

Opening of the market for domestic passenger transport services by rail: award of public service contracts. 4th Railway Package

2013/0028(COD) - 14/12/2016 - Text adopted by Parliament, 2nd reading

The European Parliament adopted at second reading following the ordinary legislative procedure, a legislative resolution on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council amending Regulation (EC) No 1370/2007 concerning the opening of the market for domestic passenger transport services by rail.

Parliament **approved the Council position at first reading** without amendment.

The general objective of the Commission proposal for an amendment of Regulation (EC) 1370/2007 is to improve the quality of rail passenger services and to enhance their operational efficiency. To attain the general objective, the Commission proposed to introduce mandatory competitive tendering for public service contracts to intensify competitive pressure on domestic rail markets. The aim is to enhance the efficiency and to improve the quality of rail passenger services. These measures are accompanied by provisions to ensure favourable framework conditions for competitive tendering procedures, including rules on the access to rolling stock.

Parliament also approved a statement (annexed to the legislative resolution) stipulating that Member States must fully respect [Directive 2001/23/EC](#) relating to the safeguarding of employees' rights in the event of transfers of undertakings and are entitled to go beyond the application of this Directive taking additional measures for staff protection in compliance with Union law, such as requiring a mandatory transfer of staff even if Directive 2001/23/EC would not apply.

It should be noted that a proposal to reject the Council proposal, tabled by the EFDD, Greens/EFA, ENF and GUE/NGL groups, was rejected by plenary by 330 votes to 354 with 23 abstentions.