

COMMISSION OPINION

of 1 February 1985

to the Kingdom of Belgium concerning a draft Royal Decree implementing Council Regulation (EEC) No 3568/83 on the fixing of rates for the carriage of goods by road between Member States

(85/147/EEC)

In a letter dated 29 June 1984, the Office of the Permanent Representative of Belgium to the European Communities sent the Commission, for consultation, the text of a draft Royal Decree implementing Council Regulation (EEC) No 3568/83 of 1 December 1983 on the fixing of rates for the carriage of goods by road between Member States ⁽¹⁾.

This communication is made pursuant to Article 17 (1) of the abovementioned Regulation which states that, in due course and after consulting the Commission, the Member States should adopt the measures necessary for the implementation of that Regulation.

The Commission expresses the following opinion on the abovementioned draft Royal Decree :

1. The Commission finds that, in accordance with the first subparagraph of Article 17 (1) of Regulation (EEC) No 3568/83, the draft Royal Decree of the Belgian Government lays down the provisions necessary for the implementation of that Regulation. In particular, it lays down the special provisions on :

- the designation of the professional organizations of users and transport agents,
- the designation of the competent authority to receive the special contracts and the informa-

tion concerning the rates charged for the international carriage of goods by road,
— the monitoring of the compulsory tariffs,
— the appropriate sanctions envisaged for breaches.

2. The Commission is of the opinion that the measures proposed for extending tariff control to all the parties to the transport contract are appropriate.

It also considers that it must reserve to itself the possibility of assessing whether the implementation of the measures proposed for the control of the compulsory tariffs and any penalties arising leads to permanent and effective control and appropriate penalties for breaches.

Done at Brussels, 1 February 1985.

For the Commission

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Member of the Commission

⁽¹⁾ OJ No L 359, 22. 12. 1983, p. 1.