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Article 2

This Decision shall be published in the Official Journal of the European Union.

Done at Brussels, 5 June 2008

For the European Parliament
The President

For the Council
The President

International carriage of passengers by coach and bus (recast) *I**

P6_TA(2008)0249

European Parliament legislative resolution of 5 June 2008 on the proposal for a regulation of the European Parliament and of the Council on common rules for access to the market for coach and bus services (recast) (COM(2007)0264 — C6-0147/2007 — 2007/0097(COD))

(2009/C 285 E/19)

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2007)0264),
- having regard to Articles 251(2) and 71 of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0147/2007),
- having regard to the Interinstitutional Agreement of 28 November 2001 on a more structural use of the recasting technique for legal acts ⁽¹⁾,
- having regard to the letter of 20 November 2007 from the Committee on Legal Affairs pursuant to rule 80a(3) of its Rules of Procedure,
- having regard to Rules 80a and 51 of its Rules of Procedure,
- having regard to the report of the Committee on Transport and Tourism (A6-0037/2008),

1. Approves the Commission proposal as amended hereunder and as adapted to the recommendations of the Consultative Working Party of the Legal Services of the European Parliament, the Council and the Commission;

2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text;

3. Instructs its President to forward its position to the Council and Commission.

⁽¹⁾ OJ C 77, 28.3.2002, p. 1.

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P6_TC1-COD(2007)0097**Position of the European Parliament adopted at first reading on 5 June 2008 with a view to the adoption of Regulation (EC) No .../2008 of the European Parliament and of the Council on common rules for access to the market for coach and bus services and amending Regulation (EC) No 561/2006 (recast)**

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 71 thereof,

Having regard to the proposal from the Commission **||**,

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

Having regard to the opinion of the Committee of the Regions ⁽²⁾,

Acting in accordance with the procedure laid down in Article 251 of the Treaty ⁽³⁾,

Whereas:

- (1) A number of substantial changes are to be made to Council Regulation (EEC) No 684/92 of 16 March 1992 on common rules for the international carriage of passengers by coach and bus ⁽⁴⁾ and to Council Regulation (EC) No 12/98 of 11 December 1997 laying down the conditions under which non-resident carriers may operate national road passenger transport services within a Member State ⁽⁵⁾. In the interests of clarity and simplification, those Regulations should be recast and incorporated into one single regulation.
- (2) The establishment of a common transport policy entails, inter alia, laying down common rules applicable to the international carriage of passengers by road as well as the conditions under which non-resident carriers may operate national transport services within a Member State.
- (3) To ensure a coherent framework for the international carriage of passengers by coach and bus throughout the Community this Regulation should apply to all international carriage on Community territory. Carriage from Member States to third countries is still largely covered by *bilateral* agreements between the Member States and those third countries. Therefore, this Regulation should not apply to that part of the journey on the territory of the Member State of picking up or setting down as long as the necessary agreements between the Community and the third countries concerned have not been concluded. It should, however, apply to the territory of a Member State crossed in transit.
- (4) Freedom to provide services constitutes a basic principle of the common transport policy and requires that carriers from all Member States be guaranteed access to international transport markets without discrimination on grounds of nationality or place of establishment.

⁽¹⁾ OJ C 10, 15.1.2008, p. 44.

⁽²⁾ OJ C ...

⁽³⁾ *Position of the European Parliament of 5 June 2008.*

⁽⁴⁾ OJ L 74, 20.3.1992, p. 1. **||**.

⁽⁵⁾ OJ L 4, 8.1.1998, p. 4.

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- (5) The international carriage of passengers by coach and bus should be conditional on the possession of a Community licence. Carriers should be required to carry a certified true copy of the Community licence aboard each of their vehicles in order to facilitate effective controls by enforcement bodies, especially those outside the Member State in which the carrier is established. The conditions governing the issue of Community licences, their periods of validity and the detailed rules for their use should be *laid down*. It is *also* necessary to lay down detailed specifications as regards the layout and other features of the Community licence and the certified copies.
- (6) There should be provision for flexible arrangements subject to certain conditions for special regular services and certain occasional services, in order to satisfy market demand.
- (7) ***This Regulation should not apply either to carriers who have access only to their national market for coach and bus services or to the licences issued to those carriers by the Member States of establishment.***
- (8) While maintaining authorisation arrangements for regular services, certain rules should be amended, particularly as regards authorisation procedures.
- (9) Authorisation of regular services should henceforth be granted unless there are clearly specified grounds for refusal attributable to the applicant. Only one ground for refusal relating to the relevant market should remain, namely that the service applied for would seriously affect the viability of a comparable service operated under a public service obligation on the direct sections concerned.
- (10) Non-resident carriers should be allowed to operate certain national road passenger services, bearing in mind the specific characteristics of each form of service.
- (11) The provisions of Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996 concerning the posting of workers in the framework of the provision of services⁽¹⁾ apply in cases where, for the provision of special regular services, carriers post workers, who have an employment relationship with those carriers, from the Member State where they ordinarily work.
- (12) Where regular services are concerned, only regular services provided as part of a regular international service, excluding urban and suburban services, should be opened up to non-resident carriers, subject to certain conditions, and in particular to the legislation in force in the host Member State.
- (13) It is desirable that Member States should grant each other mutual assistance with a view to the sound application of this Regulation.
- (14) Administrative formalities should be reduced as far as possible without abandoning the controls and *penalties* that guarantee the correct application and effective enforcement of this Regulation. To this end the existing rules on the withdrawal of the Community licence should be clarified and strengthened. The current rules should be adapted to allow the effective sanctioning of serious **■** infringements committed in **■** Member **States** other than the Member State of establishment. *Penalties* should be non-discriminatory and in proportion to the seriousness of the infringements. It should be possible to lodge an appeal in respect of any *penalties* imposed.
- (15) Member States should enter in their national register of road transport undertakings all serious infringements **■** committed by carriers and which have led to the imposition of a *penalty*.

⁽¹⁾ OJ L 18, 21.1.1997, p. 1.

