

Procedure file

Basic information		
SYN - Cooperation procedure (historic)	1998/0281(SYN)	Procedure completed
Inland waterway transport: Community fleet capacity policy		
Amended by 2013/0303(COD)		
Subject		
3.20.04 Inland waterway transport		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	TRAN Transport and Tourism		02/09/1998
		PPE SCHIERHUBER Agnes	
	Former committee responsible		02/09/1998
	TRAN Transport and Tourism		
		PPE SCHIERHUBER Agnes	
	Former committee for opinion		
	BUDG Budgets		
	ECON Economic and Monetary Affairs, Industrial Policy	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Transport, Telecommunications and Energy	2169	29/03/1999
	Environment	2153	20/12/1998
	Transport, Telecommunications and Energy	2142	30/11/1998

Key events			
28/09/1998	Legislative proposal published	COM(1998)0541	Summary
04/11/1998	Committee referral announced in Parliament		
24/11/1998	Vote in committee		Summary
24/11/1998	Committee report tabled for plenary, 1st reading/single reading	A4-0434/1998	
30/11/1998	Debate in Council	2142	
03/12/1998	Decision by Parliament	T4-0706/1998	Summary
11/12/1998	Modified legislative proposal published	COM(1998)0792	Summary
21/12/1998	Council position published	13585/1/1998	Summary

14/01/1999	Committee referral announced in Parliament, 2nd reading		
17/02/1999	Vote in committee, 2nd reading		Summary
17/02/1999	Committee recommendation tabled for plenary, 2nd reading	A4-0060/1999	
25/02/1999	Decision by Parliament, 2nd reading	T4-0128/1999	Summary
29/03/1999	Act adopted by Council after consultation of Parliament		
29/03/1999	End of procedure in Parliament		
02/04/1999	Final act published in Official Journal		

Technical information

Procedure reference	1998/0281(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Procedure subtype	Legislation
	Amended by 2013/0303(COD)
Legal basis	EC before Amsterdam E 075-p1
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/4/10666

Documentation gateway

Document attached to the procedure	COM(1997)0555	03/11/1997	EC	Summary
Legislative proposal	COM(1998)0541 OJ C 320 17.10.1998, p. 0004	28/09/1998	EC	Summary
Committee report tabled for plenary, 1st reading/single reading	A4-0434/1998 OJ C 398 21.12.1998, p. 0003	24/11/1998	EP	
Economic and Social Committee: opinion, report	CES1449/1998 OJ C 040 15.02.1999, p. 0047	02/12/1998	ESC	
Interim resolution adopted by Parliament	T4-0705/1998 OJ C 398 21.12.1998, p. 0018-0038	03/12/1998	EP	
Text adopted by Parliament, 1st reading/single reading	T4-0706/1998 OJ C 398 21.12.1998, p. 0018-0038	03/12/1998	EP	Summary
Modified legislative proposal	COM(1998)0792 OJ C 015 20.01.1999, p. 0015	11/12/1998	EC	Summary
Council position	13585/1/1998 OJ C 055 25.02.1999, p. 0025	21/12/1998	CSL	Summary
Commission communication on Council's position	SEC(1998)2237	06/01/1999	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	A4-0060/1999 OJ C 153 01.06.1999, p. 0004	17/02/1999	EP	
Text adopted by Parliament, 2nd reading	T4-0128/1999 OJ C 153 01.06.1999, p. 0013-0018	25/02/1999	EP	Summary

Implementing legislative act	31999R0805 OJ L 102 17.04.1999, p. 0064-0066	16/04/1999	EU
Implementing legislative act	32003R0411 OJ L 062 06.03.2003, p. 0018-0018	05/03/2003	EU

Additional information

European Commission

[EUR-Lex](#)

