

EUROPEAN PARLIAMENT

Working Documents

1978 - 1979

12 March 1979

DOCUMENT 682/78

MOTION FOR A RESOLUTION⁺

by the Committee on Budgets

on the application of Article 203 of the
EEC Treaty (Article 12 of the Treaty of
22 July 1975)

with request for urgent debate pursuant to
Rule 14 of the Rules of Procedure

⁺ This motion for a resolution was adopted by
the Committee on Budgets at its meeting of
28 February/1 March 1979 by 9 votes to 2,
with one abstention

Present: Mr Lange, chairman; Lord Bessborough,
Lord Bruce of Donington, Mrs Dahlerup, Mr Dankert,
Mr Nielsen, Mr Notenboom, Mr Ripamonti, Mr Scott-
Hopkins, Mr Shaw, Mr Spinelli and Mr Würtz

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MOTION FOR A RESOLUTION

on the application of Article 203 of the EEC Treaty (Article 12 of the Treaty of 22 July 1975)

The European Parliament

- having regard to Article 203 of the EEC Treaty
 - having regard to the attached letters of 13 February 1979 from the chairman of the Committee on Budgets to the President, and 15 February 1979 from the President to the President-in-Office of the Council;
1. Has no objections to internal rules for one part of the budgetary authority on the application of Article 203 of the EEC Treaty;
 2. Cannot, however, agree to any unilateral fixing of procedures under Article 203 of the EEC Treaty which, through its external repercussions, undermines the powers of the other part of the budgetary authority as laid down
 - by Treaty and other relevant legal acts
 - by the conciliation agreement of 4 March 1975¹;
 3. Instructs its President to forward this resolution and its annex to the Council of the European Communities with the request that he arrange a discussion between the two budgetary authorities before the Council takes a decision.

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Justification for the urgency is provided in the annex.

¹ OJ No. C 89 of 22.4.1975, p.1

Letter from the Chairman of the Committee on Budgets to Mr Emilio Colombo,
President of the European Parliament

Luxembourg, 13 February 1979

Dear Mr President,

I enclose a note on the dangers of a unilateral decision on the application of Article 203 of the EEC Treaty by Council resolution. I feel that an immediate reaction by Parliament is called for.

Note for the attention of Mr COLOMBO

Subject: Draft Council resolution on the application of Article 203
of the EEC Treaty

The President-in-Office of the Council informed you by letter of 19 December 1978 that, in respect of the budgetary procedure, the Council had no intention of prejudicing Parliament's rights as established on the basis of the Treaties.

In your reply dated 22 December 1978, you emphasized Parliament's readiness to assist in clarifying the questions connected with the application of the Treaty provisions.

Under these circumstances the Council's present intention to determine the application of Article 203 of the EEC Treaty unilaterally by means of a resolution is unacceptable. It must be noted that this draft resolution conflicts with the Treaty since it makes provision in particular for:

- the fixing of a new maximum rate by the Council at the beginning of the budgetary procedure rather than at the end. This fixing of the rate by the Council itself - without the participation of Parliament - would invalidate all the stages of the budgetary procedure laid down in the Treaties which are designed to bring the standpoints of the two parts of the budgetary authority together;
- a specific decision on the order on which draft amendments are to be voted on. This would abolish the majorities necessary under the Treaty to reject draft amendments.

In view of its repercussions, particularly on inter-institutional relations, it is impossible to accept that such a resolution is merely a matter of 'internal rules of procedure'.

This being the case, I would ask you immediately to take the necessary steps to prevent the other part of the budgetary authority from altering to its own advantage and without the participation of Parliament - the mode of cooperation between the two institutions laid down in the Treaties.

(sgd) Erwin LANGE

ANNEX II

Letter from Mr Emilio COLOMBO, President of the European Parliament, to Mr Jean ~~FRANCOIS~~-PONCET, President-in-Office of the Council of Ministers of the European Communities

Luxembourg, 15 February 1979

Dear Mr President,

During our recent meetings, when we had the opportunity to discuss the budget of the European Communities for 1979, you stated the position of the French Government and explained the attitude to be taken by the Council of Ministers, whilst I confirmed the European Parliament's position.

The Committee on Budgets, acting on its own initiative and on the basis of the correspondence I had with the President of the Council of Ministers in December 1978, has given me its views on how Article 203 of the EEC Treaty is to be interpreted.

I enclose for your information a copy of the note on the subject sent to me by Mr Erwin LANGE, chairman of the Committee on Budgets, which reflects the concern I expressed during our discussions.

Yours sincerely,

Emilio COLOMBO