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- (16) In order to strengthen and facilitate the exchange of information between national authorities Member States should exchange the relevant information through the national contact points set up pursuant to Regulation (EC) No .../2008 of the European Parliament and of the Council of ... [establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator] ⁽¹⁾.
- (17) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission ⁽²⁾.
- (18) In particular, *the Commission* should be *empowered* to establish the format of certain documents to be used for the application of this Regulation and to adapt Annex I to technical progress. Since those measures are of general scope and are designed to amend non-essential elements of this Regulation, *inter alia by supplementing it with new non-essential elements*, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.
- (19) On grounds of efficiency, the normal time-limits for the regulatory procedure with scrutiny should be curtailed for the adoption of those measures.
- (20) Member States should take the necessary measures to implement this Regulation, in particular as regards effective, proportionate and dissuasive *penalties*.
- (21) Since the objectives of the action to be taken cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale and the effects of the action, be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.
- (22) ***To encourage coach tours specifically for tourists on low incomes and promote tourism in the regions there is a need to re-introduce the 12-day rule for round trips by coach as pointed out by the European Parliament in paragraph 78 of its resolution of 29 November 2007 on a renewed EU Tourism Policy: Towards a stronger partnership for European Tourism ⁽³⁾. For this reason Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006, on the harmonisation of certain social legislation relating to road transport ⁽⁴⁾, should be extended accordingly,***

HAVE ADOPTED THIS REGULATION:

Chapter I

General provisions

Article 1

Scope

1. This Regulation shall apply to the international carriage of passengers by coach and bus within the territory of the Community by carriers for hire or reward or own-account carriers established in a Member State in accordance with its law, using vehicles which are registered in that Member State and are suitable, by virtue of their construction and equipment, for carrying more than nine persons, including the driver, and are so intended, and to the movement of such *empty* vehicles in connection with such carriage.

⁽¹⁾ OJ L ...

⁽²⁾ OJ L 184, 17.7.1999, p. 23. ¶.

⁽³⁾ **Texts Adopted, P6_TA(2007)0575.**

⁽⁴⁾ **OJ L 102, 11.4.2006, p. 1.**

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Change of vehicle or interruption of carriage to enable part of a journey to be made by another means of transport shall not affect the application of this Regulation.

2. In the event of carriage from a Member State to a third country and vice versa, this Regulation shall apply to the part of the journey on the territory of any Member State crossed in transit. It shall not apply to that part of the journey on the territory of the Member State of picking up or setting down, as long as the necessary agreement between the Community and the third country concerned has not been concluded.

3. Pending the conclusion of the agreements referred to in paragraph 2 between the Community and the third countries concerned, this Regulation shall not affect provisions relating to the carriage from a Member State to a third country and vice-versa contained in bilateral agreements concluded by Member States with those third countries. However, Member States shall adapt those agreements to ensure compliance with the principle of non-discrimination between Community carriers.

4. This Regulation shall apply to national road passenger services for hire or reward operated on a temporary basis by a non-resident carrier as provided for in Chapter V.

Article 2

Definitions

For the purposes of this Regulation, the following definitions shall apply:

- (a) 'regular services' means services which provide for the carriage of passengers at specified intervals along specified routes, passengers being taken up and set down at predetermined stopping points;
- (b) 'special regular services' means regular services, by whomsoever organised, which provide for the carriage of specified categories of passengers to the exclusion of other passengers;
- (c) 'occasional services' means services which do not fall within the definition of regular services, including special regular services and whose main characteristic is that they carry groups of passengers constituted on the initiative of the customer or the carrier himself;
- (d) 'own-account transport operations' means operations carried out for non-commercial and non-profit-making purposes by a natural or legal person, whereby
 - the transport activity is only an ancillary activity for that natural or legal person,
 - the vehicles used are the property of that natural or legal person or have been obtained on deferred terms by them or have been the subject of a long-term leasing contract and are driven by a member of the staff of the natural or legal person or by the natural person himself;
- (e) 'cabotage transport operations' means national road passenger services for hire and reward carried out on a temporary basis by a carrier in a host Member State;
- (f) 'host Member State' means a Member State in which a carrier operates other than the Member State where the carrier is established;
- (g) 'serious infringement ■ of Community road transport legislation' means infringements which, *after they have been brought before a court, could* lead to the loss of good repute in accordance with Article 6(1) and (2) of Regulation (EC) No .../2008 [establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator].

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Article 3

Freedom to provide services

1. Any carrier for hire or reward referred to in Article 1 shall be permitted in accordance with this Regulation to carry out regular services including special regular services and occasional services by coach and bus without discrimination as to nationality or place of establishment if he:
 - (a) is authorised in the *Member State* of establishment to undertake carriage by means of regular services including special regular services or occasional services by coach and bus in accordance with the market access conditions laid down by national legislation;
 - (b) satisfies the conditions laid down in accordance with Community rules on admission to the occupation of road passenger transport operator in national and international transport operations;
 - (c) meets legal requirements regarding the standards for drivers and vehicles as laid down, in particular, in Council Directive 92/6/EEC of 10 February 1992 on the installation and use of speed limitation devices for certain categories of motor vehicles in the Community ⁽¹⁾, Council Directive 96/53/EC of 25 July 1996 laying down for certain road vehicles circulating within the Community the maximum authorized dimensions in national and international traffic and the maximum authorized weights in international traffic ⁽²⁾, and Directive 2003/59/EC of the European Parliament and of the Council of 15 July 2003 on the initial qualification and periodic training of drivers of certain road vehicles for the carriage of goods or passengers ⁽³⁾.
2. Any own-account carrier referred to in Article 1 shall be permitted to carry out the transport services defined in Article 5(5) without discrimination as to nationality or place of establishment if he:
 - (a) is authorised in the *Member State* of establishment to undertake carriage by coach and bus in accordance with the market-access conditions laid down by national legislation;
 - (b) meets legal requirements regarding the standards for drivers and vehicles as laid down, in particular, in Directives 92/6/EEC, 96/53/EC and 2003/59/EC.

Chapter II

Community licence and market access

Article 4

Community licence

1. International carriage of passengers by coach and bus, shall be carried out subject to a Community licence issued by the competent authorities of the *Member State* of establishment.
2. The competent authorities of the *Member State* of establishment shall issue the holder with the original of the Community licence, which shall be kept by the carrier, and *shall also issue* the number of certified true copies corresponding to the number of vehicles used for the international carriage of passengers at the disposal of the holder of the Community licence, either in full ownership, or in another form, notably by virtue of an instalment-purchase contract, a hire contract or a leasing contract.

