

EOC

Liaison Office at the European Union



**Report on the impact of the activities
of the European Union
on sports**

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Sport	3
News from the institutions	3
1st Sport no longer named in the title of the EP committee	3
2nd Commission examines sale of sporting rights	3
3rd Commission timetable for audiovisual sector	4
4th Directive proposal for a Single Market of services	6
5th New directive on the recognition of vocational qualifications	7
6th Revised directive on general product safety	9
Legal questions	11
7th Consequences of the European arrest warrant for Formula 1	11
Support programmes	13
8th TACIS call for project proposals	13
9th 11 nations at the Y-SPORD contact seminar	17



Sport

News from the institutions

Sport no longer named in the title of the EP committee

On 29th January 2004 the European Parliament redefined the number, areas of competence and powers of the parliamentary committees. Accordingly, when the next parliamentary term starts (June 2004), there will be 20 committees instead of the previous 17. Another consequence of this division and regrouping is that, along with the terms 'Youth' and 'Media', that of 'Sport' is being removed from the title of the committee responsible for sport, currently known as the "Committee on Culture, Youth, Education, the Media and Sport". The committee's new title of "Culture and Education" should simplify matters. Nevertheless, this committee will continue to be in overall charge of dealing with sport as well as youth and media matters.

Commission examines sale of sporting rights

The EU Commission has resolved to carry out a wide-ranging investigation of the sale of sporting rights to Internet suppliers and 3rd generation "UMTS" mobile phone operators. It would like to gain an overview of how the supply of rights for sound and picture transmission of sporting events is organised.



UMTS mobile telephony and the 3G networks respectively are currently at the market introduction stage across Europe. In the Commission's view, the success of the new UMTS technology depends on the extent to which it succeeds in offering attractive audiovisual content.

According to current information, the Commission will be sending questionnaires to representatives of sports associations and users of rights in early April in order to gain as broad as possible an overview of market development and business practices.

In this way, the Commission hopes to determine whether current contractual agreements may be contravening European competition regulations, in particular the ban on restrictive trade practices.

Commission timetable for audiovisual sector

Following a wide-ranging public consultation regarding the "Television without Frontiers" Directive and a comprehensive debate with the Member States on this subject, the Commission brought out a strategy paper for updating the Television Directive.

The Commission considers it crucial to establish a balance between the



interests of undertakings and those of the citizens with respect to their right to information and cultural diversity.

The proposal contains a two-phase approach, to be used as a basis for updating the European regulating policy in the audiovisual sector in the future.

At the same time, in the short term, i.e. in the first quarter of 2004, the Commission timetable provides for the preparation of new initiatives for regulations in the spheres of television advertising and youth protection. In particular, the question of the extent to which the directive in force applies to new advertising methods such as split screen, and the updating of the recommendations on youth protection and the protection of human dignity are to be dealt with in this period.

On the other hand, as the Commission sees it, questions that require more thorough consideration and discussion should be dealt with in the medium term. To help answer some of them, the Commission will also be consulting independent experts. At the same time, focus groups will tackle subjects such as the regulation of audiovisual content, the extent of regulation in advertising law and the right to information. In addition, studies ordered by the Commission, for example on the effects of regulating measures on



television advertising markets, could then, in conjunction with the findings of the focus groups, serve as preparation for the introduction of a legal proposal to update the directive in 2005.

Directive proposal for a Single Market of services

The European Commission has submitted to the European Parliament and the European Council a proposal for a directive which should help to remove administrative and bureaucratic obstacles in the Single Market of services. The proposed directive is intended to strengthen cross-border competition and, in doing so, offer consumers greater choice, better quality and lower prices.

For certain sectors, including the gambling monopoly, a temporary exception from liberalisation is provided for, but the Commission reserves the right to table proposals again for the areas to which exceptions should apply one year after the new directive comes into force.

If, at a later date, liberalisation also affects the gambling monopoly, in some EU countries this could have serious repercussions for sport. In 2002 some 1.5 billion (thousand million) EUR were poured into the development of European sport, mainly into popular sport and youth work, by State lotteries.



