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FIN 721  
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### OUTCOME OF PROCEEDINGS

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From: General Secretariat of the Council

To: Delegations

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No. prev. doc.: 13764/14 TRANS 456 MAR 152 FIN 695 CODEC 1925

No. Cion doc.: 10154/13 TRANS 272 MAR 62 FIN 300 CODEC 1234

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Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND  
OF THE COUNCIL establishing a framework on market access to port  
services and financial transparency of ports (First reading)  
- General approach

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Delegations will find attached a statement by Denmark, Estonia, the Netherlands and Finland on the  
above subject.

**STATEMENT BY DENMARK, ESTONIA, THE NETHERLANDS AND FINLAND**

Denmark, Estonia, the Netherlands and Finland fully support the need to enhance transparency on financing of ports, clarifying the destination and use of public funding to the different port activities, with a view to avoiding any distortion of competition.

Departing from the principle of financial transparency, which is one of the crucial elements of the Regulation establishing a framework on market access to port services and financial transparency of ports, Denmark, Estonia, the Netherlands and Finland are disappointed that Article 12 paragraph 7a provides for a derogation for smaller ports on the comprehensive Trans-European Transport Network<sup>1</sup>. These ports will not have to apply paragraph 2 of Article 12 in certain cases.

Article 12 contains the core provisions for transparency in the use of public funds and therefore should be fully applicable, both to all ports on the TEN-T network, and to all port services. This will avoid distortion of competition and encourage a more rational use of public funding including in smaller ports.

Denmark, Estonia, the Netherlands and Finland hope that during the next stages of the legislative process, a constructive dialogue between the three institutions can be pursued to that effect.

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<sup>1</sup> Ports which do not meet the criteria in point (b) of Article 20(2) of Regulation (EU) No 1315/2013.