

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2010/0041(COD) Procedure completed
Carriage of goods and passengers by sea: statistical returns Amending Directive 2009/42/EC 2007/0288(COD)	
Subject 3.20.03 Maritime transport: passengers and freight 3.20.20 Transport statistics	

Key players				
European Parliament	Committee responsible	Rapporteur	Appointed	
	TRAN Transport and Tourism		22/03/2010	
		S&D SIMPSON Brian		
		Shadow rapporteur		
		PPE KUHNS Werner		
		ALDE TREMOSA I BALCELLS Ramon		
		Vers/ALE TAYLOR Keith		
Council of the European Union	Council configuration	Meeting	Date	
	Economic and Financial Affairs ECOFIN	3045	17/11/2010	
European Commission	Commission DG	Commissioner		
	Eurostat	REHN Olli		

Key events			
08/03/2010	Legislative proposal published	COM(2010)0065	Summary
11/03/2010	Committee referral announced in Parliament, 1st reading		
22/06/2010	Vote in committee, 1st reading		Summary
29/06/2010	Committee report tabled for plenary, 1st reading	A7-0217/2010	
19/10/2010	Results of vote in Parliament		
19/10/2010	Decision by Parliament, 1st reading	T7-0358/2010	Summary
17/11/2010	Act adopted by Council after Parliament's 1st reading		
24/11/2010	Final act signed		

24/11/2010	End of procedure in Parliament		
09/12/2010	Final act published in Official Journal		

Technical information	
Procedure reference	2010/0041(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Directive 2009/42/EC 2007/0288(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 338-p1
Other legal basis	Rules of Procedure EP 159
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/7/02454

Documentation gateway					
Legislative proposal		COM(2010)0065	08/03/2010	EC	Summary
Committee draft report		PE441.154	06/05/2010	EP	
Amendments tabled in committee		PE442.917	03/06/2010	EP	
Committee report tabled for plenary, 1st reading/single reading		A7-0217/2010	29/06/2010	EP	
Text adopted by Parliament, 1st reading/single reading		T7-0358/2010	19/10/2010	EP	Summary
Draft final act		00054/2010/LEX	24/11/2010	CSL	
Commission response to text adopted in plenary		SP(2010)8657/2	09/12/2010	EC	
Follow-up document		COM(2015)0362	28/07/2015	EC	
Follow-up document		COM(2020)0149	17/04/2020	EC	

Additional information	
National parliaments	IPEX
European Commission	EUR-Lex

Final act
Regulation 2010/1090 OJ L 325 09.12.2010, p. 0001 Summary Final legislative act with provisions for delegated acts

Carriage of goods and passengers by sea: statistical returns

PURPOSE: to amend Directive 2009/42/EC in order to make the collection of data by type of goods mandatory for maritime transport statistics.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

BACKGROUND: the collection of data by type of goods is mandatory for road (Council Regulation (EC) No 1172/98), rail (Regulation (EC) No

91/2003), and inland waterways (Regulation (EC) No 1365/2006) transport European statistics. European statistics on all modes of transport should be collected according to common concepts and standards, with the aim of achieving the fullest practicable comparability between transport modes. More particularly, the provision of comprehensive and homogeneous statistics by type of goods for all the modes of transport will provide a general framework for monitoring policies for promoting co-modality, i.e. the possibility of combining various modes of transport within the same transport chain in the best way, and the modernisation of freight transport logistics.

More generally, the proposed amendment, in combination with other initiatives, will adapt the statistical output to current and foreseeable users' needs. Under current legislation, (Directive 2009/42/EC, Annex VIII, data set B1), data are collected on a voluntary basis.

IMPACT ASSESSMENT: two options were considered:

- Option 1 : the current legislation is maintained
- Option 2: the current legislation is amended.

The second option was selected, in order secure a complete and continuous provision of statistical data on maritime transport by type of goods.

