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Information and Notices

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I

(Information)

COMMISSION

Rate of interest applied by the European Monetary Institute for its operations in ecus:
4,00 % for July 1997

Ecu ⁽¹⁾

1 July 1997

(97/C 202/01)

Currency amount for one unit:

Belgian and Luxembourg franc	40,6667	Finnish markka	5,87366
Danish krone	7,50304	Swedish krona	8,74555
German mark	1,97107	Pound sterling	0,678817
Greek drachma	310,265	United States dollar	1,12955
Spanish peseta	166,541	Canadian dollar	1,55946
French franc	6,64289	Japanese yen	129,864
Irish pound	0,745726	Swiss franc	1,65197
Italian lira	1917,42	Norwegian krone	8,26379
Dutch guilder	2,21844	Icelandic krona	79,7237
Austrian schilling	13,8698	Australian dollar	1,50206
Portuguese escudo	199,027	New Zealand dollar	1,66355
		South African rand	5,11178

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 ecu,
- 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 fax answering service (No 296 10 97/296 60 11) providing daily data concerning calculation of the conversion rates applicable 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), as last amended by Regulation (EEC) No 1971/89 (OJ No L 189, 4. 7. 1989, 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).

Information procedure — technical regulations

(97/C 202/02)

(Text with EEA relevance)

- Directive 83/189/EEC of 28 March 1983 laying down a procedure for the provision of information in the field of technical standards and regulations (OJ No L 109, 26. 4. 1983, p. 8).
- Directive 88/182/EEC of 22 March 1988 amending Directive 83/189/EEC (OJ No L 81, 26. 3. 1988, p. 75).
- Directive 94/10/EC of the European Parliament and the Council of 23 March 1994 materially amending for the second time Directive 83/189/EEC (OJ No L 100, 19. 4. 1994, p. 30).

Notifications of draft national technical regulations received by the Commission.

Reference (1)	Title	End of three-month standstill period (2)
97/258/F	Decree relating to the marketing conditions regarding certain objects resembling firearms	29. 8. 1997
97/295/S	Regulations on open tanks and pipelines, etc. for flammable liquids	5. 9. 1997
97/296/NL	Group exemption from deposit money Regulation on soft drinks and waters 1997	5. 9. 1997
97/297/E	Technical specifications for terrestrial TETS system stations	8. 9. 1997
97/298/E	Ministerial Order amending the Order of 14 June 1983, approving the quality standard for cottage cheese in the home market	8. 9. 1997
97/300/NL	Draft amendment of the Commodities Act scheme on dioxin in milk	8. 9. 1997
97/301/NL	Three drafts which are closely related: a) Draft decree repealing nine decrees: the general designation decree (Commodities Act), the general decree (Commodities Act), the vinegar decree (Commodities Act), the protein products decree (Commodities Act), the tinned potatoes decree (Commodities Act), the tinned vegetables decree (Commodities Act), the gravy decree (Commodities Act), the mayonnaise and salad-cream decree (Commodities Act) and the wine decree (Commodities Act), as well as the related amendment of 13 other decrees b) Draft protein products (Commodities Act) decree c) Draft reserved designations (Commodities Act)	8. 9. 1997
97/302/D	BAPT approval regulation 211 ZV 037/2050 for radio installations for identification purposes	8. 9. 1997
97/303/B	Draft royal decree on the manufacture of and trade in foodstuffs which are composed of plants or plant preparations or contain the same	8. 9. 1997
97/304/A	1997 Lower Austrian Order on structural engineering (Austrian designation: NÖ BTW)	15. 9. 1997
97/306/F	Order relating to certain automatically operated weighing instruments: graders-labelling machines	10. 9. 1997
97/307/B	Royal decree relating to specifications for reading apparatus	11. 9. 1997
97/308/I	Draft decree amending Annexes 1B, 1C and 3 of Law No 748 of 19 October 1994 bearing 'New standards for the regulation of fertilizers'	10. 9. 1997
97/309/I	Regulation governing the free movement of disinfectant, sterilizing, insecticide and insect repellent products originating from countries of the Community or signatory to the Agreement on the European Economic Area	10. 9. 1997

Reference ⁽¹⁾	Title	End of three-month standstill period ⁽²⁾
97/310/A	Telecommunications regulation for radio and TV receive-only equipment (German designation: FTV 519)	19. 9. 1997
97/311/A	Telecommunications regulation for antenna systems and other cable TV networks (German designation: FTV 542)	19. 9. 1997

⁽¹⁾ Year — registration number — Member State of origin.

⁽²⁾ Period during which the draft may not be adopted.

⁽³⁾ No standstill period since the Commission accepts the grounds of urgent adoption invoked by the notifying Member State.

⁽⁴⁾ No standstill period since the measure concerns technical specifications or other requirements linked to fiscal or financial measures, pursuant to the third indent of the second paragraph of Article 1 (9) of Directive 93/189/EEC.

⁽⁵⁾ Information procedure closed.

The Commission draws attention to the judgment given on 30 April 1996 in the 'CIA Security' case (C-194/94), in which the Court of Justice ruled that Articles 8 and 9 of Directive 83/189/EEC are to be interpreted as meaning that individuals may rely on them before the national court which must decline to apply a national technical regulation which has not been notified in accordance with the Directive.

This judgment confirms the Commission's communication of 1 October 1986 (OJ No C 245, 1. 10. 1986, p. 4).

Accordingly, breach of the obligation to notify renders the technical regulations concerned inapplicable, so that they are unenforceable against individuals.

Information on these notifications can be obtained from the national administrations, a list of which was published in *Official Journal of the European Communities* No C 324 of 30 October 1996.

OPINION

of the Advisory Committee on Concentrations given at the 43rd meeting on 5 February 1997 concerning a preliminary draft Decision relating to Case No IV/M.784 — Kesko/Tuko

(97/C 202/03)

(Text with EEA relevance)

1. The Advisory Committee agrees with the Commission that Kesko must divest the daily consumer goods business of Tuko Oy as set out in Articles 1 and 3 of the preliminary draft Decision in order to restore conditions of effective competition within the meaning of Article 8 (4) of the Merger Regulation on the Finnish markets for retail and cash and carry sales of daily consumer goods.
2. The Advisory Committee agrees with the Commission on the appointment of a trustee and other administrative measures as laid down in Articles 2 and 4 of the preliminary draft Decision in order to ensure the completion of the divestiture by Kesko of the Tuko Oy business.
3. The Advisory Committee requests that the Commission take full account of the comments, made during the meeting of the Committee.
4. The Advisory Committee recommends the publication of its opinion in the Official Journal.