The Community licence and the certified true copies shall be in the format set out in Annex I.

They shall bear an engraved stamp or seal of the issuing authority as well as a signature and a serial number. The serial numbers of the Community licence and the certified true copies shall be recorded in the national electronic register of road transport undertakings provided for in Article 15 of Regulation (EC) No .../2008 [establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator] as part of the data set of the carrier.

⁽¹⁾ OJ L 57, 2.3.1992, p. 27. ||.

⁽²⁾ OJ L 235, 17.9.1996, p. 59.

⁽³⁾ OJ L 226, 10.9.2003, p. 4.

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The Commission shall adapt Annex I to technical progress. Since these measures are designed to amend non-essential elements of this Regulation, they shall be adopted in accordance with the regulatory procedure with scrutiny referred to in *Article 27(2)*.

3. The Community licence shall be established in the name of the carrier and shall be non-transferable. A certified true copy of the Community licence shall be carried in the vehicle and shall be presented at the request of any authorised inspecting officer.

4. The Community licence shall be issued for a period of five years which shall be renewable.

Community licences and certified true copies issued before the date of application of this Regulation shall remain valid until the date of their expiry.

5. When an application for a licence is submitted, and at least every five years thereafter, the competent authorities of the Member State of establishment shall verify whether the carrier meets or continues to meet the conditions laid down in *Article 3(1)*.

6. Where the conditions referred to in *Article 3(1)* are not met, the competent authorities of the Member State of establishment shall refuse to issue or renew or shall withdraw a Community licence by means of a reasoned decision.

7. Member States shall guarantee the right of the applicant for, or holder of, a Community licence to appeal against a decision by the competent authorities of the Member State of establishment to refuse or withdraw this licence.

8. Member States may decide that the Community licence shall also be valid for national transport operations.

Article 5

Access to the market

1. Regular services shall be open to all, subject, where appropriate, to compulsory reservation.

They shall require authorisation in accordance with the provisions of Chapter III.

The regular nature of the service shall not be affected by any adjustment to the service operating conditions.

The organisation of parallel or temporary services, serving the same public as existing regular services, the non-serving of certain stops and the serving of additional stops on existing regular services shall be governed by the same rules as the existing regular services.

2. Special regular services shall be operated under the conditions specified in paragraph 1. They shall include:

(a) the carriage of workers between home and work,

(b) carriage to and from an educational institution for school pupils and students.

The fact that a special service may be varied according to the needs of users shall not affect its classification as a regular service.

Special regular services shall not require authorisation if they are covered by a contract concluded between the organiser and the carrier.

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3. Occasional services shall not require authorisation.

However, the organisation of parallel or temporary services comparable to existing regular services and serving the same public as the latter shall be subject to authorisation in accordance with the procedure laid down in Chapter III.

Occasional services shall not cease to be occasional services solely because they are provided at certain intervals.

Occasional services may be provided by a group of carriers acting on behalf of the same contractor, and travellers may catch a connection en route, with a different carrier of the same group, in the territory of one of the Member States.

The Commission shall establish the procedures for the communication of the names of such carriers and the connection points en route to the competent authorities of the Member States concerned. Since these measures are designed to amend non-essential elements of this Regulation, by supplementing it, they shall be adopted in accordance with the regulatory procedure with scrutiny referred to in *Article 27(2)*.

4. Empty journeys by vehicles in connection with the transport operations referred to in paragraph 2, third subparagraph, and in paragraph 3 shall likewise not require authorisation.

5. Own-account transport operations shall be exempt from any system of authorisation but shall be subject to a system of certificates.

The certificates shall be issued by the competent authorities of the Member State in which the vehicle is registered and shall be valid for the entire journey including transit.

The Commission shall establish the format of the certificates. Since these measures are designed to amend non-essential elements of this Regulation, by supplementing it, they shall be adopted in accordance with the regulatory procedure with scrutiny referred to in *Article 27(2)*.

Chapter III

Regular services subject to authorisation

Article 6

Nature of authorisation

1. Authorisations shall be issued in the name of the carrier. They shall not be transferred by the latter to third parties. However, a carrier who has received an authorisation may, with the consent of the authority referred to in *Article 7(1)*, operate the service through a sub-contractor. In this case, the name of the latter undertaking and its role as sub-contractor shall be indicated in the authorisation. The sub-contractor shall fulfil the conditions laid down in *Article 3(1)*.

In the case of undertakings associated for the purpose of operating a regular service, the authorisation shall be issued in the names of all the undertakings. It shall be given to the undertaking that manages the operation and copies shall be given to the others. The authorisation shall state the names of all the operators.

2. The period of validity of an authorisation shall not exceed five years. It may be set at less either at the request of the applicant or by mutual consent of the competent authorities of the Member States on whose territory passengers are picked up or set down.

3. Authorisations shall specify the following:

- (a) the type of service;
- (b) the route of the service, giving in particular the place of departure and the place of destination;

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- (c) the period of validity of the authorisation;
 - (d) the stops and the timetable.
4. The Commission shall establish the format of the authorisations. Since these measures are designed to amend non-essential elements of this Regulation, by supplementing it, they shall be adopted in accordance with the regulatory procedure with scrutiny referred to in *Article 27(2)*.
5. Authorisations shall entitle their holder(s) to operate regular services in the territories of all Member States over which the routes of the service pass.
6. The operator of a regular service may use additional vehicles to deal with temporary and exceptional situations. ***It shall inform the Member State in whose territory the place of departure is situated of the reasons for any such temporary and exceptional situation.***

In this case, the carrier shall ensure that the following documents are carried on the vehicle:

- (a) a copy of the authorisation of the regular service;
 - (b) a copy of the contract between the operator of the regular service and the undertaking providing the additional vehicles or an equivalent document;
 - (c) a certified true copy of the Community licence issued to the operator of the regular service.
7. ***Member States may refrain from applying the authorisation procedure to cross-border regular services not extending more than 50 km beyond the border. They shall inform the Commission and neighbouring countries thereof.***

Article 7

Submission of application for authorisation

1. Applications for authorisation of regular services shall be submitted to the competent authorities of the Member State in whose territory the place of departure is situated.
2. The Commission shall establish the format of the applications. Since these measures are designed to amend non-essential elements of this Regulation, by supplementing it, they shall be adopted in accordance with the regulatory procedure with scrutiny referred to in *Article 27(2)*.
3. Persons applying for authorisation shall provide any further information which they consider relevant or which is requested by the authorising authority, in particular a driving schedule making it possible to monitor compliance with Community legislation on driving and rest periods and a copy of the Community licence for international carriage of passengers by road for hire or reward provided for in *Article 4*.

