

WRITTEN QUESTION P-2913/08  
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to the Commission

Subject: French law transposing the Community's decision to abolish the special collection rights for the Livret A

On 28 April 2008 the Council of Ministers of the French Republic adopted a bill to transpose the European Commission Decision of 10 May 2007 to abolish the special collection rights for the *Livret A* (C(2007) 2110, (...)) on the special rights granted to La Banque Postale, Caisses d'Epargne and Crédit Mutuel for the distribution of the *livret A* and *livret bleu*).

In accordance with the provisions of the Treaty, and particularly Articles 16 and 86(2) thereof, the Commission adopted this decision on the condition that it did not obstruct the performance of the two general interest tasks entrusted to the *livret A*: access to banking services and the financing of social housing.

It appears that this liberalisation will have some effect on the performance of the general interest tasks. In effect, the liberalisation of the *livret A* will not result in all banks effectively taking responsibility for the public service requirements relating to the SGEI in question that were hitherto imposed on the three collection networks in exchange for the special rights awarded.

As regards the SGEI relating to banking accessibility, there will be a one-third reduction in the number of distributing branches, which is contrary to the requirement for a good geographic coverage, particularly in rural and mountain areas. As for doing away with the centralisation of all collections to finance the SGEI relating to social housing, this does not make it possible to meet the requirements for continuity and accessibility in the financing of social housing.

In addition, we have doubts about its compliance with Community principles on the transparency and proportionality of the State aid to be granted to the distributing banks, estimated at several billion euros, in the absence of objective criteria for identifying the actual costs of collection and given the lack of separate accounting contrary to the provisions of Community law.

What action does the Commission intend to take to ensure compliance with the general principles of transparency and proportionality and the provisions of the Treaty, especially the principle of the primacy of the proper performance of general interest tasks established in Article 86(2) of the Treaty and recently reaffirmed by the Court of Justice in its judgment of February 2008 (T-289/03)?

Given the content of this bill and the clear challenge to public service obligations that it involves, should the Commission not reconsider its decision on liberalisation and revise its judgement on the proportionality and necessity of the special rights as a necessary means of imposing public service obligations that, by definition, are contrary to the commercial interest of the banks and their economic model?