

8862/97

LIMITE

PUBLIC 6

LEGISLATIVE TRANSPARENCY

**STATEMENTS WHICH MAY BE RELEASED TO THE PUBLIC
MAY 1997**

The present document contains an Annex listing the definitive legislative acts adopted by the Council in May 1997, together with statements in the minutes which the Council has decided may be released to the public.

STATEMENTS IN THE MINUTES WHICH MAY BE RELEASED TO THE PUBLIC – MAY 1997 –			
DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES
2004th Council meeting (Economic and Financial Questions) on 12 May 1997 Council Regulation amending Council Regulation No 2658/87 as regards the preliminary provisions of the tariff and statistical nomenclature Directive of the European Parliament and of the Council on certain components and characteristics of two or three-wheel motor vehicles (00/0470 COD) 2006th Council meeting (Agriculture) on 20 May 1997 Council Regulations on: – improving the efficiency of agricultural structures – improving the processing and marketing conditions for agricultural products – producer groups and associations thereof Council Regulation amending Regulation (EEC) No 1765/92 establishing a support system for producers of certain arable crops	7294/97 PE-CONS 3604/97 + COR 1 (f) 5528/1/97 REV 1 5529/97 + COR 1 (gr) 5530/97 + COR 1 (nl) 7029/97 + COR 1 (fin)	140/97, 141/97, 142/97, 143/97, 144/97, 145/97, 146/97, 147/97, 148/97, 149/97	A against A against
STATEMENTS IN THE MINUTES WHICH MAY BE RELEASED TO THE PUBLIC			

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DEFINITIVE LEGISLATIVE ACTS	TEXTS ADOPTED	STATEMENTS	VOTES
2007th Council meeting (Internal Market) on 21 May 1997 Directive of the European Parliament and of the Council relating to the masses and dimensions of certain categories of motor vehicles and their trailers	PE-CONS 3613/97 + COR 1 (d,i,nl,en,dk,gr,es,p,fin,s)	150/97	
2008th Council meeting (Justice and Home Affairs) on 27 May 1997 Decision of the European Parliament and of the Council on a series of guidelines for trans-European telecommunications networks	PE-CONS 3607/97 + COR 1 (gr) + COR 2 (fin) + COR 3 (s)	151/97, 152/97	
2009th Council meeting (Energy) on 27 May 1997 Council Regulation allocating, for 1997, catch quotas between Member States for vessels fishing in the zone of the Russian Federation	7731/97		

STATEMENT 140/97

Statement by the Austrian delegation

"The Austrian delegation has voted against the adoption of this Directive on certain components or characteristics of two- or three-wheel motor vehicles. In 1988 it introduced limit values for moped emissions corresponding to the limits for the second stage which the draft Directive envisages introducing from 1 October 1999. The limits laid down for the first stage (1 January 1997 to 1 October 1999) would have the effect of substantially reducing the environmental standards which Austria applies in this area and consequently damaging on a lasting basis the composition of Austria's vehicle fleet. The Austrian delegation is of the opinion that this is all the more incomprehensible given that compliance with the limits which have now been in force in Austria for a number of years has not given rise to any technical problems connected with catalytic converters, which can also be fitted at any time to vehicles already in use, even those from the countries of Central and Eastern Europe.

It should be pointed out in this context that Austria will invoke the possibility provided for in Article 100a(4) of the EC Treaty."

STATEMENT 141/97

Re Article 1

"The Council asks the Commission to take action as soon as possible, when amending Directive 92/61/EEC, to specify more clearly in Article 1(3)(a) that light quadricycles are to be treated in the same way as three-wheel mopeds and to bring the title of heading 27 in Annex I to Directive 92/61/EEC into line with the title of Chapter 10 of this Directive."

STATEMENT 142/97

Re Article 6

"The United Kingdom delegation has cast a positive vote for this proposal in the interests of carrying forward the completion of the internal market in the domain concerned. The United Kingdom, however, regards its vote as without prejudice to the question of the inclusion of fiscal provisions in future legislation under Article 100a, which it regards as an inappropriate legal base for such provisions."

"The Danish and Luxembourg delegations endorsed the United Kingdom's statement".

