


Procedure file

Basic information		
COS - Procedure on a strategy paper (historic)	2000/2065(COS)	Procedure completed
Competition: financial relations between Member States and public undertakings (amend. Directive 80/723/EEC)		
Subject 2.60 Competition		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ECON Economic and Monetary Affairs		14/02/2000
		PSE RANDZIO-PLATH Christa	
Council of the European Union	Committee for opinion	Rapporteur for opinion	Appointed
	JURI Legal Affairs and Internal Market	The committee decided not to give an opinion.	

Key events			
30/03/1999	Non-legislative basic document published	SEC(1999)0404	Summary
01/03/2000	Committee referral announced in Parliament		
18/04/2000	Vote in committee		Summary
18/04/2000	Committee report tabled for plenary	A5-0109/2000	
17/05/2000	Debate in Parliament		
18/05/2000	Decision by Parliament	T5-0228/2000	Summary
18/05/2000	End of procedure in Parliament		
23/02/2001	Final act published in Official Journal		

Technical information	
Procedure reference	2000/2065(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 142
Stage reached in procedure	Procedure completed

Documentation gateway

Non-legislative basic document	SEC(1999)0404	30/03/1999	EC	Summary
Committee report tabled for plenary, single reading	A5-0109/2000 OJ C 059 23.02.2001, p. 0003	18/04/2000	EP	
Text adopted by Parliament, single reading	T5-0228/2000 OJ C 059 23.02.2001, p. 0130-0238	18/05/2000	EP	Summary

Competition: financial relations between Member States and public undertakings (amend. Directive 80/723/EEC)

PURPOSE : to ensure the transparency of financial relations between Member States and public undertakings. **CONTENT :** this draft Commission Directive amends Directive 80/723/EEC on the transparency of financial relations between Member States and public undertakings as follows: - the title is replaced so that it includes the date of the Commission Directive which is 25 June 1980 and it includes additional information which refers to financial transparency within certain undertakings; - the Member States shall ensure that the financial and organisational structure of any undertaking required to maintain separate accounts is transparent as provided in this Directive. Moreover, as far as transparency is concerned, this Directive shall not apply to undertakings, as regards services the supply of which is not liable to affect trade between Member States to an appreciable extent; to undertakings whose total net turnover is less than EUR 40 million or to undertakings which have been entrusted with the operation of services of general economic interest pursuant to Article 86(2) of the EC Treaty for an appropriate period and following an open, transparent and non-discriminating procedure. Furthermore, with regard to Member States, they shall ensure: - that information concerning the financial relations be kept at the disposal of the Commission for 5 years from the end of the financial year in which the public funds were made available to the public undertakings concerned. However, where the same funds are used during a later financial year from the end of the financial year, the 5 year time-limit shall run from the end of that financial year; - that information concerning the financial and organisational structure of undertakings be kept at the disposal of the Commission for 5 years from the end of the financial year to which the information refers. In conclusion, Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 31/12/2000 at the latest.?

Competition: financial relations between Member States and public undertakings (amend. Directive 80/723/EEC)

The committee adopted the report by Christa RANDZIO-PLATH (PES, D) on the Commission proposal to amend the 1980 directive on the transparency of financial relations between Member States and public undertakings. It welcomed the proposed changes whereby public undertakings, and private undertakings that performed public tasks, would be obliged to carry out separate accounting procedures for their public and commercial activities if they had a net turnover of more than EUR 40m. The development of the internal market had led to greater competition between public and private undertakings, and it was necessary to ensure that funds from the reserved (public) sphere of a given business were not used to support that same undertaking's competitive activities. The committee felt that these new rules on separate and analytical accounting were of crucial importance in making financial relations more transparent and enabling the Commission to ensure compliance with the Treaty's competition rules. However, a key point raised by the committee was that the directive concerned services of general economic interest that were indispensable to society and that, under the Treaty, it was for the Member States to determine which services were of general economic interest. It felt that this point was not made sufficiently clear in the Commission's draft directive and called for the text to be amended in places. The committee also took the view that the new transparency rules should apply to public broadcasting services which also operated commercial services, but it emphasised that government funding of public broadcasters, granted for the fulfilment of their public service remit, was permitted by the protocol on public broadcasting as laid down in the Amsterdam Treaty, and that the scope and content of that public service remit was a highly important issue with linguistic, political and cultural implications for the various Member States.?

Competition: financial relations between Member States and public undertakings (amend. Directive 80/723/EEC)

The European Parliament adopted the resolution drafted by Christa RANDZIO-PLATH (PES, Germany) on the Commission proposal to amend the 1980 directive on the transparency of financial relations between Member States and public undertakings. The Parliament welcomed the prospect of separate accounts and believed that the proposal would help the Commission to ensure that the rules on competition are applied fairly and effectively. It did feel that the Commission's draft did not make it sufficiently clear that it did not question the importance of services of general economic interest. The draft needed amendment to reflect that it is for the Member States to determine which services are of general economic interest. With regard to public broadcasting, Parliament stated that the new transparency rules should apply where public broadcasters operate outside their public service remit. The scope and content of the public service remit are important issues which have significant cultural and political implications in the Member States and therefore, it should remain a matter for Member States in accordance with the Protocol of the Amsterdam Treaty. The wording of some of the draft directive required expansion and clarification.?

