



2016/0149(COD)

30.3.2017

AMENDMENTS

47 - 298

Draft opinion

Biljana Borzan

(PE600.949v01-00)

Cross-border parcel delivery services

Proposal for a regulation

(COM(2016)0285 – C8-0195/2016 – 2016/0149(COD))

Amendment 47
Dennis de Jong

Proposal for a regulation

—

Proposal for rejection

The Committee on Internal Market and Consumer Protection calls on the Committee on Transport and Tourism, as the committee responsible, to propose rejection of the Proposal for a Regulation of the European Parliament and of the Council on cross-border parcel delivery services.

Or. en

Amendment 48
Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation
Citation 1

Text proposed by the Commission

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,

Amendment

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114, **Article 169(1) and Article 169(2), point (a)** thereof,

Or. en

Amendment 49
Lucy Anderson, Liisa Jaakonsaari, Biljana Borzan

Proposal for a regulation
Recital 1

Text proposed by the Commission

(1) The tariffs applicable to low volume senders of cross-border parcels and other postal items, particularly small and medium-sized enterprises and individuals,

Amendment

(1) The tariffs applicable to low volume senders of cross-border parcels and other postal items, particularly small and medium-sized enterprises and individuals,

are still relatively high. This has a direct negative impact on users seeking cross-border parcel delivery services, especially in the context of e-commerce.

are still relatively high. This has a direct negative impact on users seeking cross-border parcel delivery services, especially in the context of e-commerce. ***In addition, users report quality of service issues when sending, receiving or returning cross-border parcels and consistent technical standards in this field are in need of improvement, including in relation to environmental considerations.***

Or. en

Amendment 50

Jiří Pospíšil

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) The tariffs applicable to **low volume** senders of cross-border parcels and other postal items, particularly small and medium-sized enterprises and individuals, are still relatively high. This has a direct negative impact on users seeking cross-border parcel delivery services, especially in the context of ***e-commerce***.

Amendment

(1) The tariffs applicable to senders of **low volume** cross-border parcels and other postal items, particularly small and medium-sized enterprises and individuals, are still relatively high. This has a direct negative impact on users seeking cross-border parcel delivery services, especially in the context of ***online purchases***.

Or. cs

Amendment 51

Daniel Dalton, Anneleen Van Bossuyt

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) **The** tariffs applicable to low volume senders of cross-border parcels and other postal items, particularly small and medium-sized enterprises and individuals, are still relatively high. This has a direct negative impact on users seeking cross-border parcel delivery services, especially

Amendment

(1) ***In some cases*** the tariffs applicable to low volume senders of cross-border parcels and other postal items, particularly small and medium-sized enterprises and individuals, are still relatively high. This has a direct negative impact on users seeking cross-border parcel delivery

in the context of e-commerce.

services, especially in the context of e-commerce.

Or. en

Amendment 52

Dita Charanzová, Jasenko Selimovic

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) The tariffs applicable to low volume senders of cross-border parcels and other postal items, particularly small and medium-sized enterprises and individuals, are still relatively high. This has a direct negative impact on users seeking cross-border parcel delivery services, especially in the context of e-commerce.

Amendment

(1) The tariffs applicable to low volume senders of cross-border parcels and other postal items, particularly small and medium-sized enterprises (**SMEs**) and individuals, are still relatively high. This has a direct negative impact on users seeking cross-border parcel delivery services, especially in the context of e-commerce.

(Further references should be abbreviated to SMEs)

Or. en

Justification

Formatting amendment

Amendment 53

Jiří Pospíšil

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) There are fundamental differences between Member States when it comes to competences conferred on national regulatory authorities with regard to market monitoring and regulatory oversight of parcel delivery providers. ***This has been confirmed by a joint report⁴⁸ prepared by the European Regulators Group for***

Amendment

(2) There are fundamental differences between Member States when it comes to competences conferred on national regulatory authorities with regard to market monitoring and regulatory oversight of parcel delivery providers. Those differences result in additional administrative burdens and compliance

Postal Services and the Body of European Regulators for Electronic Communications, who concluded that national regulatory authorities need the appropriate regulatory powers to intervene and that such powers do not seem to be present in all Member States.

Those differences result in additional administrative burdens and compliance costs for parcel delivery service providers who operate cross-border. Those differences therefore constitute an obstacle to the cross-border provision of parcel delivery services and thus have a direct effect on the functioning of the internal market.

costs for parcel delivery service providers who operate cross-border. Those differences therefore constitute an obstacle to the cross-border provision of parcel delivery services and thus have a direct effect on the functioning of the internal market.

⁴⁸ *BoR (15) 214/ERGP PL (15) 32.*

Or. cs

Amendment 54

Maria Grapini

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) There are fundamental differences between Member States when it comes to competences conferred on national regulatory authorities with regard to market monitoring and regulatory oversight of parcel delivery providers. This has been confirmed by a joint report⁴⁸ prepared by the European Regulators Group for Postal Services and the Body of European Regulators for Electronic Communications, who concluded that national regulatory authorities need the appropriate regulatory powers to intervene and that such powers do not seem to be present in all Member States. Those differences result in additional administrative burdens and compliance costs for parcel delivery service providers who operate cross-border. Those differences therefore

Amendment

(2) There are fundamental differences between Member States when it comes to competences conferred on national regulatory authorities with regard to market monitoring and regulatory oversight of parcel delivery providers. This has been confirmed by a joint report⁴⁸ prepared by the European Regulators Group for Postal Services and the Body of European Regulators for Electronic Communications, who concluded that national regulatory authorities need the appropriate regulatory powers to intervene and that such powers do not seem to be present in all Member States. Those differences result in additional administrative burdens and compliance costs for parcel delivery service providers who operate cross-border. Those differences therefore

constitute an obstacle to the cross-border provision of parcel delivery services and thus have a direct effect on the functioning of the internal market.

⁴⁸ BoR (15) 214/ERGP PL (15) 32.

constitute an obstacle to the cross-border provision of parcel delivery services, ***particularly for SMEs***, and thus have a direct effect on the functioning of the internal market. ***Removing these obstacles is necessary in order to ensure a balance in the internal market.***

⁴⁸ BoR (15) 214/ERGP PL (15) 32.

Or. ro

Amendment 55

Jiří Pospíšil

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) The market for cross-border parcel delivery services is diverse and complex, with different providers offering different services and prices depending on weight, size and format of the items sent as well as destination, added value features, such as traceability solutions, and the number of items sent. That diversity makes parcel delivery services hard to compare between different providers, both in terms of quality and price. Furthermore, low volume senders, such as small and medium-sized enterprises and individuals are often not aware of the existence of different parcel delivery services offered.

Amendment

deleted

Or. cs

Amendment 56

Lucy Anderson, Liisa Jaakonsaari, Nicola Danti

Proposal for a regulation

Recital 3

Text proposed by the Commission

Amendment

(3) The market for cross-border parcel delivery services is diverse and complex, with different providers offering different services and prices depending on weight, size and format of the items sent as well as destination, added value features, such as traceability solutions, and the number of items sent. That diversity makes parcel delivery services hard to compare between different providers, both in terms of quality and price. Furthermore, low volume senders, such as small and medium-sized enterprises and individuals are often not aware of the existence of different parcel delivery services offered.

(3) The market for cross-border parcel delivery services is diverse and complex, with different providers offering different services and prices depending on weight, size and format of the items sent as well as destination, added value features, such as traceability solutions, and the number of items sent. ***In most Member States, universal service providers do not have a majority share of the parcel delivery market.*** That diversity makes parcel delivery services hard to compare between different providers, both in terms of quality and price. Furthermore, low volume senders, such as small and medium-sized enterprises and individuals are often not aware of the existence of different parcel delivery services offered.

Or. en

Amendment 57

Dennis de Jong

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) The market for cross-border parcel delivery services is diverse and complex, with different providers offering different services and prices depending on weight, size and format of the items sent as well as destination, added value features, such as traceability solutions, and the number of items sent. That diversity makes parcel delivery services hard to compare between different providers, both in terms of quality and price. Furthermore, low volume senders, such as small and medium-sized enterprises and individuals are often not aware of the existence of different parcel delivery services offered.

Amendment

(3) The market for cross-border parcel delivery services is diverse and complex ***and competitive***, with different providers offering different services and prices depending on weight, size and format of the items sent as well as destination, added value features, such as traceability solutions, and the number of items sent. That diversity makes parcel delivery services hard to compare between different providers, both in terms of quality and price. Furthermore, low volume senders, such as small and medium-sized enterprises and individuals are often not aware of the existence of different parcel delivery services offered.

Or. en

Amendment 58
Dita Charanzová, Jasenko Selimovic

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) In order to improve the affordability of cross-border parcel delivery services, especially for users in remote or sparsely populated areas, it is necessary to improve the transparency of public lists of tariffs for ***a limited set of cross-border parcel delivery services offered by universal service providers, which are mostly used by small and medium-sized enterprises and individuals.*** Transparency of public lists is also necessary to address the issue of high tariffs of cross-border delivery services and to reduce, where applicable, unjustified tariff differences between national and cross-border parcel delivery services.

Amendment

(4) In order to improve the affordability of cross-border parcel delivery services, especially for users in remote or sparsely populated areas, it is necessary to improve the transparency of public lists of tariffs for cross-border parcel delivery services. Transparency of public lists is also necessary to address the issue of high tariffs of cross-border delivery services and to reduce, where applicable, unjustified tariff differences between national and cross-border parcel delivery services.

Or. en

Justification

As Article 4 is amended to cover all providers, so here the reference needs to be changed.

Amendment 59
Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation
Recital 4

Text proposed by the Commission

(4) In order to improve the affordability of cross-border parcel delivery services, especially for users in remote or sparsely populated areas, it is necessary to improve the transparency of ***public lists of tariffs*** for a limited set of cross-border parcel delivery services offered by ***universal*** service providers, which are mostly used by small and medium-sized enterprises and individuals.

Amendment

(4) In order to improve the affordability of cross-border parcel delivery services, especially for users in remote or sparsely populated areas, it is necessary to improve the transparency of ***tariffs and terminal rates***, for a limited set of cross-border parcel delivery services offered by ***parcel*** service providers, which are mostly used by small and medium-sized enterprises and individuals.

Transparency *of public lists* is also necessary to address the issue of high tariffs of cross-border delivery services and to reduce, where applicable, unjustified tariff differences between *national* and cross-border parcel delivery services.

Transparency is also necessary to address the issue of high tariffs of cross-border delivery services and to reduce, where applicable, unjustified tariff differences between *domestic* and cross-border parcel delivery services.

Or. en

Amendment 60

Antonio López-Istúriz White, Eva Maydell, Birgit Collin-Langen, Roberta Metsola, Cristian-Silviu Buşoi, Róza Gräfin von Thun und Hohenstein, Carlos Coelho

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) In order to improve the affordability of cross-border parcel delivery services, especially for users in remote or sparsely populated areas, it is necessary to improve the transparency of public lists of tariffs for a limited set of cross-border parcel delivery services offered by universal service providers, which are mostly used by small and medium-sized enterprises and individuals. Transparency of public lists is also necessary to address the issue of high tariffs of cross-border delivery services and to reduce, where applicable, unjustified tariff differences between national and cross-border parcel delivery services.

Amendment

(4) In order to improve the affordability of cross-border parcel delivery services, especially for users in remote or sparsely populated areas *and for SMEs and micro-enterprises*, it is necessary to improve the transparency of public lists of tariffs for a limited set of cross-border parcel delivery services offered by universal service providers, which are mostly used by small and medium-sized enterprises and individuals. Transparency of public lists is also necessary to address the issue of high tariffs of cross-border delivery services and to reduce, where applicable, unjustified tariff differences between national and cross-border parcel delivery services.

Or. en

Amendment 61

Antonio López-Istúriz White, Eva Maydell, Roberta Metsola, Birgit Collin-Langen, Cristian-Silviu Buşoi, Róza Gräfin von Thun und Hohenstein, Carlos Coelho

Proposal for a regulation

Recital 4 a (new)

Text proposed by the Commission

Amendment

(4 a) In view of the fact that, according to Flash Eurobarometer 413, a majority of companies that sell, used to sell or tried to sell online considered high delivery costs together with expensive complaints process and guarantees to be a problem when selling online, further action is needed to ensure that all retailers and consumers, in particular small and micro enterprises and consumers in remote areas, fully benefit from seamless cross-border parcel delivery services, which are accessible and affordable, without ignoring that consumers have expectations to buy with "free delivery", like they stated in the answers to 2015 Public Consultation on Cross-Border Parcel Delivery.

Or. en

Amendment 62
Maria Grapini

Proposal for a regulation
Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) With a view to the smooth application of this Regulation and in order to guarantee access for new entrants to the market, particularly SMEs, it is necessary to define the term 'parcel'.

Or. ro

Amendment 63
Daniel Dalton

Proposal for a regulation
Recital 5

Text proposed by the Commission

Amendment

(5) In most Member States there are several providers who provide domestic

deleted

parcel delivery services, while only a few of those providers also provide cross-border parcel delivery services. In this context, it is essential to ensure, in order to safeguard and promote effective competition and to protect users, transparent and non-discriminatory access to the services and infrastructure necessary for the provision of cross-border parcel delivery services.

Or. en

Amendment 64

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Recital 5

Text proposed by the Commission

Amendment

(5) *In most Member States there are several providers who provide domestic parcel delivery services, while only a few of those providers also provide cross-border parcel delivery services. In this context, it is essential to ensure, in order to safeguard and promote effective competition and to protect users, transparent and non-discriminatory access to the services and infrastructure necessary for the provision of cross-border parcel delivery services.* *deleted*

Or. en

Amendment 65

Jiří Pospíšil

Proposal for a regulation

Recital 5

Text proposed by the Commission

Amendment

(5) In most Member States there are several providers who provide domestic parcel delivery services, while only a few

(5) In most Member States there are several providers who provide domestic parcel delivery services, while only a few

of those providers also provide cross-border parcel delivery services. In this context, it is essential to ensure, in order to safeguard and promote effective competition and to protect users, transparent and non-discriminatory access to the services and infrastructure necessary for the provision of cross-border parcel delivery services.

of those providers also provide cross-border parcel delivery services. In this context, it is essential to ensure, in order to safeguard and promote effective competition and to protect users, transparent and non-discriminatory access to the services and infrastructure necessary for the provision of cross-border parcel delivery services. ***It is therefore essential to ensure non-discriminatory access to the market for cross-border delivery service providers and to provide transparent and comprehensive information for consumers of these services.***

Or. cs

Amendment 66
Anneleen Van Bossuyt

Proposal for a regulation
Recital 5

Text proposed by the Commission

(5) In most Member States there are several providers who provide domestic parcel delivery services, while only a few of those providers also provide cross-border parcel delivery services. In this context, it is essential to ***ensure, in order to safeguard and promote effective competition and to protect users, transparent*** and non-discriminatory access to the services and infrastructure necessary for the provision of cross-border parcel delivery services.

Amendment

(5) In most Member States there are several providers who provide domestic parcel delivery services, while only a few of those providers also provide cross-border parcel delivery services. In this context, it is essential to ***underline the applicability of the EU competition law in respect of open*** and non-discriminatory access to the services and infrastructure necessary for the provision of cross-border parcel delivery services.

Or. en

Amendment 67
Dita Charanzová, Jasenko Selimovic

Proposal for a regulation
Recital 5 a (new)

(5 a) Universal service providers refers to postal operators that provide a universal postal service or parts thereof within a specific Member State. Universal service providers who operate in more than one Member State should be classified as a universal service provider only in the Member State(s) in which they provide a universal postal service.

Or. en

Justification

Clarification of who is a Universal Service provider

Amendment 68

Dennis de Jong

Proposal for a regulation

Recital 6

(6) Currently, postal services are regulated by Directive 97/67/EC of the European Parliament and of the Council⁴⁹. This Directive establishes common rules governing the provision of postal services and the universal postal service in the Union. It focuses primarily, but not exclusively, on national universal services and does not address regulatory oversight of parcel delivery service providers, transparency of tariffs and terminal rates for certain cross-border parcel delivery services, the assessment of the affordability of tariffs for certain cross-border parcel delivery services and transparent and non-discriminatory access to certain cross-border parcel delivery services and/or infrastructure. This Regulation therefore complements, insofar as cross-border parcel delivery services are concerned, the rules set out in Directive 97/67/EC.

deleted

⁴⁹ *Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service (OJ L 1, 21.1.1998, p 14 - 25).*

Or. en

Amendment 69
Dita Charanzová, Jasenko Selimovic

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) Currently, postal services are regulated by Directive 97/67/EC of the European Parliament and of the Council⁴⁹. ***This*** Directive establishes common rules governing the provision of postal services and the universal postal service in the Union. ***It focuses primarily, but not exclusively, on national universal services and does not address regulatory oversight of parcel delivery service providers, transparency of tariffs and terminal rates for certain cross-border parcel delivery services, the assessment of the affordability of tariffs for certain cross-border parcel delivery services and transparent and non-discriminatory access to certain cross-border parcel delivery services and/or infrastructure.*** This Regulation ***therefore*** complements, insofar as cross-border parcel delivery services are concerned, the rules set out in Directive 97/67/EC.

⁴⁹ Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the

Amendment

(6) Currently, postal services are regulated by Directive 97/67/EC of the European Parliament and of the Council⁴⁹. ***That*** Directive establishes common rules governing the provision of postal services and the universal postal service in the Union. This Regulation complements, insofar as cross-border parcel delivery services are concerned, the rules set out in Directive 97/67/EC.