STATEMENT 143/97

Re Article 7

"The Commission regrets that the Council has replaced the advisory committee procedure with the regulatory committee procedure in an area coming under Article 100a, contrary to the Declaration annexed to the Single Act which requests the Council to give the Advisory Committee procedure a predominant place for the exercise of the powers of implementation conferred on the Commission within this field."

STATEMENT 144/97

Re Article 9(2)

"The Council and the Commission state that this provision will be reconsidered on the occasion of the next adaptation of Chapter 4 to technical progress."

STATEMENT 145/97

Re Chapter 7, sections 2.1.1(b) and 2.2

"The Council calls upon the Commission to examine in the Committee for Adaptation to Technical Progress, within two years of adoption of this Directive, the possibility of extending the anti-tampering requirements to those parts of the transmission which affect maximum design speed."

STATEMENT 146/97

Re Chapter 7, Annex, section 3.10.3.2

"The Council invites the Commission to examine the possibility of granting component type-approval to non-original parts and components as listed in section 3.10.1.3 of the Annex to Chapter 7 (other than silencers) and also to manufacturers other than those of the vehicle on which such parts or components are to be fitted."

STATEMENT 147/97

Re Chapter 8

"The Council calls upon the Commission to review as soon as possible, within the Committee on Adaptation to Technical Progress, certain technical features relating to electromagnetic compatibility, in particular

- possible extension of certain frequency bands (Annex I, sections 5.2.2.1 and 5.4.2.1)
- relevance of certain test methods (Annex I, sections 5.7.2.1, Annex VII, sections 1.1, 7 and 9)
- expression of certain measuring results (Annex II, section 2, Annex III, section 6.1, Annex IV, section 6.1.1, Annex V, section 2 and Annex VII, section 5.2)
- state of the test surface (Annex II, section 3.1, Annex III, section 3.1, Annex V, section 3.1 and Annex VI, section 3.1)
- characteristics of the earth plate (Annex VII, section 4.2)

in order to adapt and improve them in the light of experience."

STATEMENT 148/97

Re Chapters 11 and 12

"The Council calls upon the Commission, under the procedure referred to in Article 7, to examine before the date of entry into force of this Directive whether, on the grounds of safety, the requirements applicable to safety belts and their anchorages should be made more binding in order to bring them closer to, or even make them equal to, those in Directive 76/115/EEC on four-wheel motor vehicles, and whether laminated glass windscreens should be made compulsory."

STATEMENT 149/97

Statement by the German delegation

"The German delegation regrets that the car manufacturers have not, for road safety reasons, been granted the option of prescribing one or more tyres produced by specific manufacturers, especially for high speed motorcycles. It therefore asks the Commission to carry out a study to examine the influence of tyres on road safety and the number of accidents, especially in the case of high speed motorcycles. The Commission is invited to propose new legislation, if necessary, in the light of the findings of this study."

STATEMENT 150/97

"The Council invites the Commission, within the framework of the Committee for Adaptation to Technical Progress, to give further consideration to the possible inclusion in Annex I to the Directive:

- (a) in the definition of vehicle width (section 2.4.2), of devices to facilitate automatic sheeting of loads and automatic guidance devices which guide the path of vehicles with the use of a guide rail as elements not to be taken into account when measuring the vehicle width;
 - (b) of provisions relating to the geometric compatibility between tractors for semi-trailers and semi-trailers;
 - (c) of provisions relating to the wheelbase in a tridem group of axles;
 - (d) of provisions concerning the equalization of the load of axles in a tridem group of axles (this does not preclude the maintenance of national rules in this area until harmonized provisions are introduced);
 - (e) of a maximum value for the swing-out radius for solo vehicles as well as for vehicle combinations,
- and to make any appropriate proposals."

STATEMENT 151/97

Statement by the Commission

"The Commission undertakes to report on the implementation of these guidelines and to submit appropriate proposals to revise through codecision the list of projects of common interest by mid 2000. This proposal must be adopted in the following 18 months, i.e. before 31.12.2001 when the present annex ceases to be valid, to ensure that the action continues without disruption."

STATEMENT 152/97

Statement by the Council

"The Council takes note of this statement of the Commission and can agree with this interpretation of Article 14."