

designated by itself and that other Member State for those routes.

Article 2

The total scheduled traffic between the two Member States shall for the purpose of this Decision not include direct transit and transfer traffic or traffic resulting from the application of Council Directive 83/416/EEC of 25 July 1983 concerning the authorization of scheduled inter-regional air services for the transport of passengers, mail and cargo between Member States ⁽¹⁾.

Article 3

The Commission shall make a report, every three years, on the implementation of this Decision. To

⁽¹⁾ OJ No L 237, 26. 8. 1983, p. 19.

this end, Member States shall provide the Commission with all relevant information and in particular shall, once a year, send to the Commission a list of cases where they have imposed capacity reductions or refused capacity increases as referred to in Article 1 above.

Article 4

After consulting the Commission, Member States shall, before . . . , make the necessary adaptations to all bilateral agreements, arrangements and memoranda of understanding with other Member States, which contain provisions contrary to this Decision.

Article 5

This Decision is addressed to the Member States.

Amendments to the proposal for a Council Regulation laying down the procedure for the rules on competition applying to undertakings in the air transport sector ⁽¹⁾

COM(84) 72 final

(Submitted by the Commission to the Council pursuant to Article 149 (2) of the EEC Treaty on 20 March 1984)

(84/C 182/02)

1. The sixth recital is hereby amended to read as follows:

'Whereas, to remedy this situation, implementing rules are needed which are analogous to the regulations covering other forms of transport and other sectors of the economy;'

2. New seventh and eight recitals are added:

'Whereas the air transport industry is characterized by special features which are peculiar to this sector; whereas, furthermore, international air transport is regulated by a network of bilateral agreements between States which define the conditions under which airlines designated

by the parties to the agreements may operate routes between the two territories;

Whereas practices which may affect competition relating to international air transport between Member States may have a substantial effect on trade between Member States; whereas it is desirable therefore that the rules laid down in this Regulation for the application of Articles 85 and 86 of the EEC Treaty apply, as a first stage, to international air transport within the common market;'

3. Article 1 (2) is hereby amended to read as follows:

'2. It shall apply only to international air transport between Community airports.'

⁽¹⁾ OJ No C 317, 3. 12. 1982, p. 3.