⁴⁹ Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the

improvement of quality of service (OJ L 1, 21.1.1998, p 14 - 25).

improvement of quality of service (OJ L 1, 21.1.1998, p 14 - 25).

Or. en

Amendment 70

Anneleen Van Bossuyt

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) Currently, postal services are regulated by Directive 97/67/EC of the European Parliament and of the Council⁴⁹. This Directive establishes common rules governing the provision of postal services and the universal postal service in the Union. It focuses primarily, but not exclusively, on national universal services and ***does not address*** regulatory oversight of ***parcel delivery service providers***, transparency of ***tariffs and terminal rates for certain*** cross-border ***parcel delivery*** services, ***the assessment of the affordability of tariffs for certain cross-border parcel delivery services and transparent and non-discriminatory access to certain cross-border parcel delivery services and/or infrastructure. This Regulation therefore complements, insofar as cross-border parcel delivery services are concerned, the rules set out in Directive 97/67/EC.***

⁴⁹ Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service (OJ L 1, 21.1.1998, p 14 - 25).

Amendment

(6) Currently, postal services are regulated by Directive 97/67/EC of the European Parliament and of the Council⁴⁹. This Directive establishes common rules governing the provision of postal services and the universal postal service in the Union. It focuses primarily, but not exclusively, on national universal services and ***also calls for*** regulatory oversight of ***affordability and*** transparency of cross-border ***universal postal*** services.

⁴⁹ Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service (OJ L 1, 21.1.1998, p 14 - 25).

Or. en

Amendment 71
Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation
Recital 6

Text proposed by the Commission

(6) Currently, postal services are regulated by Directive 97/67/EC of the European Parliament and of the Council⁴⁹. ***This Directive establishes common rules governing the provision of postal services and the universal postal service in the Union. It focuses primarily, but not exclusively, on national universal services and does not address regulatory oversight of parcel delivery service providers, transparency of tariffs and terminal rates for certain cross-border parcel delivery services, the assessment of the affordability of tariffs for certain cross-border parcel delivery services and transparent and non-discriminatory access to certain cross-border parcel delivery services and/or infrastructure. This Regulation therefore complements, insofar as cross-border parcel delivery services are concerned, the rules set out in Directive 97/67/EC.***

⁴⁹ Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service (OJ L 1, 21.1.1998, p 14 - 25).

Amendment

(6) Currently, postal services are regulated by Directive 97/67/EC of the European Parliament and of the Council⁴⁹. ***That*** Directive establishes common rules governing the provision of postal services and the universal postal service in the Union. ***This Regulation therefore complements, insofar as cross-border parcel delivery services are concerned, the rules set out in Directive 97/67/EC. However, the provisions of this Regulation are without prejudice to the rights and guarantees set out in that Directive including in particular the continued provision of a universal postal service to users.***

⁴⁹ Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service (OJ L 1, 21.1.1998, p 14 - 25).

Or. en

Amendment 72
Daniel Dalton, Anneleen Van Bossuyt

Proposal for a regulation
Recital 6

(6) Currently, postal services are regulated by Directive 97/67/EC of the European Parliament and of the Council⁴⁹. This Directive establishes common rules governing the provision of postal services and the universal postal service in the Union. It focuses primarily, but not exclusively, on national universal services and does not address regulatory oversight of parcel delivery service providers, transparency of tariffs **and terminal rates** for certain cross-border parcel delivery services, the assessment of the affordability of tariffs for certain cross-border parcel delivery services **and transparent and non-discriminatory access to certain cross-border parcel delivery services and/or infrastructure**. This Regulation therefore complements, insofar as cross-border parcel delivery services are concerned, the rules set out in Directive 97/67/EC.

⁴⁹ Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service (OJ L 1, 21.1.1998, p 14 - 25).

(6) Currently, postal services are regulated by Directive 97/67/EC of the European Parliament and of the Council⁴⁹. This Directive establishes common rules governing the provision of postal services and the universal postal service in the Union. It focuses primarily, but not exclusively, on national universal services and does not address regulatory oversight of parcel delivery service providers, transparency of tariffs for certain cross-border parcel delivery services, the assessment of the affordability of tariffs for certain cross-border parcel delivery services. This Regulation therefore complements, insofar as cross-border parcel delivery services are concerned, the rules set out in Directive 97/67/EC.

⁴⁹ Directive 97/67/EC of the European Parliament and of the Council of 15 December 1997 on common rules for the development of the internal market of Community postal services and the improvement of quality of service (OJ L 1, 21.1.1998, p 14 - 25).

Or. en

Amendment 73

Antonio López-Istúriz White, Eva Maydell, Birgit Collin-Langen, Cristian-Silviu Buşoi, Carlos Coelho

Proposal for a regulation

Recital 8

(8) Therefore, it is important to provide a clear definition of parcel delivery services and to specify which postal items are covered by **that definition**. This

(8) Therefore, it is important to provide a clear definition of **parcels and** parcel delivery services and to specify which postal **and parcel** items are covered by

concerns in particular *postal items*, other than items of correspondence, which because of their weight are commonly used for sending goods and merchandise. This Regulation should therefore cover, in line with consistent practice, *postal items* weighing up to 31.5 kg, as heavier items cannot be handled by a single average individual without mechanical aids. In line with current practice *and Directive 97/67/EC*, each step *in* the postal chain, i.e. clearance, sorting and delivery should be considered parcel delivery services. Transport alone that is not undertaken in conjunction with one of those steps should fall outside the scope of parcel delivery services as it can in this case be assumed *that* this activity is part of the *transport* sector.

those definitions. This concerns in particular *items delivered or not by the Universal Service Provider*, other than items of correspondence, which because of their weight are commonly used for sending goods and merchandise *with or without commercial value*. This Regulation should therefore cover, in line with consistent practice, *parcels, delivered or not by the Universal service provider*, weighing up to 31.5 kg, as heavier items cannot be handled by a single average individual without mechanical aids. In line with *the* current practice, each step *of* the postal chain, i.e. clearance, sorting and delivery should be considered parcel delivery services *including when provided by express and courier service providers, as well as consolidators. Providers of parcel delivery services using alternative business models and e-commerce platforms should also be subject to this Regulation, if they provide at least one of these steps in the postal delivery chain*. Transport alone that is not undertaken in conjunction with one of those steps should fall outside the scope of parcel delivery services as it can in this case be assumed this activity is part of the *postal* sector.

Or. en

Amendment 74

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) Therefore, it is important to provide a clear definition of parcel delivery services and to specify which postal items are covered by that definition. This concerns in particular postal items, other than items of correspondence, which because of their weight are commonly used for sending goods and merchandise. This Regulation should therefore cover, in line

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Amendment

(8) Therefore, it is important to provide a clear definition of *parcels and* parcel delivery services and to specify which postal items are covered by that definition. This concerns in particular postal items, other than items of correspondence, which because of their weight are commonly used for sending goods and merchandise. This Regulation should therefore cover, in line

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with consistent practice, postal items weighing up to 31.5 kg, as heavier items cannot be handled by a single average individual without mechanical aids. In line with current practice and Directive 97/67/EC, each step in the postal chain, i.e. clearance, sorting and delivery should be considered parcel delivery services.

Transport alone that is not undertaken in conjunction with one of those steps should fall outside the scope of parcel delivery services as it can in this case be assumed that this activity is part of the transport sector.

with consistent practice, postal items weighing up to 31.5 kg, as heavier items cannot be handled by a single average individual without mechanical aids. In line with current practice and Directive 97/67/EC, each step in the postal chain, i.e. clearance, sorting and delivery should be considered parcel delivery services.

However, established freight or transport logistics providers, in contrast with individual independent subcontractors of the parcel delivery service provider, should not be covered by the scope of this Regulation.

Or. en

Amendment 75

Anneleen Van Bossuyt, Daniel Dalton

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) Therefore, it is important to provide a clear definition of parcel delivery services and to specify which postal items are covered by ***that definition***. This concerns in particular postal items, other than items of correspondence, which because of their weight are commonly used for sending goods and merchandise. This Regulation should therefore cover, in line with consistent practice, postal items weighing up to 31.5 kg, as heavier items cannot be handled by a single average individual without mechanical aids. In line with current practice and Directive 97/67/EC, each step in the postal chain, i.e. clearance, sorting and delivery should be considered parcel delivery services. Transport alone that is not undertaken in conjunction with one of those steps should fall outside the scope of parcel delivery services as it can in this case be assumed that this activity is part of the transport sector.

Amendment

(8) Therefore, it is important to provide a clear definition of ***parcels and*** parcel delivery services and to specify which postal items are covered by ***those definitions***. This concerns in particular postal items, other than items of correspondence, which because of their weight are commonly used for sending goods and merchandise. This Regulation should therefore cover, in line with consistent practice, postal items weighing up to 31.5 kg, as heavier items cannot be handled by a single average individual without mechanical aids. In line with current practice and Directive 97/67/EC, each step in the postal chain, i.e. clearance, sorting and delivery should be considered parcel delivery services. Transport alone that is not undertaken in conjunction with one of those steps should fall outside the scope of parcel delivery services as it can in this case be assumed that this activity is part of the transport sector.

Amendment 76

Dita Charanzová, Jasenko Selimovic

Proposal for a regulation

Recital 8 a (new)

Text proposed by the Commission

Amendment

(8 a) This Regulation should apply to parcel delivery services offered to third parties and not to undertakings that only have in-house delivery networks in order to fulfil orders of goods that they have sold themselves. If these undertakings use in-house delivery networks also for delivery goods sold by third parties as well as goods from an in-house retail service, then they should be the subject to this Regulation.

Or. en

Justification

This is need to ensure that food delivery services, for example by a supermarket, are not covered by this Regulation

Amendment 77

Anneleen Van Bossuyt

Proposal for a regulation

Recital 9

Text proposed by the Commission

Amendment

(9) Terminal rates are based on multilateral and bilateral agreements between universal service providers and ensure that the destination universal service provider is remunerated for the costs of the service provided to the originating universal service provider. Terminal rates should be defined in such a way that it includes both terminal dues, as defined in point 15 of Article 2 of Directive 97/67/EC that are applied for

deleted

letter mail items and inward land rates that are applied to parcels.

Or. en

Amendment 78

Antonio López-Istúriz White, Cristian-Silviu Buşoi, Birgit Collin-Langen, Carlos Coelho

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) Terminal rates are based on multilateral and bilateral agreements between **universal** service providers and ensure that the destination **universal** service provider is remunerated for the costs of the service provided to the originating **universal** service provider. Terminal rates should be **defined** in such a way that it includes both terminal dues, as defined in point 15 of Article 2 of Directive 97/67/EC that are applied for letter mail items and inward land rates that are applied to parcels.

Amendment

(9) Terminal rates are based on multilateral and bilateral agreements between **parcel delivery** service providers and ensure that the destination **parcel delivery** service provider is remunerated for the costs of the service provided to the originating **parcel delivery** service provider. Terminal rates should be **considered** in such a way that it includes both terminal dues, as defined in point 15 of Article 2 of Directive 97/67/EC that are applied for letter mail items and inward land rates that are applied to parcels, **as well as the transfer costs between the subsidiaries of the parcel delivery services providers. Terminal rates are commercially sensitive business data.**

Or. en

Amendment 79

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) Terminal rates are based on multilateral and bilateral agreements between **universal** service providers and ensure that the destination **universal** service provider is remunerated for the costs of the service provided to the

Amendment

(9) Terminal rates are based on multilateral and bilateral agreements between **parcel delivery** service providers and ensure that the destination **parcel delivery** service provider is remunerated for the costs of the service provided to the

originating **universal** service provider. Terminal rates should be defined in such a way that it includes both terminal dues, as defined in point 15 of Article 2 of Directive 97/67/EC that are applied for letter mail items and inward land rates that are applied to parcels.

originating **parcel delivery** service provider. Terminal rates should be defined in such a way that it includes both terminal dues, as defined in point 15 of Article 2 of Directive 97/67/EC that are applied for letter mail items and inward land rates that are applied to parcels.

Or. en

Amendment 80

Dita Charanzová, Jasenko Selimovic

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) It is necessary that national regulatory authorities have knowledge and information for statistical purposes about parcel delivery service providers active on the market. **However**, in order to limit the administrative burden for small parcel delivery service providers who are only active on a **national or regional** market, a threshold should be applied, based on the number of persons working for the service provider and involved in the provision of parcel delivery services.

Amendment

(10) It is necessary that national regulatory authorities have knowledge and information for statistical purposes about parcel delivery service providers active on the market. **Due to the labour intensive nature of the sector and** in order to limit the administrative burden for small parcel delivery service providers **or sub-contractors** who are only active on a **regional or domestic** market, a threshold of **50 persons** should be applied, based on the **average** number of persons working for the service provider **over the previous calendar year** and involved in the provision of parcel delivery services **in the Member State in which the provider is established, unless that provider is established in more than one Member State**.

Or. en

Amendment 81

Antonio López-Istúriz White, Eva Maydell, Roberta Metsola, Birgit Collin-Langen, Cristian-Silviu Buşoi, Carlos Coelho

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) It is necessary that national regulatory authorities have knowledge and information for statistical purposes about parcel delivery service providers active on the market. However, in order to limit the administrative burden for small parcel delivery service providers who are only active on a national or regional market, a threshold should be applied, based on the number of persons working for the service provider and involved in the provision of parcel delivery services.

Amendment

(10) It is necessary that national regulatory authorities have knowledge and information for statistical purposes about parcel delivery service providers active on the market. However, in order to limit the administrative burden for small parcel delivery service providers who are only active on a national or regional market, a threshold should be applied, based on the number of persons working ***on average*** for the service provider and involved in the provision of parcel delivery services ***in the Member State in which the provider is established, unless that provider is established in more than one Member State.***

Or. en

Amendment 82

Lucy Anderson, Liisa Jaakonsaari, Nicola Danti

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) It is necessary that national regulatory authorities have knowledge and information for statistical purposes about parcel delivery service providers active on the market. However, in order to limit the administrative burden for small parcel delivery service providers who are only active on a national or regional market, a threshold should be applied, based on the number of persons working for the service provider and involved in the provision of parcel delivery services.

Amendment

(10) It is necessary that national regulatory authorities have knowledge and information for statistical purposes about parcel delivery service providers active on the market. However, in order to limit the administrative burden for small parcel delivery service providers who are only active on a national or regional market, a threshold should be applied, based on the number of persons working for the service provider and involved in the provision of parcel delivery services, ***but also allowing for the proper inclusion in the threshold of those working in the sector other than on a full-time, permanent basis.***

Or. en

Amendment 83
Dita Charanzová

Proposal for a regulation
Recital 11 a (new)

Text proposed by the Commission

Amendment

(11 a) When submitting information to the national regulatory authority, the characteristics of the parcel delivery services should include the steps in the postal delivery chain (clearance, sorting, transport and distribution) undertaken by that provider; whether the service is within or outside the scope of the universal service obligation; the territorial scope of the service (regional, domestic, cross-border); and whether added value is offered.

Or. en

Amendment 84
Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation
Recital 12

Text proposed by the Commission

Amendment

(12) When providing information to the national regulatory authority, it should be taken into account that parcel delivery service providers may have already provided certain information to the same national regulatory authority. Parcel delivery services are important for small and medium-sized enterprises and individuals and they should be able to compare easily between different providers. Therefore, the services for which tariffs should be provided by ***universal*** service providers should be clearly defined. Those tariffs should be published by the Commission on a dedicated webpage ***and should, together with the confidential regular provision of the underlying terminal rates, constitute***

(12) When providing information to the national regulatory authority, it should be taken into account that parcel delivery service providers may have already provided certain information to the same national regulatory authority. Parcel delivery services are important for small and medium-sized enterprises and individuals and they should be able to compare easily between different providers. Therefore, the services for which tariffs should be provided by ***parcel delivery*** service providers should be clearly defined. Those tariffs should be published by the Commission on a dedicated webpage.

the basis for the national regulatory authorities to assess the affordability of tariffs for cross-border parcel delivery services. Parcel delivery service providers other than universal service providers may voluntarily provide, in a comparable form, their national regulatory authority with the tariffs for the same items provided that such items are delivered at the home or the premises of the addressee.

Or. en

Amendment 85
Anneleen Van Bossuyt

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) When providing information to the national regulatory authority, it should be taken into account that parcel delivery service providers may have already provided certain information to the same national regulatory authority. Parcel delivery services are important for small and medium-sized enterprises and individuals and they should be able to compare easily between different providers. Therefore, the services for which tariffs should be provided by universal service providers should be clearly defined. Those tariffs should be published by the Commission on a dedicated webpage *and should, together with the confidential regular provision of the underlying terminal rates, constitute the basis for the national regulatory authorities to assess the affordability of tariffs for cross-border parcel delivery services.* Parcel delivery service providers other than universal service providers may voluntarily provide, in a comparable form, their national regulatory authority with the tariffs for the same items provided that such items are delivered at the home or the

Amendment

(12) When providing information to the national regulatory authority, it should be taken into account that parcel delivery service providers may have already provided certain information to the same national regulatory authority. Parcel delivery services are important for small and medium-sized enterprises and individuals and they should be able to compare easily between different providers. Therefore, the services for which tariffs should be provided by universal service providers should be clearly defined. Those tariffs should be published by the Commission on a dedicated webpage. Parcel delivery service providers other than universal service providers may voluntarily provide, in a comparable form, their national regulatory authority with the tariffs for the same items provided that such items are delivered at the home or the premises of the addressee.

premises of the addressee.