Article 8

Authorising procedure

1. Authorisations shall be issued in agreement with the authorities of all the Member States in whose territories passengers are picked up or set down. The authorising authority shall forward to such authorities, as well as to the competent authorities of Member States whose territories are crossed without passengers being picked up or set down, a copy of the application, together with copies of any other relevant documentation, and its assessment.
2. The competent authorities of the Member States whose agreement has been requested shall notify the authorising authority of their decision on the application within two months. This time limit shall be calculated from the date of receipt of the request for agreement which is shown in the acknowledgement of receipt. If the authorising authority does not receive a reply within two months, the authorities consulted shall be deemed to have given their agreement and the authorising authority may grant the authorisation.

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3. The authorising authority shall take a decision on the application within **three months** of the date of submission of the application by the carrier.
4. Authorisation shall be granted unless:
 - (a) the applicant is unable to provide the service which is the subject of the application with equipment directly available to him;
 - (b) in the past the applicant has not complied with national or international legislation on road transport, and in particular the conditions and requirements relating to authorisations for international road passenger services, or has committed a serious infringement **■** of legislation in regard to road safety, in particular with regard to the rules applicable to vehicles and driving and rest periods, **and the infringement in question has led to a loss of good repute within the meaning of Regulation (EC) No .../2008 [establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator];**
 - (c) in the case of an application for renewal of authorisation, the conditions of authorisation have not been complied with;
 - (d) a Member State decides on the basis of a detailed analysis that the service concerned would seriously affect the viability of a comparable service operated under a public service contract which stipulates a public service obligation as defined in Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 **■** on public passenger transport services by rail and road **■** ⁽¹⁾ on the direct sections concerned.

■

The fact that a carrier offers lower prices than are offered by other road carriers or the fact that the link in question is already operated by other road carriers shall not in itself constitute justification for rejecting the application.

5. The authorising authority and the competent authorities of all the Member States involved in the procedure to reach the agreement provided for in paragraph 1 may refuse applications only on the basis of reasons provided for in this Regulation.
6. Having completed the procedure laid down in paragraphs 1 to 5, the authorising authority shall grant the authorisation or formally refuse the application.

Decisions refusing an application shall state the reasons on which they are based. Member States shall ensure that transport undertakings are given the opportunity to make representations in the event of their application being refused.

The authorising authority shall inform all the authorities referred to in paragraph 1 of its decision, sending them a copy of any authorisation.

7. If the procedure for reaching the agreement referred to in paragraph 1 does not enable the authorising authority to decide on an application, the matter may be referred to the Commission within the time-limit of one month calculated from the date of communication of a negative decision by one or more of the Member States consulted pursuant to paragraph 1.
8. After having consulted the Member States concerned, the Commission shall within **10 weeks** of receipt of the communication from the authorising authority take a decision which shall take effect 30 days after the notification to the Member States concerned.

⁽¹⁾ OJ L 315, 3.12.2007, p. 1.

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9. The Commission decision shall continue to apply until such time as agreement is reached between the Member States concerned.

Article 9

Renewal and alteration of authorisation

Article 8 shall apply, *mutatis mutandis*, to applications for the renewal of authorisations or for alteration of the conditions under which the services subject to authorisation must be carried out.

In the event of a minor alteration to the operating conditions, in particular adjustment of intervals of fares and timetables, the authorising authority need only supply the other Member States concerned with information relating to the alteration.

The Member States concerned may agree that the authorising authority alone shall decide on alterations to the conditions under which a service is operated.

Article 10

Lapse of an authorisation

1. Without prejudice to the provisions of Regulation (EC) No 1370/2007, an authorisation for a regular service shall lapse at the end of its period of validity or three months after the authorising authority has received notice from its holder of his intention to withdraw the service. Such notice shall contain a proper statement of reasons.

2. Where demand for a service has ceased to exist, the period of notice provided for in paragraph 1 shall be one month.

3. The authorising authority shall inform the competent authorities of the other Member States concerned that the authorisation has lapsed.

4. The holder of the authorisation shall notify users of the service concerned of its withdrawal one month beforehand by means of appropriate publicity.

Article 11

Obligations of carriers

1. Save in the event of force majeure, the operator of a regular service shall, until the authorisation expires, take all measures to guarantee a transport service that fulfils the standards of continuity, regularity and capacity and complies with the other conditions laid down by the competent authority in accordance with Article 6(3).

2. The carrier shall display the route of the service, the bus stops, the timetable, the fares and the conditions of carriage in such a way as to ensure that such information is readily available to all users.

3. Without prejudice to Regulation (EC) No 1370/2007, it shall be possible for the Member States concerned, by common agreement and in agreement with the holder of the authorisation, to make changes to the operating conditions governing a regular service.

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Chapter IV**Occasional services and other services exempt from authorisation**

Article 12

Control documents

1. Occasional services shall be carried out under cover of a journey form with the exception of the services referred to in the second subparagraph of Article 5(3).
2. A carrier operating occasional services shall fill out a journey form before each journey.
3. The journey form shall contain at least the following information:
 - (a) the type of service;
 - (b) the main itinerary;
 - (c) the carrier(s) involved.
4. The Commission shall establish the format of the journey form and the way in which it is to be used. Since these measures are designed to amend non-essential elements of this Regulation, by supplementing it, they shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 27(2).

The Commission and the Member States shall undertake to adopt the measures required to ensure that provisions concerning the journey form deriving from other agreements with third countries are brought into line, not later than 1 January 2010, with the provisions of this Regulation.

