

6847/98

LIMITE

PUBLIC 3

LEGISLATIVE TRANSPARENCY

STATEMENTS WHICH MAY BE RELEASED TO THE PUBLIC FEBRUARY 1998

This document contains a summary of definitive legislative acts adopted by the Council in February 1998, together with statements in the minutes which the Council has decided may be released to the public.

It should be noted that only the minutes concerning the definitive adoption of legislative acts are authentic. Extracts from the minutes in question may be released to the public in the same way as the statements in the minutes under the conditions laid down in the Code of Conduct of 2 October 1995.

STATEMENTS IN THE MINUTES WHICH MAY BE RELEASED TO THE PUBLIC – FEBRUARY 1998 –			
DEFINITIVE LEGISLATIVE ACTS	ADOPTED TEXTS	STATEMENTS	VOTES
2067th Research Council meeting on 12 February 1998			
Decision of the European Parliament and of the Council amending Decision No 819/95/EC establishing the Community action programme SOCRATES	PE-CONS 3634/97		D abstention
Directive of the European Parliament and of the Council on the application of open network provision (ONP) to voice telephony and on universal service for telecommunications in a competitive environment	PE-CONS 3635/97		
Council Regulation amending Articles 6 and 9 of Regulation (EC) No 1172/95 on the statistics relating to the trading of goods by the Community and its Member States with non-member countries	5458/98		
2068th Council meeting on Economic and Financial Questions on 16 February 1998			
Council Regulation with respect to the allocation of financial intermediation services indirectly measured (FISIM) within the European system of national and regional accounts (ESA)	5448/98 + COR 1 (es) + COR 2	3/98, 4/98, 5/98	D, NL against
Council Regulation authorizing the Kingdom of the Netherlands to apply a measure derogating from Articles 2 and 28a(1) of the Sixth Council Directive 77/388/EEC on the harmonization of the laws of the Member States relating to turnover taxes			

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DEFINITIVE LEGISLATIVE ACTS	ADOPTED TEXTS	STATEMENTS	VOTES
2069th Agriculture Council on 16 February 1998 Council Decision amending Decision 95/514/EC on the equivalence of field inspections carried out in third countries on seed producing crops and the equivalence of seed produced in third countries Council Regulation on additional animal protection standards applicable to road vehicles used for the carriage of livestock on journeys exceeding eight hours Council Regulation amending Regulation (EC, Euratom) No 58/97 concerning structural business statistics 2070th General Affairs Council on 23 February 1998 Council Decision on Community activities concerning analysis, research and cooperation in the field of employment and the labour market	5528/98 5240/98 + REV 1 (fin,s) 5082/98 + COR 1 (p) + COR 2 13606/97 + COR 1 (d)	6/98 7/98, 8/98 9/98, 10/98, 11/98	UK, DK, S against

STATEMENT 3/98**Commission statement****On the transparency of GNP as a basis for own resources**

GNP calculated on the basis of Council Regulation No 2223/96 will inevitably be different from that based on the ESA 2nd edition. This difference may increase with the allocation of FISIM. The Commission underlines that any modification of the system of own resources which implies the use of GNP figures calculated on the basis of a new methodology should be decided in full knowledge of these differences.

The Commission indicates that any proposal to change the statistical definition of GNP used for the calculation of own resources will be accompanied by an estimate of what percentage of the new GNP would give rise to the same amount of own resources as that resulting from the application of the current own resources ceiling to the current GNP definition.

STATEMENT 4/98**Statement by the Portuguese delegation**

The Portuguese delegation feels that ESA 95 should be applied in its entirety – in particular with allocation of financial intermediation services indirectly measures (FISIM) – as soon as possible, in order to ensure a more exhaustive and reliable aggregate GNP. For this reason, it regrets that this Regulation does not as of now establish the methodology for allocating FISIM and does not agree that it contains provisions preventing its use for own resources purposes, at variance with the principles of impartiality and reliability of Community statistics laid down in Council Regulation No 322/97.

STATEMENT 5/98

Statement by the Spanish delegation

The Spanish delegation wishes to make the point that the Council Decision of 31 October 1994 (94/728/EC, Euratom) on own resources defines the maximum ceiling for own resources as a percentage of the Community GNP but does not specify any amount. The Spanish delegation cannot therefore endorse the Commission statement, which goes beyond the text of the Decision itself.

STATEMENT 6/98

STATEMENT BY THE COMMISSION

The Commission will ask the Scientific Veterinary Committee (Animal Health and Animal Welfare) to endeavour to deliver an opinion by 1 June 1998 regarding the detailed implementation rules concerning the forced ventilation system to be installed in lorries transporting cattle. The Commission undertakes to make a proposal within three months of receiving this opinion.

STATEMENT 7/98

Re Section 4(4) of the Annex to the Regulation

"The Commission states that it is aware that it will be difficult for some Member States to provide a geographical breakdown of gross premiums written in countries outside the European Economic Area, and accepts that where this is the case information may be provided using a high degree of estimation."

STATEMENT 8/98

Re Section 5 of the Annex to the Regulation

"The Council and the Commission state that, with regard to the reference year 1996 for the characteristics presented in list A of the Annex to this Regulation, special arrangements could be made by the Commission with Member States which, for technical reasons, were unable to incorporate the provisions of this Regulation in their statistical system."

STATEMENT 9/98

Re the Decision as a whole

"**The Council and the Commission** wish to make it clear that these Community activities incorporate all action carried out so far under budget heading B3-4010."

STATEMENT 10/98

Re Articles 6 and 7

"**The Council and the Commission** state that when, in implementing this Decision, measures involving benchmarking prove necessary, the technique and methodology of such measures must be tailored to the different national situations."

STATEMENT 11/98

Re Article 9

"**The Council** takes the view that any expenditure relating to these activities must fall under heading 3 of the financial perspective."