

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 346 final.

Brussels, 21 July 1977

Sixth Biennial Report SERIALS UNIT
on the implementation of Council Decision No. 65/271/EEC of
13 May 1965 on the harmonization of certain provisions
affecting competition in transport by rail, road and inland
waterway

(1 June 1975 - 31 May 1977)

(Communication from the Commission to the Council)

COM(77) 346 final.

This document is the 6th biennial report on the implementation of the Council Decision No 65/271/CEE, of 13 May 1965, on the harmonization of certain provisions affecting competition in transport by rail, road and inland waterway (1) drawn up within the provisions of Art. 15 of the said decision.

It covers the period 1 June 1975 to 31 May 1977 and thereby reflects the situation as at this last date.

*

* *

Situation as at 1 June 1977

SECTION I

Taxation

1. Article 1 a) Abolition of double taxation on motor vehicles
b) Duty free admission of fuel contained in the fuel tanks of commercial motor vehicles and inland waterway vessels

- Article 2 - Adoption of a uniform basis for the calculation of tax on motor vehicles and inland waterway vessels for the carriage of goods

- Article 3 - Alignment of the taxation systems for the carriage of goods by professional and own account transport undertakings

No new elements in relation to the 5th Biennial Report (2).

(1) OJ 88 of 24.5.1965, p. 1500

(2) Doc. COM(75)301 final of 20.6.1975

2. Article 4 - Application of value added tax on carriage of goods

The Council adopted, on 17 May 1977, the directive (1) laying down uniform basis of value added tax. The result for the carriage of goods are :

national transport	:	taxation
international transport	:	exoneration
transport on the Rhine and the Moselle	:	taxation while temporarily maintaining the existing tax provisions

SECTION II

Provisions concerning certain kinds of State intervention

As stated in previous reports, particularly the 5th Biennial Report (2) all provisions have been covered by community regulations : -

- 1) the 'First Biennial Report on the Economic and Financial Situation of the Railways' (Art. 14 of the Decision 75/327/CEE(3))
- 2) Inventory of Aids and Compensations granted in application of Regulations (EEC) No 1191/69, 1192/69, 1107/70 and communicated to the Member States by letter No 8857 of 21 March 1977.

SECTION III

Provisions in the social field

1. Road transport

The application by Member States of Regulation (EEC) No 543/69 of the Council of 25 March 1969 has been made the object of annual reports drawn up on the basis of Art. 17 of the said regulation and the 5th Report of 13 May 1977 (4).

(1) OJ L 145 of 13.6.1977

(2) Doc. COM(75)301 final of 20.6.1975

(3) Doc. COM(77)295 final of 29.6.1977

(4) Doc. COM(77)170 final

The Commission presented to the Council in March 1976 a draft regulation on the harmonization of certain social provisions in the field of transport by road, aiming to replace with one text Regulation (EEC) No 543/69 having the same objective, modified by Regulations (EEC) No 514/72 and 515/72, as well as its proposal of April 1972.

The European Parliament, in general, supported this proposal : the Economic and Social Committee, on the other hand, gave an opinion in which it did not take up a position. The proposal is still being examined by the Council as is a draft proposal on the simultaneous ratification of the AETR by Member States.

On December 16, 1976 (1) the Council approved a directive fixing the minimal level of training for some road transport drivers.

A draft regulation modifying Regulation (EEC) No 1463/70 on the tachygraph was transmitted by the Commission to the Council on 29 October 1975 by making certain technical and administrative improvements thereto. This proposal is likewise being examined by the Council.

2. Inland navigation

On 17 September 1975 the Commission presented to the Council a draft regulation on the harmonization of certain social provisions in the field of goods transport by inland waterways. This proposal covers the rest and work times, time spent at the helm and the radar screen, daily rest periods, periodic rest times, annual holidays and feast days, the composition of the crews and methods for controlling the application of the regulation.

Following the opinions of the European Parliament and the Economic and Social Committee, the Commission shall shortly submit to the Council amendments to its proposal, in conformity with Art. 149(2) of the EEC Treaty.

(1) OJ L 357/36 of 29.12.1976

3. Railways

The preparatory works continue.

CONCLUSIONS

As well as what carries out of this report, the progress made in the harmonization of the competitive conditions in the different fields covered by the Decision of the Council 13 May 1965 can be appreciated more precisely from the reports provided for in the different provisions taken in application of this decision.