

Air transport: protection against unfair pricing practices from countries not members of the Community

2002/0067(COD) - 07/05/2003 - Modified legislative proposal

The Commission has accepted, subject to redrafting, about half the amendments adopted by the European Parliament as they strengthen or clarify the Commission's text. The amendments accepted include the following: - provisional measures may be imposed normally no later than six months after the initiation of proceedings; - preference may be given to duties when it comes to the imposition of redressive measures. Where this is not appropriate, other redressive measures may be considered; - the criteria for determining whether pricing practices could be deemed unfair include the actual price at which the tickets are proposed for sale, the number of seats proposed etc; - redressive measures will only be imposed if the totality of factors considered leads to the conclusion that, unless redressive measures are taken, injury will immediately occur; - the Commission will submit within two years an evaluation of the implementation and the impact of this Regulation; In addition: - the Commission proposes nine months for the conclusion of investigations under normal circumstances The amendments rejected by the Commission include: - the proposed timeframe for entry into force. This is not realistic since the date of 01/04/03 is passed; - "significant material" cannot be placed before "injury" since the notion of injury is already defined, and the terms have a precise meaning in Community trade defence instruments; - the provisions on reimbursement measures.