Or. en

Amendment 86

Dita Charanzová, Jasenko Selimovic

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) When providing information to the national regulatory authority, it should be taken into account that parcel delivery service providers may have already provided certain information to the same national regulatory authority. Parcel delivery services are important for small and medium-sized enterprises and individuals and they should be able to compare easily between different providers. Therefore, the services for which tariffs should be provided by universal service providers should be clearly defined. Those tariffs should be published by the Commission on a dedicated webpage and should, together with the confidential regular provision of the underlying terminal rates, constitute the basis for the national regulatory authorities to assess the affordability of tariffs for cross-border parcel delivery services. ***Parcel delivery service providers other than universal service providers may voluntarily provide, in a comparable form, their national regulatory authority with the tariffs for the same items provided that such items are delivered at the home or the premises of the addressee.***

Amendment

(12) When providing information to the national regulatory authority, it should be taken into account that parcel delivery service providers may have already provided certain information to the same national regulatory authority. Parcel delivery services are important for small and medium-sized enterprises and individuals and they should be able to compare easily between different providers. Therefore, the services for which tariffs should be provided by universal service providers ***and all other cross-border parcel delivery services*** should be clearly defined. Those tariffs should be published by the Commission on a dedicated webpage and should, together with the confidential regular provision of the underlying terminal rates, constitute the basis for the national regulatory authorities to assess the affordability of tariffs for cross-border parcel delivery services.

Or. en

Amendment 87

Daniel Dalton

Proposal for a regulation

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Recital 12

Text proposed by the Commission

(12) When providing information to the national regulatory authority, it should be taken into account that parcel delivery service providers may have already provided certain information to the same national regulatory authority. Parcel delivery services are important for small and medium-sized enterprises and individuals and they should be able to compare easily between different providers. Therefore, the services for which tariffs should be provided by universal service providers should be clearly defined. Those tariffs should be published by the Commission on a dedicated webpage and should, ***together with the confidential regular provision of the underlying terminal rates***, constitute the basis for the national regulatory authorities to assess the affordability of tariffs for cross-border parcel delivery services. Parcel delivery service providers other than universal service providers may voluntarily provide, in a comparable form, their national regulatory authority with the tariffs for the same items provided that such items are delivered at the home or the premises of the addressee.

Amendment

(12) When providing information to the national regulatory authority, it should be taken into account that parcel delivery service providers may have already provided certain information to the same national regulatory authority. Parcel delivery services are important for small and medium-sized enterprises and individuals and they should be able to compare easily between different providers. Therefore, the services for which tariffs should be provided by universal service providers should be clearly defined. Those tariffs should be published by the Commission on a dedicated webpage and should constitute the basis for the national regulatory authorities to assess the affordability of tariffs for cross-border parcel delivery services. Parcel delivery service providers other than universal service providers may voluntarily provide, in a comparable form, their national regulatory authority with the tariffs for the same items provided that such items are delivered at the home or the premises of the addressee.

Or. en

Amendment 88

Anneleen Van Bossuyt

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) ***When national regulatory authorities annually assess the affordability of tariffs, they should base themselves on objective criteria, such as the domestic tariffs of the originating universal service providers and the***

Amendment

deleted

destination universal service providers and the level of terminal rates. Those common criteria may be complemented by other criteria of particular relevance for explaining the tariffs in question, such as specific transportation or handling costs and bilateral volumes between different cross-border parcel delivery service providers.

Or. en

Amendment 89
Edward Czesak

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) When national regulatory authorities **annually** assess the affordability of tariffs, they should base themselves on objective criteria, such as the domestic tariffs of the originating **universal service providers and the destination** universal service providers and the level of terminal rates. Those common criteria may be complemented by other criteria of particular relevance for explaining the tariffs in question, such as specific transportation or handling costs and bilateral volumes between different cross-border parcel delivery service providers.

Amendment

(14) When national regulatory authorities **deem it necessary to** assess the affordability of tariffs, they should base themselves on objective criteria, such as the domestic tariffs of the originating universal service providers and the level of terminal rates. Those common criteria may be complemented by other criteria of particular relevance for explaining the tariffs in question, such as specific transportation or handling costs and bilateral volumes between different cross-border parcel delivery service providers.

Or. en

Amendment 90
Lucy Anderson, Liisa Jaakonsaari, Nicola Danti

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) When national regulatory
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Amendment

(14) When national regulatory

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authorities annually assess the affordability of tariffs, they should ***base themselves on objective criteria, such as the domestic tariffs of the originating universal service providers and the destination universal service providers and the level of terminal rates. Those common criteria may be complemented by other criteria of particular relevance for explaining the tariffs in question, such as specific transportation or handling costs and bilateral volumes between different cross-border parcel delivery service providers.***

authorities annually assess the affordability of tariffs, they should ***particularly take into account individual and small and medium-sized enterprise users living or situated in remote or sparsely populated areas, as well as such users that regularly use parcel delivery services and individual users with little disposable income.***

Or. en

Amendment 91

Dita Charanzová, Jasenko Selimovic

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) When national regulatory authorities ***annually*** assess the affordability of tariffs, they should base themselves on objective criteria, such as the domestic tariffs of the originating universal service providers and the destination universal service providers and the level of terminal rates. Those common criteria may be complemented by other criteria of particular relevance for explaining the tariffs in question, such as specific transportation or handling costs and bilateral volumes between different cross-border parcel delivery service providers.

Amendment

(14) When national regulatory authorities assess the affordability of tariffs, they should base themselves on objective criteria, such as the domestic tariffs of the originating universal service providers and the destination universal service providers and the level of terminal rates. Those common criteria may be complemented by other criteria of particular relevance for explaining the tariffs in question, such as specific transportation or handling costs and bilateral volumes between different cross-border parcel delivery service providers. ***National regulatory authorities should make efforts, where possible, to ensure this assessment is comparable to those required under Directive 97/67/EC.***

Or. en

Amendment 92

Lucy Anderson, Liisa Jaakonsaari

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Proposal for a regulation
Recital 15

Text proposed by the Commission

Amendment

(15) Uniform tariffs for cross-border deliveries to two or more Member States may be important in the interest of protecting regional and social cohesion. In this context it should be considered that e-commerce offers new opportunities for sparsely populated areas to participate in the economic life. It is therefore necessary to take any uniform tariffs fully into account when assessing the affordability of parcel delivery services.

deleted

Or. en

Amendment 93
Anneleen Van Bossuyt

Proposal for a regulation
Recital 15

Text proposed by the Commission

Amendment

(15) Uniform tariffs for cross-border deliveries to two or more Member States may be important in the interest of protecting regional and social cohesion. In this context it should be considered that e-commerce offers new opportunities for sparsely populated areas to participate in the economic life. ***It is therefore necessary to take any uniform tariffs fully into account when assessing the affordability of parcel delivery services.***

(15) Uniform tariffs for cross-border deliveries to two or more Member States may be important in the interest of protecting regional and social cohesion. In this context it should be considered that e-commerce offers new opportunities for sparsely populated areas to participate in the economic life.

Or. en

Amendment 94
Dennis de Jong

Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) **Significant differences** between domestic and cross-border tariffs for parcel delivery services should be justified by objective criteria, such as additional costs for transport and a reasonable profit margin. **Universal** service providers **providing parcel delivery services** should be required to provide such justification without delay.

Amendment

(16) ***In case of a price difference*** between ***the*** domestic and cross-border tariffs for parcel delivery services ***that is higher than 1.5 times the average tariff between the parcel delivery services of the originating Member State and the destination Member State, this*** should be justified by objective criteria, such as additional costs for transport and a reasonable profit margin. **Parcel** service providers should be required to provide such justification without delay.

Or. en

Amendment 95

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) Significant differences between domestic and cross-border tariffs for parcel delivery services should be justified by objective criteria, such as additional costs for transport and a reasonable profit margin. **Universal service providers providing parcel delivery services should be required to provide such justification without delay.**

Amendment

(16) Significant differences between domestic and cross-border tariffs for parcel delivery services should be justified by objective criteria, such as additional costs for transport and a reasonable profit margin.

Or. en

Amendment 96

Maria Grapini

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) Significant differences between

Amendment

(16) Significant differences between

domestic and cross-border tariffs for parcel delivery services should be justified by objective criteria, such as additional costs for transport and a reasonable profit margin. Universal service providers providing parcel delivery services should be required to provide such justification *without delay*.

domestic and cross-border tariffs for parcel delivery services should be justified by objective criteria, such as additional costs for transport and a reasonable profit margin. Universal service providers providing parcel delivery services should be required to provide such justification *when presenting their services*.

Or. ro

Amendment 97
Jiří Pospíšil

Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) Significant differences between domestic and cross-border tariffs for parcel delivery services should be justified by objective criteria, such as additional costs for transport and a reasonable profit margin. Universal service providers providing parcel delivery services should be required to provide such justification without delay.

Amendment

(16) Significant differences between domestic and cross-border tariffs for parcel delivery services should be justified by objective criteria, such as, *for example*, additional costs for transport and a reasonable profit margin. Universal service providers providing *cross-border* parcel delivery services should be required to provide such justification without delay.

Or. cs

Amendment 98
Antonio López-Istúriz White, Eva Maydell, Birgit Collin-Langen, Cristian-Silviu Buşoi, Carlos Coelho

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) In order to ensure transparency across the Union, the analysis of a national regulatory authority should be submitted to the national regulatory authorities of *the other* Member States *and to the Commission*. Confidentiality *is to* be ensured by the national regulatory

Amendment

(17) In order to ensure transparency across the Union, the analysis of a national regulatory authority should be submitted to the *Commission and, upon justified request, to the* national regulatory authorities of *affected* Member States. Confidentiality *should* be ensured by the

authorities and the Commission. The Commission may also request the European Regulators Group for Postal Services to provide a Union-wide analysis on the basis of the national contributions.

national regulatory authorities and the Commission. The Commission may also request the European Regulators Group for Postal Services to provide a Union-wide analysis on the basis of the national contributions, ***providing that confidentiality is ensured.***

Or. en

Amendment 99
Edward Czesak

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) In order to ensure transparency across the Union, the analysis of a national regulatory authority should be submitted to the ***national regulatory authorities of the other Member States and to the*** Commission. Confidentiality is to be ensured by the national regulatory authorities and the Commission. The Commission may also request the European Regulators Group for Postal Services to provide a Union-wide analysis on the basis of the national contributions.

Amendment

(17) In order to ensure transparency across the Union, ***a non-confidential version of*** the analysis of a national regulatory authority should be submitted to the Commission. Confidentiality is to be ensured by the national regulatory authorities and the Commission ***in accordance with article 22a (4) of Directive 97/67/EC.*** The Commission may also request the European Regulators Group for Postal Services to provide a Union-wide analysis on the basis of the national contributions.

Or. en

Amendment 100
Jiří Pospíšil

Proposal for a regulation
Recital 17

Text proposed by the Commission

(17) In order to ensure transparency across the Union, the analysis of a national regulatory authority should be submitted to the ***national regulatory authorities of the other Member States and to the***

Amendment

(17) In order to ensure transparency across the Union, the analysis of a national regulatory authority should be submitted to the ***Commission, which will make the information available to the other***

Commission. Confidentiality is to be ensured by **the national regulatory authorities and** the Commission. The Commission may also request the European Regulators Group for Postal Services to provide a Union-wide analysis on the basis of the national contributions.

national regulatory authorities. Confidentiality is to be ensured by the Commission. The Commission may also request the European Regulators Group for Postal Services to provide a Union-wide analysis on the basis of the national contributions.

Or. cs

Amendment 101

Antonio López-Istúriz White, Eva Maydell, Roberta Metsola, Birgit Collin-Langen, Cristian-Silviu Buşoi, Carlos Coelho

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) **Universal service providers providing parcel delivery services** may conclude multilateral and bilateral agreements on terminal rates and may set up other programmes to facilitate the interconnectivity of their delivery networks. For reasons of non-discrimination, competing parcel delivery service providers shall be granted equal access to the terminal rates applicable between parties under multilateral agreements. It may be justified that terminal rates payable by third-party parcel delivery service providers, in some cases, exceed those payable by **universal** service providers that are parties to such agreements. This may be the case where the parties to a multilateral agreement on terminal rates are able to demonstrate that the cost of setting up, operating and administering the agreement, the extra cost incurred by accepting and handling items from **non-designated** parcel delivery service providers and other such costs are not covered by the terminal rates payable by the third-party service provider in the originating Member State.

Amendment

(18) **Parcel delivery service providers** may conclude multilateral and bilateral agreements on terminal rates and may set up other programmes to facilitate the interconnectivity of their delivery networks. For reasons of non-discrimination, competing parcel delivery service providers shall be granted equal access to the terminal rates applicable between parties under multilateral agreements. It may be justified that terminal rates payable by third-party parcel delivery service providers, in some cases, exceed those payable by **parcel delivery** service providers that are parties to such agreements. This may be the case where the parties to a multilateral agreement on terminal rates are able to demonstrate that the cost of setting up, operating and administering the agreement, the extra cost incurred by accepting and handling items from **third-party** parcel delivery service providers and other such costs are not covered by the terminal rates payable by the third-party service provider in the originating Member State. **Whenever the parcel delivery service provider concludes multilateral agreements on terminal rates, equal and non-discriminatory third party access to certain cross-border parcel**

delivery services provided under such multilateral agreements should encourage competition, be cost-oriented, benefit consumers and result in a more efficient use of existing networks, particularly in rural and remote areas.

Or. en

Amendment 102
Anneleen Van Bossuyt

Proposal for a regulation
Recital 18

Text proposed by the Commission

(18) Universal service providers providing parcel delivery services may conclude multilateral and bilateral agreements on terminal rates and may set up other programmes to facilitate the interconnectivity of their delivery networks. *For reasons of non-discrimination, competing parcel delivery service providers shall be granted equal access to the terminal rates applicable between parties under multilateral agreements. It may be justified that terminal rates payable by third-party parcel delivery service providers, in some cases, exceed those payable by universal service providers that are parties to such agreements. This may be the case where the parties to a multilateral agreement on terminal rates are able to demonstrate that the cost of setting up, operating and administering the agreement, the extra cost incurred by accepting and handling items from non-designated parcel delivery service providers and other such costs are not covered by the terminal rates payable by the third-party service provider in the originating Member State.*

Amendment

(18) Universal service providers providing parcel delivery services may conclude multilateral and bilateral agreements on terminal rates and may set up other programmes to facilitate the interconnectivity of their delivery networks.

Or. en

Amendment 103

Daniel Dalton

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) Universal service providers providing parcel delivery services may conclude multilateral and bilateral agreements on terminal rates and may set up other programmes to facilitate the interconnectivity of their delivery networks. *For reasons of non-discrimination, competing parcel delivery service providers shall be granted equal access to the terminal rates applicable between parties under multilateral agreements. It may be justified that terminal rates payable by third-party parcel delivery service providers, in some cases, exceed those payable by universal service providers that are parties to such agreements. This may be the case where the parties to a multilateral agreement on terminal rates are able to demonstrate that the cost of setting up, operating and administering the agreement, the extra cost incurred by accepting and handling items from non-designated parcel delivery service providers and other such costs are not covered by the terminal rates payable by the third-party service provider in the originating Member State.*

Amendment

(18) Universal service providers providing parcel delivery services may conclude multilateral and bilateral agreements on terminal rates and may set up other programmes to facilitate the interconnectivity of their delivery networks.

Or. en

Amendment 104

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Recital 18

Text proposed by the Commission

(18) *Universal* service providers providing parcel delivery services may conclude multilateral and bilateral

Amendment

(18) *Parcel delivery* service providers providing parcel delivery services may conclude multilateral and bilateral

agreements on terminal rates and may set up other programmes to facilitate the interconnectivity of their delivery networks. *For reasons of non-discrimination, competing parcel delivery service providers shall be granted equal access to the terminal rates applicable between parties under multilateral agreements. It may be justified that terminal rates payable by third-party parcel delivery service providers, in some cases, exceed those payable by universal service providers that are parties to such agreements. This may be the case where the parties to a multilateral agreement on terminal rates are able to demonstrate that the cost of setting up, operating and administering the agreement, the extra cost incurred by accepting and handling items from non-designated parcel delivery service providers and other such costs are not covered by the terminal rates payable by the third-party service provider in the originating Member State.*

agreements on terminal rates and may set up other programmes to facilitate the interconnectivity of their delivery networks. *It is important that any practices in this respect that may be in breach of EU competition law principles and the provisions of Directive 97/67/EC are properly investigated and addressed by Member States, national regulatory authorities and by the European Commission in a timely and effective manner.*

Or. en

Amendment 105 **Daniel Dalton**

Proposal for a regulation **Recital 19**

Text proposed by the Commission

(19) In practice and for operational reasons, the point at which access should be provided is the inward office of exchange, which is an office or a facility determined by universal service providers in the destination Member State for handing over postal items other than items of correspondence.

