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Conformément au règlement (CEE, Euratom) n° 354/83 du Conseil du 1er février 1983 concernant l'ouverture au public des archives historiques de la Communauté économique européenne et de la Communauté européenne de l'énergie atomique (JO L 43 du 15.2.1983, p. 1), tel que modifié par le règlement (CE, Euratom) n° 1700/2003 du 22 septembre 2003 (JO L 243 du 27.9.2003, p. 1), ce dossier est ouvert au public. Le cas échéant, les documents classifiés présents dans ce dossier ont été déclassifiés conformément à l'article 5 dudit règlement.

In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

In Übereinstimmung mit der Verordnung (EWG, Euratom) Nr. 354/83 des Rates vom 1. Februar 1983 über die Freigabe der historischen Archive der Europäischen Wirtschaftsgemeinschaft und der Europäischen Atomgemeinschaft (ABl. L 43 vom 15.2.1983, S. 1), geändert durch die Verordnung (EG, Euratom) Nr. 1700/2003 vom 22. September 2003 (ABl. L 243 vom 27.9.2003, S. 1), ist diese Datei der Öffentlichkeit zugänglich. Soweit erforderlich, wurden die Verschlussachen in dieser Datei in Übereinstimmung mit Artikel 5 der genannten Verordnung freigegeben.

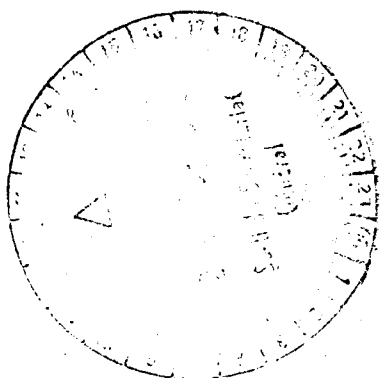
# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(79) 319 final

Brussels, 20th June 1979

## PROPOSAL FOR THE ACCESSION OF SWITZERLAND TO THE "JOINT EUROPEAN TORUS (JET), JOINT UNDERTAKING"

(submitted to the Council by the Commission)



COM(79) 319 final

EXPLANATORY MEMORANDUM

In its Decision of 11 August 1978 (1), the Council gave its approval for the Commission to conclude a Cooperation Agreement between the European Atomic Energy Community and the Swiss Confederation in the field of controlled thermonuclear fusion and plasma physics. This Agreement was signed on 14 September 1978. Switzerland notified the Commission that the approval procedure had been completed in Switzerland in a letter from the Swiss Mission to the European Communities dated 30 May 1979. Thus, in accordance with Article 19.1 of the Agreement, this has now entered into force.

Article 3.2 of the Cooperation Agreement lays down that Switzerland will participate in the JET Joint Undertaking on entry into force of that Agreement. Hence Chapter II of this communication contains the required amendments to the Statutes of the JET Joint Undertaking for Switzerland's accession to the Joint Undertaking, set out in a draft Council Decision. The JET Council unanimously approved these amendments at its meeting on 10 November 1978. The amendments proposed to Article 4.1.1 and 4.1.2 of the Statutes correspond to the procedures laid down by the Council on 17 October 1977 (2).

In accordance with Article 50 of the Euratom Treaty, these amendments require the approval of the Council. Chapter II of this communication contains a proposal for a Council Decision approving the amendment to the JET Statutes.

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(1) OJ No L242 of 4.9.1978, page 1

(2) Doc. R 2404/77 (ATO 116) (Annex), paras 7 and 8

The financial implication of the Euratom/Switzerland Cooperation Agreement was set out in the presentation of the Agreement to the Council (3). The amendment to the Statutes proposed here has no financial repercussions on the Community budget. However, it should be recalled that Switzerland undertook, under the Cooperation Agreement, to participate retroactively in the financing of the JET Joint Undertaking as from its establishment. Calculation of the retroactive financing and the payment procedures have been agreed between the Joint Undertaking and Switzerland with the approval of the JET Council.

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(3) See Doc. COM(78) 239 final

## II

### PROPOSAL for a Council Decision

approving amendments to the Statutes of the "Joint European Torus (JET), Joint Undertaking".

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 50 thereof,

Having regard to the proposal from the Commission,

Whereas for the implementation of the JET Project, the Council established, by Decision 78/471/Euratom (1), the "Joint European Torus (JET), Joint Undertaking" and adopted the Statutes of the Joint Undertaking,

Whereas on 14 September 1978 the Community and the Swiss Confederation concluded a Cooperation Agreement in the field of controlled thermonuclear fusion and plasma physics (2) providing for the participation of Switzerland in the JET Project and its accession to the JET Joint Undertaking,

Whereas the JET Council has approved the accession of Switzerland to the JET Joint Undertaking and the amendment of the Statutes required for the accession,

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(1) OJ No L151, 7.6.1978, p.10

(2) OJ No L242, 4.9.1978, p.1

HAS DECIDED AS FOLLOWS:

Article 1

The amendments to the Statutes of the "Joint European Torus (JET), Joint Undertaking", annexed to this Decision, are hereby approved.

Article 2

This Decision shall enter into force on the day following its publication in the Official Journal of the European Communities.

Done at Brussels, . . . . .

For the Council

The President

A N N E X

The Statutes of the "Joint European Torus (JET), Joint Undertaking" shall be amended as follows:

1. In Article 1.3 after "the National Swedish Board for Energy Source Development (hereinafter referred to as the Board)," the following paragraph is inserted:

" the Swiss Confederation (hereinafter referred to as Switzerland), "

2. Articles 4.1.1 and 4.1.2 are replaced by the following:

" 4.1.1 The Members of the Joint Undertaking shall be represented in the JET Council as follows, the vote of each pair of representatives being weighted as indicated:

Representing	Number of Representatives	Weighting of vote
Euratom	2	5
Belgium	2	2
CNEN and CNR jointly	2	5
CEA	2	5
Risø	2	2
Ireland	2	1
Luxembourg	2	1
IPP and KFA jointly	2	5
The Board	2	2
Switzerland	2	2
FOM	2	2
Authority	2	5

4.1.2 For their adoption acts of the JET Council shall require at least 26 votes in favour. "



3. The first sentence of Article 16.1.4.1 is replaced by the following:

" The Commission will, in accordance with the provisions of Article 13 of the Euratom Treaty and subject to the conditions contained therein, communicate the reports referred to in point 16.1.3 to the Member States, to persons and undertakings (as defined in Article 196 of that Treaty) as well as to the Governments of Sweden and Switzerland and to persons and undertakings established on their territories. "

4. The first sentence of Article 16.2.3 is replaced by the following:

" Under the patent applications and patents referred to in point 16.2.1, the Commission may, in accordance with the provisions of Article 12 of the Euratom Treaty and subject to the conditions contained therein, grant on request non-exclusive licences to the Member States of Euratom, to persons and undertakings (as defined in Article 196 of that Treaty), as well as to the Governments of Sweden and Switzerland and to persons and undertakings established on their territories. "