



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 22.3.2004
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Proposal for a

COUNCIL REGULATION

**adapting Regulation (EC) No 685/2001 of the European Parliament and of the Council,
in the field of transport, by reason of the accession of the Czech Republic, Estonia,
Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia**

(presented by the Commission)

EXPLANATORY MEMORANDUM

Regulation (EC) No 685/2001 of the European Parliament and of the Council of 4 April 2001¹ as amended by Regulation No 893/2002 of the European Parliament and of the Council of 27 May 2002² extended to Romania the rules governing the distribution of transit authorisations received by the Community under the agreements with Bulgaria and Hungary. The Annex indicated the number of authorisations to be used by each Member State for transiting through Bulgaria, Hungary and Romania.

As regards Hungary, from the date of accession of this country to the European Union, the transit authorisations will no longer be necessary since relations between Hungary and the current Member States will be governed by Article V of the EC Treaty (transport policy) and by secondary law, in particular, Regulation (EEC) No 881/92 regarding freedom of transit.

As regards Bulgaria and Romania, the number of road transit authorisations given by Bulgaria and Romania to the Community remains the same but the allocation of authorisations between the Member States must be adjusted to take account of accession.

The attached proposal for a Council decision is a proposal for a technical adaptation of Regulation (EC) No 685/2001 of the European Parliament and of the Council which provides for the distribution of authorisations among Member States received through the Agreements establishing certain conditions for the carriage of goods by road and the promotion of combined transport between the European Community and the Republic of Bulgaria and between the European Community and Romania.

Article 2(3) of the Treaty of Accession stipulates that the institutions of the European Union can, prior to accession, adopt amendments to those acts which require adaptation by reason of accession as provided for in Article 57 of the Act of Accession. These measures shall enter into force subject to and on the date of entry into force of the Treaty of Accession.

Article 57(2) of the Act of Accession provides that these adaptations will be adopted by the Council acting by qualified majority on a proposal from the Commission.

The Council is therefore asked to approve the attached Commission proposal.

¹ OJ L 108, 18.4.2001, p. 1.

² OJ L 142, 31.5.2002, p. 1.

Proposal for a

COUNCIL REGULATION

adapting Regulation (EC) No 685/2001 of the European Parliament and of the Council, in the field of transport, by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia³, and in particular Article 2(3) thereof,

Having regard to the Act of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia, and Slovakia⁴, and in particular Article 57(1) thereof,

Having regard to the proposal from the Commission,⁵

Whereas:

- (1) For certain acts which remain valid beyond 1 May 2004 and require adaptation by reason of accession, the necessary adaptations were not provided for in the 2003 Act of Accession, or were provided for, but further adaptations are necessary. All these adaptations need to be adopted before accession in order to enter into force as from accession.
- (2) Pursuant to Article 57(2) of the Act of Accession, such adaptations are to be adopted by the Council in all cases where the Council adopted the original act alone or jointly with the European Parliament.
- (3) Regulation (EC) No 685/2001 of the European Parliament and of the Council of 4 April 2001 concerning the distribution of authorisations among Member States received through the Agreements establishing certain conditions for the carriage of goods by road and the promotion of combined transport between the European Community and the Republic of Bulgaria, between the European Community and the Republic of Hungary and between the European Community and Romania⁶ should therefore be amended,

³ OJ L 236, 23.9.2003, p. 17.

⁴ OJ L 236, 23.9.2003, p. 33.

⁵ OJ C ..., ..., p. ...

⁶ OJ L 108, 18.4.2001, p. 1. Regulation amended by Regulation (EC) No 893/2002 (OJ L 142, 31.5.2002, p. 1).

HAS ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 685/2001 is amended as follows:

(1) The title shall be replaced by:

“Regulation (EC) No 685/2001 of the European Parliament and of the Council of 4 April 2001 concerning the distribution of authorisations among Member States received through the Agreements establishing certain conditions for the carriage of goods by road and the promotion of combined transport between the European Community and the Republic of Bulgaria and between the European Community and Romania”

(2) Article 1 shall be replaced by the following:

"Article 1

This Regulation lays down the rules for the distribution among Member States of authorisations available to the Community under Article 6(2) of the Agreements between the European Community and the Republic of Bulgaria and between the European Community and Romania establishing certain conditions for the carriage of goods by road and the promotion of combined transport (hereinafter referred to as “the Agreements”).”

(3) The Annex shall be replaced by the following:

“Annex

Member State	Authorisations for use in:	
	Bulgaria	Romania
Belgium	53	54
Czech Republic	50	50
Denmark	60	61
Germany	84	87
Estonia	63	66
Greece	10 468	11 457
Spain	50	50
France	52	52
Ireland	50	50
Italy	52	52
Cyprus	63	64
Latvia	53	54
Lithuania	211	227
Luxembourg	50	50
Hungary	324	359
Malta	57	55
Netherlands	100	104
Austria	69	70
Poland	386	296
Portugal	50	50
Slovenia	64	87
Slovak Republic	429	442
Finland	52	52
Sweden	57	57
United Kingdom	53	54
Total	13 000	14 000”

Article 2

This Regulation shall enter into force subject to and on the date of entry into force of the Treaty of Accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia.

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

Done at Brussels,

*For the Council
The President*