


Procedure file

Basic information		
SYN - Cooperation procedure (historic)	1995/0121(SYN)	Procedure completed
National and international inland waterway transport: systems of chartering and pricing		
Subject 3.20.04 Inland waterway transport		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	TRAN Transport and Tourism		23/05/1995
		EDN VAN DER WAAL Leen	
	Former committee responsible		23/05/1995
	TRAN Transport and Tourism		23/05/1995
		EDN VAN DER WAAL Leen	
	Former committee for opinion		31/10/1995
	BUDG Budgets		31/10/1995
		PSE WILLOCKX Frederik A.A.	
Council of the European Union	Council configuration	Meeting	Date
	Budget	1964	19/11/1996
	Transport, Telecommunications and Energy	1941	27/06/1996
	Transport, Telecommunications and Energy	1907	11/03/1996

Key events			
23/05/1995	Legislative proposal published	COM(1995)0199	Summary
23/10/1995	Committee referral announced in Parliament		
24/01/1996	Vote in committee		Summary
24/01/1996	Committee report tabled for plenary, 1st reading/single reading	A4-0012/1996	
12/02/1996	Debate in Parliament		Summary
13/02/1996	Decision by Parliament	T4-0043/1996	Summary
22/04/1996	Modified legislative proposal published	COM(1996)0182	Summary
27/06/1996	Council position published	07731/2/1996	Summary

18/07/1996	Committee referral announced in Parliament, 2nd reading		
22/07/1996	Vote in committee, 2nd reading		Summary
22/07/1996	Committee recommendation tabled for plenary, 2nd reading	A4-0252/1996	
16/09/1996	Debate in Parliament		Summary
17/09/1996	Decision by Parliament, 2nd reading	T4-0449/1996	Summary
21/10/1996	Modified legislative proposal published	COM(1996)0516	
19/11/1996	Act adopted by Council after consultation of Parliament		Summary
19/11/1996	End of procedure in Parliament		
27/11/1996	Final act published in Official Journal		

Technical information

Procedure reference	1995/0121(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Procedure subtype	Legislation
Legal basis	EC before Amsterdam E 075
Stage reached in procedure	Procedure completed

Documentation gateway

Legislative proposal	COM(1995)0199	23/05/1995	EC	Summary
Economic and Social Committee: opinion, report	CES1315/1995 OJ C 039 12.02.1996, p. 0096	23/11/1995	ESC	Summary
Committee report tabled for plenary, 1st reading/single reading	A4-0012/1996 OJ C 047 19.02.1996, p. 0005	24/01/1996	EP	
Text adopted by Parliament, 1st reading/single reading	T4-0043/1996 OJ C 065 04.03.1996, p. 0020-0026	13/02/1996	EP	Summary
Modified legislative proposal	COM(1996)0182	22/04/1996	EC	Summary
Council position	07731/2/1996 OJ C 264 11.09.1996, p. 0009	27/06/1996	CSL	Summary
Commission communication on Council's position	SEC(1996)1279	15/07/1996	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	A4-0252/1996 OJ C 277 23.09.1996, p. 0005	22/07/1996	EP	
Text adopted by Parliament, 2nd reading	T4-0449/1996 OJ C 320 28.10.1996, p. 0019-0028	17/09/1996	EP	Summary
Modified legislative proposal	COM(1996)0516	21/10/1996	EC	

Additional information

European Commission	EUR-Lex
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National and international inland waterway transport: systems of chartering and pricing

OBJECTIVE: to establish common provisions at Community level for the whole of the inland waterway market so that the undertakings concerned can benefit fully from the opportunities offered by the single market. The organization of chartering by rotation needs to be adjusted so as to move towards greater commercial flexibility and a system of totally free transactions by 1 January 2000. **COMMUNITY MEASURE:** proposal for a Council directive on the systems of chartering and pricing in national and international inland waterway transport in the Community. **CONTENT:** * in the national and international inland waterway freight transport sector in the Community, contracts are concluded freely between the parties involved and prices are negotiated freely; * by way of exception, the Member States may, under certain circumstances, maintain a system of minimum compulsory tariffs and systems of chartering by rotation for a limited period up to 1 January 2000; * the scope of chartering by rotation systems is limited during the transitional period to general freight; * during the transitional period, the Member States will take the steps needed to make chartering by rotation systems as flexible as possible; * Member States will take measures within two years of the date on which the directive enters into force so that shippers have a free choice between three types of contract: time-based contracts, including charter parties, tonnage-based contracts and single or multiple voyage contracts using the chartering by rotation system; * in the event of serious disturbance on the inland waterway transport market, the Commission may, on its own initiative or at the request of a Member State, take measures designed to prevent any new increase in the transport capacity on offer on the market in question.?