5. The books of journey forms shall be supplied ***in an efficient and user-friendly manner*** by the competent authorities of the Member State where the transport undertaking is established or by bodies appointed by those authorities.
6. The Commission shall establish the format of the book of journey forms and the way in which it is to be used. Since these measures are designed to amend non-essential elements of this Regulation, by supplementing it, they shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 27(2).
7. In the case of the special regular services referred to in the third subparagraph of Article 5(2), the contract or a certified true copy of it shall serve as the control document.

Article 13

Local excursions

Within the framework of an international occasional service, a carrier may carry out occasional services (local excursions) in a Member State other than that in which it is established.

Such services shall be intended for ■ passengers previously carried by the same carrier on one of the international services mentioned in the first paragraph and must be carried out with the same vehicle or another vehicle from the same carrier or group of carriers.

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Chapter V

Cabotage

Article 14

Principle

1. Any carrier who operates road passenger transport services for hire or reward and who holds a Community licence, shall be permitted, under the conditions laid down in this Chapter and without discrimination on grounds of the carrier's nationality or place of establishment, to operate the cabotage transport operations as specified in Article 15.
2. A certified true copy of the Community licence shall be kept on board the vehicle and be produced when requested by an authorised inspecting officer.

Article 15

Authorised cabotage transport operations

Cabotage transport operations shall be authorised for the following services:

- (a) special regular services provided that they are covered by a contract concluded between the organiser and the carrier;
- (b) occasional services;
- (c) regular services, performed by a carrier not resident in the host Member State in the course of a regular international service in accordance with this Regulation with the exception of transport services meeting the needs of an urban centre or conurbation, or transport needs between it and the surrounding areas. Cabotage transport operations shall not be performed independently of such an international service.

Article 16

Rules applicable to cabotage transport operations

1. The performance of the cabotage transport operations referred to in Article 15 shall be subject, save as otherwise provided in Community legislation, to the laws, regulations and administrative provisions in force in the host Member State in relation to the following areas:
 - (a) conditions governing the transport contract;
 - (b) weights and dimensions of road vehicles;
 - (c) requirements relating to the carriage of certain categories of passengers, namely schoolchildren, children and persons with reduced mobility;
 - (d) ■ driving time and rest periods;
 - (e) VAT (value added tax) on transport services;
 - (f) ***in case of posting of workers as set out under Directive 96/71/EC.***

The weights and dimensions referred to in point (b) of the first subparagraph may, where appropriate, exceed those applicable in the carrier's Member State of establishment, but they may under no circumstances exceed the limits set by the host Member State for national traffic or the technical characteristics mentioned in the proofs referred to in Article 6(1) of Directive 96/53/EC.

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2. Save as otherwise provided in Community legislation, cabotage transport operations which form part of the transport services provided for in Article 15(c) shall be subject to the laws, regulations and administrative provisions in force in the host Member State regarding authorisations, tendering procedures, the routes to be operated and the regularity, continuity and frequency of services as well as itineraries.
3. The technical standards of construction and equipment which must be met by vehicles used to carry out cabotage transport operations shall be those laid down for vehicles put into circulation in international transport.
4. The national laws, regulations and administrative provisions referred to in paragraphs 1 and 2 shall be applied by the Member States to non-resident carriers under the same conditions as are imposed on their own nationals, so as to prevent any discrimination on grounds of nationality or place of establishment.

Article 17

Control documents for cabotage transport operations

1. Cabotage transport operations in the form of occasional services shall be carried out under cover of a journey form as referred to in Article 12 which must be kept on board the vehicle and be produced when requested by an authorised inspecting officer.
2. The following information shall be entered in the journey form:
 - (a) the points of departure and destination of the service;
 - (b) the date of departure and the date on which the service ends.
3. The journey forms shall be supplied in books as referred to in Article 12 certified by the competent authority or agency in the Member State of establishment.
4. In the case of special regular services, the contract concluded between the carrier and the transport organiser, or a certified true copy of the contract, shall serve as the control document.

However, a journey form shall be filled out in the form of a monthly statement.

5. The journey forms used shall be returned to the competent authority or agency in the Member State of establishment in accordance with procedures to be laid down by that authority or agency.

Article 18

Safeguard measures

1. *In the event of serious disturbance of the national transport market in a given geographical area due to or aggravated by cabotage, any Member State may refer the matter to the Commission with a view to the adoption of safeguard measures and shall provide the Commission with the necessary information and notify it of the measures it intends to take as regards resident carriers.*
2. *For the purposes of paragraph 1:*
 - *‘serious disturbance of the national transport market in a given geographical area’ means the existence on the market of problems specific to it, such that there is a serious and potentially enduring excess of supply over demand implying a threat to the financial stability and survival of a significant number of carriers operating passenger transport services;*
 - *‘geographical area’ means an area covering all or part of the territory of a Member State or extending to all or part of the territory of other Member States.*

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3. The Commission shall examine the situation, and after consulting the committee referred to in Article 27, shall decide within one month of receipt of the relevant Member State's request whether or not safeguard measures are necessary and shall adopt them if they are necessary. The measures introduced in accordance with this Article shall remain in force for a period not exceeding six months, renewable once. The Commission shall without delay notify the Member States and the Council of any decision taken pursuant to this paragraph.

4. If the Commission decides to take safeguard measures concerning one or more Member States, the competent authorities shall be required to take measures of equivalent scope in respect of resident carriers and shall inform the Commission thereof. These measures shall be applied at the latest as from the same date as the safeguard measures decided on by the Commission.

5. Any Member State may submit a Commission decision as referred to in paragraph 3 to the Council within 30 days of its notification. The Council, acting by a qualified majority within 30 days of referral by a Member State or, if there are referrals by several Member States, of the first referral, may take a different decision.

The time limits laid down in paragraph 3 shall apply to the Council's decision. The competent authorities of the Member States concerned shall be required to take measures of equivalent scope in respect of resident carriers and shall inform the Commission thereof. If the Council takes no decision within the period referred to in the first subparagraph, the Commission decision shall become final.

6. Where the Commission considers that the measures referred to in paragraph 3 need to be prolonged, it shall submit a proposal to the Council, which shall take a decision by qualified majority.

Chapter VI

Controls and penalties

Article 19

Transport tickets

1. Carriers operating a regular service, excluding special regular services, shall issue transport tickets, either individual or collective, which indicate:

- (a) the points of departure and destination and, where appropriate, the return journey;
- (b) the period of validity of the ticket;
- (c) the price of transport.

