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INFORMATION NOTE

from:	General Secretariat
to:	Permanent Representatives Committee/Council
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1365/2006 on statistics of goods transport by inland waterways as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures – Outcome of the European Parliament's first reading (Strasbourg, 10 to 13 March 2014)

I. INTRODUCTION

The Rapporteur, Ms Eva LICHTENBERGER (EFA/Greens, AT), presented a report on the proposal for a Regulation on behalf of the Committee on Transport and Tourism. The report contained 16 amendments (amendments 1 - 16) to the proposal.

No other amendments were tabled.

II. VOTE

The vote on the proposal took place on 11 March 2014. The European Parliament adopted the 16 amendments to the proposal (amendments 1 - 16). No other amendments were adopted.

The amendments adopted are set out in the Annex together with the legislative resolution.

Statistics of goods transport by inland waterways (delegated and implementing powers) *I**

European Parliament legislative resolution of 11 March 2014 on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1365/2006 on statistics of goods transport by inland waterways as regards conferring delegated and implementing powers upon the Commission for the adoption of certain measures (COM(2013)0484 – C7-0205/2013 – 2013/0226(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0484),
 - having regard to Article 294(2) and Article 338(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0205/2013),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Transport and Tourism (A7-0003/2014),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation Recital 5

Text proposed by the Commission

(5) As regards Regulation (EC) No 1365/2006, in order to take account of economic and technical trends, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission **concerning** the adaptation of the threshold for statistical coverage of inland waterways transport, adaptation of the definitions and the adoption of additional definitions. ***In addition, the Commission should be empowered to adopt delegated acts in order to adapt the data collection scope and*** the content of the Annexes.

Amendment

(5) As regards Regulation (EC) No 1365/2006, in order to take account of economic and technical trends, the power to adopt acts in accordance with Article 290 of the Treaty ***on the Functioning of the European Union*** should be delegated to the Commission ***in respect of*** the adaptation of the threshold for statistical coverage of inland waterways transport, adaptation of the definitions and the adoption of additional definitions, ***as well as adaptation of*** the content of the Annexes.

Amendment 2

Proposal for a regulation Recital 6

Text proposed by the Commission

(6) The Commission should ensure that these delegated acts do not impose a significant additional administrative burden on the Member States or on the ***respondent units***.

Amendment

(6) The Commission should ensure that these delegated acts do not impose a significant additional administrative burden on the Member States or on the ***respondents***.

Amendment 3

Proposal for a regulation Recital 8

Text proposed by the Commission

(8) In order to ensure uniform conditions for the implementation of Regulation (EC) No 1365/2006, implementing powers should be conferred ***upon*** the Commission to adopt arrangements for transmitting data including data interchange standards, for the dissemination of results by the

Amendment

(8) In order to ensure uniform conditions for the implementation of Regulation (EC) No 1365/2006, implementing powers should be conferred ***on*** the Commission to adopt arrangements for transmitting data including data interchange standards, for the dissemination of results by the

Commission (Eurostat) and also to develop and publish methodological requirements and criteria designed to ensure the quality of the data produced. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Commission (Eurostat) and also to develop and publish methodological requirements and criteria designed to ensure the quality of the data produced. Those powers should be exercised in accordance with Regulation (EU) No 182/2011. ***The examination procedure should be used for the adoption of those acts, given their general scope.***

Amendment 4

Proposal for a regulation Recital 9

Text proposed by the Commission

(9) In accordance with the principle of proportionality, it is necessary and appropriate for the achievement of the basic objective of the alignment of the powers conferred ***upon*** the Commission ***to*** Articles 290 and 291 of the Treaty to lay down rules on such alignment in the domain of transport statistics. This Regulation does not go beyond what is necessary in order to achieve that objective, in accordance with Article 5(4) of the Treaty on ***the*** European Union.

Amendment

(9) In accordance with the principle of proportionality, ***as set out in Article 5 of the Treaty on European Union***, it is necessary and appropriate for the achievement of the basic objective of the alignment of the powers conferred ***on*** the Commission ***with*** Articles 290 and 291 of the Treaty ***on the Functioning of the European Union*** to lay down ***common*** rules on such alignment in the domain of transport statistics. This Regulation does not go beyond what is necessary in order to achieve that objective, in accordance with Article 5(4) of the Treaty on European Union.