Final act

[Regulation 1999/718](#)
[OJ L 090 02.04.1999, p. 0001](#) Summary

Inland waterway transport: Community fleet capacity policy

OBJECTIVE: to evaluate the effects of application of the 'old for new' arrangements in the context of the measures to promote structural improvement in inland waterway transport. **SUBSTANCE:** This Commission report evaluates the effect on structural improvements in the inland waterway transport market of the application of the 'old for new' arrangements since the launch of the scrapping scheme in 1990 and in particular since its extension (in April 1994) until the end of 1996. The 'old for new' arrangements were introduced in 1989 for a five-year period to counteract the trend to over-investment and to preserve the effects of reduction in extra capacity. The report also tackles the problem of whether or not to maintain the status quo by adapting a system for regulating the market (of the old for new type) following the total liberalisation of the market by the year 2000. The report concludes that the 'old for new' system is the best way of regulating the market thanks to the automatic offsetting of new capacity by scrapped capacity, while in no way inhibiting essential investment, notably in the carrier sectors. The scheme is supported by the entire industry, which currently wants to extend it on the grounds that it is seen as a form of security in terms of the future of the inland navigation market. With a view to the total liberalisation of the inland waterway market by 1 January 2000 it could prove necessary, if this is the desire of the industry, to reduce the 'old for new' ratio. In future this regulatory mechanism, if it is maintained beyond 1999, should be regarded as a monitoring mechanism and should offer the enhanced flexibility needed to respond more rapidly to market developments. The Commission thus proposes to examine, on the basis of arguments set out by the industry, the socio-economic groupings and the Member States concerned: - a proposal for a Commission regulation reducing the ratio in 1998 (whereby the new ratio will be fixed in the light of the findings of the market analysis conducted after the scrapping measures of 1997), - a proposal for a Council regulation seeking to maintain a regulatory mechanism of the 'old for new' type after 28 April 1999. The Commission may also present during 1999 a report on 'the future of inland waterway transport after 1 January 2000'. ?

Inland waterway transport: Community fleet capacity policy

OBJECTIVE: the proposal for a regulation seeks to ensure that inland waterway transport can offer an alternative to other forms of transport and thus contribute to achieving the aim of sustainable mobility. **SUBSTANCE:** because of the specific characteristics of the inland navigation sector, in particular as regards capacity, and the structural changes on the transport market necessitated by the liberalisation of the market on 1 January 2000, there is a need to have a joint approach to achieving the same objective to ensure transitional arrangements for regulating capacity and then a standby mechanism. This new proposal replaces Council Regulation 1101/89/EEC and enables Community coordination of capacity policy to be maintained while not negating the benefits of the structural improvement measures carried out at Community level since 1989, and while moving from a phase of Community intervention on the market over a maximum five year period in order to ensure uniformity and the necessary market transparency. The gradual reduction of the 'Old for New' ratios over a five year period will enable the sector to prepare for the free market: - to soak up (over five years) the extra costs arising from the higher special contributions paid before 28 April 1999; - to allow more efficient modernisation of the fleet; - to feel reassured about the future in that the standby mechanism provides a means of maintaining a form of surveillance without constraints, based on the market observation system now being set up, which should prevent subsequent slipping back towards overinvestment and overcapacity in the sector. ?

Inland waterway transport: Community fleet capacity policy

Since 1989, measures have been introduced aiming at reducing the structural overcapacity in the inland waterway transport market. These measures were twofold: scrapping premiums with a view to reducing the capacity of the active fleet combined with measures designed to curb investment in additional vessels during the coordinated scrapping scheme, the so-called "Old for new" rules. National scrapping funds have been set up in the Member States directly involved, to which Austria was included after its accession on 1 January 1995. Rapporteur Agnes SCHIERHUBER (EPP, A) notes that the total cost of the scheme between 1990 and 1996 amounted to approximately 206 MECU, financed by the industry, the member states and the Community budget. For the same period, some 1.940.860 tons of capacity have been scrapped and 736.620 tonnes of new capacity were brought into service. It is thus clear that the reduction in capacity has been accompanied by an increase of the fleet capacity of the fleet, and hence an improvement in productivity which is more evident as far as tanker capacity is concerned. Mrs SCHIERHUBER welcomes the success of this coordinated action and notes that the aim to withdraw 10% of the dry-cargo vessel fleet capacity and 15% of the tanker fleet from the market has been achieved. In the same context, she underlines that the latest scrapping programme for the years 1996 to 1998 has, by recent indications, reduced the capacity of the Community fleet by a further 15%