Amendment

deleted

Or. en

Amendment 106

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Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Recital 19

Text proposed by the Commission

Amendment

(19) In practice and for operational reasons, the point at which access should be provided is the inward office of exchange, which is an office or a facility determined by universal service providers in the destination Member State for handing over postal items other than items of correspondence.

deleted

Or. en

Amendment 107

Antonio López-Istúriz White, Eva Maydell, Roberta Metsola, Birgit Collin-Langen, Cristian-Silviu Buşoi, Carlos Coelho

Proposal for a regulation

Recital 19

Text proposed by the Commission

Amendment

(19) In practice and for operational reasons, the point at which access should be provided is the inward office of exchange, *which* is an office or a facility determined by *universal* service providers in the destination Member State for handing over postal items other than items of correspondence.

(19) In practice and for operational reasons, the point at which access should be provided is the inward office of exchange, *unless parties agree on an alternative point in the network. The inward office of exchange* is an office or a facility determined by *parcel delivery* service providers in the destination Member State for handing over *incoming* postal items other than items of correspondence.

Or. en

Amendment 108

Dita Charanzová, Jasenko Selimovic

Proposal for a regulation

Recital 20 a (new)

(20 a) In order to limit the administrative burden, the transfer of data by parcel delivery service providers, national regulatory authorities and the Commission should be electronic, for example by allowing the use of e-signatures provided for in Regulation (EU) 910/20147 (eIDAS Regulation)^{1a}.

^{1a} Regulation (EU) 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.08.2014, p. 73).

Or. en

Amendment 109

Lucy Anderson, Liisa Jaakonsaari, Olga Sehnalová

Proposal for a regulation

Recital 21

Text proposed by the Commission

(21) As markets for parcel delivery services are changing fast, the Commission should re-assess the efficiency and effectiveness of this Regulation and submit a regular report to the European Parliament and the Council. That report should be accompanied, where appropriate, by proposals for review to the European Parliament and the Council.

Amendment

(21) As markets for parcel delivery services are changing fast, the Commission should re-assess the efficiency and effectiveness of this Regulation and submit a regular report to the European Parliament and the Council. That report should be accompanied, where appropriate, by **legislative** proposals for review to the European Parliament and the Council. **That report should be produced following consultation with all appropriate stakeholders including the social dialogue committee for the postal sector.**

Or. en

Amendment 110

Dita Charanzová, Jasenko Selimovic

Proposal for a regulation

Recital 21

Text proposed by the Commission

(21) As markets for parcel delivery services are changing fast, the Commission should re-assess the efficiency and effectiveness of this Regulation and submit a regular report to the European Parliament and the Council. That report should be accompanied, where appropriate, by proposals for review to the European Parliament and the Council.

Amendment

(21) As markets for parcel delivery services are changing fast, the Commission should re-assess the efficiency and effectiveness of this Regulation, ***taking into account developments in e-commerce***, and submit a regular report to the European Parliament and the Council. That report should be accompanied, where appropriate, by proposals for review to the European Parliament and the Council.

Or. en

Amendment 111

Dita Charanzová

Proposal for a regulation

Recital 21 a (new)

Text proposed by the Commission

Amendment

(21 a) The Commission should build on valuable input from the European Regulators Group for Postal Services composed by representatives of the national regulatory authorities.

Or. en

Amendment 112

Lucy Anderson, Liisa Jaakonsaari, Olga Sehnalová

Proposal for a regulation

Recital 22

Text proposed by the Commission

Amendment

(22) In order to ensure uniform conditions for the implementation of the obligation for parcel delivery providers to

(22) In order to ensure uniform conditions for the implementation of the obligation for parcel delivery providers to

submit information to national regulatory authorities, **implementing** powers should be conferred on the Commission to establish a form for the submission of such information. ***Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁵⁰.***

⁵⁰ Regulation (EU) 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13 - 18).

submit information to national regulatory authorities, **delegated** powers should be conferred on the Commission to establish a form for the submission of such information.

Or. en

Amendment 113

Dennis de Jong

Proposal for a regulation

Recital 22

Text proposed by the Commission

(22) In order to ensure uniform conditions for the implementation of the obligation for parcel delivery providers to submit information to national regulatory authorities, **implementing** powers should be conferred on the Commission to establish a form for the submission of such information. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁵⁰.

⁵⁰ Regulation (EU) 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011,

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Amendment

(22) In order to ensure uniform conditions for the implementation of the obligation for parcel delivery providers to submit information to national regulatory authorities, **delegated** powers should be conferred on the Commission to establish a form for the submission of such information. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁵⁰.

⁵⁰ Regulation (EU) 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011,

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p. 13 - 18).

p. 13 - 18).

Or. en

Amendment 114

Dennis de Jong

Proposal for a regulation

Recital 23 a (new)

Text proposed by the Commission

Amendment

(23 a) In order to study the effects of this Regulation the Member States shall report on the developments of the working conditions of all persons working in the parcel delivery sector, as well as the environmental effects caused by increased road traffic and subsequent increased emissions.

Or. en

Amendment 115

Dita Charanzová

Proposal for a regulation

Recital 24 a (new)

Text proposed by the Commission

Amendment

(24 a) Member States should lay down rules on penalties applicable to infringements of this Regulation and ensure that they are implemented. Those penalties should be effective, proportionate and dissuasive.

Or. en

Amendment 116

Dennis de Jong

Proposal for a regulation

Recital 25

(25) *Since the objectives of this Regulation, namely to establish the regulatory principles and rules necessary to improve regulatory oversight, to improve transparency of prices and establish certain principles as regards cross-border parcel delivery services that should support competition, cannot be sufficiently achieved by the Member States and can therefore, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.*

deleted

Or. en

Amendment 117

Lucy Anderson, Liisa Jaakonsaari, Olga Sehnalová

Proposal for a regulation

Recital 25

(25) Since the objectives of this Regulation, namely to *establish the regulatory principles and rules necessary to improve regulatory oversight, to improve transparency of prices and establish certain principles as regards* cross-border parcel delivery services *that should support competition*, cannot be sufficiently achieved by the Member States and can therefore, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance

(25) Since the objectives of this Regulation, namely to *foster better user accessibility to efficient and affordable* cross-border parcel delivery services, cannot be sufficiently achieved by the Member States and can therefore, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that

with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.

objective.

Or. en

Amendment 118
Pascal Durand

Proposal for a regulation
Article 1 – title

Text proposed by the Commission

Amendment

Subject matter

Subject matter *and objectives*

Or. en

Amendment 119
Pascal Durand

Proposal for a regulation
Article 1 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

This Regulation establishes specific rules, in addition to the rules set out in Directive 97/67/EC, concerning:

In order to foster better user accessibility to efficient and affordable cross-border parcel delivery, including for vulnerable users, those in remote or sparsely populated areas and persons with disabilities, this Regulation establishes specific rules, in addition to the rules set out in Directive 97/67/EC, concerning:

Or. en

Amendment 120
Lucy Anderson, Liisa Jaakonsaari, Olga Sehnalová

Proposal for a regulation
Article 1 – paragraph 1 – introductory part

Text proposed by the Commission

This Regulation establishes specific **rules**, in addition to the **rules** set out in Directive 97/67/EC, concerning:

Amendment

In order to foster better user accessibility to efficient and affordable cross-border parcel delivery services, this Regulation establishes specific **provisions**, in addition to the **provisions** set out in Directive 97/67/EC, concerning:

Or. en

Amendment 121
Anneleen Van Bossuyt

Proposal for a regulation
Article 1 – paragraph 1 – point b

Text proposed by the Commission

(b) the transparency of tariffs **and terminal rates** for certain cross-border parcel delivery services **and the assessment of the affordability of certain cross-border tariffs**;

Amendment

(b) the transparency of tariffs for certain cross-border parcel delivery services.

Or. en

Amendment 122
Daniel Dalton

Proposal for a regulation
Article 1 – paragraph 1 – point b

Text proposed by the Commission

(b) the transparency of tariffs **and terminal rates** for certain cross-border parcel delivery services and the assessment of the affordability of certain cross-border tariffs;

Amendment

(b) the transparency of tariffs for certain cross-border parcel delivery services and the assessment of the affordability of certain cross-border tariffs;

Or. en

Amendment 123
Daniel Dalton

Proposal for a regulation
Article 1 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) *transparent and non-discriminatory access to certain cross-border parcel delivery services and/or infrastructure.*

deleted

Or. en

Amendment 124
Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation
Article 1 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) *transparent and non-discriminatory access to certain cross-border parcel delivery services and/or infrastructure.*

deleted

Or. en

Amendment 125
Antonio López-Istúriz White, Eva Maydell, Cristian-Silviu Buşoi, Carlos Coelho

Proposal for a regulation
Article 1 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) transparent and non-discriminatory access to certain cross-border parcel delivery services and/or infrastructure.

(c) transparent and non-discriminatory access to certain cross-border parcel delivery services *provided under multilateral agreements referred to in Article 6 of this regulation* and/or infrastructure.

Or. en

Amendment 126
Sergio Gutiérrez Prieto

Proposal for a regulation
Article 1 – paragraph 1 – point c

Text proposed by the Commission

(c) transparent and non-discriminatory access to certain cross-border parcel delivery services and/or infrastructure.

Amendment

(c) transparent and non-discriminatory access to certain cross-border parcel delivery services ***provided under multilateral agreements referred to in Article 6 of this regulation*** and/or infrastructure.

Or. en

Amendment 127
Maria Grapini

Proposal for a regulation
Article 1 – paragraph 1 – point c

Text proposed by the Commission

(c) transparent and non-discriminatory access to certain cross-border parcel delivery services and/or infrastructure.

Amendment

(c) transparent, ***unbureaucratic*** and non-discriminatory access to certain cross-border parcel delivery services and/or infrastructure, ***in order not to create an obstacle for SMEs.***

Or. ro

Amendment 128
Lucy Anderson, Liisa Jaakonsaari, Olga Sehnalová

Proposal for a regulation
Article 1 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(c a) information and price transparency for users of cross-border parcel delivery services;

Or. en

Amendment 129

Lucy Anderson, Liisa Jaakonsaari, Olga Sehnalová

Proposal for a regulation

Article 1 – paragraph 1 – point c b (new)

Text proposed by the Commission

Amendment

***(c b) promotion of further
harmonisation of relevant quality of
service and technical standards.***

Or. en

Amendment 130

Pascal Durand

Proposal for a regulation

Article 1 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

***This Regulation is without prejudice to
the full application by all parcel delivery
providers of all legal and contractual
provisions concerning employment,
working and social security conditions
and the exercise of fundamental rights,
including the right to negotiate, conclude
and enforce collective bargaining
agreements and to take industrial action.***

Or. en

Amendment 131

Lucy Anderson, Liisa Jaakonsaari, Olga Sehnalová

Proposal for a regulation

Article 1 a (new)

Text proposed by the Commission

Amendment

Article 1 a

***Member States may adopt or maintain in
force more stringent provisions than those***

laid down in this Regulation for the benefit of users and where such provisions foster better user accessibility to efficient and affordable cross-border parcel delivery services.

Or. en

Amendment 132

Pascal Durand

Proposal for a regulation

Article 1 a (new)

Text proposed by the Commission

Amendment

Article 1 a

Member States may adopt or maintain in force more stringent provisions than those laid down in this Regulation for the benefit of users and where such provisions foster better user accessibility to efficient and affordable cross-border parcel delivery services.

Or. en

Amendment 133

Sergio Gutiérrez Prieto

Proposal for a regulation

Article 2 – paragraph 2 – point -a (new)

Text proposed by the Commission

Amendment

(-a) "parcel" means an item delivered by the Universal Service Provider or by other Parcel delivery service provider different from an item of correspondence, with or without commercial value, and with a weight not exceeding 31,5 kg;

Or. en

Amendment 134

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Antonio López-Istúriz White, Roberta Metsola, Cristian-Silviu Buşoi, Birgit Collin-Langen, Carlos Coelho

Proposal for a regulation

Article 2 – paragraph 2 – point -a (new)

Text proposed by the Commission

Amendment

(-a) "parcel" means an item delivered by the Universal Service Provider or by other Parcel delivery service provider different from an item of correspondence, with or without commercial value, and with a weight not exceeding 31,5 kg;

Or. en

Amendment 135

Anneleen Van Bossuyt

Proposal for a regulation

Article 2 – paragraph 2 – point -a (new)

Text proposed by the Commission

Amendment

(-a) "parcel" means a packet containing goods with or without a commercial value and undergoing a delivery process involving clearance, sorting, transport or distribution.

Or. en

Amendment 136

Pascal Durand

Proposal for a regulation

Article 2 – paragraph 2 – point -a (new)

Text proposed by the Commission

Amendment

(-a) "parcel" means a postal item with a weight not exceeding 31,5 kg; an item of correspondence alone shall not be considered a parcel;

Or. en

Amendment 137
Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation
Article 2 – paragraph 2 – point -a (new)

Text proposed by the Commission

Amendment

(-a) "parcel" means a postal item with a weight not exceeding 31,5 kg; an item of correspondence alone shall not be considered a parcel;

Or. en

Amendment 138
Pascal Durand

Proposal for a regulation
Article 2 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) "parcel delivery services" means services involving the clearance, sorting, transport or distribution of *postal items other than items of correspondence; transport alone shall not be considered a parcel delivery service; delivery of such items exceeding 31,5 kg shall not be considered a parcel delivery service;*

(a) "parcel delivery services" means services involving the clearance, sorting, transport or distribution of *parcels;*

Or. en

Amendment 139
Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation
Article 2 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) "parcel delivery services" means services involving the clearance, sorting, transport or distribution of *postal items*

(a) "parcel delivery services" means services involving the clearance, sorting, transport or distribution of *parcels;*

*other than items of correspondence;
transport alone shall not be considered a
parcel delivery service; delivery of such
items exceeding 31,5 kg shall not be
considered a parcel delivery service;*

Or. en

Amendment 140

Dita Charanzová, Jasenko Selimovic

Proposal for a regulation

Article 2 – paragraph 2 – point a

Text proposed by the Commission

(a) "parcel delivery services" means services involving the clearance, sorting, transport *or* distribution of postal items other than items of correspondence; *transport alone shall not be considered a parcel delivery service; delivery of such items exceeding 31,5 kg shall not be considered a parcel delivery service;*

Amendment

(a) "parcel delivery services" means services involving the clearance, sorting, transport *and* distribution of postal items other than items of correspondence;

Or. en

(see amendment proposal on "subcontractor")

Amendment 141

Anneleen Van Bossuyt

Proposal for a regulation

Article 2 – paragraph 2 – point a

Text proposed by the Commission

(a) "parcel delivery services" means services involving the clearance, sorting, transport or distribution of *postal items other than items of correspondence; transport alone shall not be considered a parcel delivery service; delivery of such* items exceeding 31,5 kg shall not be considered a parcel delivery service;

Amendment

(a) "parcel delivery services" means services involving the clearance, sorting, transport or distribution of *parcels*. Delivery of items exceeding 31,5 kg shall not be considered a parcel delivery service;

Or. en

Amendment 142

Daniel Dalton

Proposal for a regulation

Article 2 – paragraph 2 – point a

Text proposed by the Commission

(a) "parcel delivery services" means services involving the clearance, sorting, transport *or* distribution of postal items other than items of correspondence; transport alone shall not be considered a parcel delivery service; delivery of such items exceeding 31,5 kg shall not be considered a parcel delivery service;

Amendment

(a) "parcel delivery services" means services involving the clearance, sorting, transport *and* distribution of postal items other than items of correspondence; transport alone shall not be considered a parcel delivery service; delivery of such items exceeding 31,5 kg shall not be considered a parcel delivery service;

Or. en

Justification

In line with article 2(1) of Directive 97/67/EC

Amendment 143

Dita Charanzová

Proposal for a regulation

Article 2 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(b a) "subcontractor" means an undertaking that provides the clearance, sorting, transport or distribution of parcels for the parcel delivery service provider; an undertaking that provides transport alone shall not be considered as a subcontractor;

Or. en

Amendment 144

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Article 2 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(b a) "subcontractor" means an undertaking that provides the clearance, sorting, transport or distribution of parcels for the parcel delivery service provider;

Or. en

Amendment 145

Daniel Dalton

Proposal for a regulation

Article 2 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) "terminal rates" means payments from the originating universal service provider to the destination universal service provider for the costs of cross-border parcel delivery services in the destination Member State. ***deleted***

Or. en

Amendment 146

Anneleen Van Bossuyt

Proposal for a regulation

Article 2 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) "terminal rates" means payments from the originating universal service provider to the destination universal service provider for the costs of cross-border parcel delivery services in the destination Member State. ***deleted***

Or. en

Amendment 147

Antonio López-Istúriz White, Cristian-Silviu Buşoi, Birgit Collin-Langen, Carlos Coelho

Proposal for a regulation

Article 2 – paragraph 2 – point c

Text proposed by the Commission

(c) "terminal rates" means payments *from the originating universal service provider* to the *destination universal service provider* for the costs of *cross-border parcel delivery services* in the destination Member State.

Amendment

(c) "terminal rates" means payments *performed being either terminal dues, inward land rates, or transfer prices by the parcel delivery services operator of the originating Member State* to the *parcel delivery operator of the destination Member State* for the costs of *distributing the cross-border items* in the destination Member State.

Or. en

Amendment 148

Sergio Gutiérrez Prieto

Proposal for a regulation

Article 2 – paragraph 2 – point c

Text proposed by the Commission

(c) "terminal rates" means payments *from the originating universal service provider* to the *destination universal service provider* for the costs of *cross-border parcel delivery services* in the destination Member State.

