

COMMISSION OF THE EUROPEAN COMMUNITIES

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~~SERIALS UNIT~~ Amendment to the proposal for a Council Regulation

on the fixing of rates for international goods transport by rail

Amendment to the proposal for a Council Regulation

on a system of reference tariffs for the carriage of goods by road
between Member States

Amendment to the proposal for a Council Regulation

on a system of reference tariffs for the carriage of goods by inland
waterway between Member States

(submitted to the Council by the Commission pursuant to the
second paragraph of article 149 of the EEC Treaty)

COM(77) 116 final.

1. Amendment to the proposal for a Council Regulation on the fixing of rates for international goods transport by rail¹

The third recital reads as follows :

"whereas this concept has to be reached in stages beginning with the present situation and, in the first place, with international goods transport; whereas during this stage further progress must be made towards the harmonization of cost factors in the social, technical and fiscal fields; whereas in a second stage the concept of this Regulation will be extended to cover transport within the Member States, taking into account the progress made towards harmonization;"

The fifth recital reads as follows :

"whereas, as a result, the railway administrations must achieve a balance between receipts and costs for corresponding services; this obligation does not exclude the possibility of medium-term cross-subsidization within the international transport sector;"

The eighth recital reads as follows :

"whereas the range of measures envisaged should contribute, within the framework established by Article 9 (1) of the Council Decision of 20 May 1975, to the improvement of the railways' financial position in a sector of activity in which the prospects of a continuing increase in long-distance transport in Europe require this objective to be achieved as quickly as possible."

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¹ OJ No C 1/37 of 5 January 1976

The ninth recital reads as follows :

"whereas the establishment of through tariffs for goods transport between Member States is likely on the one hand to strengthen the competitive position of the railways and, on the other hand, to increase the attractiveness of the railways' services to the customer; whereas, furthermore, through tariffs will help to reduce the economic significance of national frontiers, thereby improving trade between the Member States, which is one of the objectives of the Treaties establishing the European Communities."

2. The text of Article 4 (1) and (3) is replaced by the following :

Article 4 (1)

"The transport of goods between Member States shall be controlled by a system of through reference tariffs set up by the railways for all transport services where the needs or the markets and the interests of the railway undertakings justify such a system."

Article 4 (3)

"Through tariffs shall be established either in the form of general tariffs, or in the form of special tariffs. They shall be sufficiently differentiated to take account of the characteristics of the various transport operations and to promote separate rates which do not differ widely from the reference tariffs."

Amendment to the proposal for a Council Regulation on a system of reference tariffs for the carriage of goods by road between Member States¹

Article 3 (2) is amended as follows :

"Reference tariffs shall be established either in the form of general tariffs, or in the form of special tariffs. They shall be sufficiently differentiated to take account of the characteristics of the various transport operations and to promote separate rates which do not differ widely from the reference tariffs."

A second paragraph, worded as follows, is added to Article 8 :

"The Commission may itself set the interested organizations a time limit for the completion of the negotiations; if no agreement has been reached by the end of this period, the Commission shall as of right initiate the procedure outlined in the second sentence of paragraph 1."

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Amendment to the proposal for a Council Regulation on a system of reference tariffs for the carriage of goods by inland waterway between Member States¹

- (1) The recitals are amended as follows :

The tenth recital reads as follows :

"whereas, in the event of negotiations in the inland shipping sector on the establishment of tariffs or the consultation of transport users running into difficulties, an arbitration procedure under public law by the Commission should produce solutions which satisfy the interests of all parties concerned ; "

- (2) Article 4 (1) is replaced by the following :

Article 4 (1)

"Reference tariffs shall be established jointly by the trade associations of inland waterway carriers in the Member States concerned, in bilateral or multilateral negotiations. To this end they shall consult the relevant organizations of transport users, agents and providers of ancillary services, and transport workers."

- (3) Article 5 (3) is replaced by the following :

Article 5 (3)

"The Commission Decision shall become enforceable one month from the date of publication."

¹ OJ No C 54/30 of 8 March 1976