

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 245 final

Brussels, 18 May 1981

Proposal for a
COUNCIL DIRECTIVE (EEC)
derogating in favour of the Federal Republic of Germany from Directive
73/403/EEC on the synchronisation of general population censuses

(submitted to the Council by the Commission)

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73/403/EEC on the synchronisation of general population censuses

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,
and in particular Article 213 thereof,

Having regard to the proposal from the Commission,

Whereas Council Directive 73/403/EEC¹ provides that Member States shall
conduct a general population census on a date between 1 March and
31 May 1981,

Whereas serious administrative difficulties, which could not have been
foreseen at the time when the Directive was adopted, have arisen which
effectively prevent the census in the Federal Republic of Germany from
being carried out properly between the said dates,

Whereas it is proposed to hold the said general population census in
the Federal Republic of Germany between 1 March and 31 May 1982.

HAS ADOPTED THIS DIRECTIVE

Article 1

By way of derogation from Article 1 of Directive 73/403/EEC, the Federal
Republic of Germany shall conduct a general population census on a date
between 1 March and 31 May 1982.

Article 2

This Directive is addressed to the Member States.

Done at Brussels,

For the Council
The President

¹OJ No L 347, 17.12.1973, p. 50.

Reasons for the proposal

1. In a letter dated 17 February 1981, the Permanent Representative of the Federal Republic of Germany conveyed the following request from his government:

"Subject: Council Directive of 22 November 1973 on the synchronisation of general population censuses (73/403/EEC);

Here : Incorporation into national legislation

Member States are required by the above mentioned Directive to conduct a general population census between 1 March and 31 May 1981.

In compliance with the requirement, the Federal Government submitted the appropriate draft law in good time to the legislative authorities. However, due to differences of opinion on matters of principle between the federal authorities and the Laender in regard to the question of the sharing of costs by the federal authorities, the law was not passed in the 8th legislative period of the German Bundestag.

Because of this development, which could not have been foreseen at the time of adoption of the Directive, the Federal Government is unable to carry out the census of population within the period specified in the Directive 73/403/EEC.

It is now intended to put forward a new draft law for the taking of the population census; the 19th May 1982 is considered as the next suitable date for the enumeration. The Federal Government requests the agreement of the Commission for the proposed postponement of the population census. It would be pleased if the Commission would prepare a draft Directive granting a derogation from Article 1 of the Directive 73/403/EEC to the Federal Republic of Germany as soon as possible."

2. While the Commission regrets that the Federal Republic of Germany finds itself unable to carry out its population census within the period specified by the Directive, it proposes that the derogation be granted since in the circumstances it sees no useful alternative to complying with the request of the Federal Government. In view of the lengthy preparation necessary for a population census there is no possibility at this stage that the enumeration could be successfully carried out by 31 May 1981. It should be pointed out that the German census authorities, in common with those of the other Member countries, have adapted their census plans to the greatest extent possible

to fit in with the Community Census of Population Programme, and that a very considerable degree of standardisation between countries in the presentation of results will be achieved.

3. A derogation has already been granted to France permitting it to postpone the census for one year in view of the conflict of the period specified in the Directive with that of the forthcoming presidential election (1). A draft Directive for the granting of a derogation permitting the postponement of the Italian census by some six months, necessitated by delays in the passage of legislation relating to the financing of the census has recently been submitted. Finally, the Netherlands authorities have indicated that they will be unable to conduct a census within the Directive period and a derogation will be required. In the other Member countries and in the Applicant countries arrangements are proceeding normally for censuses within the period of the Directive.
4. - The Commission is therefore invited to:
 - approve the accompanying proposal for a Directive
 - forward the proposal to the Council.

(1) Council Directive N° 80/371/EEC of 26.3.1980 O.J. L90/44 of 3.4.1980 :