Amendment 5

Proposal for a regulation Article 1 – point -1 a (new) Regulation (EC) No 1365/2006 Article 2 – paragraph 4 – point b

Text proposed by the Commission

Amendment

(-1a) In Article 2(4), point (b) is deleted;

Amendment 6

Proposal for a regulation Article 1 – point -1 b (new)

Text proposed by the Commission

Amendment

(-1b) In Article 2(4), point (c) is deleted;

Amendment 7

Proposal for a regulation

Article 1 – point 1

Regulation (EC) No 1365/2006

Article 2 – paragraph 5 (new)

Text proposed by the Commission

Amendment

The Commission shall be empowered to adopt delegated acts, in accordance with Article 9, taking account of economic and technical trends, concerning the adaptation of the threshold for statistical coverage of inland waterways transport.

The Commission shall be empowered to adopt delegated acts, **where necessary**, in accordance with Article 9, taking account of economic and technical trends, concerning the adaptation of the threshold for statistical coverage of inland waterways transport.

Amendment 8

Proposal for a regulation

Article 1 – point 2

Regulation (EC) No 1365/2006

Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The Commission shall be empowered to adopt delegated acts in accordance with Article 9, taking account of economic and technical trends, concerning the adaptation of the definitions and the adoption of additional definitions.

The Commission shall be empowered to adopt delegated acts, **where necessary**, in accordance with Article 9, taking account of economic and technical trends, concerning the adaptation of the definitions and the adoption of additional definitions.

Amendment 9

Proposal for a regulation

Article 1 – point 3

Regulation (EC) No 1365/2006

Article 4 – paragraph 4 (new)

Text proposed by the Commission

The Commission shall be empowered to adopt delegated acts in accordance with Article 9, taking account of economic and technical trends, concerning the adaptation of the data collection scope and the content of the Annexes.

Amendment

The Commission shall be empowered to adopt delegated acts, **where necessary**, in accordance with Article 9, taking account of economic and technical trends, concerning the adaptation of the data collection scope and the content of the Annexes.

Amendment 10

Proposal for a regulation

Article 1 – point 6 a (new)

Regulation (EC) No 1365/2006

Article 7 – paragraphs 3 a (new) and 3 b (new)

Text proposed by the Commission

Amendment

(6a) In Article 7, the following paragraphs are added:

'3a. For the purposes of this Regulation, the quality criteria to be applied to the data to be transmitted are those referred to in Article 12(1) of Regulation (EC) No 223/2009 of the European Parliament and of the Council*.

3b. The Commission shall, by means of implementing acts, specify the modalities, structure, periodicity and comparability elements for the quality reports. Those implementing acts shall be adopted in accordance with the examination procedure referred in Article 10(2).

*** Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council**

*Decision 89/382/EEC, Euratom
establishing a Committee on the
Statistical Programmes of the European
Communities (OJ L 87, 31.3.2009,
p.164.)'*;

Amendment 11

Proposal for a regulation

Article 1 – point 6 b (new)

Regulation (EC) No 1365/2006

Article 8 – paragraph 1 – introductory wording

Present text

By 15 October 2009 and after consulting the Statistical Programme Committee, the Commission shall submit a report to the European Parliament and the Council on the implementation of this Regulation. In particular, that report shall:

Amendment

(6b) In Article 8, the introductory wording of paragraph 1 is replaced by the following:

'By ...⁺ and every three years thereafter, the Commission, after consulting the Statistical Programme Committee, shall submit a report to the European Parliament and the Council on the implementation of this Regulation. In particular, that report shall:'

⁺ OJ: please insert the date: three years after the date of entry into force of this Regulation.

Amendment 12

Proposal for a regulation

Article 1 – point 7

Regulation (EC) No 1365/2006

Article 9 – title

Text proposed by the Commission

Exercise of *delegated powers*

Amendment

Exercise of *the delegation*

Amendment 13

Proposal for a regulation

Article 1 – point 7

Text proposed by the Commission

The power to adopt delegated acts is conferred ***upon*** the Commission subject to the conditions laid down in this Article.