approximately. The conclusion is that the scrapping scheme was successfully completed and resulted in a better balance between supply and demand in the inland waterway sector. But in view of the opening up of the market in this sector, a crisis mechanism should be able to put into effect as soon as any serious disturbance would threaten the smooth functioning of the balance of supply and demand. An amendment has been tabled aiming at restoring the scrapping scheme as the main measure of the proposed Regulation, to be gradually phased out within a maximum period of five years, together with the phasing-out of the "old for new" rule. Other amendments aim at a clear distinction between the fleet restructuring plans, which will be gradually abolished within a period of no more than 5 years and the triggering of the crisis mechanism which will only be applicable after this period of five years and after the abolition of the scrapping or "old for new" rules.?

Inland waterway transport: Community fleet capacity policy

Parliament adopted without debate the report by Mrs Agnes SCHIERHUBER (EPP, A) on the extension of the 'Old for New' arrangements until 28 April 1999 in the context of the measures to promote structural improvements in inland waterway transport. In its amendments Parliament stressed that it was necessary to ensure that the scrapping scheme did not result in the disappearance of all smaller vessels which were able to use even the smallest ports and waterways, as such vessels might play an increasing role in the transport chain. Parliament also called for the reserve fund to be used in the course of the measures referred to in Article 8 of the Regulation only if unanimously requested by the organisations representing inland waterway transport at Community level, after opinions from the Member States concerned. ?

Inland waterway transport: Community fleet capacity policy

The Commission's amended proposal incorporates 2 of the 7 amendments adopted by the European Parliament at first reading. These concern: - allowing that the Commission may reactivate the "old-for-new" rule, only if there is a serious disturbance in the market, which should be understood from Article 6 of the Common Position, rather than Article 7 of Directive 96/75/EC; - reducing the time limit for bringing a vessel into service from 18 months, as proposed by the Commission, to 12 months.?

Inland waterway transport: Community fleet capacity policy

The Common Position incorporates the two amendments of the European Parliament accepted by the Commission. The Council proposes a number of changes to the amended Commission proposal, the main ones being as follows: - the maximum period for the application of the "old for new" rule is reduced from 5 to 4 years starting from the 29th April 1999; - the ratio must be continually reduced to bring it as quickly as possible and in regular stages to zero, within four years at the latest from 29th April 1999; - Member States have the option of excluding vessels under 450 tonnes from the scope of the Regulation; - the surplus funds from structural improvement schemes intended for the reserve fund will be derived solely from financial contributions from the industry; - the decisions to be taken by the Commission on the operation of the "old for new" rule will be subject to prior consultation of the Member States and the organisations representing inland waterway transport at Community level - deletion of the Article and corresponding recital dealing with the negotiations which the Community should initiate with Switzerland and other third countries for the implementation of the Regulation. The Council did not adopt those European Parliament amendments providing for the reintroduction of the scrapping scheme, the consultation of Member States or the reactivation by the Commission of the "old for new" rule only after expiry of the transitional period.?

Inland waterway transport: Community fleet capacity policy

The Commission notes that the Council endorsed its amended proposal and also agreed to the part of the European Parliament's second amendment which refers to the putting into service not of "new vessels" but of "new capacity". The Commission considers the the Common Position is an acceptable compromise and urges the European Parliament to accept it.?

