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#### 'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. prev. doc.:	6799/21+REV1
Subject:	Consultation of the Council by the European Commission on the EU position regarding the revision by the Regional Steering Committee of Annex I to the Treaty establishing the Transport Community - Approval

1. On 19 February 2021, the European Commission consulted the Council on a draft Commission decision on a position to be taken by the European Union in the Regional Steering Committee of the Transport Community concerning the adoption of a decision revising Annex I to the Treaty establishing the Transport Community, which contains the "Rules applicable to the transport sector and related issues". The Commission launched this consultation in accordance with Article 2 (2) of Council Decision (EU) 2019/392<sup>1</sup>.
2. The Working Group on transport - intermodal questions and networks examined the draft Commission decision between 19 February and 25 March 2021. Delegations welcomed that the Commission intends to take the initiative for a first revision of Annex I.

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<sup>1</sup> Council Decision (EU) 2019/392 of 4 March 2019 on the conclusion, on behalf of the European Union, of the Treaty establishing the Transport Community, OJ L 71, 13.3.2019, p. 1.

3. Based on comments from delegations, the Presidency provided suggestions to the draft revision which consisted of:
- additions to the list of legislative acts where those additions concerned acts adopted after the establishment of Annex I;
  - changes to the subheadings for some legislative areas;
  - corrections to the list and the summary note, such as the deletion of repealed acts or exact citations.<sup>2</sup>
4. In addition, during the informal meeting of the members of the Working Group on 16 March 2021, delegations highlighted an inconsistency which was present already in the initial Annex I, namely that in some instances, legal acts amending other legal acts are listed expressly, while at other occasions the relevant version of the legal act is derived from a general dynamic reference. It was considered that this should be regularised at the earliest suitable occasion.
5. In view the foregoing, and subject to endorsement by the Permanent Representatives Committee, the Council is invited to approve the consultation document set out in the addendum to this note.
6. In accordance with the first subparagraph of Article 12(1) of the Council's Rules of Procedure and Article 1 of Council Decision 2020/430 and given the urgency of the matter, the Permanent Representatives Committee is invited to decide that, if no formal Council meetings take place before 21 April 2021, the Council uses the written procedure for the approval of the consultation document set out in the addendum to this note.
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<sup>2</sup> See documents ST 6799/21 + REV 1.