2. The transport ticket provided for in paragraph 1 shall be presented at the request of any authorised inspecting officer.

Article 20

Inspections on the road and in undertakings

1. The authorisation or control document shall be carried on the vehicle and shall be presented at the request of any authorised inspecting officer.

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2. Carriers operating coaches and buses in international passenger transport shall allow all inspections intended to ensure that operations are being conducted correctly, in particular as regards driving and rest periods. In the context of the implementation of this Regulation, authorised inspecting officers shall be empowered to:

- (a) check the books and other documentation relating to the operation of the transport undertaking;
- (b) make copies of, or take extracts from, the books and documentation on the premises;
- (c) have access to all the transport undertaking's premises, sites and vehicles;
- (d) require the production of any information contained in books, documentation or databases.

Article 21

Mutual assistance

Member States shall assist one another in applying this Regulation. They shall exchange information via the national contact points established pursuant to Article 17 of Regulation (EC) No .../2008 [establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator].

Article 22

Withdrawal of Community licences and authorisations

1. The competent authorities of the Member State where the carrier is established shall withdraw the Community licence provided for in Article 4 where the holder:

- (a) no longer meets the conditions laid down in Article 3(1);
- (b) has supplied inaccurate information concerning the data which were required for the issue of the Community licence.

2. The authorising authority shall withdraw an authorisation if the holder no longer fulfils the conditions on the basis of which the authorisation was issued under this Regulation, in particular where the Member State in which the carrier is established so requests. The authority shall immediately inform the competent authorities of the Member State concerned.

Article 23

Sanctioning of infringements by Member State of establishment

1. In the event of a serious infringement ■ of Community road transport legislation committed or ascertained in any Member State, in particular with regard to the rules applicable to vehicles, driving and rest periods for drivers and the provision without authorisation of parallel or temporary services, as referred to in Article 5(1), fourth subparagraph, the competent authorities of the Member State of establishment of the carrier who committed the infringement shall issue a warning and may, inter alia, impose the following administrative penalties:

- (a) temporary or permanent withdrawal of some or all of the certified true copies of the Community licence;
- (b) temporary or permanent withdrawal of the Community licence;
- (c) *finés*;

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These *penalties* shall be determined having regard to the seriousness of the infringement committed by the holder of the Community licence and having regard to the total number of certified true copies that he possesses in respect of his international transport services.

2. The competent authorities of the Member States shall prohibit a carrier from operating an international passenger service under this Regulation on their territory if he **has committed** serious infringements of Community road transport legislation, **and once a final decision has been issued after all the legal possibilities for review open to the carrier have been exhausted**, in particular with regard to the rules applicable to vehicles and driving and rest periods for drivers. They shall immediately inform the competent authorities of the Member State concerned.

3. **Where a serious infringement has been ascertained in** the case referred to in Article 24(1) the competent authorities of the Member State of establishment shall decide **what form of penalty** shall be imposed on the carrier concerned. They shall communicate to the competent authorities of the Member State in which the infringements were ascertained as soon as possible and at the latest within three months from receiving knowledge of the infringement which of the *penalties* provided for in paragraphs 1 and 2 of this Article have been imposed. If it has not been possible to impose such *penalties*, they shall state the reasons.

4. The competent authorities shall take into account any *penalty* already imposed in the Member State in which the infringements were ascertained and ensure that the *penalties* imposed on the carrier concerned are, as a whole, proportionate to the infringement or infringements which gave rise to such *penalties*.

The *penalty* imposed by the competent authorities of the Member State of establishment, after consulting the competent authorities of the host Member State in the case referred to in Article 24(1) may include the withdrawal of authorisation to pursue the occupation of road transport operator.

5. The competent authorities of the Member State of establishment of the carrier may also, pursuant to its national law, bring proceedings against the carrier concerned before a competent national court or tribunal. They shall inform the competent authorities of the host Member State of the decisions taken to this effect.

6. Member States shall ensure that carriers have the right to appeal against any administrative *penalty* imposed on them pursuant to this Article.

Article 24

Sanctioning of infringements by host Member State

1. Where the competent authorities of a Member State are aware of a serious infringement **■** of this Regulation or of Community road transport legislation attributable to a non-resident carrier, the Member State within the territory of which the infringement is ascertained shall transmit to the competent authorities of the Member State of establishment as soon as possible but at the latest within one month from receiving knowledge of the infringement the following information:

- (a) a description of the infringement and date, time when it was committed;
- (b) the category, type and seriousness of the infringement;
- (c) the *penalties* imposed and the *penalties* executed.

The competent authorities of the host Member State may request the competent authorities of the Member State of establishment to impose administrative *penalties* in accordance with Article 23.

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2. Without prejudice to criminal prosecution, the host Member State may impose *penalties* on non-resident carriers who have committed infringements of this Regulation or of Community or national transport regulations within its territory on the occasion of a cabotage transport operation. The *penalties* shall be imposed on a non-discriminatory basis and may, inter alia, consist of a warning and/or, in the event of a serious infringement, **■** a temporary ban on cabotage transport operations within the territory of the host Member State where the infringement was committed, **and/or the imposition of a fine**.

3. Member States shall ensure that carriers have the right to appeal against any administrative *penalty* imposed on them pursuant to this Article.

Article 25

Entry in national register

Member States shall ensure that serious infringements **■** of Community road transport legislation committed by carriers established in their territory which have led to the imposition of a *penalty* as well as the sanctions imposed are recorded in the national register of road transport undertakings as established under Regulation (EC) No .../2008 [establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator]. Those entries in the registry which concern a temporary or permanent withdrawal of a Community licence shall remain in the database for at least two years.

Chapter VII

Implementation

Article 26

Agreements between Member States

1. Member States may conclude bilateral and multilateral agreements on the further liberalisation of the services covered by this Regulation, in particular as regards the authorisation system and the simplification or abolition of control documents.

2. Member States shall inform the Commission of any agreements concluded under paragraph 1.

Article 27

Committee

1. The Commission shall be assisted by the committee established by Article 18(1), of Council Regulation (EEC) No 3821/85 of 20 December 1985 on recording equipment in road transport ⁽¹⁾.

