Statute for a European mutual society

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The Council took note of the progress that had been made on the amended proposal for a regulation on a statute for a European mutual society and the amended proposal for a directive supplementing the statues in respect of the involvement of employees. From the first reading of the proposal, which was begun under the Irish Presidency while awaiting a resolution of the main problem, namely the involvement of employees, it appeared that certain delegations were not convinced of the need for introducing a statute for a European mutual society, while others underlined the value of such a legal instrument. Although most of the delegations had still to complete their examination of the regulations at national government level, the technical discussions had raised a number of important points and questions concerning basic objectives. The main questions that had arisen to date concerned: the appropriateness of the legal basis being proposed by the Commission, namely Article 100a of the Treaty; the need for an evaluation of the exact nature and scope of the European mutual society, since the activities of national mutual societies varied enormously from one Member State to the next. On the same lines there was a need for a clear definition of the nature of the members comprising the European mutual society. The following general trends emerged in the course of the discussions: national law should be responsible for those matters that were unconnected with the ‘European’ character of the mutual society; the text relating to the European mutual society should be brought into line with the proposals adopted for the European cooperative society and the European association, according to requirements.