In the discussion on this directive, two key interests come into conflict: the desire of the EU Member States, on the one hand, to liberalise the service sector and, on the other, to protect the monopoly of State lotteries. This monopoly already conflicts with the rules on the free provision of services today, as only some Member States prohibit games of chance and betting offices outside of the monopoly. Nevertheless, the European Communities Treaty provides for exceptions to the freedom to provide services when they serve to protect the consumer or there is a threat to the public interest. Particular public interest is of significance if, in the case of a monopoly, the number of State lottery counters were to significantly fall in the future and consumers had to travel greater distances. Taking profits for a public or “good” cause cannot be cited as an argument for an exception from the freedom to provide services.

The EU Office will monitor the progress of the legislative procedure.

New directive on the recognition of vocational qualifications

In the first reading, the European Parliament dealt with the directive on the recognition of vocational qualifications, which is to replace the previous 15



existing individual regulations. The new directive is intended to liberalise the provision of services, lead to an increased automatic recognition of qualifications and increase flexibility for an amendment to the regulations.

While the Commission is proposing that service providers can operate in another Member State without having to take up official residence there, the Members of the European Parliament are pleading for at least temporary registration in the host country. This would ensure that the same basic conditions apply to temporary service providers and those that have taken up legal residence. If access to a profession is subject to special requirements, according to the Commission's proposal, the requirements in the native country should take precedence, even if a higher level of education is required in the host country. Here too, the Parliament argued for a stricter interpretation in order to counter a "sell-out of diplomas".

The Commission proposal is now being passed on to the Council with the Parliament's requested amendments. The Council will then establish a common position and return it to the Parliament for the 2nd reading. However, adoption is not expected within this parliamentary term.



Revised directive on general product safety

The new regulations on better protection when handling consumer products recently came into force. The now revised Directive on General Product Safety (2001/95/EG) contains safety standards for consumer products including, for example, equipment used in sports facilities.

For the first time, the directive contains regulations that oblige manufacturers and suppliers to inform the competent authorities about the danger level of products.

Also new is the fact that the Commission can now initiate and issue call-backs and provisional bans itself, in order, in this way, to ensure a standardised level of protection in the whole of the EU area.

In detail, the revised directive contains the following:

- the manufacturers' and suppliers' obligation to inform the authorities as soon as they become aware of the danger level of their product;
- the Commission can order a call-back or issue a ban itself as soon as the danger level of a product is known;



- banned products must not be exported to third countries;
- publication of information on product safety, which has been noted by the Commission and the Member States;
- expansion of the “EU rapid alert system for dangerous products” (RAPEX), among other things, to improve and strengthen cooperation among national authorities;
- the Commission must be informed immediately about the danger level of a product and it must, in turn, pass on that information to the other Member States. In addition, in future, third countries should also benefit from the rapid alert system (RAPEX) in accordance with the revised directive.



http://europa.eu.int/comm/consumers/cons_safe/prod_safe/gpsd/revisedGPSD_en.htm



Legal questions

Consequences of the European arrest warrant for Formula 1

Since 1st January 2004 the outline Council resolution of 13th June 2002 on the European arrest warrant and handover procedures between Member States has replaced the previously applicable provisions drawn up between the Member States with regard to extradition.

The new regulations are intended, above all, to support the fight against terrorism and the most serious types of crime, in particular by simplifying the bureaucratic processes, which hitherto impeded the extradition of criminals within the EU States. But the provisions on the European arrest warrant also apply to environmental crime, cyber crime, xenophobia and vehicle crime.

Above all, because the arrest warrant applies to offences in the area of vehicles, **Sport** is also affected. Thus, Formula 1 teams are now threatening to boycott races in countries in which the new provisions have already been transposed into national law or will be in the foreseeable future.

The background to the protests are regulations which make it possible, in the future, for local authorities to order the immediate arrest of the relevant



people, such as those responsible for racing teams or the members of such teams, if a driver in their team has a fatal accident.