Non-opposition to a notified concentration
(Case No IV/M.902 — Warner Bros./Lusomundo/Sogecable)

(97/C 202/04)

(Text with EEA relevance)

On 12 May 1997, the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6 (1) (b) of Council Regulation (EEC) No 4064/89. The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- as a paper version through the sales offices of the Office for Official Publications of the European Communities (see list on the last page),
- in electronic form in the 'CEN' version of the Celex database, under document number 397M0902. Celex is the computerized documentation system of European Community law; for more information concerning subscriptions please contact:

EUR-OP,
Information, Marketing and Public Relations (OP/4B),
2, rue Mercier,
L-2985 Luxembourg
telephone: (352) 29 29 4 24 55, fax: (352) 29 29 4 27 63.

Non-opposition to a notified concentration
(Case No IV/M.867 — Wagons-Lits/Carlson)

(97/C 202/05)

(Text with EEA relevance)

On 7 March 1997, the Commission decided not to oppose the above notified concentration and to declare it compatible with the common market. This decision is based on Article 6 (1) (b) of Council Regulation (EEC) No 4064/89. The full text of the decision is available only in English and will be made public after it is cleared of any business secrets it may contain. It will be available:

- as a paper version through the sales offices of the Office for Official Publications of the European Communities (see list on the last page),
- in electronic form in the 'CEN' version of the Celex database, under document number 397M0867. Celex is the computerized documentation system of European Community law; for more information concerning subscriptions please contact:

EUR-OP,
Information, Marketing and Public Relations (OP/4B),
2, rue Mercier,
L-2985 Luxembourg
telephone: (352) 29 29 4 24 55, fax: (352) 29 29 4 27 63.

Prior notification of a concentration**(Case No IV/M.913 — Siemens/Elektrowatt)**

(97/C 202/06)

(Text with EEA relevance)

1. On 24 June 1997, the Commission received notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 ⁽¹⁾ by which the undertaking Siemens AG of Munich/D acquires within the meaning of Article 3 (1) (b) of the Regulation control of the whole of the Elektrowatt AG of Zürich/CH by way of purchase of shares.

2. The business activities of the undertakings concerned are:

— Siemens AG: numerous activities, including engineering, communication technology, security technology,

— Elektrowatt AG: commercial building control; fire and security; engineering and contracting service, systems, installations and equipment for utilities; equipment for (public) telephone suppliers; visual security devices.

3. On preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. However, the final decision on this point is reserved.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent by fax ((32-2) 296 43 01/296 72 44) or by post, under reference IV/M.913 — Siemens/Elektrowatt, to:

European Commission,
Directorate-General for Competition (DG IV),
Directorate B — Merger Task Force,
Avenue de Cortenberg/Kortenberglaan 150,
B-1040 Brussels.

⁽¹⁾ OJ No L 395, 30. 12. 1989; corrigendum: OJ No L 257, 21. 9. 1990, p. 13.

Approval of a State aid pursuant to Articles 92 and 93 of the EC Treaty**Cases where the Commission raises no objections****State aid N 452/96 — United Kingdom**

(97/C 202/07)

(Text with EEA relevance)

Summary of the Commission's decision not to oppose the proposal of the United Kingdom Government to provide regional and training aid to Vauxhall Motor Limited in support of an investment project for the expansion of car production capacity in Ellesmere Port

'By letter dated 17 June 1996, your authorities notified the Commission, in accordance with Article 93 (3) of the EC Treaty, of a proposal to award State aid in the form of regional grants under the Regional Selective Assistance (RSA) scheme and Local Authority Support, as well as in the form of training aid by the Training and Enterprise Council (Cewtec) to Vauxhall Motor Limited for investments and expenditure to be made in Vauxhall's Ellesmere Port plant.

The notification is subject to the provisions of the Community framework on State aid to the motor vehicle industry ⁽¹⁾, as it concerns an investment programme in a car plant, the cost of which exceeds ECU 17 million.

The proposed regional aid is to be granted within an approved aid scheme in the form of a regional grant (Regional Selective Assistance) of £ 10 million and will be paid in five instalments from 1997 to 2000 and is conditional on the additional jobs created. A provision will be made for withholding or clawback of the grant in case of underachievement in job creation or investment expenditure. In other words, the aid will only be granted if the company introduces the third shift and expands the capacity of the plant accordingly.

The project is also to be supported by a regional *ad hoc* government support of £ 750 000 payable in 1997. In addition, the Local Councils of Ellesmere Port & Neston Borough, Chester City Council and Cheshire County Council will provide cash grants of up to £ 250 000 to support the creation of additional jobs.

The investment project will be realized during the period 1996 to 1998 at a total cost of £ 294,1 million (ECU 390,6 million), of which merely £ 94,1 million

(ECU 125 million) is eligible for State aid. The model renewal and modernization were excluded from the eligible expenditure. The intensity of the proposed £ 11 million regional aid (expressed in gross discounted terms) totals 10,23 %, whereas the regional aid ceiling in Ellesmere Port is 20 % (NGE).

Measures to support training will be provided by the Local Training and Enterprise Councils (Cewtec). The proposed support measures amount to £ 2 million in total, of which around half, £ 950 000 are to be regarded as State aid at an intensity of 20,8 % of the eligible training costs of £ 4,6 million. The remaining training support, £ 1,05 m, constitutes general measures designed to provide general vocational knowledge leading to a qualification and/or certification which would prove useful in other companies or industries.

Your authorities have undertaken to make further public funds available by English Partnerships (EP), a public body that undertakes investment in the context of regeneration activities. According to a joint-venture agreement between Vauxhall and EP, the latter is to purchase an unused industrial site owned by Vauxhall adjoining the Ellesmere Port plant for £ 2 million. An independent valuation report submitted by your authorities confirms that this represents the open market value of this unserviced land.

As there is a substantial intra-Community trade in passenger cars, the aid measure, which provides Vauxhall Motors Limited with a financial advantage over its competitors by relieving the company from part of the investment costs, clearly threatens to distort competition among vehicle manufacturers and to affect trade within the Community within the meaning of Article 92 (1) of the Treaty and Article 61 (1) of the EEA Agreement.

The Community framework acknowledges the valuable contribution to regional development which can be made by investments that expand motor vehicle or engine

⁽¹⁾ OJ No C 123, 18. 5. 1989 and OJ No C 284, 28. 10. 1995 (latest review).

production facilities in disadvantaged areas. This position is in line with the Commission's generally positive attitude towards investment aid granted in order to help overcome structural handicaps in disadvantaged areas of the Community.

