

# Community-fleet capacity policy to promote inland waterway transport: modernisation and restructuring of the EU fleets

2013/0303(COD) - 10/09/2013 - Legislative proposal

**PURPOSE:** to amend Council Regulation (EC) No 718/1999 on a Community-fleet capacity policy to promote inland waterway transport.

**PROPOSED ACT:** Regulation of the European Parliament and of the Council.

**ROLE OF THE EUROPEAN PARLIAMENT:** the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

**BACKGROUND:** [Council Regulation \(EC\) No 718/1999](#) establishes the Union fleet capacity policy for vessels used to carry goods on inland waterways in the Member States. In line with their fleet capacity policies, Member States with inland waterways linked to those of another Member State and total fleet tonnage of over 100 000 tonnes set up an **Inland Waterway Fund (the ‘Reserve Fund’)** on the basis of the aforementioned Regulation.

The funds are administered by the competent authorities of the Member States concerned under their national legislation and with their own administrative resources. National organisations representing inland waterway carriers are involved in this administration. **The reserve funds may be used in only two situations:**

1. In the event of a ‘serious market disturbance’ in the inland waterway transport market, as referred to in Directive 96/75/EC, the Commission may, at the request of a Member State, take suitable measures, in particular measures designed to prevent any new increase in the transport capacity on offer on the market in question.
2. If unanimously requested by the organisations representing inland waterway transport. In such case, any Member State may take the measures as referred to in Article 8 of Regulation (EC) No 718/1999.

The reserve funds, consisting solely of financial contributions from the industry, **have never been used**. The EU-level representative organisations approached the Commission once, in 2003, to enquire about possibilities for using the funds. However, the envisaged measures were considered to be outside the scope of Article 8 of Regulation (EC) No 718/1999.

The measures referred to in Article 8 of Regulation (EC) No 718/1999 only cover social aspects. However, **these measures could be extended** in particular to broaden the scope of training schemes, to strengthen the organisation of the sector and to create a context favourable to innovation and improved environmental performance.

**IMPACT ASSESSMENT:** no impact assessment was undertaken.

The Commission consulted the representative organisations on 11 April 2013 on the reasons for the reserve funds never having been used, even though the sector was experiencing a decline, and on possible solutions. They confirmed that the limited scope of Article 8 was a barrier to triggering the use of the funds and stated that they would be in favour of expanding the scope of the Article.

LEGAL BASIS: Article 91(1) of the Treaty on the Functioning of the European Union.

CONTENT: the Commission proposes to **amend Article 8 of Regulation (EC) No 718/1999 by measures** aiming to:

- make it easier for inland waterway carriers leaving the industry to obtain an early retirement pension or to transfer to another economic activity;
- organise vocational training or retraining schemes for crew members leaving the industry;
- improve skills in inland navigation in order to safeguard the development and future of the profession;
- encourage owner-operators to join trade associations and strengthen the organisations representing inland waterway transport at Union level;
- encourage adaptation of vessels to technical progress in order to improve working conditions and promote safety;
- encourage innovation of vessels and their adaptation to technical progress as regards the environment.

BUDGETARY IMPLICATION: the proposal has no budgetary implications for the European Union.