

COMMISSION OF THE EUROPEAN COMMUNITIES

SEC(73) 3824

Brussels, 30 October 1973

**PROGRAMME OF ACTION
IN THE FIELD OF
TECHNOLOGICAL AND INDUSTRIAL POLICY**

(proposal put forward by the Commission to the Council)

Programme of action
in the field of technological and industrial policy

Proposal put forward by the Commission to the Council

In the course of its 254th Meeting, held on 20 September 1973, the Council of Ministers of the European Communities called upon the Commission to present, before 1 November 1973, a formal proposal concerning a programme of action in the field of technological and industrial policy in order that the Council might adopt this programme before 1 January 1974, as envisaged by the Conference of Heads of State or of Government held in October 1972.

The Commission therefore undertook a fresh examination of the whole subject, employing as its basis the Memorandum of 3 May 1973 (*), which already had annexed to it a draft precise timetable, and the document prepared by the General Secretariat of the Council (**) outlining the situation in respect of the concrete proposals listed in the Annexes to the Memorandum and already before the Council.

The Commission notes that following its presentation in March 1970 of the Memorandum on the Community Industrial Policy, following the detailed examination of this document by the Working Party of Senior Officials and following the specific proposals that the Commission made in this same connection, very little progress has been made at decision-making level. The Commission therefore feels that the adoption of the proposals currently before the Council constitutes an essential step towards the realization of the objectives laid down by the Summit Conference.

(*) Doc. SEC(73) 1090 final.

(**) Doc. R/1555/73 (ECO 161) Add. 1.

This has led the Commission to the conclusion that, having regard to the state of advancement of the building of the Community, the realization of the objectives decided on for the industrial field by the heads of state or of government is dependent, in the initial stage, on the adoption by the Council of the proposals for directives and regulations which have already been presented. On the other hand, it seems that the presentation of an excessive number of additional proposals would needlessly complicate the work of the Council and would be liable to retard the laying of the foundations which are essential for the establishment of a European industrial base as called for in the Summit Conference. The establishment of this base will of necessity be a progressive task, and its various elements, although part of the overall concept already outlined by the Commission, can only be put in place successively and in stages.

It is for this reason that the Commission has devoted special attention, as a short-term measure, to bringing up to date the timetable for implementation already annexed to its Memorandum of 3 May 1973; this was done in the light of the progress achieved in the work of the Council and the Commission over the last half-year. The Commission has limited its new proposals, at least for the near future, to a number of problems of a particularly urgent nature. Any supplementary measures which prove to be necessary will be the subject, at the appropriate time, of other proposals from the Commission to the Council.

At the present stage, the Commission is presenting to the Council its first programme of action in the field of industrial policy in the form of the enclosed Draft Resolution; the Commission hopes that the adoption of this programme will confirm the will of the Community to fulfil the aims assigned to it by the heads of state or of government in October 1972.

At the same time, the Governments of the member States ought to commit themselves to accelerate those works which pertain to certain conventions for the elimination of legal barriers to the linking up of undertakings.

Draft Resolution of the Council concerning the industrial policy

The Council of the European Communities and the Member States,

Having regard to the Declaration of 21 October 1972, of the heads of state or of government of the countries of the enlarged Community, and in particular point 7 thereof;

Having regard to the Memorandum from the Commission on the Technological and Industrial Policy Programme of 3 May 1973;

Agree to adopt the following timetable for the realization of a first stage of the programme of action provided for in the Paris Conference declaration.

1. As to the removal of technical barriers to trade :

- the Council will adopt before 1 July 1974 the Directives listed in Annex 1;
- the Council will adopt before 1 January 1975 the Directives listed in Annex 2;
- the Council will adopt before 1 January 1976 the Directives listed in Annex 3;
- the Council will adopt before 1 January 1977 the Directives listed in Annex 4;
- the Council will adopt before 1 January 1978 the Directives listed in Annex 5.

The Council agrees to see to it that at a later stage, the directives mentioned before may be amended, wherever possible, through the flexible and rapid procedure of adaptation to the technical progress provided for in its 1969 resolution.

This time schedule should be of an evolutive nature and should be amended so as to take into account both the technical progress and changes in priority which might become necessary at some later stage.

2. As to the gradual and effective introduction of open bidding for public contracts :

- the Council will take action before 1 July 1974 on the draft Directive of 15 March 1971 coordinating the procedures for awarding public supply contracts.

3. As to the removal of the fiscal barriers which impede the linking-up of undertakings :

The Council will take action before 1 July 1974 on :

- the proposal for a directive relating to the common tax system applicable to mergers, split-ups and contributions of assets as between companies established in different Member States;
- the proposal for a directive relating to the common tax system applicable to parent and subsidiary companies established in different Member States.