2. Where reference is made to this paragraph, Article 5a(1) to (4) and (5)(b), and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The time limits laid down in Article 5a(3)(c), (4)(b) and **||** (e) of Decision 1999/468/EC shall be one month.

⁽¹⁾ OJ L 370, 31.12.1985, p. 8.

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Article 28

Penalties

The Member States shall lay down the rules on *penalties* applicable to infringements of the provisions of this Regulation, and shall take all measures necessary to ensure that they are implemented. The *penalties* provided for must be effective, proportionate and dissuasive. Member States shall notify those provisions to the Commission by ... (*) at the latest and shall notify it without delay of any subsequent amendment affecting them.

They shall ensure that all such measures are applied without discrimination as to the nationality or place of establishment of the carrier.

Article 29

Reporting

1. By 31 January each year Member States shall communicate to the Commission the number of authorisations for regular services issued the previous year and the total number of authorisations for regular services valid at the end of this reporting period. This information shall be given separately for each country of destination of the regular service. The Member States shall also communicate to the Commission the data concerning cabotage transport operations, in the form of special regular services and occasional services, carried out during the reporting period by resident carriers.

2. By 31 January each year the competent authorities in the host Member State shall send the Commission statistics on the number of authorisations issued for cabotage transport operations in the form of the regular services referred to in Article 15(c).

3. The Commission shall establish the format of the table to be used for the communication of the statistics referred to in paragraph 2. Since these measures are designed to amend non-essential elements of this Regulation, by supplementing it, they shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 27(2).

4. Member States shall inform the Commission no later than 31 January of every year of the number of carriers holding a Community licence as at 31 December of the previous year and of the number of certified true copies corresponding to the number of vehicles in circulation on that date.

Article 30

Amendment to Regulation (EC) No 561/2006

The following paragraph shall be inserted in Article 8 of Regulation (EC) No 561/2006:

'6a. By way of derogation from paragraph 6 and under the following conditions, a driver engaged in an international occasional transport service as defined in Regulation (EC) No .../2008 of the European Parliament and of the Council of ... [on common rules for access to the market for coach and bus services] ⁽¹⁾, may postpone the weekly rest period for up to 12 consecutive 24-hour periods following a previous regular weekly rest period provided that:

- **the international occasional transport service shall include at least 24 hours in a Member State or a third country other than the one in which the service started, and**
- **the weekly rest period after the use of the derogation shall always be at least a regular weekly rest period of 45 hours; a compensatory rest of 24 hours shall be taken en bloc before the end of the third week following the use of the derogation; the modalities and terms for taking this compensatory rest are to be established as appropriate at national level by the relevant stakeholders, and**

(*) 12 months from the date on which this Regulation enters into force.

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- *in the case of driving that takes place during the entire period from 22:00-06:00, the vehicle shall be double manned throughout or the driving period referred to in Article 7 shall be reduced to three hours, and*
- *from 1 January 2014 onwards, the use of this derogation may only be possible when using vehicles equipped with recording equipment in accordance with the requirements of Annex IB to Regulation (EEC) No 3821/85.*

⁽¹⁾ OJ L ...'

Chapter VIII

Final provisions

Article 31

Repeals

Regulations (EEC) No 684/92 and (EC) No 12/98 are repealed.

References to the repealed Regulations shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex II.

Article 32

Entry into force

This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

It shall apply from **1 January 2009**.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at ||

For the European Parliament
The President

For the Council
The President [...] [...]

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ANNEX I

EUROPEAN COMMUNITY

(a)

(Light blue, format DIN A4 synthetic paper, 150g/m² or more)

(First page of the licence)

(Text in the official language(s) or one of the official languages of the Member State issuing the licence)

DISTINCTIVE SYMBOL OF THE MEMBER
STATE ⁽¹⁾ ISSUING THE LICENCEDESIGNATION OF THE COMPETENT
AUTHORITY OR BODY

LICENCE No ...

CERTIFIED TRUE COPY No

for the international carriage of passengers by coach and bus for hire or reward, **and for cabotage transport operations**The holder of this licence ⁽²⁾

.....

.....

is authorised to carry out international carriage of passengers by road for hire or reward in the territory of the Community pursuant to the conditions laid down by Regulation (EC) No .../2008 of the European Parliament and of the Council of ... [on common rules for access to the market for coach and bus services] ⁽³⁾ and in accordance with the general provisions of this licence.

Comments:

.....

This licence is valid from to

Issued in on ⁽⁴⁾

⁽¹⁾ The distinguishing signs of the Member States are: (B) Belgium, || (BG) Bulgaria, || (CZ) Czech Republic, (DK) Denmark, (D) Germany, || (EST) Estonia, (IRL) Ireland, (GR) Greece, (E) Spain, (F) France, (I) Italy, || (CY) Cyprus, (LV) Latvia, (LT) Lithuania, (L) Luxembourg, || (H) Hungary, (MT) Malta, (NL) Netherlands, (A) Austria, || (PL) Poland, (P) Portugal, || (RO) Romania, || (SLO) Slovenia, (SK) Slovakia, (FIN) Finland, (S) Sweden, (UK) United Kingdom.

⁽²⁾ Full name or business name and full address of the carrier.

⁽³⁾ OJ L ...

⁽⁴⁾ Signature and stamp of the competent authority or body issuing the licence.

General provisions

1. This licence is issued pursuant to Regulation (EC) No .../2008 || [on common rules for access to the market for coach and bus services]

2. This licence is issued by the competent authorities of the Member State of establishment of the carrier for hire or reward who:

- (a) is authorised in the Member State of establishment to undertake carriage by means of regular services, including special regular services or occasional services by coach and bus;
- (b) satisfies the conditions laid down in accordance with Community rules on admission to the occupation of passenger transport operator in national and international transport operations;
- (c) meets legal requirements regarding the standards for drivers and vehicles.

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3. This licence permits the international carriage of passengers by coach and bus for hire or reward on all transport links for journeys carried out in the territory of the Community:

- (a) where the place of departure and place of destination are situated in two different Member States, with or without transit through one or more Member States or third countries;
- (b) from a Member State to a third country and vice versa, with or without transit through one or more Member States or third countries;
- (c) between third countries crossing the territory of one or more Member States in transit,

and empty journeys in connection with transport operations under the conditions laid down by Regulation (EC) No .../2008 [on common rules for access to the market for coach and bus services].

