Railway transport: licensing of undertakings

1993/0488(SYN) - 19/06/1995 - Final act

OBJECTIVE: the purpose of the directive, which abides by the philosophy behind directive 91/440/EEC on the rights of combined and international transport services to access railway infrastructures, is to lay down common conditions of access to the said infrastructures, using a system of operating licences granted on the basis of common criteria. COMMUNITY MEASURE: Council directive 95/18/EC on the licensing of railway undertakings CONTENT: - the directive sets out the criteria to be applied by Member States when issuing, extending or amending licences for railway undertakings which are established in the Community and provide the international services defined in Directive 91/440/EEC; - the following are excluded from the scope of the directive: . railway undertakings which only provide urban, suburban or regional transport services; . transport operations using the Channel Tunnel shuttle; - a railway undertaking is entitled to apply for a licence in the Member State in which it is established. However, the licence per se does not entitle the railway undertaking to access the railway infrastructure; - each Member State shall appoint an agency responsible for issuing licences; - conditions which must be met in order to obtain a licence: a railway undertaking applying for a licence must be able, before it starts trading, to prove to the authority responsible for licences in the Member State in question that it is able at all times to meet certain requirements as regards good repute, financial capacity, professional capacity and civil liability cover; - licences will be valid until such time as the railway undertaking ceases to honour its obligations. The authority responsible may require licences to be reviewed at regular intervals of no more than five years; - temporary licences will be valid for no more than six months; - the railway undertaking must comply both with the requirements set out in the directive and with legislation on health, safety, social conditions and workers' and consumers' rights; - the Commission will submit an application report to the Council two years after the directive enters into force, accompanied by proposals for new community measures; - Member States must comply with the directive by 27 June 1997.