The Vauxhall plant at which the investments have been realized, is located in Ellesmere Port in the Cheshire region of the United Kingdom, an area which has been recognized by the Commission as a regionally assisted area in the sense of Article 92 (3) (c) of the Treaty. The region also suffers from high unemployment (9,9 % in January 1996 for the Wirral and Chester TTWA). The Commission also takes note of the fact that the region is heavily dependent on manufacturing employment (37,5 %), compared with the average figure of 18,1 % in the United Kingdom.

The proposed investment helps to create up to 805 jobs and safeguard existing employment at the Vauxhall's Ellesmere Port production site. The new project would also strongly contribute to the overall viability of the production at the plant. The project therefore contributes to safeguarding employment in this region of high unemployment and thus helps to overcome its structural handicaps.

However, as it is stressed in the motor vehicle framework, in evaluating proposals to grant regional aid in the automotive sector, the Commission has to assess the benefits for regional development against possible effects on the sector as a whole, such as the creation of important overcapacity. Moreover, in view of the sensitive nature of the motor vehicle sector and the high risk of unwarranted distortions of competition, it is necessary to ensure that the regional aid is in proportion to the regional problem it seeks to remedy.

The Commission has, with the help of its external automotive expert, carried out a cost-benefit analysis of Vauxhall's investment plan in Ellesmere-Port with a view to ascertaining to what extent the proposed regional aid (RSA grant, local authority support and the *ad hoc* grant) is in proportion to the regional problems it seeks to rectify. This analysis attempted to identify all additional costs and benefits arising to GM/Vauxhall from their decision to locate the additional capacity in Ellesmere Port as opposed to an alternative location for the investment in a non-assisted area, thereby identifying the region-specific handicaps facing the investor. The analysis focused on identifying additional operating costs during the first three years of production of the new model, while assuming that the additional investment costs would be equal at both sites.

The result of the Commission analysis, which is largely based on data originating from Vauxhall and GM Europe and supplied by the United Kingdom authorities, is that the net regional handicaps facing the company when modernizing the Ellesmere Port plant, are estimated to be 11,7 % of the eligible investment in discounted terms. It is recalled that the intensity of the proposed regional aid is 10,23 % (expressed in gross discounted terms, GGE), whereas the regional aid ceiling in Ellesmere Port is 20 % (NGE). The proposed regional aid intensity falls somewhat short of providing compensation for the degree of regional handicaps.

With regard to the likely effects on the motor vehicle industry in the EEA as a whole, it has to be noted that through this project Vauxhall's production capacity will increase by [...] ⁽¹⁾ per annum. It has been the Commission's constant practice to approve regional aid equivalent to the net regional aid equivalent to the net regional disadvantages resulting from investing in the assisted region, whether or not the project contributes to the overcapacity in the relevant segment of the Community car market. As the proposed intensity of the regional aid amounts to less than the degree of regional handicaps, the proposed intensity of regional aid can be accepted.

In connection with the development and launch of the new product and modernization of the production within the plant, the project foresees an extensive training programme for the company's workforce. The training expenditure excludes trainees' wages and is split over several years. Some of the measures provided by the Chester, Ellesmere Port and Wirral Training and Enterprise Councils concern generic courses providing general vocational knowledge to new recruits which can be generally utilized in the labour market and lead to a certification/qualification recognized by other companies and sectors in the economy. This training support of £ 1,05 million does not constitute State aid.

The remaining public assistance of £ 950 000 is considered as State aid. In view of the nature of the project, it has been concluded that these vocational training measures will correspond to genuinely qualitative changes raising the standards and skills of the workforce. Moreover, these measures involve a significant proportion of the workers. On this basis and since the aid intensity at 20,8 %, is below the limits that have been considered reasonable in previous decisions ⁽²⁾, the proposed aid for training is considered acceptable in the light of the rules on aid for vocational training as specified in the framework on State aid to the motor vehicle industry.

⁽¹⁾ Confidential.

⁽²⁾ See State aid cases N 538/93 Ford Valencia, N 135/95 Opel Austria and N 511/95 Jaguar.

The Commission is satisfied that the joint-venture agreement between Vauxhall and English Partnerships does not contain any State aid elements since the site in question will be sold to the English Partnership at a certified market price.

Since the aid payments will in part be paid in advance of the required job creation, the provision in the aid contract allows for a clawback of the funds in case the criteria for job creation are not fulfilled. Your authorities are requested to report to the Commission any non-compliance of the conditions set out in the aid contract.

In conclusion, for the reasons explained above, the regional and training aid in favour of Vauxhall Ellesmere Port is compatible with Article 92 (3) (c) of the EC Treaty and Article 61 (3) (c) of the EEA Agreement, as it complies with the criteria for regional and vocational training aid set out in the Community framework for State aid to the motor vehicle industry.

Accordingly, the Commission has decided not to raise any objection to the aid measures notified by your authorities pursuant to Article 92 (3) (c) EC Treaty under the assumption that the notified aid intensities are respected.'

STATE AID

C 49/91

The Netherlands

(97/C 202/08)

(Text with EEA relevance)

(Articles 92 to 94 of the Treaty establishing the European Community)

Commission communication pursuant to Article 93 (2) of the EC Treaty to the other Member States and interested parties concerning the 'Regeling bijzondere financiering' (special financing scheme)

By means of the letter reproduced below, the Commission informed the Dutch Government of its decision to terminate the procedure initiated on 13 November 1991:

'On 20 November 1991 the Commission wrote to the Dutch Government informing it of its decision to initiate Article 93 (2) proceedings in respect of the "Regeling bijzondere financiering — RBF" (special financing scheme).

The RBF came about through a private-law agreement between the Dutch Government and the "Nationale Investeringsbank" (National Investment Bank — NIB) and entered into force in 1971. In 1973 the Commission initiated proceedings pursuant to article 93 (2) of the EC Treaty since it took the view that the RBF was an aid scheme that could not be approved. The proceedings were terminated in 1975 after the Dutch Government had agreed to give individual notification of significant awards of aid under the scheme. As part of its constant review of existing aid schemes, the Commission asked the Dutch authorities in 1990 to provide information on the scheme as currently applied. The information was

provided by letter dated 21 February 1991. On the basis of such information, the Commission found that the scheme was loss-making in the 1980s, since the expenditure incurred to meet the guarantees given was not covered by the commissions which the recipients paid in exchange for the guarantee. Accordingly, pursuant to Article 93 (1) of the EC Treaty, the Commission proposed that the Dutch authorities abolish the scheme, which they refused to do. The Commission then decided, on 13 November 1991 (letter of 20 November 1991 Official Journal No C 22, of 29 January 1992), to initiate proceedings pursuant to Article 93 (2) of the EC Treaty.

