

Railway transport: licensing of undertakings

1993/0488(SYN) - 21/11/1994 - Council position

The common position retains the objectives of the Commission proposal but the Council has made certain changes to it. The main changes are as follows: - the scope of the directive has been limited to railway undertakings providing the international services governed by Directive 91/440/EEC. Railway undertakings which only provide urban, suburban and regional services are excluded from the scope of the directive, as are transport operations using the Channel Tunnel shuttle; - conditions to be satisfied in order to obtain a licence: the Council found the requirements provided for too restrictive, especially as regards financial capacity, and opted to set general requirements, leaving the Member States responsible for introducing detailed requirements; - the Commission is to submit an application report to the Council two years after the directive enters into force, accompanied by proposals for new Community measures; - Member States have been given two years to implement the directive. In addition, the common position includes the European Parliament's amendments seeking to: - specify that licences issued by one Member State are valid throughout the Community; - allow a Member State to designate either an authority or an agency, rather than just an authority to be responsible for issuing licences; - limit the validity of a temporary licence to six months; - ensure that a railway undertaking complies both with the requirements of the directive and legislation on health, safety, social conditions and workers' and consumers' rights; - accept documents drawn up by certain financial institutions as proof of financial capacity.