

Basic information	
2002/0038(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Freight transport system: improving the environmental performance, programme Marco Polo PACT Repealed by 2004/0157(COD) Amended by 2003/0305(COD)	
Subject 3.20.02 Rail transport: passengers and freight 3.20.04 Inland waterway transport 3.20.07 Combined transport, multimodal transport	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	RETT Regional Policy, Transport and Tourism	BRADBURN Philip (PPE-DE)	21/02/2002
	Former committee responsible	Former rapporteur	Appointed
	RETT Regional Policy, Transport and Tourism	BRADBURN Philip (PPE-DE)	21/02/2002
	Former committee for opinion	Former rapporteur for opinion	Appointed
	BUDG Budgets	DOVER Den (PPE-DE)	26/02/2002
	CONT Budgetary Control	The committee decided not to give an opinion.	
	ENVI Environment, Public Health, Consumer Policy	The committee decided not to give an opinion.	
	Council configuration	Meetings	Date
Council of the European Union	Transport, Telecommunications and Energy	2420	2002-03-25
	Transport, Telecommunications and Energy	2452	2002-10-03
	Transport, Telecommunications and Energy	2472	2002-12-05
	Transport, Telecommunications and Energy	2438	2002-06-17

European Commission	Commission DG	Commissioner
	Energy and Transport	

Key events			
Date	Event	Reference	Summary
04/02/2002	Legislative proposal published	COM(2002)0054 	Summary
07/02/2002	Committee referral announced in Parliament, 1st reading		
25/03/2002	Debate in Council		
17/06/2002	Debate in Council		
10/09/2002	Vote in committee, 1st reading		
10/09/2002	Committee report tabled for plenary, 1st reading	A5-0294/2002	
24/09/2002	Debate in Parliament		
25/09/2002	Decision by Parliament, 1st reading	T5-0440/2002	Summary
03/10/2002	Debate in Council		
25/04/2003	Council position published	05327/1/2003	Summary
15/05/2003	Committee referral announced in Parliament, 2nd reading		
12/06/2003	Vote in committee, 2nd reading		Summary
12/06/2003	Committee recommendation tabled for plenary, 2nd reading	A5-0220/2003	
02/07/2003	Debate in Parliament		
03/07/2003	Decision by Parliament, 2nd reading	T5-0321/2003	Summary
22/07/2003	Final act signed		
22/07/2003	End of procedure in Parliament		
02/08/2003	Final act published in Official Journal		

Technical information	
Procedure reference	2002/0038(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealed by 2004/0157(COD) Amended by 2003/0305(COD)
Legal basis	EC Treaty (after Amsterdam) EC 080-p2 EC Treaty (after Amsterdam) EC 071-p1
Stage reached in procedure	Procedure completed

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0294/2002	10/09/2002	
Text adopted by Parliament, 1st reading/single reading		T5-0440/2002 OJ C 273 14.11.2003, p. 0130-0169 E	25/09/2002	Summary
Committee recommendation tabled for plenary, 2nd reading		A5-0220/2003	12/06/2003	
Text adopted by Parliament, 2nd reading		T5-0321/2003 OJ C 074 24.03.2004, p. 0665-0745 E	03/07/2003	Summary

Council of the EU

Document type	Reference	Date	Summary
Council statement on its position	08169/2003	07/04/2003	
Council position	05327/1/2003 OJ C 153 01.07.2003, p. 0252-0261 E	25/04/2003	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2002)0054  OJ C 126 28.05.2002, p. 0354 E	04/02/2002	Summary
Document attached to the procedure	SEC(2002)0091 	04/02/2002	Summary
Commission communication on Council's position	SEC(2003)0543 	08/05/2003	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofR	Committee of the Regions: opinion	CDR0103/2002 OJ C 278 14.11.2002, p. 0015	15/05/2002	
EESC	Economic and Social Committee: opinion, report	CES0842/2002 OJ C 241 07.10.2002, p. 0037	17/07/2002	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act
Regulation 2003/1382 OJ L 196 02.08.2003, p. 0001-0006

[Summary](#)

Freight transport system: improving the environmental performance, programme Marco Polo PACT