The RBF provides that a State guarantee can be given for some of the NIB's measures to assist companies. Of the various types of assistance under the RBF, two types at present remain:

— the original, standard "special financing" (BF) loan, granted for a period of 5 to 10 years, with straight-line redemption,

— the AA loan, which was introduced in 1981. The AA loan is a subordinated 7 to 15-year loan with a redemption-free period of two and a half years to five years, after which redemption is straight-line.

The BF and AA loans are granted at market interest rates, but in exchange for the State guarantee the interest is increased by a commission which the recipients pay to the State, via the NIB. The commission amounted to 0,25 % for BF loans and (since 1987) 0,75 % for AA loans.

There are no maximum or minimum limits for individual standard BF loans. The usual amount is between Fl 2 million and Fl 20 million. In the case of individual AA loans, there is a minimum of Fl 250 000 and a maximum of Fl 50 million.

There was an annual ceiling of Fl 175 million for the total amount of State guarantees. This annual ceiling was raised to Fl 275 million for the period from 1993 to 1995. The new ceiling (Fl 275 million) remains in force for the period from 1996 to 1998.

In order to be eligible for the scheme, firms must be healthy and well managed. They must have an investment or expansion plan which they are unable to finance in an acceptable manner. Each application is scrutinized by a mixed committee in which the representatives of both the NIB and the government have the right of veto.

Since 1984 the State no longer provides a 100 % guarantee under the RBF, but requires the NIB to accept a risk of its own of at least 10 %.

Pursuant to the Article 93 (2) proceedings, the Dutch Government set out its comments in a letter dated 21 January 1992. It points out that, compared with other Member States, the Netherlands provides little aid to industry. It also reiterated that any aid element contained in the RBF was negligible and stressed the positive effects of the scheme. The comments submitted by the NIB by letter dated 25 February 1992 largely echoed the government's view.

On 12 May 1992 and 2 July 1992 two discussion meetings took place with the Commission, after which the Dutch Government agreed to amend the RBF in such a way that it covered its costs. As the government confirmed by letters dated 10 July 1992 and 24 February 1993, the guarantee commissions were increased to 0,75 % for ordinary BF loans and to 1 % for AA loans with effect from 1 January 1993.

Now that the amended scheme has been in force for a number of years, the Commission is in a position to carry out a thorough assessment, based on experience with the operation of the scheme.

The Commission firstly determined whether the RBF constitutes an aid scheme. An aid element may be involved at two levels: (a) in the interest which is paid on the loans; (b) in the guarantee.

(a) Examination of the aid element contained in the loans

The interest rates charged on loans under the RBF have to be compared with the reference interest rate which the Commission uses as an estimation of the market interest rate. In a letter dated 22 October 1996 the Dutch authorities carried out a comparative analysis of the reference interest rate and the interest rates that are charged on the BF and AA loans. The analysis shows that in the period from 20 December 1988 to 7 May 1996 the interest rates charged on the BF and AA loans, even after deduction of the commission paid in exchange for the guarantee, were generally above the reference interest rate. A theoretical aid element was involved only during a relatively brief period (end of 1992 to the beginning of 1993 and April 1995 to February 1996). The difference was insignificant and was attributable to the rigidity of the reference interest rate, which was adjusted only twice a year in this period, while the interest rate applied for the RBF was constantly adjusted to the market interest rate. The Commission therefore concludes that the interest rate charged on the loans does not in general contain any aid element. The Dutch Government has moreover given an undertaking that it will ensure in future that no aid element arises.

(b) Investigation of the aid element contained in the guarantee

As far as the State guarantees are concerned, an overall assessment shows that the guarantee scheme does not in its present form constitute aid, for the following reasons:

— the Commission has established that the arrangements for applying the scheme make it possible to cover costs, since the guarantee commissions which the borrowers pay allow the costs of the risk borne by the State to be covered. The information on expenditure and revenue under the RBF which the Dutch Government provided by letter dated 11 January 1996 shows a positive outturn for the period 1992 to 1995 (Fl 28,1 million in commissions, Fl 2,1 million in costs). Furthermore, the increase in the guarantee commissions, which entered into force only on 1 January 1993, has had only a partial impact on the total revenue, which should rise in the years ahead. Since the scheme is in overall terms self-financing because of the guarantee commissions, what is involved is more an insurance system than an aid scheme,

- the guarantees are granted to firms in a good financial state of health,
- the guarantees are intended to enable the recipients to carry out a specific investment or expansion project,
- the guarantees are limited in time,
- the guarantees do not cover the whole of the loan,
- the Dutch Government has given an assurance that it will review the guarantee commissions annually in order to check whether they cover the costs of the scheme. The Dutch Government has also given an assurance that, if the RBF should in future show any tendency to operate at a loss, it will carry out an adjustment to the guarantee commissions so that the

overall covering of costs continues to be guaranteed. In particular, if the scheme shows a loss in any given year, the Dutch authorities will examine whether this is attributable to the fact that a particular risk was involved or whether the trend is one that will probably continue and require an adjustment in the commissions.

In these circumstances, the RBF does not, in its present form, in accordance with the Commission's criteria regarding the application of Articles 92 and 93 of the EC Treaty to State aid in the form of State guarantees, constitute aid within the meaning of Article 92 (1) of the Treaty.

The Commission has found that the RBF in its present form is not aid within the meaning of Article 92 (1) and has decided to terminate the Article 93 (2) proceedings in respect of the RBF.'

II

(Preparatory Acts)

COMMISSION

Proposal for a Council Decision amending Council Decisions 95/409/EC, 95/410/EC and 95/411/EC concerning the methods to be used for microbiological testing

*(97/C 202/09)**(Text with EEA relevance)**COM(97) 227 final — 97/0142(CNS)**(Submitted by the Commission on 23 May 1997)*

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to Council Directive 64/433/EEC of 26 June 1964 on health conditions for the production and marketing of fresh meat ⁽¹⁾, as last amended by Directive 95/23/EC ⁽²⁾, and in particular Article 5 (3) (a),

Having regard to Council Directive 90/539/EEC of 15 October 1990 on animal health conditions governing intra-Community trade in, and exports from third countries of, poultry and hatching eggs ⁽³⁾, as amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 10 (b) (1),

Having regard to Council Directive 71/118/EEC of 15 February 1971 on health problems affecting trade in fresh poultrymeat ⁽⁴⁾, as last amended by Directive 96/23/EC ⁽⁵⁾, and in particular Article 5 (3) (a),

Whereas the Scientific Veterinary Committee in its report of 3 June 1996 has given an opinion concerning microbiological testing methods offering equivalent guarantees;

Whereas it is appropriate to modify Decisions 95/409/EC, 95/410/EC and 95/411/EC in order to introduce the possibility of using a microbiological method offering equivalent guarantees as the one which is provided for;

Whereas for the authorization of new methods offering equivalent guarantees, it is appropriate to provide for a procedure of close cooperation between the Commission and the Member

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽²⁾ OJ No L 243, 11. 10. 1995, p. 7.