To date, the Member States of Belgium, Denmark, Ireland, Finland, Spain, Sweden, Portugal and the United Kingdom have transposed the new regulations into national law. In Germany, France and Italy, on the other hand, the transposition has not yet taken place.



Support programmes

TACIS call for project proposals

At the end of December, the Commission published its two annual calls for project proposals as part of the TACIS programme. This is an EU initiative to support the economic and political transformation processes in the New Independent States (NIS) as well as Mongolia.

I) Partnership programme for institution building – Supporting civil society and local initiatives

Aims:

The projects must correspond to the aims of the respective national State programmes (Russia, Ukraine, Kazakhstan, Tadzhikistan, Uzbekistan, Moldavia und Kirghizistan). The overriding aim is to support local society organisations in order to enable them to play their role in the participation and decision-making processes of their respective States. In particular, the issue here is to:

- 1) support and strengthen organisations that represent a counterweight to the central authority of the State



2) support initiatives at local level

Amount of assistance:

Maximum 80 % of the total project costs, with a lower assistance limit of 100,000 EUR and an upper limit of 200,000 EUR.

The following are entitled to apply:

- non-governmental organisations operating in the tertiary sector
- local and regional authorities, such as cities, provinces or regions
- not-for-profit organisations, such as SME associations or employers' associations and trade unions

The projects should be planned to run for a period of 18–24 months.

The submission deadline is 14th April 2004, 1600 hours CET.

II) TACIS programme for cross-border cooperation – small project facility and micro project facility

To date, cooperation projects on the existing and future EU outer borders have been supported by the INTERREG, PHARE and TACIS programmes. In the course of enlargement, measures in the border areas are to be standardised.



Between 2004 and 2006 the existing programmes for cross-border cooperation will be replaced by a series of “neighbourhood programmes”.

Aims:

To strengthen cooperation among regions, cities and local authorities on the western borders of the New Independent States (Russia, White Russia, Ukraine and Moldavia) and the European Union and the applicant countries respectively.

Great importance is attached to the cross-border dimension and sustainability of the projects. Assistance is given to projects that solve problems / develop skills in the following spheres:

- administrative reform
- local economic development
- social matters
- environmental protection
- energy efficiency

The sphere of “social matters” is particularly interesting for sport. This sphere covers projects relating to urban and social health policy, the integration of disadvantaged minorities and people with disabilities, youth policy and education.



Assistance amount: small project facility.

Maximum 80 % of total project costs, with a lower assistance limit of 100,000 EUR – and an upper limit of 200,000 EUR.

Micro project facility:

Maximum 80 % of total project costs, with a lower assistance limit of 10,000 EUR and an upper limit of 50,000 EUR.

The following are eligible to apply:

- local and regional authorities
- associations of local and regional administrative bodies
- authorities that are closely connected with local or regional authorities or are owned by them.

NGOs or other not-for-profit regional players (e.g. regional educational centres) can also act as additional partners.

As in the case of the TACIS partnership programme, at least one organisation from the EU or a PHARE State must be involved, as well as one organisation from one of countries covered by the programme relating to this call for project proposals.



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Miscellaneous

11 nations at the Y-SPORD contact seminar

The Österreichische Behindertensportverband (ÖBSV) (Austrian Sports Association for People with Disabilities) issued an invitation to youth experts of European disabled sports organisations to attend a contact seminar in Vienna from 12th–16th January 2004. In addition to exchanging experience of the work of the participating representatives, the aim was to simulate an application procedure within the framework of the EU YOUTH action programme.

As a result of its work, the workshop promoted by the YOUTH programme presented a programme proposal and a project concept for a youth exchange in 2005, which was given the working title “Active Lifestyle”.

Within the framework of the seminar, the 30 participants from 11 States were given important basic knowledge about the YOUTH assistance programme and tools to develop their own projects. The EU Office played a decisive part in preparing and supporting the project.