4. As to the removal of the legal barriers which impede the linking-up of undertakings :

The Council agrees to start its examination of the proposed regulation for the Statute of a European Anonymous Society as soon as the Commission has put forward its revised proposal, taking into account the opinions of the European Parliament and the Economic and Social Committee, and to take action on this regulation before 1 January 1976;

The Council will take action :

- before 1 July 1974 on the proposal for a directive concerning the formation and the capital of société anonyme-type companies;
- before 1 January 1975 on the proposal for a directive concerning internal mergers of sociétés anonymes;
- before 1 January 1976 on the proposal for a directive concerning the annual accounts of sociétés de capitaux in the Member States.
- before 1 January 1977 on the proposal of a directive for the structure of sociétés anonymes.

The Member States undertake :

- to sign as soon as possible the agreement on transnational mergers;
- to conclude without delay the work on the agreement on bankruptcy effects;
- to implement not later than 1 January 1976 the two patent conventions.

The Council agrees to start examining the "European companies" project and the proposals for directives on the structure of such companies as soon as the European Parliament and the Economic and Social Committee have delivered their Opinions; this is in order that the texts may be adopted as soon as possible.

5. As to the European-scale promotion of competitive advanced-technology undertakings :

The Council will take action before 1 April 1974 on :

- the draft Regulation on the establishment of joint undertakings in the field of application of the EEC Treaty;
- the draft Regulation on the implementing of Community industrial development contracts;

which have been proposed to the Council by the Commission.

The Council will adopt initial decisions :

- before 1 January 1974 for the aeronautics sector;
- before 1 May 1974 for the data-processing sector;

on the basis of the proposals contained in the memorandum presented by the Commission.

6. As to the conversion and modernization of industrial branches in a state of crisis

The Council will take action :

- before 1 January 1974 in respect of shipyards;
- before 1 January 1975 in respect of the paper industry;(1)

on the proposals contained in the memorandum presented by the Commission.

The Council will also take action before 1 April 1974 on the proposal for a directive on mass redundancies.

(1) For this sector, the Commission will submit proposals before 1 April 1974.

7. As to the preparation of measures to guarantee that concentrations affecting undertakings established in the Community are in keeping with Community economic and social objectives, and the maintenance of fair competition both in the Common Market and on outside markets in accordance with the provisions of the Treaties.

Before 1 January 1974 the Council will set in hand an outline discussion on the problem of the development of multinational companies on the basis of the memorandum from the Commission.

8. As to industrial cooperation with non-member countries (1)

The Council will take action before 1 July 1974 on the following proposals concerning :

- the common system of premiums relating to the guarantee of the risks covered;
- the common principles governing the guarantee of commercial export transactions with non-member countries against increases in costs (exchange and price guarantee);
- the common credit insurance policy for medium- and long-term financial credits in respect of public buyers on non-member countries;
- the amendment of the Directives of 27 October 1970 and 1 February 1971 concerning the adoption of two common credit insurance policies for medium- and long-term transactions with public and private buyers, and the harmonization of credit insurance provisions

(1) To this effect the institutions of the Community will endeavour, in both the bilateral and multilateral negotiations taking place as from 1973, to ensure the widest possible industrial and technological cooperation with non-member countries, and in particular with the developing countries.

- the amendment of the proposal for a Council directive concerning the adoption of a common system of premiums relating to the guarantee of the risks covered under the common policies for medium- and long-term transactions involving a supplier credit and intended for public and private buyers;
- overall policies;
- the Council Regulation concerning the public measures relating to the rates of interest on export credits to the industrialized countries and to the state-trading countries;
- consultation and information procedures in the fields of credit insurance, guarantees and financial credits;
- the Council Regulation establishing a system of Community guarantee for private investments in non-member countries.

There was no page 6 in the original document.

d) Declaration of the representatives of the Governments of the Member States on the elimination of legal barriers which impede the linking-up of undertakings.

The Representatives of the Governments of the European Communities member States, in consideration of the Council resolution on industrial policy, commit themselves :

- to sign, before 1 January 1975, the convention on transnational mergers ;
- to bring to a rapid end their work on a convention on the effects of bankruptcies ;
- to put the two conventions in the field of patents into effect before 1 January 1976.

Proposals for Directives to be adopted by the Council before 1 July 1974

A. Foodstuffs

1. Emulsified sauces
2. Caseins and caseinates
3. Natural mineral water
4. Ales and beer
5. Edible ices
6. Sugar confectionery
7. Bread
8. Jams, marmalades, fruit jellies and chestnut purée
9. Butter
10. Extracts of meat, yeast, proteins, flavouring for soups and other foods, broths, soups and sauces with a meat base
11. Macaroni, spaghetti and similar products
12. Margarine
13. Fruit juices and similar products
14. Emulsifying, stabilizing, thickening and gelling agents
15. Dietetic foods
16. Sugars, glucose syrup and dextrose
17. Low-sodium dietetic foods
18. Preserved milks for human consumption
19. Non-alcoholic cold beverages
20. Honey

B. Industrial products

1. Motor vehicles

- direction indicators
- electrical points for trailers
- interior fittings (2 proposals)

