


Procedure file

Basic information		
CNS - Consultation procedure Decision	2005/0208(CNS)	Procedure completed
EC/Singapore agreement: air services, replacing the bilateral agreements by a Community agreement		
Subject 3.20.15.02 Air transport agreements and cooperation		
Geographical area Singapore		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	TRAN Transport and Tourism	ALDE COSTA Paolo	22/11/2005
Council of the European Union	Council configuration	Meeting	Date
	General Affairs	2850	18/02/2008
	Economic and Financial Affairs ECOFIN	2726	05/05/2006
European Commission	Commission DG Energy and Transport	Commissioner BARROT Jacques	

Key events			
19/10/2005	Legislative proposal published	COM(2005)0513	Summary
01/06/2006	Committee referral announced in Parliament		
13/09/2006	Vote in committee		Summary
20/09/2006	Committee report tabled for plenary, 1st reading/single reading	A6-0295/2006	
12/10/2006	Results of vote in Parliament		
12/10/2006	Decision by Parliament	T6-0396/2006	Summary
18/02/2008	Act adopted by Council after consultation of Parliament		
18/02/2008	End of procedure in Parliament		
05/03/2008	Final act published in Official Journal		

Technical information	
Procedure reference	2005/0208(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 080-p2; EC Treaty (after Amsterdam) EC 300-p2/3-a1
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/6/31276

Documentation gateway					
Legislative proposal		COM(2005)0513	20/10/2005	EC	Summary
Supplementary legislative basic document		05788/2006	20/02/2006	CSL	
Committee draft report		PE376.671	20/07/2006	EP	
Committee report tabled for plenary, 1st reading/single reading		A6-0295/2006	20/09/2006	EP	
Text adopted by Parliament, 1st reading/single reading		T6-0396/2006	12/10/2006	EP	Summary

Additional information	
European Commission	EUR-Lex

Final act
Decision 2008/194 OJ L 060 05.03.2008, p. 0028 Summary

EC/Singapore agreement: air services, replacing the bilateral agreements by a Community agreement

PURPOSE : to conclude an Agreement between the EC and Singapore on certain aspects of air services

PROPOSED ACT : Council Decision.

CONTENT : International aviation relations between Member States and third countries have traditionally been governed by bilateral air services agreements, the annexes to such agreements and other related bilateral or multilateral arrangements.

Following the judgements of the Court of Justice of the European Communities in certain cases, the Community has exclusive competence with respect to various aspects of external aviation. The Court of Justice also clarified the right of Community air carriers to benefit from the right of establishment within the Community, including the right to non-discriminatory market access.

Traditional designation clauses in Member States' bilateral air services agreements infringe Community law. They allow a third country to reject, withdraw or suspend the permissions or authorisations of an air carrier that has been designated by a Member State but that is not substantially owned and effectively controlled by that Member State or its nationals. This has been found to constitute discrimination against Community carriers established in the territory of a Member State but owned and controlled by nationals of other Member States. This is contrary to Article 43 of the Treaty which guarantees nationals of Member States who have exercised their freedom of establishment the same treatment in the host Member State as that accorded to nationals of that Member State.

Following the Court of Justice judgements, the Council authorised the Commission in June 2003 to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement. The Commission has negotiated an agreement with Singapore that replaces certain provisions in the existing bilateral air services agreements between Member States and Singapore:

-Article 2 of the Agreement replaces the traditional designation clauses with a Community designation clause, permitting all Community carriers to benefit from the right of establishment.

-Article 4 (Pricing) resolves conflicts between the existing bilateral air services agreements and Council

Regulation 2409/92 on fares and rates for air services which prohibits third country carriers from being price leaders on air services for carriage wholly within the Community.

The Council is asked to approve the decisions on the signature and provisional application and on the conclusion of the Agreement and to designate the persons authorised to sign the agreement on behalf of the Community.

EC/Singapore agreement: air services, replacing the bilateral agreements by a Community agreement

The committee adopted the report by its chairman, Paolo COSTA (ALDE, IT), approving - under the consultation procedure - the conclusion of the agreement between the EC and the Republic of Singapore on certain aspects of air services.

EC/Singapore agreement: air services, replacing the bilateral agreements by a Community agreement

The European Parliament adopted the resolution drafted by Paolo COSTA (ALDE, IT), and approved the conclusion of the agreement between the EC and Singapore on certain aspects of air services.

EC/Singapore agreement: air services, replacing the bilateral agreements by a Community agreement

PURPOSE: to conclude the Agreement between the European Community and Singapore on certain aspects of air services.

LEGISLATIVE ACT: Council Decision 2008/194/EC on the conclusion of the Agreement between the European Community and the Government of the Republic of Singapore on certain aspects of air services.

CONTENT: the Council authorised the Commission in June 2003 to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement. The Commission has negotiated on behalf of the Community an agreement with Singapore on certain aspects of air services in accordance with the mechanisms and Directives in the Annex to the Council's decision authorising the Commission to open negotiations with third countries on the replacement of certain provisions in existing bilateral agreements with a Community agreement.

Article 2 of the Agreement replaces the traditional designation clauses with a Community designation clause, permitting all Community carriers to benefit from the right of establishment. Articles 4 and 5 of the Agreement address two types of clauses concerning matters of Community competence. Article 4 deals with the taxation of aviation fuel, a matter which has been harmonised by Council Directive 2003/96/EC restructuring the Community framework for the taxation of energy products and electricity, particularly Article 14 paragraph 2 thereof. Article 5 (Pricing) resolves conflicts between the existing bilateral air services agreements and Council Regulation 2409/92/EC on fares and rates for air services which prohibits third country carriers from being price leaders on air services for carriage wholly within the Community.