Common rules for the normalisation of the accounts of railway undertakings: repeal. 4th Railway Package

2013/0013(COD) - 06/12/2016 - Committee recommendation tabled for plenary, 2nd reading

The Committee on Transport and Tourism adopted the recommendation for second reading contained in the report by Merja KYLLÖNEN (GUE/NGL, FI) on the Council position at first reading with a view to the adoption of a regulation of the European Parliament and of the Council repealing Regulation (EEC) No 1192/69 of the Council on common rules for the normalisation of the accounts of railway undertakings.

The committee recommended the European Parliament to **approve the Council position at first reading without amendment**.

As a reminder, the proposal is part of the market pillar of the Fourth Railway Package which comprises three legislative proposals.

Regulation 1192/69 on common rules for the normalisation of the accounts of railway undertakings, which the Commission is proposing to repeal, allows Member States to compensate railway undertakings for the payment of obligations which undertakings of other transport modes do not have to support. Those obligations may concern, for example, special payments in case of accidents at work, which a railway undertaking is obliged to make but in the case of other transport modes are borne by the state, pensions for railway workers who usually retire earlier from certain arduous jobs, or the payments for costs relating to level crossing facilities.

Following the adoption of Parliament’s first reading position, interinstitutional negotiations (aimed at an early second reading agreement) took place, from October 2015 to April 2016, under the Luxembourg and the Dutch Presidencies of the Council. After six rounds of trilogues, Parliament’s negotiating team reached an agreement with the Council Presidency on 19 April 2016.

During the early-second reading negotiations, the Rapporteur stated that there is still need for a transitional period regarding the compensations paid for level crossing facilities (Class IV) due to the fact that some Member State(s) still use this Regulation as a basis for level crossing facilities compensations.

The Rapporteur accepted the Commission`s opinion according to which the Regulation no longer respects the current legal environment. The Rapporteur recommended following the Commission’s proposal to repeal Regulation (EEC) No 1192/69, with the exception of the provisions that apply to the normalisation of accounts for Class IV cases covered by Annex IV. Those provisions shall continue to apply until 31 December 2017. That would give time to Member States to adapt their national legislation concerning the compensations of costs relating to certain level crossing facilities.