

Air transport between the Community and third countries: competition

2003/0038(CNS) - 26/02/2004 - Final act

PURPOSE : to ensure that competition rules and enforcement tools apply to international aviation as apply to internal EU routes. **LEGISLATIVE ACT** : Council Regulation 411/2004/EC repealing Regulation 3975/87/EC and amending Regulations 3976/87/EC and 1/2003/EC, in connection with air transport between the Community and third countries. **CONTENT** : This Regulation comes about due to the fact that neither Council Regulation 3975/87/EC, nor Regulation 1/2003/EC itself applies to air transport between the Community and third countries. Consequently, the Commission did not enjoy powers of investigation and enforcement with regard to infringements of Articles 81 and 82 of the Treaty in respect of air transport between the Community and third countries equivalent to those enjoyed as regards air transport within the Community. In particular, the Commission lacked the requisite fact-finding tools and the powers to impose remedies which are necessary to bring infringements to an end or to impose penalties in respect of proven infringements. This regulation confers on the Commission powers of investigation and enforcement with regard to infringements of Articles 81 and 82 of the Treaty in respect of air transport between the Community and third countries. **ENTRY INTO FORCE** : 09/03/04. **DATE APPLICABLE** : 01/05/04.