⁽³⁾ OJ No L 303, 31. 10. 1990, p. 6.

⁽⁴⁾ OJ No L 55, 8. 3. 1971, p. 23.

⁽⁵⁾ OJ No L 125, 23. 5. 1996, p. 10.

States as foreseen in Article 16 of Council Directive 64/433/EEC ⁽¹⁾ on health conditions for the production and marketing of fresh meat, as last amended by the Act of Accession of Austria, Finland and Sweden, or in Article 32 of Council Directive 90/539/EEC ⁽²⁾, on animal health conditions governing intra-Community trade in, and imports from third countries of, poultry and hatching eggs, as last amended by the Act of Accession of Austria, Finland and Sweden, or in Article 21 of Council Directive 71/118/EEC ⁽³⁾ on health problems affecting trade in fresh poultrymeat, as last amended by the Act of Accession of Austria, Finland and Sweden;

Whereas the methods described in this Decision take into account the opinion of the Scientific Veterinary Committee,

HAS ADOPTED THIS DECISION:

Article 1

Section C of the Annex to Decision 95/409/EC is replaced by the following:

'MICROBIOLOGICAL METHOD FOR THE EXAMINATION OF THE SAMPLES

- Microbiological testing of the samples for salmonella should be carried out to the standard of the International Organization for Standardization ISO 6579:1993 or revised editions, or by the method described by the Nordic Committee on Food Analysis (NMKL method No 71, fourth edition, 1991) or revised editions. However, methods offering equivalent guarantees may be authorized in accordance with the procedure laid down in Article 16 of Directive 64/433/EEC.
- Where the results of analysis are contested between Member States, the standard of the International Organization for Standardization ISO 6579:1993 or revised editions should be regarded as the reference method.'

Article 2

In Annex A to Decision 95/410/EC, point 3 is replaced by the following

'3. Microbiological method for the examination of the samples

- Microbiological testing of the samples for salmonella should be carried out to the standard of the International Organization for Standardization ISO 6579:1993 or revised editions, or by the method described by the Nordic Committee on Food Analysis (NMKL method No 71 fourth edition, 1991) or revised editions. However, methods offering equivalent guarantees may be authorized in accordance with the procedure laid down in Article 32 of Directive 90/539/EEC.
- Where the results of analysis are contested between Member States, the standard of the International Organization for Standardization ISO 6579:1993 or revised editions should be regarded as the reference method.'

Article 3

Section C of the Annex to Decision 95/411/EC is replaced by the following:

'MICROBIOLOGICAL METHOD FOR THE EXAMINATION OF THE SAMPLES

- Microbiological testing of the samples for salmonella should be carried out to the standard of the International Organization for Standardization ISO 6579:1993 or revised editions, or by the method described by the Nordic Committee on Food Analysis (NMKL method

⁽¹⁾ OJ No 121, 29. 7. 1964, p. 2012/64.

⁽²⁾ OJ No L 303, 31. 10. 1990, p. 6.

⁽³⁾ OJ No L 55, 8. 3. 1971, p. 23.

No 71, fourth edition, 1991) or revised editions. However, methods offering equivalent guarantees may be authorized in accordance with the procedure laid down in Article 21 of Directive 71/118/EEC.

- 'Where the results of analysis are contested between Member States, the standard of the International Organization for Standardization ISO 6579:1993 or revised editions should be regarded as the reference method.'

Article 4

This Decision is addressed to the Member States.

Proposal for a Council Directive on registration documents for motor vehicles and their trailers

(97/C 202/10)

(Text with EEA relevance)

COM(97) 248 final — 97/0150(SYN)

(Submitted by the Commission on 30 May 1997)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 75 (1) (d) thereof,

Having regard to the proposal from the Commission,

Acting in accordance with the procedure laid down in Article 189c of the Treaty, in cooperation with the European Parliament,

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

Whereas the Community has adopted a certain number of measures that are intended to create an internal market consisting of an area without frontiers within the free movement of goods, persons, services and capitals is guaranteed in accordance with the provisions of the Treaty;

Whereas, as a necessary condition for permission to use the roads on their territory, all of the Member States shall require drivers of vehicles registered in another Member State to hold the corresponding certificate of registration;

Whereas harmonization of the form and content of the registration certificate will facilitate its comprehension and thus help towards the free movement, on the roads in the other Member States, of vehicles registered in a Member State;

Whereas the content of the registration certificate must enable it to be checked that the holder of a driving license issued pursuant to Directive 91/439/EEC ⁽¹⁾ on driving licences, solely drives those categories of vehicles for which he is authorized, and thus helps to improve road safety;

Whereas, as a necessary pre-requisite for registering a vehicle that has previously been registered in another Member State, all of the Member States require the documents certifying that registration and the technical conformity of the vehicle;

Whereas harmonization of the presentation of the contents of the registration certificate will facilitate the registration of vehicles that have previously been registered in another Member State, and will contribute to the proper functioning of the internal market;

Whereas issuing a registration certificate in two parts, of which the second is exclusively used in order to register a vehicle, will make it easier to check the rightful ownership of a vehicle, and will thus help to improve the functioning of the internal market;

Whereas certain Member States operate a system of roadside checks that are based on direct access to the national registration database which does not make it essential, for the purposes of ensuring, *inter alia*, compliance with Directive 91/439/EEC on driving licences, that the driver of a vehicle registered in that Member State shall carry the registration certificate on board the vehicle; whereas, therefore, the issue of a

⁽¹⁾ OJ No L 237, 24. 8. 1991, p. 1.

registration certificate in those Member States may be restricted to just one of the two parts of which the certificate consists,

HAS ADOPTED THIS DIRECTIVE:

Article 1

This Directive shall apply to the documents issued by the Member States at the time of registration of motor vehicles and their trailers, as defined in Article 2.

Article 2

For the purposes of this Directive:

- 'motor vehicle': means any power-driven vehicle as defined in Article 1 and in Annex II A to Directive 70/156/EEC, as amended ⁽¹⁾, and in Article 1 of Directive 92/61/EEC,
- 'trailer': means a non-self-propelled vehicle which is designed and constructed to be towed by a motor vehicle,
- 'registration': means the issuing of a serial number to a vehicle by the competent authorities of a Member State, to be known as the registration number, that is intended to identify a vehicle and its holder in road traffic,
- 'registration certificate': means the document which certifies that the vehicle is registered in a Member State.