Amendment

The power to adopt delegated acts is conferred ***on*** the Commission subject to the conditions laid down in this Article.

Amendment 14

Proposal for a regulation

Article 1 – point 7

Regulation (EC) No 1365/2006

Article 9 – paragraph 3

Text proposed by the Commission

The power to adopt delegated acts referred to in Article 2(5), Article 3 and Article 4(4) shall be conferred on the Commission for ***an indeterminate*** period of ***time*** from ***(Publication office : please insert the exact date of the entry into force of the amending Regulation)***.

Amendment

The power to adopt delegated acts referred to in Article 2(5), Article 3 and Article 4(4) shall be conferred on the Commission for a period of ***five years*** from ... ⁺⁺. ***The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***

++ OJ: please insert the exact date of entry into force of this amending Regulation.

Amendment 15

Proposal for a regulation

Article 1 – point 8

Regulation (EC) No 1365/2006

Article 10 – paragraph 2 a (new)

2a. Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.

Amendment 16

Proposal for a regulation

Article 1 – point 8 a (new)

Regulation (EC) No 1365/2006

Annex B – Table B1

Present text

Table B1. **Transport** by nationality of the vessel and the type of vessel (annual data)

Elements	Coding	Nomenclature	Unit
Table	2-Alpha	'B1'	
Reporting country	2-letter	NUTS0 (national code)	
Year	4-digit	'yyyy'	
Country/region of loading	4-alpha	NUTS2 (*)	
Country/region of unloading	4-alpha	NUTS2 (*)	
Type of transport	1-digit	1= national 2 = international (except transit) 3= transit	
Type of vessel	1-digit	1= self-propelled barge 2= barge not self-propelled 3= self-propelled tanker barge 4= tanker barge not self-propelled 5= other goods carrying vessel 6= seagoing vessel	
Nationality of vessel	2-letter	NUTS0 (national code) (**)	
Tonnes transported			tonnes
Tonnes-km			tonnes-km

(*) When the regional code is unknown or not available the following codification will be used:

- ‘NUTS0 + ZZ’ when the NUTS code exists for the partner country.
- ‘ISO code + ZZ’ when the NUTS code does not exist for the partner country.
- ‘ZZZZ’ when the partner country is completely unknown.

(**)When a NUTS code does not exist for the country of registration of the vessel, the ISO national code will be reported. In case the nationality of the vessel is unknown, the code to use is ‘ZZ’.

Amendment

(8a) In Annex B, Table B1 is replaced by the following:

'Table B1. *Passenger and goods transport* by nationality of the vessel and the type of vessel (annual data)

Elements	Coding	Nomenclature	Unit
Table	2-Alpha	‘B1’	
Reporting country	2-letter	NUTS0 (national code)	
Year	4-digit	‘yyyy’	
Country/region of loading	4-alpha	NUTS2 (*)	
Country/region of unloading	4-alpha	NUTS2 (*)	
Type of transport	1-digit	1= national 2 = international (except transit) 3= transit	
Type of vessel	1-digit	1= self-propelled barge 2= barge not self-propelled 3= self-propelled tanker barge 4= tanker barge not self-propelled 5= other goods carrying vessel 6= seagoing vessel 7= <i>cruise vessels transporting more than 100 passengers</i> 8= <i>ferries carrying passengers over more than 300 metres</i>	
Nationality of vessel	2-letter	NUTS0 (national code) (**)	
Tonnes transported			tonnes
Tonnes-km			tonnes-km
<i>Passengers transported</i>	<i>12-digit</i>		<i>Passenger</i>
<i>Passengers-km</i>	<i>12-digit</i>		<i>Passenger</i>
<i>Passenger seats available</i>	<i>12-digit</i>		<i>Passenger seat</i>

(*) When the regional code is unknown or not available the following codification will be used:

- ‘NUTS0 + ZZ’ when the NUTS code exists for the partner country.

— 'ISO code + ZZ' when the NUTS code does not exist for the partner country.

— 'ZZZZ' when the partner country is completely unknown.

(**)When a NUTS code does not exist for the country of registration of the vessel, the ISO national code will be reported. In case the nationality of the vessel is unknown, the code to use is 'ZZ'.'