Inland transport: abolition of discrimination in transport rates and conditions (amend. Regulation No 11, in implementation Art. 79(3) TEC)

2007/0037A(CNS) - 06/03/2007 - Legislative proposal

PURPOSE: to amend **Regulation No 11** concerning the abolition of discrimination in transport rates and conditions, by removing outdated documentation and to amend Regulation 852/2004/EC on the hygiene of foodstuffs by excluding micro-enterprises from the requirement of maintaining permanent procedures based on the HACCP principles.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

CONTENT: on 14 November 2006, the Commission presented a Strategic Review of Better Regulation in the EU (see INI/2007/2095), including a proposal for a target to reduce the administrative burdens on businesses by 25% by 2012. Ten concrete proposals for "fast track action" were identified the Action Programme for reducing administrative burdens in the EU (see the summary dated 27/01/2007), based on broad stakeholder consultation and suggestions from Member States and Commission experts. The "fast track actions" aim at significantly reducing administrative burdens on businesses through minor legislative changes without challenging the level of protection or the original purpose of the legislation.

One of these "fast track action" proposals concerns **Regulation No 11** concerning the abolition of discrimination in transport rates and conditions:

- Article 5 required transport undertakings (as well as Member States' governments) to provide information on transport tariffs, rates and conditions before 1 July 1961. This Article can be deleted since the information requirements imposed on transport undertakings are outdated.

- Article 6(1) of the Regulation requires a transport document containing several information elements concerning the consignor, the nature of the goods carried, the place of origin and destination of the goods as well as the route to be taken or distance to be travelled, including frontier crossing points where appropriate. Since these latter elements i.e. the route to be taken or distance to be travelled and frontier crossing points are no longer indispensable to achieve the objectives of the Regulation, they can be deleted.

The third sentence of Article 6(2) of the Regulation requires the carrier to retain a copy showing the full and final transport charges and any other charges and any rebates or other factors affecting the transport rates and conditions. This sentence can be deleted as nowadays, this information is available in the carriers' accounting systems anyway, so there is no need for the carriers to fill out and keep a separate document anymore.

Article 6(3) will contain an explicit reference to consignment notes, which are very well known and often used in the inland transport sector, and will clarify that these consignment notes, if containing all details required by Article 6(1), suffice.

Another "fast track action" relates to **Regulation 852/2004/EC** on the hygiene of foodstuffs (see COD /2007/0037B).