In the case of a transport operation from a Member State to a third country and vice versa, Regulation (EC) No .../2008 [on common rules for access to the market for coach and bus services], is applicable, for the part of the journey on the territory of Member States crossed in transit. It does not apply to that part of the journey made in the territory of the Member State of picking up or setting down as long as the necessary agreement between the Community and the third country concerned has not been concluded.

4. This licence is personal and non-transferable.

5. This licence may be withdrawn by the competent authorities of the Member State of issue in particular where the carrier:

- (a) no longer meets the conditions laid down in Article 3(1) of Regulation (EC) No .../2008 ... [on common rules for access to the market for coach and bus services];
- (b) has supplied inaccurate information regarding the data required for the issue or renewal of the licence;
- (c) has committed a serious infringement ■ of Community road transport legislation in **one or more** Member States, in particular with regard to the rules applicable to vehicles, driving and rest periods for drivers and the provision, without authorisation, of parallel or temporary services as referred to in Article 5(1), fourth subparagraph, of Regulation (EC) No .../2008 [on common rules for access to the market for coach and bus services]. The competent authorities of the Member State of establishment of the carrier who committed the infringement may, inter alia, withdraw the Community licence or make temporary or permanent withdrawals of some or all of the certified true copies of the Community licence.

These *penalties* are determined in accordance with the seriousness of the breach committed by the holder of the Community licence and with the total number of certified true copies that he possesses in respect of his international transport services.

6. The original of the licence must be kept by the carrier. A certified true copy of the licence must be carried on the vehicle carrying out an international transport operation.

7. This licence must be presented at the request of any inspecting officer.

8. The holder must, on the territory of each Member State, comply with the laws, regulations and administrative measures in force in that State, particularly with regard to transport and traffic.

9. 'Regular services' means services which provide for the carriage of passengers at specified intervals along specified routes, passengers being taken up and set down at predetermined stopping points, and which are open to all, subject, where appropriate, to compulsory reservation.

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The regular nature of the service shall not be affected by any adjustment to the service operating conditions.

Regular services require authorisation.

'Special regular services' means regular services which provide for the carriage of specified categories of passengers, to the exclusion of other passengers, at specified intervals along specified routes, passengers being taken up and set down at predetermined stopping points.

Special regular services shall include:

- (a) the carriage of workers between home and work;
- (b) carriage to and from an educational institution for school pupils and students.

The fact that a special service may be varied according to the needs of users shall not affect its classification as a regular service.

Special regular services do not require authorisation if they are covered by a contract between the organiser and the carrier.

The organisation of parallel or temporary services, serving the same public as existing regular services, requires authorisation.

'Occasional services' means services which do not fall within the definition of regular services, including special regular services, and whose main characteristic is that they carry groups constituted on the initiative of a customer or of the carrier himself. The organisation of parallel or temporary services comparable to existing regular services and serving the same public as the latter shall be subject to authorisation in accordance with the procedure laid down in Chapter III of Regulation (EC) No .../2008 [on common rules for access to the market for coach and bus services]. These services shall not cease to be occasional services solely because they are provided at certain intervals.

Occasional services do not require authorisation.

ANNEX II

CORRELATION TABLE

Regulation (EEC) No 684/92	Regulation (EC) No 12/98	This Regulation
Article 1 (1)		Article 1(1) amended
-		Article 1(4) new
Article 2 point 1.1.		Article 2(a), Article 5(1)
Article 2 point 1.2.		Article 2(b), Article 5(2)
Article 2 point 1.3.		Article 5(3)
Article 2 point 3.1.		Article 2(c), Article 5(3)
Article 2 point 3.3.		Article 5(3)
Article 2 point 3.4.		Article 5(3)
Article 2 point 4.		Article 2(d), Article 5(5)
-		Article 2(e), (f), (g) new
Article 3		Article 3 amended, Article 29

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Regulation (EEC) No 684/92	Regulation (EC) No 12/98	This Regulation
Article 3a		Article 4
Article 4		Article 5 amended
Article 5		Article 6
Article 6		Article 7
Article 7		Article 8 amended
Article 8		Article 9
Article 9		Article 10 amended
Article 10		Article 11
Article 11		Article 12
Article 12		Article 13
Article 13		Article 5(5) amended
	Article 1	Article 14 amended
	Article 2	Article 2, Article 5
	Article 3	Article 15
	Article 4(1)	Article 16(1) amended
	Article 4(2)	Article 16(2)
	Article 4(3)	Article 16(3)
	Article 4(4)	Article 16(4)
	Article 4(5)	-
	Article 5	Article 4(3)
	Article 6	Article 17
	Article 7	Article 29(3) amended
	Article 8	Article 27 amended
	Article 9	-
	Article 10	Article 27 amended
-	-	Article 18
Article 14		Article 19 amended
Article 15		Article 12, Article 20
	Article 11(1)	Article 21 amended
Article 16(1)		Article 22(1)
Article 16(2)		Article 22(2)

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Regulation (EEC) No 684/92	Regulation (EC) No 12/98	This Regulation
Article 16(3)		Article 23(1) amended
Article 16(4)		Article 23(2) amended
Article 16(5)		Article 25
		Article 24(1) new
	Article 11(2)	Article 24(2)
	Article 11(3)	Article 24(2)
	Article 11(4)	-
	Article 12	Article 23, Article 24
	Article 13	-
Article 16a		-
Article 17		-
Article 18		Article 26
Article 19	Article 14	Article 28
-	-	Article 30
Article 21		Article 31
Article 22	Article 15	Article 32
Annex I		Annex I
		Annex II new

Hygiene of foodstuffs ***I

P6_TA(2008)0250

European Parliament legislative resolution of 5 June 2008 on the proposal for a regulation of the European Parliament and of the Council amending Regulation No 11 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79(3) of the Treaty establishing the European Economic Community and Regulation (EC) No 852/2004 of the European Parliament and the Council on the hygiene of foodstuffs (COM(2007)0090 — C6-0211/2007 — 2007/0037B(COD))

(2009/C 285 E/20)

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2007)0090),
- having regard to Article 251(2) and Article 152(4)(b) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0211/2007),