INTERBUS agreement: international occasional carriage of passengers by coach and bus

2001/0242(AVC) - 17/01/2002 - Legislative proposal

PURPOSE: To sign an Agreement between the Community and third countries on the international occasional carriage of passengers by coach and bus. CONTENT: In 1995 the Council authorised the Commission to negotiate a Community Agreement on the international occasional carriage of passengers by coach and bus with countries in Central and Eastern Europe. Negotiations were opened with the following fourteen countries: Bosnia-Herzegovina, Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Moldova, Poland, Romania, Slovakia, Slovenia and Turkey. The aim of the Agreement, known as the Interbus Agreement, was to shadow the ASOR agreement signed in Dublin 1982. The new Agreement replaces the bilateral agreements concluded between the Community and Contracting Parties. It includes most of the liberalisation measures of the ASOR Agreement but adds social, fiscal and technical measures based on the principle of non-discrimination between the Contracting Parties. The Agreement will cover traffic between the third countries themselves, thereby creating a certain degree of harmonisation of fiscal, social and technical requirements in addition to the rules on market access. The Republic of San Marino, the Principality of Monaco and the Principality of Andorra may join at a later stage. In terms of the Agreement's content, the following provisions have been proposed: - The Contracting Parties are required to apply a principle of non-discrimination. They are not allowed to discriminate on the grounds of nationality, place of establishment, origin or destination of the bus or coach. - The following are exempt from authorisation: closed-door tours, services which make the outward journey laden and the return journey unladen, services on which the outward journey is made unladen and all the passengers are taken up in the same place, transit operators, buses and coaches to be used exclusively for the replacement of a bus or a coach which is damaged. - The Agreement provides that the Contracting Parties must apply harmonising laws. Thus, the following EU legislation is annexed to the Agreement: the Community Directive on admission to the occupation, Community Directives on various technical standards applicable to vehicles. (By 2010 at the latest, only buses and coaches equivalent to EURO 1 standard are allowed on the road), Accession to the European Agreement concerning the work of crews of vehicles engaged in international road transport (AETR) - Fiscal provision are also specified. A Joint Committee will be instructed to draw up a list of taxes which may only be levied on the Contracting Party of registration of the vehicle. Taxes and charges on motor fuel, VAT, road tolls and other charges for the use of infrastructure will apply in a non-discriminatory manner. A limited quantity of fuel will be excluded as will spare parts which may be imported free of duties. - The contracting parties are responsible for the control of the Agreement. Penalties for breaching the terms of the Agreement can be imposed by the Contracting Parties. - A Joint Committee will be set up to manage the Agreement. - The Agreement will enter into force on the first day of the third month following ratification by a fourth country. The Agreement will be concluded for a period of five years.