Article 3

1. At the time of registration of a motor vehicle or a trailer Member States shall issue a registration certificate consisting of two parts in accordance with the models set out in Annexes I and II.
2. Member States may issue a registration certificate consisting solely of Part I of the model set out in Annex I where vehicles are used on their national territory, if, in the event of a roadside check, they have in their possession a system of access to the registry of vehicles.
3. Where a motor vehicle or a trailer previously registered in one Member State is re-registered in another Member State, the competent authorities in that Member State shall return the registration certificate to the authorities in the Member State in which it was issued.

⁽¹⁾ Directive 92/53/EEC of 18 June 1992 (OJ No L 225, 10. 8. 1992, p. 1).

Article 4

For the purposes of this Directive, the registration certificate issued by a Member State shall be recognised by the other Member States.

Article 5

1. For the purposes of identifying a vehicle and its holder in road traffic, Member States may require that the driver of a vehicle carries Part I of the corresponding registration certificate.
2. At the time of registration of a vehicle previously registered in another Member State, Member States shall require that the holder of a registration certificate submits both Part I and Part II of the registration certificate, if both parts were issued in the Member State of registration.

Article 6

Any amendments necessary in order to adapt the annexes to technical progress shall be adopted in accordance with the procedure laid down in Article 7.

Article 7

1. The Commission shall be assisted by the Committee provided for in Council Directive 96/.../EC for the purpose of amending Directive 91/439/EEC on driving licences, hereinafter referred to as 'the Committee', which shall consist of representatives of the Member States with a representative of the Commission as chairman.
2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter. The opinion shall be delivered by the majority laid down in Article 148, paragraph 2, of the Treaty in the case of decisions which the Council is required to adopt on a proposal from the Commission. The votes of the representatives of the Member States within the Committee shall be weighted in the manner set out in that Article. The chairman shall not vote.
3. The Commission shall adopt measures which apply immediately. However, if these measures are not in accordance with the opinion of the Committee, they shall be communicated by the Commission to the Council forthwith.
4. In that event, the Commission shall defer application of the measures which it has decided to adopt for a period to be laid down in each instrument adopted by the Council, but which may in no case exceed three months from the date of communication.

The Council, acting by a qualified majority, may take a different decision within the time limit referred to in the previous paragraph.

Article 8

1. After consulting the Commission, Member States shall, before 1 July 1998, adopt the laws, regulations or administration provisions necessary to comply with this Directive as from 1 July 1999.

2. When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by the Member States.

3. The Member States shall communicate to the Commission the texts of the provisions of national law which they adopt in the field governed by this Directive, and the models for registration certificates adopted in conformity with the provisions of Annexes I and II.

Article 9

Member States shall lay down the system of penalties for breaching the national provisions adopted pursuant to

this Directive and shall take all the measures necessary to ensure that those penalties are applied. The penalties thus provided for shall be effective, proportionate and dissuasive. Member States shall notify the Commission of the relevant provisions not later than 1 July 1998 and shall notify any subsequent changes as soon as possible.

Article 10

The Member States shall assist one another in the implementation of this Directive and shall, if need be, exchange information on the registration certificates that they have issued.

Article 11

This Directive shall enter into force on the day following its publication.

Article 12

This Directive is addressed to the Member States.

*ANNEX I***PROVISIONS CONCERNING THE REGISTRATION CERTIFICATE****PART I**

- I. The overall dimensions of Part I of the registration certificate shall not be greater than an A4 format (210 × 297 mm).
- II. The paper used for Part I of the registration certificate shall be made secure by using at least two of the following techniques:
 - graphics,
 - watermark,
 - fluorescent fibres, or
 - fluorescent imprints.
- III. Part I of the registration certificate may consist of several pages. Member States shall determine the number of pages in accordance with the information contained in the document and its layout.
- IV. The first page of Part I of the registration shall contain:
 - the name of the Member State issuing Part I of the registration certificate,
 - the distinguishing mark of the Member State issuing Part I of the registration certificate; those marks shall be as follows:

B	Belgium	I	Italy
DK	Denmark	L	Luxembourg
D	Germany	NL	Netherlands
GR	Greece	P	Portugal
E	Spain	A	Austria
F	France	FIN	Finland
IRL	Ireland	S	Sweden
UK	United Kingdom		

- the name of the competent authority,
 - the words 'Part I of the Registration Certificate', printed in large type in the language or languages of the Member States issuing the registration certificate; they shall also appear, after a suitable space, in small type, in the other languages of the European Community,
 - the words 'European Community', printed in the language or languages of the Member States issuing Part I of the registration certificate,
 - the number of the document.
- V. Part I of the registration certificate shall also contain the following data, identified by the corresponding code:
- A — registration number
 - B — date of first registration
 - C — holder of the registration certificate:
 - C1 — surname
 - C2 — other names
 - C3 — address in the Member State of registration on the date of issue of the document
 - D — vehicle:
 - D1 — manufacturer/trade name
 - D2 — commercial name
 - E — vehicle identification number
 - F — maximum laden mass:
 - F1 — technically permissible mass (in kilograms) except for motorcycles
 - G — mass of the vehicle with bodywork, and with coupling device in the case of a towing vehicle, in running order (in kilograms)
 - H — validity of the registration, if not unlimited
 - I — date of registration
 - M — type-approval number
 - R — engine:
 - R1 — capacity (in cm³) for motorcycles
 - R2 — maximum net power (in kW) for motorcycles
 - S — power/weight ratio (in kW/kg): R2/G for motorcycles
 - U — number of seats, including the driver.
- VI. Part I of the registration certificate may, moreover, contain the following data, identified by the corresponding code:
- F — maximum laden mass:
 - F2 — of the vehicle in service in the Member State of registration (in kilograms)
 - F3 — of the combination in service in the Member State of registration (in kilograms)

- J — owner or keeper of the vehicle:
- J1 — surname
 - J2 — other names
 - J3 — address in the Member State of registration, on the date of issue of the document
- L — vehicle category
- M — type-approval number
- N — number of axles
- O — wheelbase (in mm)
- P — distribution of technically-permissible maximum laden mass among the axles:
- P1 — axle 1 (in kilograms)
 - P2 — axle 2 (in kilograms)
 - P3 — axle 3 (in kilograms)
- Q — technically permissible maximum towable mass of the trailer:
- Q1 — braked (in kilograms)
 - Q2 — unbraked (in kilograms)
- R — engine:
- R1 — maximum capacity (in cm³)
 - R2 — maximum net power (in kW)
 - R3 — rated speed (in min⁻¹)
 - R4 — fuel
- T — colour of the vehicle
- V — maximum speed (in km/h)
- W — sound level:
- W1 — stationary (in dB(A))
 - W2 — engine speed (in min⁻¹)
 - W3 — drive-by (in dB(A))
- X — exhaust emissions:
- X1 — CO (in g/km or g/kWh)
 - X2 — HC (in g/km or g/kWh)
 - X3 — NO_x (in g/km or g/kWh)
 - X4 — HC + NO_x (in g/km)
 - X5 — particulates for diesel (in g/km or g/kWh)
 - X6 — corrected absorption coefficient for diesel (in min⁻¹)
 - X7 — CO₂ (in g/km)
 - X8 — combined fuel consumption (in l/100 km)
- Y — fuel tank(s) capacity (in l).

