

European Communities

EUROPEAN PARLIAMENT

Working Documents

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DOCUMENT 1-556/80

Report

drawn up on behalf of the Committee on Transport

on the proposal from the Commission of the European Communities to the Council (Doc. 1-353/80) for a directive on the harmonized application of the International Convention for Safe Containers (CSC) in the European Economic Community

Rapporteur: Mr B. KEY

By letter of 4 August 1980, the President of the Council of the European Communities requested the European Parliament, pursuant to Article 75 of the Treaty, to deliver an opinion on the proposal from the Commission of the European Communities to the Council for a directive on the harmonized application of the International Convention for Safe Containers (CSC) in the European Economic Community.

The President of the European Parliament referred this proposal to the Committee on Transport as the committee responsible and to the Committee on the Environment, Public Health and Consumer Protection for its opinion.

On 26 September 1980, the Committee on Transport appointed Mr Key rapporteur.

It considered this proposal at its meeting of 29 October 1980.

At its meeting of 29 October 1980, the committee unanimously adopted the motion for a resolution and the explanatory statement.

The Committee on Transport has decided to ask for this report to be dealt with in plenary sitting under the procedure without debate.

Present: Mr Seefeld, chairman and deputy rapporteur;
Miss Roberts, vice-chairman; Mr Albers, Mr Buttafuoco, Mr Cottrell,
Mr Gabert, Mr Gendebien, Lord Harmar-Nicholls, Mr Klinkenborg,
Mr Moorhouse, Mr Moreland and Mr Travaglini.

The opinion of the Committee on the Environment, Public Health and Consumer Protection is attached.

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A

The Committee on Transport hereby submits to the European Parliament the following motion for a resolution together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a directive on the harmonized application of the International Convention for Safe Containers (CSC) in the European Economic Community

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council¹,
- having been consulted by the Council pursuant to Article 75 and Article 84(2) of the EEC Treaty (Doc. 1-353/80,
- having regard to the report of the Committee on Transport and the opinion of the Committee on the Environment, Public Health and Consumer Protection (Doc. 1-556/80),

Approves the Commission's proposal.

¹OJ No. C 228, 8.9.1980, p. 43.

EXPLANATORY STATEMENT

1. The purpose of the draft directive is to declare the provisions of the International Convention for Safe Containers applicable in the European Community as from 1 July 1981 and to ensure their uniform implementation.
2. The aims of this Convention, which was drawn up as part of the work of IMCO (Inter-Governmental Maritime Consultative Organization) and signed at the end of 1972 and which entered into force on 6 September 1977, are to maintain a high degree of safety and facilitate international container transport (see page 3 of the proposal's explanatory memorandum).
3. In practical terms this means that the contracting parties undertake to carry out regular inspections of containers and to provide them with approval plates.
4. The following Member States have ratified the Convention to date:
 - France, on 21 October 1974
 - Federal Republic of Germany, on 27 July 1976
 - United Kingdom, on 8 May 1978
 - Denmark, on 2 March 1979
 - Italy, on 31 October 1979 and
 - Luxembourg, on 15 April 1980

Belgium, Ireland and the Netherlands have not yet formally ratified the Convention. Greece stated earlier this year that it would ratify it shortly.
5. The rapporteur wishes to point out that the checks to see that the Convention is being observed and that containers comply with its provisions will be carried out by officials employed by the governments of the Contracting Parties. This avoids problems of competence arising in the future.
6. While supporting the proposal in question, in the belief that it can lead to a high degree of safety and at the same time avoid distortion of competition, the rapporteur nevertheless has reservations about the date proposed by the Commission for its entry into force.

The Commission has proposed that the Member States should adopt the necessary measures not later than 1 January 1982 so as to ensure a uniform application of the Convention.

The choice of this date can be explained by the Commission's desire to give those Member States that have not yet ratified the Convention the possibility of adopting the abovementioned measures with respect to the checks on the observance of the Convention before 6 September 1982, i.e. the date of the entry into force of the proposed control procedure.

7. This reservation apart, the rapporteur considers that the draft directive can be approved without amendment by the Committee on Transport.

OPINION OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND CONSUMER
PROTECTION

Opinion of the chairman of the committee to Mr Horst SEEFELD, chairman
of the Committee on Transport

Luxembourg, 8 October 1980

Dear Mr Seefeld,

At its meeting of 1 and 2 October 1980, the Committee on the Environment, Public Health and Consumer Protection¹ considered the proposal for a Council directive on the harmonized application of the International Convention for Safe Containers (CSC) in the European Economic Community. (Doc. 1-353/80).

Denmark, France, Germany, Italy and the United Kingdom have acceded to CSC, which came into force on 6 September 1977. On 15 May 1979, the Council recommended other Member States to accede to the Convention.

The Commission regards its proposal on the harmonized application of CSC as a further necessary step towards harmonizing the conditions of competition and improving safety in transport. Regrettably a number of issues as regards interpretation and implementation are unclear in CSC. There is a lack of clarity in relation to certain technical details (examination procedures, test results, etc.) and the entry into force of the Convention.

The proposed directive seeks to remedy these shortcomings. It lays down rules which are to apply to all Member States of the European Community and which are also compatible with the views of all the other States which are Contracting Parties to CSC.

The Committee welcomes the Commission's efforts to achieve a harmonized application of CSC and therefore supports its proposals.

Yours sincerely
Michael Wood
pp. Kenneth Collins

¹ Present: Mr Collins, chairman; Mr Alber, vice-chairman; Mr Johnson, vice-chairman; Mrs Weber, vice-chairman; Mr Ghergo, Mrs Lentz-Cornette, Mrs Maij-Weggen, Mr Mertens, Mr Verroken, Mrs Squarcialupi, Mr Remilly, Mrs Spaak, Mr Muntingh, Mrs Seibel-Emmering, Miss Hooper, Mr Sherlock, Mr Combe, Mr Forth (replacing Sir Peter Vanneck), Mr Ceravolo (replacing Mr Segre)