Basic information

1995/0258(CNS) CNS - Consultation procedure Regulation	Procedure completed
Protection against injurious pricing of vessels Repealed by 2014/0280(COD) Amended by 2011/0039(COD) **Subject** 3.40.04 Shipbuilding, nautical industry	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
RELA External Economic Relations	SAINJON André (ARE)	28/11/1995

Committee for opinion	Rapporteur for opinion	Appointed
ECON Economic and Monetary Affairs, Industrial Policy	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Telecommunications	1910	1996-01-29

Key events

Date	Event	Reference	Summary
18/10/1995	Legislative proposal published	COM(1995)0473	Summary
30/11/1995	Committee referral announced in Parliament		
12/12/1995	Vote in committee		
12/12/1995	Committee report tabled for plenary, 1st reading/single reading	A4-0325/1995	
15/12/1995	Debate in Parliament		
29/01/1996	Act adopted by Council after consultation of Parliament		Summary
29/01/1996	End of procedure in Parliament		
06/03/1996	Final act published in Official Journal		

Technical information

Procedure reference	1995/0258(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Regulation
Amendments and repeals	Repealed by 2014/0280(COD) Amended by 2011/0039(COD)
Legal basis	Rules of Procedure EP 170 EC Treaty (before Amsterdam) E 113
Stage reached in procedure	Procedure completed
Committee dossier	RELA/4/07349

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0325/1995 OJ C 017 22.01.1996, p. 0033	12/12/1995	
Text adopted by Parliament, 1st reading/single reading		T4-0656/1995 OJ C 017 22.01.1996, p. 0421-0455	15/12/1995	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1995)0473 OJ C 013 18.01.1996, p. 0010	18/10/1995	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 1996/0385
OJ L 056 06.03.1996, p. 0021 Summary

Corrigendum to final act 31996R0385R(02)
OJ L 044 19.02.2016, p. 0020

Protection against injurious pricing of vessels

1995/0258(CNS) - 18/10/1995 - Legislative proposal

OBJECTIVE: to implement a first point in the OECD Shipbuilding Agreement (signed in December 1994 by the EU, the US, Norway, Japan and South Korea) by providing a means of combating unfair competition in the form of prices charged by shipbuilders in third countries. SUBSTANCE: - The proposal for a Council regulation incorporates a new instrument into Community law, the "injurious pricing code", adopted by the parties to the OECD Shipbuilding Agreement with a view to protecting shipbuilders against sales by third countries at abnormally low prices; - The procedure to be followed will take the same form as for the anti-dumping measures initiated by the European Union in respect of goods; - When an EU shipbuilder believes that a shipbuilder in a third country has won a contract purely as a result of injurious pricing, it may lodge a complaint with the Commission; - The Commission will conduct an investigation and, if it considers that unfair competition has played a role, may recommend to the Council that the third-country shipbuilder in question be fined; - If the fine is not paid within 180 days, or if no promise to pay has been made, the Commission may debar the vessel concerned and any other vessel built by the same shipbuilder from exercising loading and unloading rights at EU ports for a period of four years; - The EU's injurious pricing code may be enforced only in relation to signatories of the OECD agreement and countries that are not members of the WTO; - The Commission is called upon to adopt the first part of the measures involved. New, stricter rules on appropriations and export aids will be defined at the end of the year.

Protection against injurious pricing of vessels

1995/0258(CNS) - 29/01/1996 - Final act

OBJECTIVE: implementation of a first point in the OECD Shipbuilding Agreement (signed in December 1994 by the EU, the United States, Norway, Japan, and South Korea) by providing a means of combating unfair competition in the form of prices charged by third-country shipbuilders. COMMUNITY MEASURE: Council Regulation (EC) No 385/96 on protection against injurious pricing of vessels. SUBSTANCE: the Council Regulation incorporates a new provision into Community law, the Injurious Pricing Code, adopted by the parties to the OECD Shipbuilding Agreement with a view to protecting shipbuilders against abnormally low-priced sales by third countries. The procedure to be followed takes the same form as for the anti-dumping measures which the Union initiates in respect of goods: - when an EU shipbuilder believes that a third-country shipbuilder has won a contract purely as a result of injurious pricing, it may lodge a complaint with the Commission; - the Commission will conduct an investigation and, if it considers that unfair competition has played a role, may recommend to the Council that the third-country shipbuilder in question be fined; - if the fine has not been paid within 180 days, or if no promise to pay has been made, the Commission may debar the vessel concerned and any other vessel built by the same shipbuilder from exercising loading and unloading rights at EU ports for a period of four years; - the EU's injurious pricing measures may be enforced only in relation to signatories of the OECD Agreement and non-WTO countries. ENTRY INTO FORCE: 07/03/1996. The Regulation is valid from the date of entry into force of the Shipbuilding Agreement. It does not apply to vessels covered by a contract signed before the Shipbuilding Agreement entered into force unless the contract was concluded after 21 December 1994 and the vessels are not due to be supplied until more than five years after the contract date.

Protection against injurious pricing of vessels

1995/0258(CNS) - 15/12/1995 - Text adopted by Parliament, 1st reading/single reading

In adopting the report by Mr SAINJON (ARE, F), the European Parliament approved the proposal for a regulation with the following amendments: - the regulation must enter into force on the same day as the Agreement respecting normal competitive conditions in the commercial shipbuilding and repair industry concluded within the framework of the OECD and will not apply to vessels contracted for prior to that date, except for vessels contracted for after 21 December 1994 and for delivery more than five years from the date of the contract, - the Commission may call for the early renegotiation of the OECD agreement if varying interpretations of the Shipbuilding Injurious Pricing Code were to jeopardize normal competitive conditions. The Commission must, if necessary, be prepared to consider invoking the withdrawal clause contained in Article 14 of the OECD Agreement.

Protection against injurious pricing of vessels

1995/0258(CNS) - 29/01/1996

The Council adopted a Regulation on protection against injurious pricing of vessels.