2002/0038(COD) - 25/09/2002 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution by its rapporteur Philip Charles BRADBourne (EPP-ED, United Kingdom) on the freight transport system. Parliament put increased emphasis on enhancing intermodality and reducing congestion in freight transport by road. Actions under the Marco Polo programme should not lead to a shift of freight flows between short sea shipping, rail or inland waterways, unless the share of freight transport by road in the transport chain is substantially reduced. The Commission must present an assessment report on the Marco Polo programme by 31 December 2005. This report should, in particular, consider the possibility of topping up appropriations for the programme and the need to make funding available so as to eliminate infrastructure bottlenecks, notably in the context of projects already benefiting from the programme. Parliament went on to amend the amounts allocated for actions: -the minimum subsidy threshold per modal shift is EUR 0.5 million, instead of EUR 1 million. -a new paragraph is introduced stating that the minimum subsidy threshold for actions which contribute to reducing road transport by expanding existing short sea shipping, rail or inland waterway transport activities shall be EUR 250 000 -the minimum subsidy threshold per catalyst action is changed to EUR 1.5 million from EUR 3 million. -the minimum subsidy threshold per common learning action is now EUR 250000 rather than EUR 500000. The financial framework is unchanged, but Parliament stipulated that funding beyond 2006 would be subject to the approval of the budgetary authority. At the end of the mid-term review of the programme a report will be submitted to the budgetary authority on the take-up and implementation of the programme and resources. If 35% of the resources have not been committed, the equivalent outstanding amount will be placed in the performance reserve. At the end of the programme period, any uncommitted resources will be subject to a budgetary decision to determine the appropriate action to be taken.

Freight transport system: improving the environmental performance, programme Marco Polo PACT

2002/0038(COD) - 22/07/2003 - Final act

PURPOSE : to establish the Marco Polo Programme in order to contribute to an efficient and sustainable road transport system. **COMMUNITY MEASURE :** Regulation 1382/2003/EC of the European Parliament and of the Council on the granting of Community financial assistance to improve the environmental performance of the freight transport system. **CONTENT :** This Regulation establishes a financing instrument, called the "Marco Polo Programme", or "the Programme". The objective is to reduce congestion, to improve the environmental performance of the transport system and to enhance intermodal transport, the period from 1 January 2003 to 31 December 2010. By the end of the Programme, there should be a traffic shift of the expected yearly aggregate increase of international road freight traffic, measured in tonne-kilometres, to short sea shipping, rail and inland waterways or to a combination of modes of transport in which road journeys are as short as possible. The main points of the Regulation are as follows: The Marco Polo Programme will cover modal shift actions, catalyst actions and common learning actions: - involving the territory of at least two Member States, or - involving the territory of at least one Member State and the territory of a close third country. - The Programme is open to participation by candidate as well as the EFTA and EEA Member States. - Modal shift actions, including, the additional modal shift brought about by the development of an existing service, will be eligible for funding under certain specified conditions. Community financial assistance for modal shift actions will be limited to a maximum of 30 % of the total expenditure necessary to achieve the objectives of the action and incurred as a result of the action. Financial assistance will initially be set at EUR 1 for each shift of 500 tonne-kilometres of road freight. It will not be renewable beyond the stipulated maximum period of 38 months. The minimum indicative subsidy threshold per modal shift action will be 250 million tonne-kilometres of modal shift or, in proportion to the indicative amount per euro of subsidy, EUR 500000. - Catalyst actions will also be eligible for funding under the Programme provided that certain specified conditions are satisfied. Community financial assistance for catalyst actions will be limited to a maximum of 35 % of the total expenditure necessary to achieve the objectives of the action and incurred as a result of the action, including preparatory measures. Community financial assistance for catalyst actions will be granted on the basis of subsidy agreements, with appropriate provisions for steering and monitoring. As a rule, the maximum duration of these agreements will be 50 months. The minimum indicative subsidy threshold per catalyst action will be EUR 1.5 million. Common learning actions are also eligible for funding under specified conditions. Community financial assistance for common learning actions will be limited to a maximum of 50 % of the total expenditure necessary to achieve the objectives of the action and incurred as a result of the action. - Community financial assistance for common learning actions shall be granted on the basis of subsidy agreements, with appropriate provisions for steering and monitoring. As a rule, the maximum duration of these agreements will be 26 months. Community financial assistance shall not be renewable beyond the stipulated maximum period of 26 months. The minimum indicative subsidy threshold per common learning action will be EUR

250000. - The financial framework for the implementation of the Marco Polo Programme, for the period 1 January 2003 to 31 December 2006, is EUR 75 million. - Up to 5 % of the budget is set aside for accompanying measures and independent evaluation. - By 31 December 2006 the Commission will send an evaluation report on the results of the Marco Polo Programme. ENTRY INTO FORCE : 03/08/03.

