

European Communities

EUROPEAN PARLIAMENT

Working Documents

1980 - 1981

17 April 1980

DOCUMENT 1-120/80

MOTION FOR A RESOLUTION

tabled by Mr GILLOT, Mr PROUT, Mr LUSTER,
Mr DELOROZOY and Mr GEURTSSEN

with request for an early vote
pursuant to Rule 47(5) of the Rules of Procedure

to wind up the debate on the Oral Question
(Doc. 1-29/80)

on the directive on liability for defective
products

The European Parliament,

- concerned at the action taken on the proposal relating to the approximation of the laws, regulations and administrative provisions of the Member States concerning liability for defective products,
- recalling the report by Mr CALEWAERT on behalf of the Legal Affairs Committee and its resolution of 26 April 1979¹ which states that:
'The producer shall not be liable if he can produce evidence that the article cannot be considered defective in the light of the state of scientific and technological development at the time when the article was put into circulation',
- having regard to its debate on this subject,
 1. Regrets that the Commission has not amended its proposal for a directive in this respect;
 2. Requests the Council, therefore, to exclude development risks from the directive and to adopt the second paragraph of Article 1 as amended by Parliament;
 3. Instructs its President to forward this resolution to the Council and Commission of the European Communities.

¹ OJ No. C127, 21.5.79, p.62