- VII. Member States may include additional information on the registration certificate Part I, only if this information is either stated on the type-approval documentation in accordance with Directive 70/156/EEC or can be derived from it by simple calculation.

ANNEX II

PROVISIONS CONCERNING THE REGISTRATION CERTIFICATE

PART II

- I. The overall dimensions of Part II of the registration certificate shall not be greater than an A4 format (210 × 297 mm).
- II. The paper used for Part II of the registration certificate shall be made secure by using at least two of the following techniques:
- graphics,
 - watermark,
 - fluorescent fibres, or
 - fluorescent imprints.
- III. Part II of the registration certificate may consist of several pages. Member States shall determine the number of pages in accordance with the information contained in the document and its layout.
- IV. The first page of Part II of the registration shall contain:
- the name of the Member State issuing Part II of the registration certificate,
 - the distinguishing mark of the Member State issuing Part II of the registration certificate; those marks shall be as follows:

B	Belgium	I	Italy
DK	Denmark	L	Luxembourg
D	Germany	NL	Netherlands
GR	Greece	P	Portugal
E	Spain	A	Austria
F	France	FIN	Finland
IRL	Ireland	S	Sweden
UK	United Kingdom		
 - the name of the competent authority,
 - the words 'Part II of the Registration Certificate', printed in large type in the language or languages of the Member States issuing the registration certificate; they shall also appear, after a suitable space, in small type, in the other languages of the European Community,
 - the words 'European Community', printed in the language or languages of the Member States issuing Part II of the registration certificate,
 - the number of the document.

V. Part II of the registration certificate shall also contain the following data, identified by the corresponding code:

A — registration number

B — date of first registration

D — vehicle:

D1 — manufacturer/trade name

D2 — commercial name

E — vehicle identification number

M — type-approval number

VI. Part II of the registration certificate may, moreover, contain the following data, identified by the corresponding code:

J — owner or keeper of the vehicle:

J1 — surname

J2 — other names

J3 — address in the Member State of registration, on the date of issue of the document

K — new owner or keeper of the vehicle:

K1 — surname

K2 — other names

K3 — address

K4 — date and signature of the former owner or keeper

L — vehicle category.

VII. Member States may include additional information on the registration certificate Part II, only if this information is either stated on the type-approval documentation in accordance with Directive 70/156/EEC or can be derived from it by simple calculation.

Proposal for a European Parliament and Council Decision adopting a programme of Community action from 1999 to 2003 on injury prevention in the context of the framework for action in the field of public health

(97/C 202/11)

(Text with EEA relevance)

COM(97) 178 final — 97/0132(COD)

(Submitted by the Commission on 14 May 1997)

THE EUROPEAN PARLIAMENT AND THE COUNCIL
OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular the first indent of Article 129 (4) thereof,

Having regard to the proposal from the Commission,

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

Having regard to the opinion of the Committee of the Regions,

Acting in accordance with the procedure referred to in Article 189b of the Treaty,

(1) Whereas injuries should be considered one of the major health scourges referred to in Article 129 throughout the Community and are a cause of substantial public concern;

(2) Whereas, in accordance with point (o) of Article 3 of the Treaty, Community action shall include a contribution to the attainment of a high level of health protection;

(3) Whereas Article 129 expressly provides for Community competence in this field, by encouraging cooperation between the Member States and, if necessary, lending support to their action, promoting coordination of their policies and programmes, and fostering cooperation with third countries and international organizations competent in the sphere of public health; whereas Community should be directed towards the prevention of diseases, and the promotion of health education and information;

(4) Whereas the resolution of the Council and the Ministers for Health, meeting within the Council of 27 May 1993 on future action in the field of public health ⁽¹⁾, affirmed the need for Community action aiming at adding life to years and years to life and selection of areas for such action with regard to their amenability to preventive action;

(5) Whereas the European Parliament in its resolution on public health policy after Maastricht of 19 November 1993 ⁽²⁾ called on the Commission to develop and execute activities on accident prevention;

(6) Whereas the Commission, in its communication of 24 November 1993 on the framework for action in the field of public health ⁽³⁾, identified intentional and unintentional injuries and accidents as a priority area for action in the public health field;

(7) Whereas the European Parliament and the Council, in their Decision No 3092/94/EC ⁽⁴⁾, introduced a Community system of information in home and leisure accidents with which this Decision should be closely coordinated;

(8) Whereas, in accordance with the principles of subsidiarity and proportionality laid down in Article 3b of the Treaty, action on injury prevention should be undertaken by the Community only if and in so

⁽¹⁾ OJ No C 174, 25. 6. 1993, p. 1.

⁽²⁾ OJ No C 329, 6. 12. 1993, p. 375.

⁽³⁾ COM(93) 559 final of 24 November 1993.

⁽⁴⁾ OJ No L 331, 21. 12. 1994, p. 1.

far as, by reason of its scale of effects, it may be better achieved at Community level; whereas this programme will yield a Community added-value by bringing together activities already undertaken in relative isolation at national level and by complementing one another with significant results for the Community as a whole, by contributing to the strengthening of solidarity and cohesion in the Community and by leasing, where the need is recognized, to the establishment of best-practice norms and standards;

- (9) Whereas cooperation with the international organizations competent in the field of public health and with third countries should be fostered;
- (10) Whereas, by providing support for acquiring better knowledge and understanding of, and wider dissemination of information about, injury prevention, ensuring improved comparability of information in this field and by developing actions complementary to existing Community programmes and actions, while avoiding unnecessary duplication, the programme will contribute to the achievement of the Community objectives set out in Article 129;
- (11) Whereas, in order to increase the value and impact of the programme, a continuous assessment of the actions undertaken should be carried out, with particular regard to their effectiveness and the achievement of the objectives set and with a view, where appropriate, to making the necessary adjustments;
- (12) Whereas this Decision lays down a financial framework constituting the principal point of reference, within the meaning of point 1 of the declaration of the European Parliament, the Council and Commission of 6 March 1995⁽¹⁾, for the budgetary authority during the annual budgetary procedure;
- (13) Whereas the Community's financial perspective is valid up to 1999 and will have to be revised for the period beyond that date;
- (14) Whereas this programme should be of five-year duration in order to allow sufficient time for actions to be implemented to achieve the objectives set,

