

Procedure file

Basic information		
COS - Procedure on a strategy paper (historic)	1995/2305(COS)	Procedure completed
Postal sector: rules of competition, assessment of certain state measures relating to the postal services		
Subject 3.30.09 Postal services, parcel delivery services		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ECON Economic and Monetary Affairs, Industrial Policy		18/12/1995
		PPE DE BRÉMOND D'ARS Georges	
	Committee for opinion	Rapporteur for opinion	Appointed
	JURI Legal Affairs, Citizens' Rights		24/01/1996
		PSE COT Jean-Pierre	
	TRAN Transport and Tourism		24/04/1996
		PPE FERBER Markus	
Council of the European Union	Council configuration	Meeting	Date
	Telecommunications	1888	27/11/1995

Key events			
11/06/1995	Additional information		Summary
26/07/1995	Non-legislative basic document published	SEC(1995)0830	Summary
27/11/1995	Resolution/conclusions adopted by Council		
11/12/1995	Committee referral announced in Parliament		
20/11/1996	Vote in committee		Summary
20/11/1996	Committee report tabled for plenary	A4-0388/1996	
10/12/1996	Debate in Parliament		
12/12/1996	Decision by Parliament	T4-0687/1996	Summary
12/12/1996	End of procedure in Parliament		
20/01/1997	Final act published in Official Journal		

Technical information	
Procedure reference	1995/2305(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 142
Stage reached in procedure	Procedure completed
Committee dossier	ECON/4/07312

Documentation gateway					
Non-legislative basic document		SEC(1995)0830	26/07/1995	EC	Summary
Committee report tabled for plenary, single reading		A4-0388/1996 OJ C 020 20.01.1997, p. 0003	20/11/1996	EP	
Text adopted by Parliament, single reading		T4-0687/1996 OJ C 020 20.01.1997, p. 0093-0159	12/12/1996	EP	Summary

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PREVIOUS COMMUNITY LEGISLATION: This would be the first time that the Community has legislated on the subject (barring a 1979 Commission recommendation seeking to bring the intra-Community tariff for standard mail into line with the Member States' domestic tariffs). However, the Commission has produced a Green Paper (published on 11 June 1992) setting out the key discussion points (main legislative options) and a communication to Parliament and the Council (published on 2 June 1993) summarizing the debate prompted by the Green Paper and proposing guidelines. PREVIOUS STATEMENTS OF THE EP'S VIEWS: (a) In a resolution of 22 January 1993 (adopted on the basis of the report by Mr Simpson on behalf of the Committee on Transport and Tourism) the EP endorsed the underlying principles of the Green Paper, in particular the concepts of universal and reserved service and maintained, on the other hand, that direct mail (addressed advertising mail) and cross-border mail should not be liberalized, but rather should remain in the reserved sector; The EP insisted that the Commission should not invoke Article 90(3) of the Treaty in order to issue its own Directive on the reserved service. (b) In a resolution adopted on 25 June 1993 the EP called for the two aspects of the subject, the universal service and the reserved service, to be covered in a single Directive based solely on Article 100a of the Treaty (the demand was repeated in a resolution adopted on 29 October 1993). SITUATION IN THE MEMBER STATES: (a) the proposed components of the universal service are apparently supported by the Member States, although Germany, the Netherlands, and, to a lesser extent, the United Kingdom are in favour of pruning down the service; (b) the vast majority of Member States, however, do not wish direct mail and cross-border mail to be excluded from the reserved sector: only the Netherlands is calling for their exclusion, whereas Germany and the United Kingdom are adopting a wait-and-see attitude.

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OBJECTIVE: to present the principles which will guide the Commission in the application of the competition rules in the Treaty to the postal sector with a view to facilitating the gradual and controlled liberalization of the postal market, while maintaining the universal service guarantees needed. CONTENT: the draft communication, which rounds off the harmonization measures proposed by the Commission, describes the approach which the Commission intends to take when dealing with the compatibility of national measures relating to a reserved service and/or limiting free competition on the postal markets with the competition rules in the Treaty. It confirms the right of Member States to maintain a limited reserved service at this stage. It also addresses questions of cross-subsidy, non-discriminatory access to the network and the regulatory protection needed in order to guarantee fair competition in this sector.?

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Judging that the Commission communication on the application of the rules of competition runs counter to the proposal for a directive on the development of postal services, the Committee on Economic and Monetary Affairs (consultation procedure, report by Georges BREMOND D'ARS, EPP, F) concluded that the text should be withdrawn. The committee considered that the aim should be to establish a harmonized and to a large extent liberalized postal market which ensures quality services at an affordable price for all users.?

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In adopting the report by Mr Georges de BREMOND D'ARS (PPE, F), Parliament considered that the Commission should provisionally withdraw its draft notice on the postal sector, as it contained many contradictions and inconsistencies vis-à-vis the proposal for a directive and the amendments adopted by Parliament at first reading. It pointed out that the Court of Justice had confirmed that undertakings entrusted with the operation of services of general economic interest may be exempted from the application of the competition rules in the Treaty (Almelo case) . It was of the opinion that the final objective must be kept clearly in sight, namely the creation of a harmonized and liberalized postal market in controlled stages which must guarantee in any case a comprehensive, affordable, high-quality universal service to all citizens and with funding permanently assured. ?