- safety glass

- anti-theft devices

2. Measuring instruments

- medical thermometers

- precision weights

- prepackaging of liquids

- graduated bottles

3. Electrical equipment

- disturbances due to portable tools

- disturbances due to fluorescent lighting

- electrical equipment for use in explosive atmospheres

4. Fertilizers

5. Cosmetics

6. Wheeled agricultural and forestry tractors

- specifications and components already dealt with in proposals

7. Reinforced plastic tanks for the carriage of dangerous substances .

Proposals for Directives to be adopted by the Council before 1 January 1975

A. Foodstuffs

1. Yeasts
2. Extracts and essences of coffee, tea and similar substances
3. Mustard
4. Non-emulsified sauces
5. Fine breads, pastries and biscuits
6. Tapioca
7. Malt extracts

B. Industrial products

1. Motor vehicles

- lighting (systems - first special Directives)
- safety belts
- belt anchorages
- head-rest
- strength of seat and anchorage
- reverse movement

2. Tractors

- braking system
- lighting system
- protection during work (cabins, cages)

3. Mopeds

- outline Directive

4. Fuels
 - maximum lead content in motor fuels
5. Fertilizers
 - ammonium nitrate
6. Measuring instruments
 - electricity meters
 - water meters
 - prepacking of certain solids and liquids
 - conveyor belts
 - road tankers and rail tankers
7. Aerosols
8. Electrical equipment
 - disturbance due to scientific equipment
9. Dangerous substances and preparations
 - pesticides
 - paints and varnishes (labelling)
10. Pressure vessels
 - outline Directive
 - non-welded bottles and cylinders
 - aluminium bottles and cylinders
 - welded bottles and cylinders

Proposals for Directives to be adopted by the Council before 1 January 1976

1. Motor vehicles

- special Directives

2. Tractors

- acceptance procedures for tractors with a maximum speed exceeding 25 km/h
- dimensions and weight (one or more Directives)
- motor (one or more Directives)
- steering system

3. Mopeds

- permissible noise level
- engine power

4. Motorcycles

- acceptance procedures

5. Civil engineering plant and equipment

- acceptance procedures
- permissible noise level

6. Detergents

- toxicity
- method of measuring the biodegradability of non-ionic surface-active agents

7. Fuels
 - maximum sulphur content in domestic fuel oils
8. Measuring instruments
 - determination of moisture level in cereals
 - unit for measuring liquids other than water
 - differential-pressure gas meters (throttle type)
9. Dangerous substances and preparations
 - explosive preparations
 - household products
 - restrictions on use of certain substances in paints and varnishes
10. Pressure vessels
 - special Directive(s)
11. Non-electrical heating, cooking and water-heating equipment
 - outline Directive
12. Lifting equipment
 - lifts and hoists
13. Tableware and kitchen utensils
 - maximum lead and cadmium content in tableware
14. Textiles
 - removal of additives
15. Toys
 - outline Directive

16. Cements and building materials

- classification of cements

17. Electrical equipment

- electrical X-ray and medical equipment

Proposals for Directives to be adopted by the Council before 1 January 1977

1. Motor vehicles

- final Directives

2. Pleasure boats

- acceptance procedures
- water pollution

3. Tractors

- final Directives

4. Mopeds

- lighting system
- braking system

5. Motorcycles

- initial implementing Directives

6. Detergents

- methods of measuring the biodegradability of ampholyte surface-active agents
- methods of measuring the biodegradability of cationic surface-active agents

7. Dangerous substances and preparations

- corrosive substances

8. Liquid fuels

- composition of certain liquid fuels

9. Measuring instruments

- butyrometer

9. Measuring instruments
 - butyrometer
 - sorters and screening devices
 - equipment for measuring the level of certain polluting gases in the air
 - heat output meters
10. Pressure vessels
 - final Directives
11. Non-electrical cooking, space-heating and water-heating equipment
 - first special Directives
12. Lifting equipment
 - civil engineering materials hoist
 - conveyor belts
 - cranes
13. Tools and machine tools subject to type approval
 - wood-working machines
 - grindstones and milling machines
14. Toys
 - first special Directives
15. Packaging
 - biodegradability of packagings
16. Cements and building materials
 - glass and ceramic products

17. Textiles

- sampling
- "non-woven"

18. Electrical equipment

- power points

19. Oilpipes and gas pipes

- materials used

Proposals for Directives to be adopted by the Council before 1 January 1978.

1. Pleasure boats
 - special Directives
2. Mopeds
 - final Directives
3. Motorcycles
 - final Directives
4. Civil engineering plant and equipment
 - special Directives
5. Dangerous substances
 - type approval
6. Measuring instruments
 - final Directives
7. Tableware and kitchen utensils
 - goods subject to type approval
(pressure cookers, etc.)
8. Non-electrical space-heating, cooking and water-heating equipment
 - final Directives
9. Cements and building materials
 - final Directives
10. Metal scaffolding
 - scaffolding components
11. Firefighting and fire-proofing equipment
 - special Directives

12. Personal protective clothing and equipment

- special Directives

13. Sporting guns and ammunition

- special Directives

14. Toys

- final Directives

15. Equipment using ionizing rays

- industrial radiography equipment

- other Directives

16. School equipment

- articles for schools

- other soocial Directives

17. Mechanical conveyors