HAVE DECIDED AS FOLLOWS:

Article 1

Establishment of the programme

1. A programme of Community action on injury prevention, hereinafter referred to as 'the Programme', is hereby adopted for the period 1 January 1999 to 31 December 2003 in the context of the framework for action in the field of public health.
2. The aim of the Programme is to contribute to public health activities which seek to reduce the incidence of injury, by promoting the more effective dissemination and application of prevention techniques whose worth is widely accepted by experts, and by helping to strengthen the general capacity of public health bodies to mount effective injury prevention activities.
3. The actions to be implemented within the meaning of the Programme and their specific objectives are set out in the Annex.

Article 2

Implementation

1. The Commission shall ensure implementation, in close cooperation with the Member States, of the actions set out in the Annex.
2. The Commission shall cooperate with institutions and organizations active in the field of injury prevention.

Article 3

Budget

1. The financial framework for the implementation of the Programme for the year 1999 shall be ECU 1,3 million, in keeping with current financial perspectives. The financial framework for the final four years of the programme (2000 to 2003) shall be determined in detail after the establishment of the future perspectives.
2. The annual appropriations shall be established by the Budgetary Authority in accordance with the current financial perspectives.

Article 4

Consistency and complementarity

The Commission shall ensure that there is consistency and complementarity between the Community actions to be implemented within the meaning of the Programme and those implemented within the meaning of other relevant Community programmes and actions.

⁽¹⁾ OJ No C 102, 4. 4. 1996, p. 4.

*Article 5***Committee**

1. The Commission shall be assisted by an advisory committee, hereinafter referred to as 'the Committee', consisting of representatives of the Member States, and chaired by the Commission representative.

The representative of the Commission shall submit to the Committee a draft of the measures to be taken.

The Committee shall deliver its opinion on the draft, within a time limit which the chairperson may lay down according to the urgency of the matter, if necessary by taking a vote.

The opinion shall be recorded in the minutes, in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

The Commission shall take the utmost account of the opinion delivered by the Committee. It shall inform the Committee on the manner in which its opinion has been taken into account.

2. The Committee shall be consulted, in particular on:

(a) the criteria and procedures for selecting and financing projects pursuant to this Programme;

(b) the evaluation procedure.

3. The representative of the Commission shall keep the Committee regularly informed about Commission proposals or Community initiatives and the implementation of programmes in other policy areas which are relevant to the achievement of the objectives of this Programme.

*Article 6***International cooperation**

1. In the course of implementing the Programme, cooperation with third countries and with international organizations competent in the field of public health shall be fostered.

2. The Programme shall be open to participation by the associated countries of Central and Eastern Europe, in accordance with the conditions laid down in the Association Agreements or additional Protocols related thereto concerning participation in Community programmes. The Programme shall be open to participation by Cyprus and Malta on the basis of additional appropriations in accordance with the same rules as those applied to the EFTA countries, in accordance with procedures to be agreed with those countries.

*Article 7***Monitoring and evaluation**

1. In the implementation of this Decision, the Commission shall take the necessary measures to ensure the monitoring and continuous evaluation of the Programme, taking account of the general and specific objectives referred to in Article 1 and in the Annex.

2. During the third year of the Programme, the Commission shall present an evaluation report to the European Parliament and the Council.

3. The Commission shall submit to the European Parliament and the Council a final report on completion of the Programme.

4. The Commission shall incorporate into those two reports information on Community financing in the various fields of action and on complementarity with the other actions referred to in Article 4, as well as the results of the evaluations. It shall also send them to the Economic and Social Committee and the Committee of the Regions.

*ANNEX***SPECIFIC OBJECTIVES AND ACTIONS****I. Accidents to children, young adults and elderly people ⁽¹⁾**

Objective: to contribute to public health activities which aim at reducing the incidence of injury from home, leisure and school accidents, by promoting the more effective dissemination and application of prevention techniques whose worth is widely accepted by experts.

⁽¹⁾ The Community action in the field of civil protection is excluded from this programme (see in particular the proposal for a Council Decision establishing a Community action programme in the field of civil protection COM(95) 155 final).

II. Suicide

Objective: to contribute to public health activities which aim at reducing the incidence of injury from deliberate self-harm, by promoting the more effective dissemination and application of prevention techniques whose worth is widely accepted by experts.

III. Injury prevention capacity

Objective: to contribute to the strengthening of public health bodies' capacity to mount effective injury prevention activities.

Actions to be undertaken in support of each of these objectives

(Actions may relate to more than one objective: for example a project on safety in sport might affect children, young adults and older people).

1. *Networks:* encouraging and assisting the creation of networks, dedicated in particular to: development of new approaches or innovative methods of tackling common problems, exchanges of materials, guidelines and handbooks, organization of training activities.
2. *Campaigns:* supporting the dissemination of information about campaigns; including the development of a bank of information on the campaigns that have been carried out, with, if possible assessments of their value, effects and transferability, and organization of competitions to identify the best injury prevention campaigns; promoting where appropriate the organization of parallel campaigns in a number of Member States; assisting the development of basic materials and publicity.
3. *Data about injuries: in conjunction with Ehlass* promoting agreed approaches to coding, data definitions, better recording of place of occurrence, as well as on behavioural aspects and on chain of events, more precision in cause of death certification, the use of relevant results of the international collaborative effort on injury statistics; examination of the coverage of existing data collection system and where necessary development of measures to improve such coverage inclusion of additional questions or modules in existing Community-wide surveys; assistance in identifying the need for surveys, promoting the creation of a database of known surveys.
4. *Technical investigations of injury risk factors:* Promoting collaboration between institutions with specialized knowledge and facilities able to undertake such activities; supporting the development of an inventory of institutions and their projects, and evaluation of prevention projects and campaigns.
5. *Consultation and cooperation:* support for formal and informal meetings at different levels of government, conferences and seminars, working groups and advisory groups.

In addition, the following actions will support Objective III

6. *Activities to increase the use which public health bodies can make of other Community policies for injury prevention:* raising awareness of Community programmes and the conditions for participation in them, helping to set up consortia across national boundaries and helping groups with a particular interest to discover the most useful interlocutors in Community institutions.
-