

No L 298/12

Official Journal of the European Communities

31.12.72

REGULATION (EEC) No 2826/72 OF THE COUNCIL
of 28 December 1972

extending the period of validity of and amending Council Regulation (EEC)
No 1174/68 on the introduction of a system of bracket tariffs for the carriage of
goods by road between Member States

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 75 thereof;

Having regard to the proposal from the Commission;

Having regard to the Opinion of the European Parliament;

Having regard to the Opinion of the Economic and Social Committee;

Whereas the regulation of transport rates and conditions is an important aspect of the common transport policy provided for under the Treaty;

Whereas the implementation of Council Regulation (EEC) No 1174/68 of 30 July 1968¹ on the introduction of a system of bracket tariffs for the carriage of goods by road between Member States as amended by Regulation (EEC) No 293/70,² will allow experience to be acquired for the purpose of laying down the system to be applied as from the end of its period of validity; whereas to that end, the said Regulation stipulated that the system which it set up would apply until 31 December 1971 and would remain in force for a further period of one year in the event of the Council not having decided before that date on the system to be applied thereafter;

Whereas, as a result of the delayed introduction of the tariffs adopted under Regulation (EEC) No 1174/68, the period of application of that Regulation has not been sufficient to provide all the required experience; whereas it is consequently necessary to extend that Regulation for an appropriate period;

Whereas it has appeared advisable to clarify certain provisions of the said Regulation and to correct certain disparities noted between the texts of that Regulation in the various Community languages;

Whereas time limits should be laid down for fixing the tariffs which directly concern the new Member States;

Article 1

Regulation (EEC) No 1174/68 shall be amended as follows.

Article 2

Article 17 shall be replaced by the following text:

‘This Regulation shall remain in force until 31 December 1974. In the event of the Council not having decided before that date on the tariff system to be applied thereafter, it may be extended for a period of one year.’

Article 3

1. In the second subparagraph of Article 3 (1) the words ‘including the general expenses of the business’ shall be replaced by the words ‘including, where appropriate, the general expenses of the business’.

2. The words ‘must be not less than 500 metric tons in three months’ at the end of subparagraph (b) (ii) of Article 5 (1), shall be replaced by the words ‘must be not less than 500 metric tons within a three-month period’.

¹ OJ No L 194, 6.8.1968, p. 1.

² OJ No L 40, 20.2.1970, p. 1.

3. Article 16 (b) shall be replaced by the following:

‘(b) to the carriage of goods over a distance which in total does not exceed fifty km; if the road vehicle is transported by sea for part of the distance, the sea crossing shall not be taken into consideration when calculating such distance’.

Article 4

1. In the English text of the Regulation referred to in Article 1, the word ‘communicate’ in the first subparagraph of Article 5 (2) shall be replaced by the word ‘forward’, and the word ‘communicating’ in the second subparagraph shall be replaced by the word ‘forwarding’.

2. The Dutch text of Article 16 (c) shall be replaced by the following:

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

Done at Brussels, 28 December 1972.

‘(c) het vervoer van de in de bijlagen I en II bij de eerste richtlijn van de Raad inzake de vaststelling van bepaalde gemeenschappelijke regels voor het internationale vervoer (goederenvervoer over de weg tegen vergoeding) opgesomde goederen (1)’.

Article 5

For tariffs which directly concern the new Member States, the time limits laid down in Article 15 shall take effect as from the date of the accession of the said States.

Article 6

This Regulation shall enter into force on 1 January 1973.

For the Council

The President

R. G. H. KRUISINGA