, paper industry

Wool washing and degreasing factories
 Tanning and dressing factories (441.1)
 Manufacture of veneer and plywood (462.1)
 Manufacture of fibre board and of particle board (462.2)
 Manufacture of pulp, paper and board (471)
 Cellulose mills

9. Textile, leather, wood, paper industry

Wool washing and degreasing factories
 Tanning and dressing factories (441.1)
 Manufacture of veneer and plywood (462.1)
 Manufacture of fibre board and of particle board (462.2)
 Manufacture of pulp, paper and board (471)
 Cellulose mills
Textile dyeworks

Items 10 and 11 unchanged

ANNEX 3

CONTENT OF THE INFORMATION REQUIRED UNDER ARTICLE 6

TEXT ALREADY PROPOSED

AMENDED TEXT

Items 1 and 2 unchanged

3. The assessment of the likely significant effects of the proposed project on the environment (direct and indirect, cumulative, short-, medium- and long-term, permanent and temporary, positive and negative) resulting from:
- the physical presence of the main and associated projects,
 - the use of the resources of the environment,
 - the emission of pollutions, nuisances and waste, as well as the secondary effects linked to their elimination,
 - the risk of accidents.

3. The assessment of the likely significant effects of the proposed project on the environment (direct and indirect, cumulative, short-, medium- and long-term, permanent and temporary, positive and negative) resulting from:
- the physical presence of the main and associated projects,
 - the use of the resources of the environment,
 - the emission of pollutions, nuisances and waste, as well as the secondary effects linked to their elimination,
 - the risk of accidents,
 - **the cumulative effect of the effects resulting from the proposed project and from other projects already carried out in the area.**

Items 4 to 7 unchanged

THE EUROPEAN COMMUNITY'S LEGAL SYSTEM

**Written and unwritten sources of law, supplementary sources of law,
decisions taken by Member States' representatives meeting within the
Council:**

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More than thirty years after the signature of the Treaty establishing the Coal
and Steel Community and twenty-five years after the signature of the
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and the European Atomic Energy Community, Community law
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This booklet describes the legal nature of the European Community. It is intended primarily for the layman and tries to make Community law, which to some extent governs our daily lives, intelligible to anyone who wishes to acquaint himself with the subject. The use of a number of technical terms is, however, unavoidable.

It is made clear to the reader that the European Community is a Community based on law, with all that this implies in terms of safeguards both for States and ordinary citizens.

Community law is an independent legal system. Nevertheless, there is a constant interplay between Community law and national law, as a result of which conflicts can and do arise. That these can be soived is due entirely to the precedence of Community law over national law.

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Price (excluding VAT) in Luxembourg: ECU 0.98 — BFR 40 — £ IRL/UK£ 0.65
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