

Admission of non-resident carriers to national road passenger transport services

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PREVIOUS COMMUNITY LEGISLATION: Council Regulation 2454/92/EEC of 23 July 1992 laying down the conditions under which non-resident carriers may operate national road passenger transport services within a Member State (OJ L 251, 29.8.1992). Cabotage transport operations for the carriage of workers between home and work and carriage to and from the educational institution for school pupils and students is restricted to frontier zones, as are, for a transitional period (from 1 January 1993 to 31 December 1995), cabotage transport operations for non-regular services of the same group of passengers along an entire route ('closed-door tours'). Under Article 12, the Commission is to report to the Council before 31 December 1995 on the application of the regulation and, in particular, on the impact of cabotage transport operations on the market and on whether consideration should be given to extending the scope of the regulation; the report is a prerequisite for a review of the situation of regular services as defined in Article 2. **PREVIOUS POSITION OF EP:** In its resolution of 10 March 1988 delivering an opinion in favour of the proposal for a regulation, Parliament tabled three amendments: of the two accepted by the Commission and approved by the Council, one made the regulation applicable for transport by coach and bus with a capacity of more than nine persons and the other established the requirement for the Member States to communicate to the Commission the provisions adopted in implementation of the regulation; the third, which was rejected by the Commission, proposed postponing the regulation's entry into force by one year. **SITUATION:** The Court of Justice (judgment of 1 June 1994 in Case C-388/92) annulled Council Regulation 2454/92/EEC following an application from Parliament; the Court considered that a major change to the initial proposal (the restrictions referred to under 4 above) should have prompted further consultation of Parliament. The judgment retains the provisions of the annulled regulation until the Council, after consultation with Parliament, has adopted new legislation in the matter.