LEGAL BASIS: Article 338 of the Treaty on the Functioning of the European Union. The objectives of this proposal, namely the establishment of a common framework for the systematic production of European statistics on seaborne goods using the same classification by type of goods as for the other relevant transport statistics, cannot be sufficiently achieved by the Member States via a voluntary collection. They can be achieved more readily at European level since only the Commission can coordinate the necessary harmonisation of statistical information at European level, whereas the collection of data and compilation of comparable statistics on maritime transport can be organised by Member States.

CONTENT: the objective of the Regulation is to ensure a complete and continuous provision of statistical data on maritime transport by type of goods, consistent and harmonised with the statistics already available for the other relevant modes of transport.

According to the second paragraph of Annex VIII of Directive 2009/42/EC, the conditions for collecting data set B1 (data concerning "Seaborne transport in the main European ports, by port, type of cargo, goods and relation") shall be decided by the Council in the light of the results of the pilot study carried out during a three-year transitional period, as provided for in Directive 95/64/EC. Subsequently, the Commission reported that the collection of detailed information appeared feasible and at reasonable cost for bulk and semi-bulk cargo. Remaining difficulties have been solved since more experience has been gained with collecting the current variables and by the introduction of the NST 2007 (Standard Goods Classification for Transport Statistics, 2007) as the unique classification for transported goods in maritime, road, rail and inland waterways transport, applicable from the reference year 2008, covering the 2008 data.

The proposal states that the first reference year for the obligation to provide data set B1 will be 2011, covering the 2011 data.

Accordingly, the second paragraph of Annex VIII to Directive 2009/42/EC is deleted.

BUDGETARY IMPLICATION: the proposal has no implications for the Community budget.

Carriage of goods and passengers by sea: statistical returns

The Committee on Transport and Tourism adopted the report drafted by Brian SIMPSON (S&D, UK) on the proposal for a regulation of the European Parliament and of the Council amending Directive 2009/42/EC of the European Parliament and of the Council on statistical returns in respect of carriage of goods and passengers by sea.

It recommended that the European Parliament's position at first reading under the ordinary legislative procedure (formerly known as the codecision procedure) should be to amend the Commission proposal.

Members do not suggest any amendments regarding its subject-matter.

However, as the amended Directive 2009/42/EC contains provisions on regulatory procedure with scrutiny, the report draws attention to the possibility of adapting these provisions to the new rules on delegated acts introduced by the Lisbon Treaty with the aim of strengthening the EP's powers in this field. Having regard to this, the committee adopted a set of amendments on delegated acts.

Carriage of goods and passengers by sea: statistical returns

The European Parliament adopted by 580 votes to 20, with 8 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council amending Directive 2009/42/EC of the European Parliament and of the Council on statistical returns in respect of carriage of goods and passengers by sea.

The European Parliament adopted its position at first reading under the ordinary legislative procedure (former co-decision procedure). The amendments adopted in plenary are the result of a compromise reached between the European Parliament and the Council.

These amendments state that the Commission should be empowered to adopt delegated acts in accordance with Article 290 TFEU in respect of certain detailed rules for implementing Directive 2009/42/EC.

Carriage of goods and passengers by sea: statistical returns

PURPOSE: to amend Directive 2009/42/EC on statistical returns in respect of carriage of goods and passengers by sea.

LEGISLATIVE ACT: Regulation (EU) No 1090/2010 of the European Parliament and of the Council amending Directive 2009/42/EC on statistical returns in respect of carriage of goods and passengers by sea.

CONTENT: following an agreement reached at first reading with the European Parliament, the Council adopted a regulation amending directive 2009/42/EC on statistical returns in respect of carriage of goods and passengers by sea in order to make the collection of data by type of goods mandatory for maritime transport statistics. The Regulation stipulates that the Commission should be empowered to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union in respect of certain detailed rules for implementing Directive 2009/42/EC.

ENTRY INTO FORCE: 29/12/2010. The first reference year for the application of this Regulation shall be 2011, covering the 2011 data.