



EUROPEAN UNION

THE EUROPEAN PARLIAMENT

THE COUNCIL

Strasbourg, 18 January 2023
(OR. en)

2022/0232(COD)
LEX 2214

PE-CONS 68/1/22
REV 1

TRANS 749
CODEC 1856

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL REPEALING
REGULATION (EEC) NO 1108/70 OF THE COUNCIL INTRODUCING AN ACCOUNTING
SYSTEM FOR EXPENDITURE ON INFRASTRUCTURE IN RESPECT OF TRANSPORT BY
RAIL, ROAD AND INLAND WATERWAY, AND REPEALING COMMISSION REGULATION
(EC) NO 851/2006 SPECIFYING THE ITEMS TO BE INCLUDED UNDER THE VARIOUS
HEADINGS IN THE FORMS OF ACCOUNTS SHOWN IN ANNEX I TO COUNCIL
REGULATION (EEC) NO 1108/70

REGULATION (EU) 2023/...
OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 18 January 2023

**repealing Regulation (EEC) No 1108/70 of the Council
introducing an accounting system for expenditure on infrastructure
in respect of transport by rail, road and inland waterway,
and repealing Commission Regulation (EC) No 851/2006
specifying the items to be included under the various headings
in the forms of accounts shown in Annex I to Council Regulation (EEC) No 1108/70**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee¹,

After consulting the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure²,

¹ Opinion of 26 October 2022 (not yet published in the Official Journal).

² Position of the European Parliament of 13 December 2022 (not yet published in the Official Journal) and decision of the Council of 19 December 2022.

Whereas:

- (1) The European Parliament, the Council and the Commission have confirmed in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making¹ their joint commitment to update and simplify Union legislation.
- (2) It is appropriate to regularly analyse the Union *acquis* in order to enable it to be updated and, where possible, to be reduced in volume. Repealing obsolete legislation helps to keep the Union's legislative framework transparent, clear and easy to use by Member States and relevant stakeholders.
- (3) Regulation (EEC) No 1108/70 of the Council² requires Member States to report on infrastructure expenditure for transport by rail, road and inland waterway, as well as on returns relating to the use of such infrastructure.
- (4) Regulation (EEC) No 1108/70 contains obsolete provisions and definitions, and is inconsistent and incompatible with more recent Union legal acts currently in force that oblige Member States to report on transport infrastructure investment data and infrastructure use.

¹ OJ L 123, 12.5.2016, p. 1.

² Regulation (EEC) No 1108/70 of the Council of 4 June 1970 introducing an accounting system for expenditure on infrastructure in respect of transport by rail, road and inland waterway (OJ L 130, 15.6.1970, p. 4).

- (5) Regulation (EEC) No 1108/70 is associated with excessive administrative difficulties in collecting the data required by that Regulation. Since 2005, only four Member States have provided such data.
- (6) Regulation (EEC) No 1108/70 should therefore be repealed in order to eliminate inconsistencies in the Union legal order and to contribute to the simplification of Union legislation by eliminating a legal act which is now obsolete.
- (7) As Commission Regulation (EC) No 851/2006¹ implements Regulation (EEC) No 1108/70, its purpose will end with the repeal of Regulation (EEC) No 1108/70. Regulation (EC) No 851/2006 should therefore also be repealed,

HAVE ADOPTED THIS REGULATION:

¹ Commission Regulation (EC) No 851/2006 of 9 June 2006 specifying the items to be included under the various headings in the forms of accounts shown in Annex I to Council Regulation (EEC) No 1108/70 (OJ L 158, 10.6.2006, p. 3).

Article 1

Regulations (EEC) No 1108/70 and (EC) No 851/2006 are repealed.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

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

Done at Strasbourg,

For the European Parliament
The President

For the Council
The President