Amendment

(c) "terminal rates" means payments *performed being either terminal dues, inward land rates, or transfer prices by the parcel delivery services operator of the originating Member State* to the *parcel delivery operator of the destination Member State* for the costs of *distributing the cross-border items* in the destination Member State.

Or. en

Amendment 149

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Article 2 – paragraph 2 – point c

Text proposed by the Commission

(c) "terminal rates" means payments from the originating **universal** service provider to the destination **universal** service provider for the costs of cross-border parcel delivery services in the destination Member State.

Amendment

(c) "terminal rates" means payments from the originating **parcel delivery** service provider to the destination **parcel delivery** service provider **and/or intermediaries where applicable** for the costs of cross-border parcel delivery services in the destination Member State;

Or. en

Amendment 150

Pascal Durand

Proposal for a regulation

Article 2 – paragraph 2 – point c

Text proposed by the Commission

(c) "terminal rates" means payments from the originating **universal** service provider to the destination **universal** service provider for the costs of cross-border parcel delivery services in the destination Member State.

Amendment

(c) "terminal rates" means payments from the originating **parcel delivery** service provider to the destination **parcel delivery** service provider **or intermediaries where applicable** for the costs of cross-border parcel delivery services in the destination Member State.

Or. en

Amendment 151

Lucy Anderson, Liisa Jaakonsaari, Biljana Borzan

Proposal for a regulation

Article 2 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(c a) "trader" means any natural person or any legal person, irrespective of whether privately or publicly owned, who is acting, including through any other person acting in his name or on his behalf, for purposes relating to his trade, business, craft or profession in relation to parcel delivery services covered by this Regulation.

Amendment 152

Antonio López-Istúriz White, Cristian-Silviu Buşoi, Birgit Collin-Langen, Carlos Coelho

Proposal for a regulation

Article 2 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(c a) "terminal dues" means payments, from the originating universal service provider to the destination universal service provider for the costs of distributing cross-border items of correspondence delivered in the destination Member State;

Or. en

Amendment 153

Sergio Gutiérrez Prieto

Proposal for a regulation

Article 2 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(c a) "terminal dues" means payments, from the originating universal service provider to the destination universal service provider for the costs of distributing cross-border items of correspondence delivered in the destination Member State;

Or. en

Amendment 154

Antonio López-Istúriz White, Cristian-Silviu Buşoi, Birgit Collin-Langen, Carlos Coelho

Proposal for a regulation

Article 2 – paragraph 2 – point c b (new)

Text proposed by the Commission

Amendment

(c b) "inward land rates" means payments performed by the Universal service Provider of the originating Member State to the destination Universal Service Provider for the cost of distributing cross-border parcel delivery in the destination Member State;

Or. en

Amendment 155
Sergio Gutiérrez Prieto

Proposal for a regulation
Article 2 – paragraph 2 – point c b (new)

Text proposed by the Commission

Amendment

(c b) "transfer prices" means payments performed by a Parcel delivery service provider in the originating Member State to its subsidiaries in the destination Member State for the cost of distributing its parcels in the destination Member State.

Or. en

Amendment 156
Antonio López-Istúriz White, Eva Maydell, Cristian-Silviu Buşoi, Birgit Collin-Langen, Carlos Coelho

Proposal for a regulation
Article 2 – paragraph 2 – point c c (new)

Text proposed by the Commission

Amendment

(c c) "transfer prices" means payments performed by a Parcel delivery service provider in the originating Member State to its subsidiaries in the destination Member State for the cost of distributing its parcels in the destination Member State.

Or. en

Amendment 157

Antonio López-Istúriz White, Roberta Metsola, Cristian-Silviu Buşoi, Birgit Collin-Langen, Carlos Coelho

Proposal for a regulation

Article 3 – paragraph 1 – introductory part

Text proposed by the Commission

1. All parcel delivery service providers shall submit the following information to the national regulatory authority of the Member State in which they are established:

Amendment

1. All parcel delivery service providers, ***including those parcel delivery services using alternative business models and e-commerce platforms***, shall submit the following ***standardized*** information to the national regulatory authority of the Member State in which they are established ***unless the national regulatory authority has already requested and received such information***:

Or. en

Amendment 158

Dita Charanzová, Jasenko Selimovic

Proposal for a regulation

Article 3 – paragraph 1 – introductory part

Text proposed by the Commission

1. All parcel delivery service providers shall submit the following information to the national regulatory authority of the Member State in which they are established:

Amendment

1. All parcel delivery service providers shall submit the following information to the national regulatory authority of the Member State in which they are established ***unless the national regulatory authority has already requested and received such information***:

Or. en

Amendment 159

Dita Charanzová, Jasenko Selimovic

Proposal for a regulation

Article 3 – paragraph 1 – point a

Text proposed by the Commission

(a) the name of the provider, its legal status and form, registration number in a trade or similar register, VAT number, the address of the establishment and a contact person;

Amendment

(a) the name of the ***parcel delivery service*** provider, its legal status and form, registration number in a trade or similar register, VAT ***identification*** number, the address of the establishment and a contact person;

Or. en

Amendment 160

Lucy Anderson, Liisa Jaakonsaari, Nicola Danti

Proposal for a regulation

Article 3 – paragraph 1 – point a

Text proposed by the Commission

(a) the name of the provider, its legal status and form, registration number in a trade or similar register, VAT number, the address of the establishment and a contact person;

Amendment

(a) the name of the ***parcel delivery service*** provider, its legal status and form, registration number in a trade or similar register, VAT ***identification*** number, the address of the establishment and a contact person;

Or. en

Amendment 161

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) the ***nature*** of the services offered by the provider;

Amendment

(b) the ***detailed description*** of the ***parcel delivery*** services offered by the ***parcel delivery services*** provider, ***including precise information on options for users***;

Or. en

Amendment 162

Antonio López-Istúriz White, Eva Maydell, Cristian-Silviu Buşoi, Birgit Collin-Langen, Carlos Coelho

Proposal for a regulation

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) *the nature* of the services offered by the provider;

Amendment

(b) *a commercial description* of the *parcel delivery* services offered by the provider *including delivery options and information provided to the consumer*;

Or. en

Amendment 163

Dita Charanzová

Proposal for a regulation

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) the *nature* of the services offered by the provider;

Amendment

(b) the *characteristics* of the *parcel delivery* services offered by the *parcel delivery service* provider;

Or. en

Amendment 164

Anneleen Van Bossuyt

Proposal for a regulation

Article 3 – paragraph 1 – point b

Text proposed by the Commission

(b) the *nature* of the services offered by the provider;

Amendment

(b) the *description* of the services offered by the provider;

Or. en

Amendment 165

Lucy Anderson, Liisa Jaakonsaari, Nicola Danti

Proposal for a regulation
Article 3 – paragraph 1 – point c

Text proposed by the Commission

(c) the provider's general conditions *of sale*, including a detailed description of the complaints procedure.

Amendment

(c) the *parcel delivery service* provider's general *terms and* conditions *for parcel delivery services*, including a detailed description of the complaints procedure *for users*.

Or. en

Amendment 166
Dita Charanzová

Proposal for a regulation
Article 3 – paragraph 1 – point c

Text proposed by the Commission

(c) the provider's general conditions *of sale*, including a detailed description of the complaints procedure.

Amendment

(c) the provider's general *terms and* conditions *for parcel delivery services*, including a detailed description of the complaints procedure.

Or. en

Amendment 167
Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation
Article 3 – paragraph 2

Text proposed by the Commission

2. In case of any change concerning information referred to in the first subparagraph, parcel delivery service providers shall inform the national regulatory authority of this change within 30 days.

Amendment

2. In case of any change concerning information referred to in the first subparagraph *of this Article*, parcel delivery service providers shall inform the national regulatory authority of this change within 30 days.

Or. en

Amendment 168
Dita Charanzová, Jasenko Selimovic

Proposal for a regulation
Article 3 – paragraph 2

Text proposed by the Commission

2. In case of any change concerning information referred to in ***the first subparagraph***, parcel delivery service providers shall inform the national regulatory authority of this change within 30 days.

Amendment

2. In case of any change concerning information referred to in ***paragraph 1***, parcel delivery service providers shall inform the national regulatory authority of this change within 30 days.

Or. en

Amendment 169
Sergio Gutiérrez Prieto

Proposal for a regulation
Article 3 – paragraph 3 – introductory part

Text proposed by the Commission

3. By 31 March of each calendar year, all parcel delivery service providers shall submit the following information to the national regulatory authority of the Member State in which they are established:

Amendment

3. By 31 March of each calendar year, all parcel delivery service providers ***including those parcel delivery services using alternative business models, for example those drawing on the collaborative economy and e-commerce platforms*** shall submit the following information to the national regulatory authority of the Member State in which they are established, ***unless the national regulatory authority has already requested and received such information:***

Or. en

Amendment 170
Antonio López-Istúriz White, Eva Maydell, Roberta Metsola, Birgit Collin-Langen, Cristian-Silviu Buşoi, Carlos Coelho

Proposal for a regulation
Article 3 – paragraph 3 – introductory part

Text proposed by the Commission

3. By 31 March of each calendar year, all parcel delivery service providers shall submit the following information to the national regulatory authority of the Member State in which they are established:

Amendment

3. By 31 March of each calendar year, all parcel delivery service providers ***including those parcel delivery services using alternative business models and e-commerce platforms*** shall submit the following information to the national regulatory authority of the Member State in which they are established, ***unless the national regulatory authority has already requested and received such information:***
:

Or. en

Amendment 171

Dita Charanzová, Jasenko Selimovic

Proposal for a regulation

Article 3 – paragraph 3 – introductory part

Text proposed by the Commission

3. By 31 March of each calendar year, all parcel delivery service providers shall submit the following information to the national regulatory authority of the Member State in which they are established:

Amendment

3. By 31 March of each calendar year, all parcel delivery service providers shall submit the following information to the national regulatory authority of the Member State in which they are established ***unless the national regulatory authority has already requested and received such information:***

Or. en

Amendment 172

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Article 3 – paragraph 3 – introductory part

Text proposed by the Commission

3. By ***31 March*** of each calendar year, all parcel delivery service providers shall submit the following information to the national regulatory authority of the

Amendment

3. By ***30 April*** of each calendar year, all parcel delivery service providers shall submit the following information to the national regulatory authority of the

Member State in which they are established:

Member State in which they are established:

Or. en

Amendment 173

Anneleen Van Bossuyt, Daniel Dalton

Proposal for a regulation

Article 3 – paragraph 3 – introductory part

Text proposed by the Commission

3. By 31 ***March*** of each calendar year, all parcel delivery service providers shall submit the following information to the national regulatory authority of the Member State in which they are established:

Amendment

3. By 31 ***May*** of each calendar year, all parcel delivery service providers shall submit the following information to the national regulatory authority of the Member State in which they are established:

Or. en

Amendment 174

Anneleen Van Bossuyt

Proposal for a regulation

Article 3 – paragraph 3 – point a

Text proposed by the Commission

(a) *the annual turnover in parcel delivery services for the previous calendar year in the Member State in which the provider is established, broken down in parcel delivery services relating to national, incoming and outgoing cross-border postal items;*

Amendment

deleted

Or. en

Amendment 175

Dita Charanzová, Jasenko Selimovic

Proposal for a regulation

Article 3 – paragraph 3 – point a

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Text proposed by the Commission

(a) the annual turnover in parcel delivery services for the previous calendar year in the Member State in which the provider is established, broken down *in parcel delivery services relating to national*, incoming and outgoing cross-border *postal items*;

Amendment

(a) the annual turnover in parcel delivery services for the previous calendar year in the Member State in which the provider is established, broken down *into domestic and* incoming and outgoing cross-border *services*;

Or. en

Amendment 176

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Article 3 – paragraph 3 – point a

Text proposed by the Commission

(a) the annual turnover in parcel delivery services for the previous calendar year in the Member State in which the provider is established, broken down in parcel delivery services relating to *national*, incoming and outgoing cross-border postal items;

Amendment

(a) the annual turnover in parcel delivery services for the previous calendar year in the Member State in which the *parcel delivery service* provider is established, broken down in parcel delivery services relating to *domestic*, incoming and outgoing cross-border postal items;

Or. en

Amendment 177

Lucy Anderson, Liisa Jaakonsaari, Olga Sehnalová

Proposal for a regulation

Article 3 – paragraph 3 – point b

Text proposed by the Commission

(b) the number of persons working for the provider and involved in the provision of parcel delivery services in the Member State in which the provider is established *in* the previous calendar year

Amendment

(b) the number of persons working *both directly and indirectly* for the *parcel delivery services* provider and involved in the provision of parcel delivery services in the Member State in which the provider is established *over* the previous calendar year; *this information shall include quarterly breakdowns by reference to*

employment status, including whether full-time, part-time, temporary, on a non-guaranteed hours basis or self-employed and shall also cover persons working for subcontractors or companies to which the parcel delivery services provider outsources clearance, sorting, transport or distribution of parcels.

Or. en

Amendment 178

Pascal Durand

Proposal for a regulation

Article 3 – paragraph 3 – point b

Text proposed by the Commission

(b) the number of persons working for the provider and involved in the provision of parcel delivery services in the Member State in which the provider is established in the previous calendar year

Amendment

(b) the number of persons working *directly or indirectly* for the *parcel delivery services* provider and involved in the provision of parcel delivery services in the Member State in which the provider is established in the previous calendar year; *this information shall include quarterly breakdowns by reference to employment status, including whether full-time, part-time, temporary, on a non-guaranteed hours basis or self-employed and shall also cover persons working for subcontractors or companies to which the parcel delivery services provider outsources clearance, sorting, transport or distribution of parcels.*

Or. en

Amendment 179

Antonio López-Istúriz White, Eva Maydell, Birgit Collin-Langen, Cristian-Silviu Buşoi, Carlos Coelho

Proposal for a regulation

Article 3 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) the number of persons working for the provider and involved in the provision of parcel delivery services in the Member State in which the provider is established *in* the previous calendar year

(b) the number of persons working for the provider and involved in the provision of parcel delivery services in the Member State in which the provider is established *over the previous calendar year which is to be calculated on the basis of the average annual number of full-time, part time, temporary employees and self-employed, as well as persons working for sub-contracting companies in clearance, sorting, transport or distribution of parcels and should include any person who, during the previous calendar year, has performed services related to any step of the value chain for and under the direction of a parcel services provider or its subsidiaries in return for which he receives remuneration;*

Or. en

Amendment 180
Sergio Gutiérrez Prieto

Proposal for a regulation
Article 3 – paragraph 3 – point b

Text proposed by the Commission

(b) the number of persons working for the provider and involved in the provision of parcel delivery services in the Member State in which the provider is established *in* the previous calendar year

Amendment

(b) the number of persons working for the provider and involved in the provision of parcel delivery services in the Member State in which the provider is established *over the previous calendar year which is to be calculated on the basis of the average annual number of full-time, part time, temporary employees and self-employed, as well as persons working for sub-contracting companies in clearance, sorting, transport or distribution of parcels and should include any person who, during the previous calendar year, has performed services related to any step of the value chain for and under the direction of a parcel services provider or its subsidiaries in return for which he receives remuneration;*

Amendment 181

Dita Charanzová, Jasenko Selimovic

Proposal for a regulation

Article 3 – paragraph 3 – point b

Text proposed by the Commission

(b) the number of persons working for the provider **and** involved in the provision of parcel delivery services in the Member State in which **the** provider is established **in the previous calendar year**

Amendment

(b) the **average** number of persons working for the **parcel delivery service** provider **over the previous calendar year** involved in the provision of parcel delivery services in the Member State in which **that** provider is established. **The average number of persons shall include full-time, part-time, temporary employees and self-employed;**

Or. en

Amendment 182

Dennis de Jong

Proposal for a regulation

Article 3 – paragraph 3 – point b

Text proposed by the Commission

(b) the number of persons working for the provider and involved in the provision of parcel delivery services in the Member State in which the provider is established in the previous calendar year

Amendment

(b) the number of persons working for the provider and involved in the provision of parcel delivery services in the Member State in which the provider is established in the previous calendar year, **including an overview of the working conditions for all persons working for the provider.**

Or. en

Justification

In order to guarantee that the competition of the parcel delivery market does not lead to a decrease the working conditions for employees and all others persons working for the provider, this data needs to be collected to study the developments for workers as a consequence of this regulation.

Amendment 183
Anneleen Van Bossuyt, Daniel Dalton

Proposal for a regulation
Article 3 – paragraph 3 – point b

Text proposed by the Commission

(b) the number of persons ***working for*** the provider and involved in the provision of parcel delivery services in the Member State in which the provider is established in the previous calendar year

Amendment

(b) the number of persons ***employed by*** the provider and involved in the provision of parcel delivery services in the Member State in which the provider is established in the previous calendar year

Or. en

Amendment 184
Anneleen Van Bossuyt

Proposal for a regulation
Article 3 – paragraph 3 – point c

Text proposed by the Commission

(c) the number of ***postal items other than items of correspondence and not exceeding 31,5 kg*** handled in the Member State in which the provider is established in the previous calendar year, broken down into national, incoming and outgoing cross-border ***postal items***.

Amendment

(c) the number of ***shipments*** handled in the Member State in which the provider is established in the previous calendar year, broken down into national, incoming and outgoing cross-border ***parcels***.