Freight transport system: improving the environmental performance, programme Marco Polo PACT

2002/0038(COD) - 04/02/2002 - Legislative proposal

PURPOSE : to grant Community financial assistance to improve the environmental performance of the freight transport system. **CONTENT** : the present proposal features in the Commission work programme for 2001 under the reference 2001/175. The Marco Polo programme was announced in the Commission White Paper also published in 2001. Taking into account the positive experiences with the PACT programme, the Community should dispose of a practical and market-oriented instrument, which supports its fight against congestion in the road freight sector and its ambitious goals to improve the environmental performance of the transport system as a whole. The present proposal intends to set up such an instrument (to be known as the Marco Polo programme). Therefore, the proposed Regulation establishes a single financing instrument for actions reducing road congestion and improving the environmental performance of the transport system for the period 1 January 2003 to 31 December 2010. The proposed financial framework for the implementation of Marco Polo programme for the period 1 January 2003 to 31 December 2007 shall be EUR 115 million. The Marco Polo programme shall contribute to maintaining the modal repartition on freight transport at its 1998 levels. To achieve this objective, it shall support actions in reducing environmental impacts from freight transport. By the end of the programme, a traffic shift of the expected yearly aggregate increase of international road freight traffic, measured in tonne-kilometres, to short sea shipping, rail and inland waterways should be achieved. More specifically, as a benchmark, it sets the ambitious objective to maintain the traffic share between the various transport modes for the year 2010 at its 1998 level. The Marco Polo programme is one of the measures to achieve this objective in the international freight transport sector. The Marco Polo programme proposes three different types of intervention, which complement each other. Modal shift actions should lead to immediate and substantial traffic shift from road to the other less congested modes. These actions will have a high short term effect on traffic shift. Three main orientations are foreseen: 1) start-up support for new non-road freight transport services, which should be viable in the mid-term ("modal shift actions"); 2) support for launching freight services or facilities of strategic European interest ("catalyst actions"); 3) stimulating co-operative behaviour in the freight logistics market ("common learning actions"). The proposed Regulation is applicable to modal shift actions: - involving the territory of at least two Member States; - involving the territory of at least one Member State and the territory of a third country. The expected results of the Marco Polo programme are a yearly aggregate shift of 12 billion tonne-kilometre freight from international road transport to short sea, rail and inland waterway.

Freight transport system: improving the environmental performance, programme Marco Polo PACT

2002/0038(COD) - 08/05/2003 - Commission communication on Council's position

The Commission accepted totally, in part or in principle, 17 out of the 25 amendments proposed by the European Parliament in the first reading. Out of these 17 amendments, 10 have now been incorporated, either verbatim or in spirit, in the Common Position. The Council has rejected the other amendments. Three further amendments of the Parliament regarding the contract thresholds, rejected by the Commission are reflected in the common position. The Common position changes the financial framework from EUR 115 million for the period 2003-2007 which is equivalent to EUR 85 million for the period 2003 - 2006 as proposed by the Commission, to EUR 75 million for the period 2003-2006. Since neither approach nor aims of the proposal are fundamentally altered the Commission can support the common position adopted unanimously.

Freight transport system: improving the environmental performance, programme Marco Polo PACT

2002/0038(COD) - 04/02/2002 - Document attached to the procedure

This working document sets out an analysis of the results of the PACT Programme for the period 1997-2001. The document shows, in tabular form, for each project (92 in total), the details of the project manager, its objectives, a brief evaluation as well as its budget (commitments and payments). The situation on 30 September 2001 is as follows: - total commitments (including pre-commitment 2001) : EUR 29.986.029. - total payments for the PACT projects launched since 1997 : EUR 15.066.822. - total payments for the PACT programme 1997-2001 (including the projects started before 1996 in the framework of the first programme) : EUR 22.403.000.