National and international inland waterway transport: systems of chartering and pricing

The rapporteur, Mr Leen van der Waal (EDN, NL), said that the aim of the amendments tabled was to achieve fair competition in the inland waterway market, after the process of deregulation had been completed. With this in mind the Transport Committee also proposed setting up a working group whose remit was to assist the Commission in its deliberations on the future position of the inland waterway fleet. This would allow the Commission to examine the means by which it would be possible to make maximum use of the potential of the inland waterway network as an ecological form of transport. The group of experts could also help the Commission to implement the programme of deregulation and development planned for this sector as well as to promote the accompanying social measures required at national level. Stating that the smaller operators in this sector should be able to adapt to the free market, the Commissioner declared that given this imperative it would not be helpful to limit the transition period to 1 January 1999 (in accordance with Amendment No 6), as this would not give interested parties sufficient time to adapt. Moreover, the Commission could not take over Amendments Nos 2, 3, 4, 5, 7, 8 and 10. Amendment No 7, for example, sought to extend the 'old for new' scheme and to set up a permanent fund for the scrapping of vessels. As the 'old for new' system would not expire until April 1999, any decision on a possible extension would be taken on the basis of how the market developed in the intervening period; according to Commissioner Kinnock this ruled out taking any measures in advance. The same argument also applied to the setting-up of a reserve fund for financing the scrapping of vessels.

National and international inland waterway transport: systems of chartering and pricing

In adopting the report by Mr Leen van der WAAL (EDN, NL), the European Parliament approved, with amendments, the Commission proposal aimed at liberalizing, restructuring and promoting inland waterway transport. The EP called, in particular, for the system of minimum compulsory tariffs and systems of chartering by rotation not to be maintained beyond 1 January 1999. In order to be able to respond to imbalances in the transport market even after completion of the liberalization programme, the Commission was asked to submit before 1 January 1998 two proposals with a view to: - extending the 'old for new' system (i.e. discouraging the building of new vessels by varying the ratio between the tonnage to be scrapped and new tonnage taken into service) by five years, to 28 April 2004; - establishing a fund, using contributions from the inland waterway transport industry, allowing the withdrawal of vessels from the market by means of scrapping in new situations of overcapacity. The EP called on the Commission to pursue an accompanying social policy under which an uncompromising form of restructuring could be avoided. ?

National and international inland waterway transport: systems of chartering and pricing

The Commission's amended proposal takes over the EP amendments seeking to: - ensure that the Member States adopt accompanying social measures to assist carriers who close down their businesses; - change the date of the Directive's entry into force in the Member States from 1 January 1996 to 1 January 1997. ?

National and international inland waterway transport: systems of chartering and pricing

The Council's common position incorporates the EP amendment changing the date for the Directive's entry into force in the Member States to 1 January 1997. The Council also makes various amendments to the Commission proposal, with a view to: - ensuring that vessel operators who do not own their vessels are also covered by the Directive, and simplifying the definition of 'carrier'; - deleting the reference to charter exchanges; - bringing together under a single article all transport not subject to chartering by rotation and making it clear that only Member States practising rotation work are covered by the article; - making it clear that Regulation (EEC) No 1101/89 continues to apply whether or not

there is a serious disturbance in the inland waterway market and stipulating that the Commission should be able to take the measures concerned solely at the request of a Member State, not on its own initiative. ?

National and international inland waterway transport: systems of chartering and pricing

The rapporteur, Mr van der Waal (EDN, NL), said that the three common positions on the privatisation, restructuring and development of the sectors in question had been the subject of an amendment requiring Member States to apply accompanying social measures designed to assist carriers to close down their businesses. Recommendations were also put forward for the introduction of a supplementary programme that would take the form of interest-free loans to be granted by the Member States concerned. Commissioner van den Broek called on Parliament to approve the common position as it stood since the Commission did not intend to take over the amendments tabled.

National and international inland waterway transport: systems of chartering and pricing

In adopting the recommendation for second reading by Mr Leen VAN DER WAAL (EDN, NL), Parliament approved the common position, while calling on the Member States to adopt accompanying social measures to assist carriers who close down their businesses. ?

National and international inland waterway transport: systems of chartering and pricing

OBJECTIVE: the establishment at Community level of common provisions for the whole of the inland waterways market so that the undertakings concerned can benefit fully from the opportunities offered by the single market. There is a need to adjust the organization of chartering by rotation so as to move towards greater commercial flexibility and a system of totally free transactions by 1 January 2000. COMMUNITY MEASURE: Council Directive 96/75/EC on the systems of chartering and pricing in national and international inland waterway transport in the Community. SUBSTANCE: the directive provides for the disappearance by 1 January 2000 at the latest of the system of minimum compulsory tariffs and systems of chartering by rotation. In the event of serious disturbance in the inland waterway transport market, the Commission may on its own initiative or at the request of a Member State take measures designed to prevent any new increase in the transport capacity on offer on the market in question. ENTRY INTO FORCE: 30/11/1996 DEADLINE FOR TRANSPOSITION: 01/01/1997 ?

National and international inland waterway transport: systems of chartering and pricing

The Council formally adopted the Directive.