Or. en

Amendment 185
Dita Charanzová, Jasenko Selimovic

Proposal for a regulation
Article 3 – paragraph 3 – point c

Text proposed by the Commission

(c) the number of ***postal items other than items of correspondence and not exceeding 31,5 kg handled*** in the Member

Amendment

(c) the number of ***parcels handled over the previous calendar year*** in the Member State in which the provider is established,

State in which the provider is established *in the previous calendar year*, broken down into *national*, incoming and outgoing cross-border *postal items*.

broken down into *domestic and* incoming and outgoing cross-border *parcels*;

Or. en

Amendment 186

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Article 3 – paragraph 3 – point c

Text proposed by the Commission

(c) the number of *postal items other than items of correspondence and not exceeding 31,5 kg handled* in the Member State in which the *provider is established in the previous calendar year*, broken down into *national*, incoming and outgoing cross-border postal items.

Amendment

(c) the number of *parcels handled over the previous calendar year* in the Member State in which the *parcels delivery service provider is established*, broken down into *domestic*, incoming and outgoing cross-border postal items.

Or. en

Amendment 187

Pascal Durand

Proposal for a regulation

Article 3 – paragraph 3 – point c

Text proposed by the Commission

(c) the number of *postal items other than items of correspondence and not exceeding 31,5 kg handled* in the Member State in which the provider is established in the previous calendar year, broken down into national, incoming and outgoing cross-border postal items.

Amendment

(c) the number of *parcels handled over the previous calendar year* in the Member State in which the *parcels delivery service* provider is established in the previous calendar year, broken down into national, incoming and outgoing cross-border postal items.

Or. en

Amendment 188

Antonio López-Istúriz White, Eva Maydell, Roberta Metsola, Birgit Collin-Langen, Cristian-Silviu Buşoi, Carlos Coelho

Proposal for a regulation

Article 3 – paragraph 3 – point c

Text proposed by the Commission

(c) the number of postal items other than items of correspondence and not exceeding 31,5 kg handled in the Member State in which the provider is established in the previous calendar year, broken down into national, incoming and outgoing cross-border *postal items*.

Amendment

(c) the number of postal items other than items of correspondence and not exceeding 31,5 kg handled in the Member State in which the provider is established in the previous calendar year, broken down into national, incoming and outgoing cross-border *parcels*;

Or. en

Amendment 189

Dita Charanzová, Jasenko Selimovic

Proposal for a regulation

Article 3 – paragraph 3 – point c a (new)

Text proposed by the Commission

Amendment

(c a) where available, any publicly accessible price list applicable on 1 January of each calendar year for parcel delivery services.

Or. en

Amendment 190

Antonio López-Istúriz White, Eva Maydell, Cristian-Silviu Buşoi, Carlos Coelho

Proposal for a regulation

Article 3 – paragraph 3 – point c a (new)

Text proposed by the Commission

Amendment

(c a) publicly available prices applicable for parcel delivery services over the previous calendar year.

Or. en

Amendment 191

Antonio López-Istúriz White, Roberta Metsola, Cristian-Silviu Buşoi, Carlos Coelho

Proposal for a regulation

Article 3 – paragraph 4

Text proposed by the Commission

4. The Commission shall, ***by means of an implementing act, establish a*** form for the submission of the information referred to in paragraph 1 of this Article. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 9.***

Amendment

4. The Commission shall ***adopt delegated acts in accordance with article 9.1 in order to supplement this Regulation by laying down a standardized*** form for the submission of the information referred to in paragraph 1 of this Article.

Or. en

Amendment 192

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Article 3 – paragraph 4

Text proposed by the Commission

4. The Commission shall, ***by means of an implementing act, establish*** a form for the submission of the information referred to in paragraph 1 of this Article. ***Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 9.***

Amendment

4. The Commission shall, ***adopt delegated acts in accordance with Article 9a in order to supplement this Regulation by laying down*** a form for the submission of the information referred to in paragraph 1 of this Article.

Or. en

Amendment 193

Dita Charanzová, Jasenko Selimovic

Proposal for a regulation

Article 3 – paragraph 4

Text proposed by the Commission

4. ***The*** Commission shall, by means of

Amendment

4. ***[By eight months after adoption],***

an implementing act, establish a form for the submission of the information referred to in ***paragraph 1 of this Article. Those*** implementing ***acts*** shall be adopted in accordance with the examination procedure referred to in Article 9.

the Commission shall, by means of an implementing act, establish a form for the submission of the information referred to in ***paragraphs 1 and 3. This*** implementing ***act*** shall be adopted in accordance with the examination procedure referred to in Article 9.

Or. en

Amendment 194
Anneleen Van Bossuyt

Proposal for a regulation
Article 3 – paragraph 5

Text proposed by the Commission

Amendment

5. The national regulatory authorities may impose information requirements additional to those referred to in paragraphs 1 and 2 where they are necessary to ensure conformity with this Regulation.

deleted

Or. en

Amendment 195
Lucy Anderson, Liisa Jaakonsaari, Nicola Danti

Proposal for a regulation
Article 3 – paragraph 5

Text proposed by the Commission

Amendment

5. The national regulatory authorities may impose information requirements additional to those referred to in paragraphs 1 and 2 *where* they are necessary to ensure conformity with this Regulation.

5. The national regulatory authorities may impose information requirements additional to those referred to in paragraphs 1 and 3 *provided that* they are necessary *and proportionate* to ensure conformity with this Regulation.

Or. en

Amendment 196

Pascal Durand

Proposal for a regulation
Article 3 – paragraph 5

Text proposed by the Commission

5. The national regulatory authorities may impose information requirements additional to those referred to in paragraphs 1 and 2 **where** they are necessary to ensure conformity with this Regulation.

Amendment

5. The national regulatory authorities may impose information requirements additional to those referred to in paragraphs 1 and 3 **provided that** they are necessary **and proportionate** to ensure conformity with this Regulation.

Or. en

Amendment 197
Dita Charanzová, Jasenko Selimovic

Proposal for a regulation
Article 3 – paragraph 5

Text proposed by the Commission

5. The national regulatory authorities may impose information requirements additional to those referred to in paragraphs 1 and 2 **where** they are necessary **to ensure conformity with this Regulation**.

Amendment

5. The national regulatory authorities may impose information requirements additional to those referred to in paragraphs 1 and 2 **provided that** they are necessary **and proportionate**.

Or. en

Amendment 198
Lucy Anderson, Liisa Jaakonsaari, Nicola Danti

Proposal for a regulation
Article 3 – paragraph 6

Text proposed by the Commission

6. A parcel delivery service provider which **employs fewer than 50 persons shall not be subject to the obligations under paragraph 1 and 2**, unless that provider is established in more than one Member State.

Amendment

6. **This Article shall not apply to any** parcel delivery service provider which, **together with any subsidiaries and linked undertakings, employs, on average over the previous calendar year, fewer than 20 persons**, unless that provider is established

in more than one Member State. *The average number of persons shall include all those working on a full-time, part-time, temporary, non-guaranteed hours and self-employed basis*

Or. en

Amendment 199
Pascal Durand

Proposal for a regulation
Article 3 – paragraph 6

Text proposed by the Commission

6. *A parcel delivery service provider which employs fewer than 50 persons shall not be subject to the obligations under paragraph 1 and 2, unless that provider is established in more than one Member State.*

Amendment

6. *This Article shall not apply to any parcel delivery service provider which, together with any subsidiaries and linked undertakings, employs fewer than 20 persons, unless that provider is established in more than one Member State. The number of persons shall include all those working on a full-time, part-time, temporary, non-guaranteed hours and self-employed basis.*

Or. en

Amendment 200
Sergio Gutiérrez Prieto

Proposal for a regulation
Article 3 – paragraph 6

Text proposed by the Commission

6. A parcel delivery service *provider* which *employs* fewer than 50 persons shall *not be subject to the obligations under paragraph 1 and 2, unless that provider is established in more than one Member State.*

Amendment

6. *This Article shall not apply to parcel delivery service providers and their subsidiaries, with less than 5% of the national market share, which employed on average fewer than 25 persons over the course of the previous calendar year. The number of persons shall be calculated on the basis of the average annual number of full-time, part-time, temporary employees and self-employed, as well as persons*

working for sub-contracting companies in parcel delivery services. A breakdown of the calculations shall be made available upon request.

Or. en

Amendment 201

Antonio López-Istúriz White, Eva Maydell, Cristian-Silviu Buşoi, Carlos Coelho

Proposal for a regulation

Article 3 – paragraph 6

Text proposed by the Commission

6. A parcel delivery service **provider** which **employs** fewer than **50** persons shall **not be subject to the obligations under paragraph 1 and 2, unless that provider is established in more than one Member State.**

Amendment

6. ***This Article shall not apply to parcel delivery service providers and their subsidiaries, with less than 5% of the national market share, which employed on average fewer than 25 persons over the course of the previous calendar year. The number of persons shall be calculated on the basis of the average annual number of full-time, part-time, temporary employees and self-employed, as well as persons working for sub-contracting companies in parcel delivery services. A breakdown of the calculations shall be made available upon request.***

Or. en

Amendment 202

Dita Charanzová

Proposal for a regulation

Article 3 – paragraph 6

Text proposed by the Commission

6. A parcel delivery service provider which **employs** fewer than 50 persons **shall not be subject to the obligations under paragraph 1 and 2, unless that provider is established in more than one Member State.**

Amendment

6. ***This Article shall not apply to any parcel delivery service provider or sub-contractor which had on average fewer than 50 persons working for it and involved in the provision of parcel delivery services in the Member State in which the provider is established over the***

previous calendar year, unless that provider is established in more than one Member State. ***The average number of persons shall include full-time, part-time, temporary employees and self-employed.***

Or. en

Amendment 203

Andreas Schwab, Lara Comi, Ivan Štefanec, Lambert van Nistelrooij, Pascal Arimont, Jiří Pospíšil, Birgit Collin-Langen

Proposal for a regulation

Article 3 – paragraph 6

Text proposed by the Commission

6. A parcel delivery service provider which ***employs fewer than 50 persons*** shall not be subject to the obligations under paragraph 1 and 2, unless that provider is established in more than one Member State.

Amendment

6. ***Where fewer than 50 persons work for a*** parcel delivery service provider, ***irrespective of their contractual basis, and are involved in the provision of parcel delivery services in the Member State in*** which ***that provider is established, that provider*** shall not be subject to the obligations under paragraph 1 and 2, unless that provider is established in more than one Member State.

Or. de

Amendment 204

Maria Grapini

Proposal for a regulation

Article 3 – paragraph 6

Text proposed by the Commission

6. A parcel delivery service provider which employs fewer than 50 persons shall not be subject to the obligations under paragraph 1 and 2, unless that provider is established in more than one Member State.

Amendment

6. A parcel delivery service provider which employs fewer than 50 persons ***and has a turnover or balance sheet of less than EUR 10 million*** shall not be subject to the obligations under paragraph 1 and 2, unless that provider is established in more than one Member State.

Or. ro

Amendment 205
Anneleen Van Bossuyt, Daniel Dalton

Proposal for a regulation
Article 3 – paragraph 6

Text proposed by the Commission

6. A parcel delivery service provider which **employs** fewer than 50 persons shall not be subject to the obligations under paragraph 1 and 2, unless that provider is established in more than one Member State.

Amendment

6. A parcel delivery service provider which **engages** fewer than 50 persons **(whatever their employment or self-employment status)** shall not be subject to the obligations under paragraph 1 and 2, unless that provider is established in more than one Member State.

Or. en

Amendment 206
Dita Charanzová

Proposal for a regulation
Article 3 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6 a. All subcontractors shall submit the information to the national regulatory authority of the Member State in which they are established according to this Article with the exception of paragraph 1 (c) and paragraph 3 (c a).

Or. en

Amendment 207
Daniel Dalton

Proposal for a regulation
Article 3 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6 a. Where information is considered confidential by a national regulatory

authority, in accordance with Community and national business confidentiality rules, the Commission and the national regulatory authorities concerned shall preserve such confidentiality.

Or. en

Amendment 208

Daniel Dalton, Anneleen Van Bossuyt

Proposal for a regulation

Article 4 – title

Text proposed by the Commission

Amendment

Transparency of tariffs *and terminal rates*

Transparency of tariffs

Or. en

Amendment 209

Philippe Juvin

Proposal for a regulation

Article 4 – title

Text proposed by the Commission

Amendment

Article 4 Transparency of tariffs *and terminal rates*

Article 4 Transparency of tariffs

Or. en

Amendment 210

Antonio López-Istúriz White, Eva Maydell, Roberta Metsola, Cristian-Silviu Buşoi, Carlos Coelho

Proposal for a regulation

Article 4 – paragraph 1

Text proposed by the Commission

Amendment

1. *Universal service providers* **providing** parcel delivery services shall provide the national regulatory authority of

1. *All* parcel delivery services **providers and their subsidiaries** shall provide the national regulatory authority of

the Member State in ***which*** they are established with the public list of tariffs applicable ***on 1 January of each*** calendar year for the delivery of postal items falling within the categories listed in the Annex. That information shall be provided by 31 January of each calendar year at the latest.

the Member State in ***where*** they are established with the public list of tariffs applicable ***in the previous*** calendar year for the delivery of postal items falling within the categories listed in the Annex. That information shall be provided by 31 January of each calendar year at the latest.

Or. en

Amendment 211

Dita Charanzová

Proposal for a regulation

Article 4 – paragraph 1

Text proposed by the Commission

1. ***Universal service providers*** ***providing*** parcel delivery services shall provide the national regulatory authority of the Member State ***in which*** they are established with the public list of tariffs applicable on 1 January of each calendar year for the delivery of postal items falling within the categories listed in the Annex. That information shall be provided by 31 January of each calendar year at the latest.

Amendment

1. ***All cross-border*** parcel delivery services, ***except subcontractors***, shall provide the national regulatory authority of the Member State ***where*** they are established with the public list of tariffs applicable on 1 January of each calendar year for the delivery of postal items falling within the categories listed in the Annex. That information shall be provided by 31 January of each calendar year at the latest ***and shall be delivered in an electronic, machine-readable format.***

Or. en

Amendment 212

Lucy Anderson, Liisa Jaakonsaari, Nicola Danti

Proposal for a regulation

Article 4 – paragraph 1

Text proposed by the Commission

1. ***Universal*** service providers ***providing parcel delivery services*** shall provide the national regulatory authority of the Member State in which they are established with the public list of tariffs applicable on 1 January of each calendar

Amendment

1. ***All cross-border parcel delivery*** service providers ***falling within the scope of Article 3*** shall provide the national regulatory authority of the Member State in which they are established with the public list of tariffs applicable on 1 January of

year for the delivery of postal items falling within the categories listed in the Annex. That information shall be provided by **31 January** of each calendar year at the latest.

each calendar year for the delivery of postal items falling within the categories listed in the Annex. That information shall be provided by **28 February** of each calendar year at the latest.

Or. en

Amendment 213

Pascal Durand

Proposal for a regulation

Article 4 – paragraph 1

Text proposed by the Commission

1. **Universal** service providers **providing parcel delivery services** shall provide the national regulatory authority of the Member State in which they are established with the public list of tariffs applicable on 1 January of each calendar year for the delivery of postal items falling within the categories listed in the Annex. That information shall be provided by 31 January of each calendar year at the latest.

Amendment

1. **Cross-border parcel delivery** service providers **falling within the scope of Article 3** shall provide the national regulatory authority of the Member State in which they are established with the public list of tariffs applicable on 1 January of each calendar year for the delivery of postal items falling within the categories listed in the Annex. That information shall be provided by 31 January of each calendar year at the latest.

Or. en

Amendment 214

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. The national regulatory authorities shall without delay and by **28 February** of each calendar year at the latest submit the public lists of tariffs obtained in accordance with paragraph 1 to the Commission. The Commission shall publish them on a dedicated website by 30 April of each calendar year at the latest.

Amendment

2. The national regulatory authorities shall without delay and by **31 March** of each calendar year at the latest submit the public lists of tariffs obtained in accordance with paragraph 1 to the Commission. The Commission shall publish them on a dedicated website by 30 April of each calendar year at the latest.

Amendment 215

Philippe Juvin

Proposal for a regulation

Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. Universal service providers **deleted**
providing parcel delivery services shall provide the national regulatory authority with the terminal rates applicable on 1 January of each calendar year to postal items originating from other Member States. That information shall be provided by 31 January of each calendar year at the latest.

Or. en

Amendment 216

Daniel Dalton, Anneleen Van Bossuyt

Proposal for a regulation

Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. Universal service providers **deleted**
providing parcel delivery services shall provide the national regulatory authority with the terminal rates applicable on 1 January of each calendar year to postal items originating from other Member States. That information shall be provided by 31 January of each calendar year at the latest.

Or. en

Justification

Terminal dues/rates information is highly confidential and commercially sensitive and these requirements should not be included.

Amendment 217

Dennis de Jong

Proposal for a regulation

Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. Universal service providers providing parcel delivery services shall provide the national regulatory authority with the terminal rates applicable on 1 January of each calendar year to postal items originating from other Member States. That information shall be provided by 31 January of each calendar year at the latest.

deleted

Or. en

Amendment 218

Antonio López-Istúriz White, Cristian-Silviu Buşoi, Carlos Coelho

Proposal for a regulation

Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. Universal service providers providing parcel delivery services shall provide the national regulatory authority with the terminal rates applicable on 1 January of each calendar year to postal items originating from other Member States. That information shall be provided by 31 January of each calendar year at the latest.