Freight transport system: improving the environmental performance, programme Marco Polo PACT

2002/0038(COD) - 25/04/2003 - Council position

The Council shares Parliament's concerns regarding the increasing road congestion and in general the environmental impact of the transport system. The Council therefore welcomes the objective of establishing a programme to promote intermodality by supporting commercial actions transferring freight from the roads to short sea shipping, rail and inland waterway transport. The Council attaches great importance to the European dimension of

the programme. It therefore supports the principle whereby the programme is open to all candidate countries and the EFTA and EEA Member States and the possibility that it can involve the territory of a close third country, as defined in the common position. Further highlighting this aspect, the common position underlines that co-operation between undertakings established in different countries, in order to form a consortium submitting a project for an action, should be encouraged. The Council is of the opinion that the programme should be administrated with flexibility in order to meet its objectives, and that the quality of the projects should be the primary criterion for the granting of Community financial assistance. For this reason, it considers that the minimum thresholds should be set at a level that does not exclude efficient projects at a smaller scale or projects presented by smaller enterprises. Similarly, the common position allows for the minimum thresholds to be administrated with a view to avoiding that an over-rigid definition of eligible actions discourages valuable projects or excludes them from funding. In the same way, the Council believes that it should be possible to fund the development of existing services, provided that this entails benefits which are equal to the starting up of new services in terms of additional modal shift and environmental advantages. Furthermore, the Council expects the actions eligible for funding to lead to effects that are substantial (in the case of modal shift actions) and measurable (in the case of modal shift and catalyst actions). As regards the overall financial framework for the programme, the Council deems it appropriate that the budget period should not go beyond the 2002-2006 period considered by the general financial perspectives. The proposed five-year budget period (2003-2007) has therefore been modified, and the overall financial reference amount adapted consequently. Concerning the basis for the calculation of the amount of financial assistance to be granted to modal shift actions, the Council is of the view that there is no reason to refer explicitly to the notion of savings of external costs, particularly since a commonly accepted method for internalising these costs is not yet available. Instead, the common position refers to an indicative amount, initially set by the Commission, of EUR 1,- for each shift of 500 tonnes-kilometres of road freight. However, the Council believes that adjustments to the indicative amount of financial assistance could in the future be suggested on the basis of a regular evaluation of the development of external costs differentials and possible future work on the methods to internalise external costs. Also, in view of ensuring the necessary flexibility in the administration of the programme, the common position emphasises that this indicative amount could be adjusted in accordance with the quality and the environmental merits of each project presented. The Council agrees that the programme should be seen as a market-driven instrument and believes that the granting of subsidies should not entail any risk of distortion of competition to an extent which damages the common interest. Therefore, in addition to the general reference to the relevant markets, the common position specifically states that there should be no distortion of competition between alternative modes of transport to road transport or within each mode. The common position also stipulates that the possible granting of State aid to actions receiving financial assistance under the programme shall be compatible with the Community's general rules on State aid and lie within the limits established for each category of action. Also, in case an action involves services provided by third parties which do not form part of the consortium concerned, a provision has been introduced to ensure that the applicant proves that the service provider has been selected through a transparent, objective and non-discriminatory procedure. The Council deems it appropriate to include ancillary infrastructure expenditure in the expenditure eligible for financial assistance. However, in order to safeguard the programmes fundamental objectives, the common position establishes that such expenditure must remain marginal and must be needed to achieve the aims of the action. Finally, as regards the procedures for the committee to assist the Commission in the administration of the project, the Council is of the view that the variety of tasks to be carried out by the Committee could best be performed in compliance with the management procedure laid down in the rules concerning the exercise of implementing powers conferred on the Commission.

Freight transport system: improving the environmental performance, programme Marco Polo PACT

2002/0038(COD) - 03/07/2003 - Text adopted by Parliament, 2nd reading

The European Parliament adopted a resolution based on the report by Philip Charles BRADBOURNE (EPP-ED, UK) and approved the Council's common position.