

EC/Canada agreement: air transport

2009/0018(NLE) - 08/11/2010 - Legislative proposal

PURPOSE: to conclude the EU-Canada Air Transport Agreement.

PROPOSED ACT: Council Decision.

BACKGROUND: the Commission negotiated on behalf of the Community and of the Member States an Agreement on Air Transport with Canada. The Agreement was signed on 17 and 18 December 2009 and applies provisionally subject to its conclusion at a later date.

It is now necessary to approve the Agreement by the Union and its Member States.

IMPACT ASSESSMENT: no impact assessment was carried out.

LEGAL BASIS: Article 100(2), in conjunction with Article 218(6)(a)(v) and the first subparagraph of Article 218(8) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: by this Decision, the Agreement on Air Transport between the European Community and its Member States, of the one part, and Canada, of the other part, is hereby approved on behalf of the Union. For details of the content of the Agreement, please refer to the summary of the previous initial legislative document dated 17/02/2009.

Termination of the Agreement: procedural arrangements have been laid down in the Agreement for deciding, if appropriate, how to terminate the Agreement and a decision to withdraw such notice, shall be taken by the Council, on behalf of the Union and of the Member States, acting unanimously on the basis of a Commission proposal.

Joint Committee: it also lays down appropriate procedural arrangements for the participation of the Union and the Member States in the Joint Committee set up under Article 17 of the Agreement and in the dispute settlement procedures provided for in Article 21 of the Agreement, as well as for implementing certain provisions of the Agreement concerning security and safety.

It should be noted that as a consequence of the entry into force of the Treaty of Lisbon on 1 December 2009, the European Union has replaced and succeeded the European Community and from that date exercises all rights and assumes all obligations of the European Community. Therefore, references to "the European Community" in the text of the Agreement are, where appropriate, to be read as "the European Union".

BUDGETARY IMPLICATION: this proposal has no implication for the EU budget.