3. All parcel delivery services providers shall provide the national regulatory authority of the Member State in which they are established with the terminal rates applicable in the previous calendar year to postal items originating from other Member States. That information shall be provided by 31 January of each calendar year at the latest.

Or. en

Amendment 219

Dita Charanzová, Jasenko Selimovic

Proposal for a regulation

Article 4 – paragraph 3

Text proposed by the Commission

3. Universal service providers providing parcel delivery services shall provide the national regulatory authority with the terminal rates applicable on 1 January of each calendar year to postal items originating from other Member States. That information shall be provided by 31 January of each calendar year at the latest.

Amendment

3. Universal service providers providing parcel delivery services shall provide the national regulatory authority *of the Member State in which they are established* with the terminal rates applicable on 1 January of each calendar year to *the delivery of* postal items *falling within the categories listed in the Annex* originating from other Member States. That information shall be provided by 31 January of each calendar year at the latest.

Or. en

Amendment 220

Andreas Schwab, Lara Comi, Ivan Štefanec, Lambert van Nistelrooij, Pascal Arimont, Jiří Pospíšil

**Proposal for a regulation
Article 4 – paragraph 3**

Text proposed by the Commission

3. Universal service providers providing parcel delivery services shall provide the national regulatory authority with the terminal rates applicable on 1 January of each calendar year to postal items originating from other Member States. That information shall be provided by 31 January of each calendar year at the latest.

Amendment

3. Universal service providers providing parcel delivery services *and having their headquarters in Member States where there is insufficient competition* shall provide the national regulatory authority with the terminal rates applicable on 1 January of each calendar year to postal items originating from other Member States. That information shall be provided by 31 January of each calendar year at the latest.

Or. de

Amendment 221

Lucy Anderson, Liisa Jaakonsaari

**Proposal for a regulation
Article 4 – paragraph 3**

Text proposed by the Commission

3. ***Universal*** service providers ***providing parcel delivery services*** shall provide the national regulatory authority with the terminal rates applicable on 1 January of each calendar year to postal items originating from other Member States. That information shall be provided by ***31 January*** of each calendar year at the latest.

Amendment

3. ***All cross-border parcel delivery*** service providers ***falling within the scope of Article 3*** shall provide the national regulatory authority with the terminal rates applicable on 1 January of each calendar year to postal items originating from other Member States. That information shall be provided by ***28 February*** of each calendar year at the latest.

Or. en

Amendment 222

Pascal Durand

Proposal for a regulation

Article 4 – paragraph 3

Text proposed by the Commission

3. ***Universal*** service providers ***providing parcel delivery services*** shall provide the national regulatory authority with the terminal rates applicable on 1 January of each calendar year to postal items originating from other Member States. That information shall be provided by 31 January of each calendar year at the latest.

Amendment

3. ***Cross-border parcel delivery*** service providers ***falling within the scope of Article 3*** shall provide the national regulatory authority with the terminal rates applicable on 1 January of each calendar year to postal items originating from other Member States. That information shall be provided by 31 January of each calendar year at the latest.

Or. en

Amendment 223

Daniel Dalton, Anneleen Van Bossuyt

Proposal for a regulation

Article 4 – paragraph 4

Text proposed by the Commission

4. ***The national regulatory authorities shall submit the terminal rates obtained in accordance with paragraph 3 to the Commission and the national regulatory authorities of the originating***

Amendment

deleted

Member States by 28 of February of each calendar year at the latest.

Or. en

Justification

Terminal dues/rates information is highly confidential and commercially sensitive and these requirements should not be included.

Amendment 224

Dennis de Jong

Proposal for a regulation

Article 4 – paragraph 4

Text proposed by the Commission

Amendment

4. *The national regulatory authorities shall submit the terminal rates obtained in accordance with paragraph 3 to the Commission and the national regulatory authorities of the originating Member States by 28 of February of each calendar year at the latest.* ***deleted***

Or. en

Amendment 225

Philippe Juvin

Proposal for a regulation

Article 4 – paragraph 4

Text proposed by the Commission

Amendment

4. *The national regulatory authorities shall submit the terminal rates obtained in accordance with paragraph 3 to the Commission and the national regulatory authorities of the originating Member States by 28 of February of each calendar year at the latest.* ***deleted***

Or. en

Amendment 226
Sergio Gutiérrez Prieto

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

4. The national regulatory authorities shall submit the **terminal** rates obtained in accordance with paragraph 3 to the Commission and the national regulatory authorities of the originating Member States by 28 of February of each calendar year at the latest.

Amendment

4. The national regulatory authorities shall submit the **remuneration** rates obtained in accordance with paragraph 3 to the Commission and the national regulatory authorities of the originating Member States by 28 of February of each calendar year at the latest. ***The national regulatory authorities and the Commission shall ensure that the remuneration rates obtained are dealt with the strictest confidentiality.***

Or. en

Amendment 227
Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

4. The national regulatory authorities shall submit the terminal rates obtained in accordance with paragraph 3 to the Commission and the national regulatory authorities of the originating Member States by **28 of February** of each calendar year at the latest.

Amendment

4. The national regulatory authorities shall submit the terminal rates obtained in accordance with paragraph 3 to the Commission and the national regulatory authorities of the originating Member States by **31 March** of each calendar year at the latest.

Or. en

Amendment 228
Dennis de Jong

Proposal for a regulation
Article 5

Article 5

deleted

Assessing affordability of tariffs

1. The national regulatory authority shall assess the affordability of cross-border tariffs included in the public lists of tariffs obtained in accordance with Article 4(1) within 3 months of receipt of that information. In that assessment, in particular the following elements shall be taken into account:

(a) the domestic tariffs of the comparable parcel delivery services in the originating Member State and in the destination Member State;

(b) the terminal rates obtained in accordance with Article 4(3);

(c) any application of a uniform tariff to two or more Member States.

2. Where the national regulatory authority concludes that cross-border tariffs referred to in paragraph 1 are not affordable, it shall request further necessary information and/or justification in relation to the level of those tariffs from the universal service provider.

3. The universal service provider shall provide the national regulatory authority with the information and/or justification referred to in paragraph 2 within 15 working days of receipt of the request.

4. The national regulatory authority shall submit its assessment, including any information and/or justification provided in accordance with paragraph 3, to the Commission, the national regulatory authorities of the other Member States and the national authorities within the Member State of the submitting national regulatory authority entrusted with the implementation of competition law. A non-confidential version of that assessment shall also be provided to the Commission. That information shall be provided by 31 March of each calendar year at the latest.

5. The Commission shall publish the non-confidential version of the assessment provided by the national regulatory authorities in accordance with paragraph 4 on the dedicated website by 30 April of each calendar year at the latest.

Or. en

Justification

The services listed in the Annex 1 of the draft Regulation generally fall under the universal service as defined by the Postal Services Directive (PSD) (97/67/EC, Article 3) with only few possible exemptions regarding tracked services (if distinct from registered services). For universal services the directive requests Member States to ensure the affordability of tariffs (97/67/EC, Art. 12). If tariffs are not affordable, the directive needs to be enforced and better applied. If a problem exists, the Commission is asked to intervene. Affordability assessments are made mandatory for a set of services, with a prescription of frequency (annually) and relevant criteria. Member States and/or national regulatory authorities see a need to assess affordability absent any indication of non-affordability or because competition exists. Art. 5 of this proposal goes far beyond the PSD and undermines the discretion that Member States have in defining universal services, affordability and how to ensure affordability. That discretion acknowledges the diversity of the local circumstances, needs and peculiarities. If obligations under the PSD are not respected by one or more Member States, this needs to be dealt with individually by the Commission (infringement proceedings as their final instrument). Introducing horizontal measures that involve significant resources and costs, but are redundant for 90% of the tariffs is therefore not the suitable legal instrument. (The Commission repeatedly stated to expect only 5 to 10 % of the tariffs being not affordable).

Amendment 229
Anneleen Van Bossuyt

Proposal for a regulation
Article 5

Text proposed by the Commission

Amendment

Article 5

deleted

Assessing affordability of tariffs

1. The national regulatory authority shall assess the affordability of cross-border tariffs included in the public lists of tariffs obtained in accordance with Article 4(1) within 3 months of receipt of that information. In that assessment, in particular the following elements shall be taken into account:

(a) the domestic tariffs of the comparable parcel delivery services in the originating Member State and in the destination Member State;

(b) the terminal rates obtained in accordance with Article 4(3);

(c) any application of a uniform tariff to two or more Member States.

2. Where the national regulatory authority concludes that cross-border tariffs referred to in paragraph 1 are not affordable, it shall request further necessary information and/or justification in relation to the level of those tariffs from the universal service provider.

3. The universal service provider shall provide the national regulatory authority with the information and/or justification referred to in paragraph 2 within 15 working days of receipt of the request.

4. The national regulatory authority shall submit its assessment, including any information and/or justification provided in accordance with paragraph 3, to the Commission, the national regulatory authorities of the other Member States and the national authorities within the Member State of the submitting national regulatory authority entrusted with the implementation of competition law. A non-confidential version of that assessment shall also be provided to the Commission. That information shall be provided by 31 March of each calendar year at the latest.

5. The Commission shall publish the non-confidential version of the assessment provided by the national regulatory authorities in accordance with paragraph 4 on the dedicated website by 30 April of each calendar year at the latest.

Or. en

Amendment 230

Antonio López-Istúriz White, Eva Maydell

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Proposal for a regulation
Article 5 – title

Text proposed by the Commission

Assessing affordability of tariffs

Amendment

Assessment of cross-border tariffs

Or. en

Amendment 231
Antonio López-Istúriz White

Proposal for a regulation
Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

1. The national regulatory authority shall *assess the affordability of cross-border tariffs included* in the *public lists of tariffs obtained in accordance with Article 4(1) within 3 months of receipt of that information. In that assessment, in particular the following elements shall be taken into account:*

Amendment

1. The national regulatory authority shall *identify for each item listed* in the *Annex, the cross-border* tariffs *for parcel delivery services originating in its Member State that it considers unreasonably high based on the public list of tariffs obtained in accordance with Article 4.*

Or. en

Amendment 232
Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation
Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

1. The national regulatory authority shall assess the affordability of cross-border tariffs included in the public lists of tariffs obtained in accordance with Article 4(1) within 3 months of receipt of that information. *In that assessment, in particular the following elements shall be taken into account:*

Amendment

1. The national regulatory authority shall *initially* assess the affordability of cross-border tariffs included in the public lists of tariffs obtained in accordance with Article 4(1) within 3 months of receipt of that information. *The purpose of that assessment is to assess whether the cost to individuals and small and medium sized enterprises is affordable and to what extent the uptake of cross-border parcel*

delivery services is affected by delivery prices.

Or. en

Amendment 233

Pascal Durand

Proposal for a regulation

Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

1. The national regulatory authority shall assess the affordability of cross-border tariffs included in the public lists of tariffs obtained in accordance with Article 4(1) within 3 months of receipt of that information. ***In that assessment, in particular the following elements shall be taken into account:***

Amendment

1. The national regulatory authority shall assess the affordability of cross-border tariffs included in the public lists of tariffs obtained in accordance with Article 4(1) within 3 months of receipt of that information. ***The purpose of that assessment shall be to assess whether the cost to individuals and small and medium-sized enterprises is affordable and to what extent the uptake of cross-border parcel delivery services is affected by delivery prices.***

Or. en

Amendment 234

Edward Czesak

Proposal for a regulation

Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

1. ***The*** national regulatory authority shall assess the affordability of cross-border tariffs included in the public lists of tariffs obtained in accordance with Article 4(1) within 3 months of receipt of that information. ***In that assessment, in particular the following elements shall be taken into account:***

Amendment

1. ***If*** the national regulatory authority ***deems it necessary, it*** shall assess the affordability of cross-border tariffs included in the public lists of tariffs obtained in accordance with Article 4(1) within 3 months of receipt of that information.

Or. en

Justification

In order to avoid red tape and costs, affordability assessments should only be conducted if the national regulatory deems necessary, based on its expertise and market knowledge.

Amendment 235

Daniel Dalton

Proposal for a regulation

Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

1. The national regulatory authority ***shall*** assess the affordability of cross-border tariffs included in the public lists of tariffs obtained in accordance with Article 4(1) within 3 months of receipt of that information. ***In that assessment, in particular the following elements shall be taken into account:***

Amendment

1. The national regulatory authority ***may*** assess the affordability ***for users*** of cross-border tariffs ***forming part of the universal service*** included in the public lists of tariffs obtained in accordance with Article 4(1) within 3 months of receipt of that information ***in accordance with article 12 of Directive 97/67/EC.***

Or. en

Amendment 236

Dennis de Jong

Proposal for a regulation

Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

1. The national regulatory authority shall assess the affordability of cross-border tariffs ***included in the public lists of tariffs obtained in accordance with Article 4(1) within 3 months of receipt of that information.*** In that assessment, in particular the following elements shall be taken into account:

Amendment

1. The national regulatory authority shall assess the affordability of cross-border tariffs ***when the costs are higher than 1.5 times the average between the domestic tariffs of the parcel delivery service of the originating Member States and the parcel delivery service in the destination Member State.*** In that assessment, in particular the following elements shall be taken into account:

Or. en

Amendment 237

Andreas Schwab, Lara Comi, Lambert van Nistelrooij, Pascal Arimont, Jiří Pospíšil

Proposal for a regulation

Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

1. The national regulatory authority shall assess the affordability of cross-border tariffs included in the public lists of tariffs obtained in accordance with Article 4(1) within 3 months of receipt of that information. In that assessment, in particular the following elements shall be taken into account:

Amendment

1. The national regulatory authority shall assess the affordability of cross-border tariffs included in the public lists of tariffs obtained in accordance with Article 4(1), ***if there is insufficient competition in the Member State concerned***, within 3 months of receipt of that information. In that assessment, in particular the following elements shall be taken into account:

Or. de

Amendment 238

Dita Charanzová

Proposal for a regulation

Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

1. The national regulatory authority shall assess the affordability of cross-border tariffs included in the public lists of tariffs obtained in accordance with Article 4(1) ***within 3 months of receipt of that information***. In that assessment, in particular the following elements shall be taken into account:

Amendment

1. The national regulatory authority shall assess the affordability of cross-border tariffs ***of universal service providers*** included in the public lists of tariffs obtained in accordance with Article 4(1) ***on a biennial basis***. In that assessment, in particular the following elements shall be taken into account:

Or. en

Amendment 239

Antonio López-Istúriz White, Eva Maydell

Proposal for a regulation

Article 5 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) *the domestic tariffs of the comparable parcel delivery services in the originating Member State and in the destination Member State;* *deleted*

Or. en

Amendment 240
Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation
Article 5 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) *the domestic tariffs of the comparable parcel delivery services in the originating Member State and in the destination Member State;* *deleted*

Or. en

Amendment 241
Pascal Durand

Proposal for a regulation
Article 5 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) *the domestic tariffs of the comparable parcel delivery services in the originating Member State and in the destination Member State;* *deleted*

Or. en

Amendment 242
Daniel Dalton

Proposal for a regulation
Article 5 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) *the domestic tariffs of the comparable parcel delivery services in the originating Member State and in the destination Member State;* *deleted*

Or. en

Amendment 243
Edward Czesak

Proposal for a regulation
Article 5 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) *the domestic tariffs of the comparable parcel delivery services in the originating Member State and in the destination Member State;* *deleted*

Or. en

Amendment 244
Antonio López-Istúriz White, Eva Maydell

Proposal for a regulation
Article 5 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) *the terminal rates obtained in accordance with Article 4(3);* *deleted*

Or. en

Amendment 245
Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation
Article 5 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) *the terminal rates obtained in accordance with Article 4(3);* *deleted*

Amendment 246

Pascal Durand

Proposal for a regulation

Article 5 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the terminal rates obtained in accordance with Article 4(3); *deleted*

Or. en

Amendment 247

Daniel Dalton

Proposal for a regulation

Article 5 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the terminal rates obtained in accordance with Article 4(3); *deleted*

Or. en

Amendment 248

Edward Czesak

Proposal for a regulation

Article 5 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the terminal rates obtained in accordance with Article 4(3); *deleted*

Or. en

Amendment 249

Philippe Juvin

Proposal for a regulation
Article 5 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the terminal rates obtained in accordance with Article 4(3); *deleted*

Or. en

Amendment 250
Antonio López-Istúriz White, Eva Maydell

Proposal for a regulation
Article 5 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) any application of a uniform tariff to two or more Member States. *deleted*

Or. en

Amendment 251
Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation
Article 5 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) any application of a uniform tariff to two or more Member States. *deleted*

Or. en

Amendment 252
Pascal Durand

Proposal for a regulation
Article 5 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) any application of a uniform tariff to two or more Member States. *deleted*

Or. en

Amendment 253
Daniel Dalton

Proposal for a regulation
Article 5 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) any application of a uniform tariff to two or more Member States. *deleted*

Or. en

Amendment 254
Edward Czesak

Proposal for a regulation
Article 5 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) any application of a uniform tariff to two or more Member States. *deleted*

Or. en

Amendment 255
Edward Czesak

Proposal for a regulation
Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. The assessment shall not be deemed necessary in particular where:

(a) the tariffs are subject to price regulation under national legislation or

(b) similar services are offered by another

parcel delivery service provider.

Or. en

Justification

With respect to tariffs that are already subject to price regulation it can be assumed that affordability is respected, conducting a further assessment only implies duplication. The same applies where competitive services are available.

