

Multimodal transport: intermodal loading units, transferred containers or swap bodies

2003/0056(COD) - 30/04/2004 - Modified legislative proposal

On the basis of Parliament's amendments, the Commission proposes to introduce some new elements to its original text. The Commission has accepted 11 amendments: - The Commission is prepared to incorporate those amendments aiming at improving and clarifying the current text of its proposal. These amendments add technical clarifications or improve the logic and structure of the text. It is clarified that containers subject to the Convention for Safe Containers (CSC) are not obliged to undergo European certification, maintenance and periodic inspection obligations. This would impair trade and transport and this reflects the intention of the Commission. In consequence, containers complying with the requirements of the CSC can circulate freely in Europe. However, since the Directive provides for the possibility of withdrawing loading units from the market when they present a risk, the wording has been softened. Inspection intervals are aligned with the ones prescribed by the CSC. - A series of amendments is in line with the principle of a avoidance of conflict between European and global standards. However, the wording has been softened in order not to subject European interests at any cost to current ISO standards, which may be technically sub-optimal or unsuitable. Non-stackable swap bodies will still continue to be used and transhipped. Another amendment intends to ensure that the use of the European intermodal loading unit will not carry with it expensive adaptation of existing container ships. The Commission has redrafted the text in order not to limit the standardisation mandate to an undue extent. Parliament has inserted an amendment that will increase the carrying capacity of the European intermodal loading unit and is therefore acceptable in principle. However, the reference to the ISO standard is inappropriate, given that the European standardisation bodies will define this standard, and not ISO. Finally, the Commission accepts the amendments concerning the harmonisation of penalties applicable in case of infringements of the national provisions adopted pursuant to this Directive. This amendment would avoid distortions of competition between operators resulting from varying penalties according to Member States.