Inland waterway transport: Community fleet capacity policy

The rapporteur will recommend the House to approve Council's common position with a view to adopting a Council regulation on a Community-fleet capacity policy to promote inland waterway transport. Most of the amendments from first reading in December 1999 have been incorporated in the common position. Parliament had tabled seven amendments, aiming at clarifying certain points of the proposal as well as increasing its efficiency. The proposal aims at replacing Council Regulation 1101/89 on structural improvements in inland waterway transport, which ceases to apply after 28 April 1999. Proposing to extend in part this regulation, the Commission seeks to maintain the market situation for this sector and to avoid serious disturbances by introducing transitional arrangements. This would avoid that the effects of scrapping measures, which were introduced in 1990 and aimed at reducing the sector's overcapacity, are nullified by the introduction of the free market in this sector. Thus, the systems carried out since 1990, the so-called "old for new" system is retained but the ratio will be gradually reduced over a period of four years, removing all conditions attached to putting new vessels into service. After this is achieved, the capacity regulation system will be replaced by a monitoring system and a standby mechanism which, solely in the event of a serious crisis in the market, will allow the "old for new" rule to be revived, with or without structural improvement measures. Mrs SCHIERHUBER takes the view that further delay could jeopardise the common position coming into force in time, thus risking serious disturbances in the market from 28 April 1999. ?

Inland waterway transport: Community fleet capacity policy

Adopting the recommendation for the second reading by Mrs Agnes Schierhuber (PPE, A), the European Parliament approved the common

Inland waterway transport: Community fleet capacity policy

PURPOSE: operation of a Community-fleet capacity policy to promote inland waterway transport. **COMMUNITY MEASURE:** Council Regulation 718/1999/EC on a Community-fleet capacity policy to promote inland waterway transport. **CONTENT:** The purpose of this Regulation is to replace Regulation 1101/89/EEC on structural improvements in inland waterway transport, which expires on 28 April 1999. The latter Regulation provides for the reduction of fleet over-capacity in inland waterway transport through vessel-scrapping actions co-ordinated at Community level. The new Regulation aims to maintain the market regulation mechanism currently in force ('old for new' rule) for a maximum period of four years, in order to prevent the effects of the scrapping actions carried out since 1990 being wiped out by the bringing into service of new capacity just after the expiry of Regulation 1101/89/EEC. During this period, the owner of a vessel to be brought into service must: - either scrap, without receiving a scrapping premium, tonnage in line with the ration between old and new tonnage set by the Commission; - or pay a special contribution into the Inland Waterways Fund. The ratio should be constantly reduced to bring it as quickly as possible and in regular stages to zero over the aforementioned four-year period. After that period, the tonnage regulation mechanism would be transformed into a surveillance mechanism which would enable the 'old for new' rule to be reactivated, but only in the event of a serious market crisis, and if necessary, to accompany it with structural improvement measures. **ENTRY INTO FORCE:** 29.04.1999.CNS98221

24/06/99 DAF FR OBJECTIF : modifier le règlement 858/94/CE afin de faciliter la gestion du régime d'enregistrement des captures de thon rouge. **MESURE DE LA COMMUNAUTÉ :** Règlement 1446/1999/CE du Conseil modifiant le règlement 858/94/CE du Conseil instituant un régime d'enregistrement statistique relatif au thon rouge dans la Communauté. **CONTENU :** Dans le cadre des mesures de conservation et de gestion des stocks de thon rouge (*Thunnus thynnus*), la Commission internationale pour la conservation des thonidés de l'Atlantique (CICTA), à laquelle la Communauté est partie, a institué un régime d'enregistrement statistique des captures de cette espèce ainsi que des importations par les parties contractantes. Ce régime a été mis en oeuvre dans la Communauté par le règlement 858/94/CE du Conseil. La CICTA a récemment adopté 2 recommandations qui visent : - l'une à faciliter la gestion du régime d'enregistrement statistique par la Communauté et ses États membres (il s'agit en particulier de permettre la validation par un État membre du document statistique afférent aux captures de thon rouge effectuées par un navire battant pavillon d'un autre État membre); - l'autre à améliorer la fiabilité de ce régime (il s'agit d'étendre ledit régime aux opérations de réexportation). L'objectif du présent règlement est de mettre en oeuvre les mesures prévues par ces 2 recommandations en modifiant le règlement 858/94/CE pour y incorporer les nouvelles dispositions requises à cet effet. **ENTRÉE EN VIGUEUR :** 02/07/1999.?