

27.6.2012

A7-0196/94

**Amendment 94**

**Juozas Imbrasas**

on behalf of the EFD Group

**Recommendation for second reading**

**A7-0196/2012**

**Debora Serracchiani**

Single European railway area

18581/2/2011 – C7-0073/2012 – 2010/0253(COD)

**Council position**

**Article 2 – paragraph 2 a (new)**

*Council position*

*Amendment*

***2a. Member States may exclude the following from the application of Articles 6, 7, 8, 13 and Chapter IV:***

***- railway undertakings which only operate rail freight services on railway infrastructure managed by these undertakings before the date of entry into force of this Directive, and which has gauge different from the dominant network within the Member State, and is connected to a railway infrastructure on a territory of third country, provided that managed infrastructure is not identified in the Decision No 661/2010/EU of the European Parliament and of the Council of 7 July 2010 on Union guidelines for the development of the trans-European transport network.***

Or. en

27.6.2012

A7-0196/95

**Amendment 95**

**Roberts Zile, Ryszard Czarnecki**  
on behalf of the ECR Group

**Recommendation for second reading**

**A7-0196/2012**

**Debora Serracchiani**

Single European railway area  
18581/2/2011 – C7-0073/2012 – 2010/0253(COD)

**Council position**

**Article 2 – paragraph 2 a (new)**

*Council position*

*Amendment*

***2a. Member States may exclude the following from the application of Articles 6, 7, 8 and 13 and Chapter IV:***

***- railway undertakings which only operate rail-freight services on railway infrastructure managed by these undertakings before the date of entry into force of this Directives, and which has a gauge different from the dominant network within the Member State, and is connected to a railway infrastructure on the territory of a third country, provided that the managed infrastructure is not identified in Decision No 661/2010/EU of the European Parliament and of the Council of 7 July 2010 on Union guidelines for the development of the trans-European transport network.***

Or. en

27.6.2012

A7-0196/96

**Amendment 96**

**Roberts Zile, Ryszard Czarnecki**  
on behalf of the ECR Group

**Recommendation for second reading**

**A7-0196/2012**

**Debora Serracchiani**

Single European railway area  
18581/2/2011 – C7-0073/2012 – 2010/0253(COD)

**Council position**

**Article 17 – paragraph 1**

*Council position*

1. A railway undertaking shall be entitled to apply for a licence in the Member State in which it is established.

*Amendment*

1. A railway undertaking shall be entitled to apply for a licence in the Member State in which it is established. ***In the Member States which border third countries, with the network whose track gauge is different from the main rail network within the Union and whose rail freight markets are dominated by the rail freight carriages to and from third countries, the licensing authorities when making decision on the issue of licences to railway undertakings which are directly or indirectly effectively controlled through the ownership shares of third country or nationals of third country, may take into account existence or non-existence of reciprocal access for the EU rail undertakings to the rail freight market of the respective third country.***

Or. en

27.6.2012

A7-0196/97

**Amendment 97**

**Sabine Wils, João Ferreira**

on behalf of the GUE/NGL Group

**Recommendation for second reading**

**A7-0196/2012**

**Debora Serracchiani**

Single European railway area

18581/2/2011 – C7-0073/2012 – 2010/0253(COD)

**Council position**

**Recital 14**

*Council position*

*Amendment*

***(14) Member States should be able to decide to cover infrastructure expenditure through means other than direct State funding, such as Private Public Partnership and private sector financing.***

***deleted***

Or. en

*Justification*

*A recent EC report warns that in financing the development of railway infrastructure linked to long term projects, Private Public Partnership and other private financing sources are not the best reliable solution. More detailed analysis could be carried in the ongoing examination of the new TEN-T guidelines and CEF related projects.*

27.6.2012

A7-0196/98

**Amendment 98**

**Sabine Wils, João Ferreira**

on behalf of the GUE/NGL Group

**Recommendation for second reading**

**A7-0196/2012**

**Debora Serracchiani**

Single European railway area

18581/2/2011 – C7-0073/2012 – 2010/0253(COD)

**Council position**

**Recital 27**

*Council position*

*Amendment*

***(27) In order to ensure fair competition between railway undertakings and guarantee full transparency and non-discriminatory access to and supply of services, a distinction should be made between the provision of transport services and the operation of service facilities. Thus, it is necessary for these two types of activity to be managed independently where the operator of the service facility belongs to a body or firm which is also active and holds a dominant position at national level in at least one of the railway transport markets for the carriage of goods or passengers for which the facility is used. Such independence should not entail the establishment of a separate body or firm for service facilities.***

***deleted***

Or. en

*Justification*

*Service facilities are essential for safe and reliable transport services: they should not be decoupled or separated from the key knowledge and integrated management of the railway sector while ensuring their open access and use by providing separate invoices for the services.*

27.6.2012

A7-0196/99

**Amendment 99**

**Sabine Wils**

on behalf of the GUE/NGL Group

**Recommendation for second reading**

**A7-0196/2012**

**Debora Serracchiani**

Single European railway area

18581/2/2011 – C7-0073/2012 – 2010/0253(COD)

**Council position**

**Article 2 – paragraph 2 a (new)**

*Council position*

*Amendment*

***2a. Member States may exclude the following from the application of Articles 6, 7, 8 and 13 and Chapter IV:***

***- railway undertakings which only operate rail-freight services on railway infrastructure managed by these undertakings before the date of entry into force of this Directive, and which has a gauge different from the dominant network within the Member State, and is connected to a railway infrastructure on the territory of a third country, provided that the managed infrastructure is not identified in Decision No 661/2010/EU of the European Parliament and of the Council of 7 July 2010 on Union guidelines for the development of the trans-European transport network.***

Or. en

*Justification*

*Re-establishing an EP first reading amendment and adopted by the Transport and Tourism committee in the second reading procedure granting a derogation for specific dedicated freight line managed by Railway Undertakings close to and in connection only with third countries.*

27.6.2012

A7-0196/100

**Amendment 100**

**Sabine Wils**

on behalf of the GUE/NGL Group

**Recommendation for second reading**

**A7-0196/2012**

**Debora Serracchiani**

Single European railway area

18581/2/2011 – C7-0073/2012 – 2010/0253(COD)

**Council position**

**Article 3 – point 26 a (new)**

*Council position*

*Amendment*

***(26a) 'heavy maintenance service' means work that cannot be carried out during normal idle periods and requires the vehicle to be removed from service.***

Or. en

*Justification*

*Clarification needed based on the definition provided by the European Commission to distinguish among different kind of services provided in maintenance facilities as referred in Annexe II.*