

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM(82) 105 final

Brussels, 11 March 1982

Amendment to the proposal for a  
COUNCIL REGULATION (EEC)  
setting the time limit and conditions for the achievement of  
financial balance by railway undertakings

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(Presented by the Commission to the Council  
pursuant to the second paragraph of Article  
149 of the EEC Treaty)

COM(82) 105 final

EXPLANATORY MEMORANDUM

On 20 January 1981, the Commission placed before the Council a proposal for a Regulation setting the time limit and conditions for the achievement of financial balance by railway undertakings (1).

On 16 October 1981, Parliament approved this proposal subject to an amendment concerning the definition of financial balance which it considers should be assessed not "annually" but "taking one year with another" in order to allow for normal trade fluctuations in a market which is constantly changing under the influence of diverse economic factors.

Pursuant to the second paragraph of Article 149 of the EEC Treaty, the Commission is hereby amending the above-mentioned proposal for a Regulation.

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(1) OJ No C 37 of 20.2.1981, p. 7.

Amendment to the proposal for a  
COUNCIL REGULATION (EEC)

setting the time limit and conditions for the achievement of financial  
balance by railway undertakings

Preamble, recitals and Article 1 unchanged

*Article 2*

Within the meaning of this Regulation, financial balance in respect of railway undertakings shall be assessed by reference to their profit and loss accounts. It shall correspond to a situation in which, taking account of all its activities, the expenses of a railway undertaking are covered by its revenue *each year*.

*Article 2*

Within the meaning of this Regulation, financial balance in respect of railway undertakings shall be assessed by reference to their profit and loss accounts. It shall correspond to a situation in which, taking account of all its activities, the expenses of a railway undertaking are covered by its revenue taking one year with another.

Articles 3 to 8 and annex unchanged