Amendment 256

Lucy Anderson, Liisa Jaakonsaari, Nicola Danti

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

2. Where the national regulatory authority concludes that cross-border tariffs referred to in paragraph 1 are not affordable, it shall request further necessary information and/or justification in relation to the level of those tariffs from the universal service provider.

Amendment

2. In carrying out that assessment, in particular the likely impact on the following shall be taken into account:

(a) individual users with little disposable income;

(b) individual and small and medium-sized enterprise users living or situated in remote or sparsely populated areas;

(c) individual and small and medium-sized enterprise users that regularly use parcel delivery services.

Or. en

Amendment 257

Pascal Durand

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

2. Where the national regulatory authority concludes that cross-border

Amendment

2. In carrying out that assessment, in particular the likely impact on the

tariffs referred to in paragraph 1 are not affordable, it shall request further necessary information and/or justification in relation to the level of those tariffs from the universal service provider.

following shall be taken into account:

(a) individual users with little disposable income;

(b) individual and small and medium-sized enterprise users living or situated in remote or sparsely populated areas;

(c) individual and small and medium-sized enterprise users that regularly use parcel delivery services.

Or. en

Amendment 258

Antonio López-Istúriz White, Eva Maydell

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

2. Where the national regulatory authority concludes that cross-border tariffs referred to in paragraph 1 are ***not affordable***, it shall request further necessary information and/or justification in relation to the level of those tariffs from the ***universal service*** provider.

Amendment

2. Where the national regulatory authority concludes that cross-border tariffs referred to in paragraph 1 are ***unreasonably high***, it shall request further necessary information and/or justification in relation to the level of those tariffs from the ***parcel delivery*** provider.

Or. en

Amendment 259

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Article 5 – paragraph 3

Text proposed by the Commission

3. ***The universal service provider shall provide*** the national regulatory authority ***with the information and/or justification referred to in paragraph 2***

Amendment

3. ***Following the assessment referred to in paragraph 1, the national regulatory authority may request from the parcel delivery service provider evidence such as***

within 15 working days of receipt of the request.

a justification containing any relevant information in relation to the level of those tariffs such as the specific transportation or handling costs and bilateral volumes between different cross-border parcel delivery service providers.

Or. en

Amendment 260

Antonio López-Istúriz White, Eva Maydell

Proposal for a regulation

Article 5 – paragraph 3

Text proposed by the Commission

3. *The universal* service *provider* shall provide the national regulatory authority with the information and/or justification referred to in paragraph 2 within 15 working days of receipt of the request.

Amendment

3. *Parcel delivery* service *providers* shall provide the national regulatory authority with the information and/or justification referred to in paragraph 2 within 15 working days of receipt of the request.

Or. en

Amendment 261

Edward Czesak

Proposal for a regulation

Article 5 – paragraph 3

Text proposed by the Commission

3. The universal service provider shall provide the national regulatory authority with the information and/or justification referred to in paragraph 2 within **15** working days of receipt of the request.

Amendment

3. The universal service provider shall provide the national regulatory authority with the information and/or justification referred to in paragraph 2 within **30** working days of receipt of the request.

Or. en

Amendment 262

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation
Article 5 – paragraph 4

Text proposed by the Commission

4. The *national regulatory authority* shall *submit its assessment, including any information and/or justification provided in accordance with paragraph 3, to the Commission*, the national regulatory authorities of the other Member States and the national authorities within the Member State of the submitting national regulatory authority entrusted with the implementation of competition law. A non-confidential version of that assessment shall also be provided to the Commission. That information shall be provided by 31 March of each calendar year at the latest.

Amendment

4. The *parcel delivery service provider* shall *provide* the national regulatory authority with the *justification referred to in paragraph 3 within one month of receipt of the request*.

Or. en

Amendment 263
Lambert van Nistelrooij

Proposal for a regulation
Article 5 – paragraph 4

Text proposed by the Commission

4. The national regulatory authority shall submit *its assessment, including any information and/or justification provided in accordance with paragraph 3*, to the Commission, the national regulatory authorities of the other Member States *and the national authorities within the Member State of the submitting national regulatory authority entrusted with the implementation of competition law*. A non-confidential version of that assessment shall also be provided to the Commission. That information shall be provided by 31 March of each calendar year at the latest.

Amendment

4. The national regulatory authority shall submit *a non-confidential version of its assessment* to the Commission *and* the national regulatory authorities of the other Member States. That information shall be provided by 31 March of each calendar year at the latest.

Or. en

Amendment 264
Edward Czesak

Proposal for a regulation
Article 5 – paragraph 4

Text proposed by the Commission

4. The national regulatory authority shall submit *its assessment, including any information and/or justification provided in accordance with paragraph 3*, to the Commission, the national regulatory authorities of *the* other Member States *and the national authorities within the Member State of the submitting national regulatory authority entrusted with the implementation of competition law. A non-confidential version of that assessment shall also be provided to the Commission*. That information shall be provided by 31 March of each calendar year at the latest.

Amendment

4. The national regulatory authority shall submit *a non-confidential version of its assessment*, to the Commission *and* the national regulatory authorities of other Member States. That information shall be provided by 31 March of each calendar year at the latest.

Or. en

Justification

For the purpose of data protection, only non-confidential versions of assessments should be shared.

Amendment 265
Marcus Pretzell

Proposal for a regulation
Article 5 – paragraph 5

Text proposed by the Commission

5. *The Commission shall publish the non-confidential version of the assessment provided by the national regulatory authorities in accordance with paragraph 4 on the dedicated website by 30 April of each calendar year at the latest.*

Amendment

deleted

Amendment 266

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Article 5 – paragraph 5

Text proposed by the Commission

5. The *Commission* shall *publish the non-confidential version of the assessment provided by the national regulatory authorities in accordance with paragraph 4 on the dedicated website by 30 April of each* calendar year at the latest.

Amendment

5. The *national regulatory authority* shall *submit its further assessment, including any justification provided in accordance with paragraph 3 to the Commission. In addition, the national regulatory authority shall provide a non-confidential version of its assessment to the Commission. The information required by this paragraph shall be provided by 31 July of the relevant* calendar year at the latest, *and the Commission shall publish the non-confidential version of the assessment provided by the national regulatory authorities without delay and in any event within one month of receipt.*

Or. en

Amendment 267

Daniel Dalton

Proposal for a regulation

Article 5 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. *Where information is considered confidential by a national regulatory authority, in accordance with Community and national business confidentiality rules, the Commission and the national regulatory authorities concerned shall preserve such confidentiality.*

Or. en

Justification

This wording is taken from article 22a (4) of Directive 97/67/EC.

Amendment 268

Andreas Schwab, Lara Comi, Lambert van Nistelrooij, Jiří Pospíšil

Proposal for a regulation

Article 6

Text proposed by the Commission

Amendment

Article 6

deleted

***Transparent and non-discriminatory
cross-border access***

1. Whenever universal service providers providing parcel delivery services conclude multilateral agreements on terminal rates they shall meet all reasonable requests for access to all network elements and associated facilities as well as relevant services and information systems, necessary for the provision of cross-border parcel delivery services.

2. The point at which access should be provided shall be the inward office of exchange in the destination Member State

3. Universal service providers referred to in paragraph 1 shall publish a reference offer. The reference offer shall contain all the relevant associated terms and conditions, including prices.

4. The reference offer shall include all components necessary for access as referred to in paragraph 1, including any conditions limiting access to and/or use of services where such conditions are allowed by Member States in conformity with Union law.

5. Before the reference offer is published, it shall be approved by the national regulatory authority. The national regulatory authority may, where necessary, impose changes to the reference offer to give effect to obligations

set out in this Regulation.

6. Universal service providers referred to in paragraph 1 shall upon request, and based on a reference offer, make an individual offer available to a parcel delivery service provider requesting access within the meaning of that paragraph at the latest one month after the receipt of the request. Universal service providers receiving an access request and providers requesting access shall negotiate in good faith.

7. When no agreement is reached on the basis of the individual offer referred to in paragraph 6, the parcel delivery service provider requesting access may submit the individual offer made by the universal service provider to the national regulatory authority. If necessary, the national regulatory authority shall change the individual offer to give effect to the obligations laid down in this Article.

8. The access shall be operationally ensured within a reasonable period of time, not exceeding three months from the conclusion of the contract.

Or. de

Amendment 269
Philippe Juvin

Proposal for a regulation
Article 6

Text proposed by the Commission

Amendment

Article 6

deleted

**Transparent and non-discriminatory
cross-border access**

1. Whenever universal service providers providing parcel delivery services conclude multilateral agreements on terminal rates they shall meet all reasonable requests for access to all network elements and associated facilities as well as relevant services and

information systems, necessary for the provision of cross-border parcel delivery services.

2. The point at which access should be provided shall be the inward office of exchange in the destination Member State

3. Universal service providers referred to in paragraph 1 shall publish a reference offer. The reference offer shall contain all the relevant associated terms and conditions, including prices.

4. The reference offer shall include all components necessary for access as referred to in paragraph 1, including any conditions limiting access to and/or use of services where such conditions are allowed by Member States in conformity with Union law.

5. Before the reference offer is published, it shall be approved by the national regulatory authority. The national regulatory authority may, where necessary, impose changes to the reference offer to give effect to obligations set out in this Regulation.

6. Universal service providers referred to in paragraph 1 shall upon request, and based on a reference offer, make an individual offer available to a parcel delivery service provider requesting access within the meaning of that paragraph at the latest one month after the receipt of the request. Universal service providers receiving an access request and providers requesting access shall negotiate in good faith.

7. When no agreement is reached on the basis of the individual offer referred to in paragraph 6, the parcel delivery service provider requesting access may submit the individual offer made by the universal service provider to the national regulatory authority. If necessary, the national regulatory authority shall change the individual offer to give effect to the obligations laid down in this Article.

8. The access shall be operationally ensured within a reasonable period of

time, not exceeding three months from the conclusion of the contract.

Or. en

Amendment 270

Dennis de Jong

Proposal for a regulation

Article 6

Text proposed by the Commission

Amendment

Article 6

deleted

***Transparent and non-discriminatory
cross-border access***

1. Whenever universal service providers providing parcel delivery services conclude multilateral agreements on terminal rates they shall meet all reasonable requests for access to all network elements and associated facilities as well as relevant services and information systems, necessary for the provision of cross-border parcel delivery services.

2. The point at which access should be provided shall be the inward office of exchange in the destination Member State

3. Universal service providers referred to in paragraph 1 shall publish a reference offer. The reference offer shall contain all the relevant associated terms and conditions, including prices.

4. The reference offer shall include all components necessary for access as referred to in paragraph 1, including any conditions limiting access to and/or use of services where such conditions are allowed by Member States in conformity with Union law.

5. Before the reference offer is published, it shall be approved by the national regulatory authority. The national regulatory authority may, where necessary, impose changes to the

reference offer to give effect to obligations set out in this Regulation.

6. Universal service providers referred to in paragraph 1 shall upon request, and based on a reference offer, make an individual offer available to a parcel delivery service provider requesting access within the meaning of that paragraph at the latest one month after the receipt of the request. Universal service providers receiving an access request and providers requesting access shall negotiate in good faith.

7. When no agreement is reached on the basis of the individual offer referred to in paragraph 6, the parcel delivery service provider requesting access may submit the individual offer made by the universal service provider to the national regulatory authority. If necessary, the national regulatory authority shall change the individual offer to give effect to the obligations laid down in this Article.

8. The access shall be operationally ensured within a reasonable period of time, not exceeding three months from the conclusion of the contract.

Or. en

Justification

European parcel delivery markets are highly competitive, dynamic and fast growing. Cross-border delivery is provided through a variety of networks and agreements. Besides co-operating with their counterparts across the border, universal services providers partner with other operators and networks. In this context, there is no justification for any sector-specific provision on third party operators' access. General competition law already provides for access to multilateral agreements under certain conditions. Under the EU's competition rules, if access needs to be granted, then this has to apply on a non-discriminatory basis which raises the question if and how a limitation to SME parcel delivery providers might be legally established.

Amendment 271
Daniel Dalton

Proposal for a regulation
Article 6

Article 6

deleted

***Transparent and non-discriminatory
cross-border access***

- 1. Whenever universal service providers providing parcel delivery services conclude multilateral agreements on terminal rates they shall meet all reasonable requests for access to all network elements and associated facilities as well as relevant services and information systems, necessary for the provision of cross-border parcel delivery services.***
- 2. The point at which access should be provided shall be the inward office of exchange in the destination Member State***
- 3. Universal service providers referred to in paragraph 1 shall publish a reference offer. The reference offer shall contain all the relevant associated terms and conditions, including prices.***
- 4. The reference offer shall include all components necessary for access as referred to in paragraph 1, including any conditions limiting access to and/or use of services where such conditions are allowed by Member States in conformity with Union law.***
- 5. Before the reference offer is published, it shall be approved by the national regulatory authority. The national regulatory authority may, where necessary, impose changes to the reference offer to give effect to obligations set out in this Regulation.***
- 6. Universal service providers referred to in paragraph 1 shall upon request, and based on a reference offer, make an individual offer available to a parcel delivery service provider requesting access within the meaning of that paragraph at the latest one month after the receipt of the request. Universal service providers receiving an access request and providers requesting access shall negotiate in good***

faith.

7. When no agreement is reached on the basis of the individual offer referred to in paragraph 6, the parcel delivery service provider requesting access may submit the individual offer made by the universal service provider to the national regulatory authority. If necessary, the national regulatory authority shall change the individual offer to give effect to the obligations laid down in this Article.

8. The access shall be operationally ensured within a reasonable period of time, not exceeding three months from the conclusion of the contract.

Or. en

Justification

National posts negotiate access to their own parcel networks when viable, on a commercial basis, therefore this regulation should not seek to interfere in those commercial relationships and mandate such access.

Amendment 272

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Article 6

Text proposed by the Commission

Amendment

Article 6

deleted

***Transparent and non-discriminatory
cross-border access***

1. Whenever universal service providers providing parcel delivery services conclude multilateral agreements on terminal rates they shall meet all reasonable requests for access to all network elements and associated facilities as well as relevant services and information systems, necessary for the provision of cross-border parcel delivery services.

2. The point at which access should be provided shall be the inward office of

exchange in the destination Member State

3. Universal service providers referred to in paragraph 1 shall publish a reference offer. The reference offer shall contain all the relevant associated terms and conditions, including prices.

4. The reference offer shall include all components necessary for access as referred to in paragraph 1, including any conditions limiting access to and/or use of services where such conditions are allowed by Member States in conformity with Union law.

5. Before the reference offer is published, it shall be approved by the national regulatory authority. The national regulatory authority may, where necessary, impose changes to the reference offer to give effect to obligations set out in this Regulation.

6. Universal service providers referred to in paragraph 1 shall upon request, and based on a reference offer, make an individual offer available to a parcel delivery service provider requesting access within the meaning of that paragraph at the latest one month after the receipt of the request. Universal service providers receiving an access request and providers requesting access shall negotiate in good faith.

7. When no agreement is reached on the basis of the individual offer referred to in paragraph 6, the parcel delivery service provider requesting access may submit the individual offer made by the universal service provider to the national regulatory authority. If necessary, the national regulatory authority shall change the individual offer to give effect to the obligations laid down in this Article.

8. The access shall be operationally ensured within a reasonable period of time, not exceeding three months from the conclusion of the contract.

Or. en

Amendment 273
Pascal Durand

Proposal for a regulation
Article 6

Text proposed by the Commission

Amendment

Article 6

deleted

***Transparent and non-discriminatory
cross-border access***

- 1. Whenever universal service providers providing parcel delivery services conclude multilateral agreements on terminal rates they shall meet all reasonable requests for access to all network elements and associated facilities as well as relevant services and information systems, necessary for the provision of cross-border parcel delivery services.***
- 2. The point at which access should be provided shall be the inward office of exchange in the destination Member State***
- 3. Universal service providers referred to in paragraph 1 shall publish a reference offer. The reference offer shall contain all the relevant associated terms and conditions, including prices.***
- 4. The reference offer shall include all components necessary for access as referred to in paragraph 1, including any conditions limiting access to and/or use of services where such conditions are allowed by Member States in conformity with Union law.***
- 5. Before the reference offer is published, it shall be approved by the national regulatory authority. The national regulatory authority may, where necessary, impose changes to the reference offer to give effect to obligations set out in this Regulation.***
- 6. Universal service providers referred to in paragraph 1 shall upon request, and based on a reference offer, make an***

individual offer available to a parcel delivery service provider requesting access within the meaning of that paragraph at the latest one month after the receipt of the request. Universal service providers receiving an access request and providers requesting access shall negotiate in good faith.

7. When no agreement is reached on the basis of the individual offer referred to in paragraph 6, the parcel delivery service provider requesting access may submit the individual offer made by the universal service provider to the national regulatory authority. If necessary, the national regulatory authority shall change the individual offer to give effect to the obligations laid down in this Article.

8. The access shall be operationally ensured within a reasonable period of time, not exceeding three months from the conclusion of the contract.

Or. en

Amendment 274

Antonio López-Istúriz White, Eva Maydell, Cristian-Silviu Buşoi, Carlos Coelho

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

1. Whenever **universal** service providers **providing parcel delivery services** conclude multilateral agreements on terminal rates they shall meet all reasonable requests **for** access to all network elements and associated facilities as well as relevant services and information systems, necessary for the provision of cross-border parcel delivery services.

Amendment

1. Whenever **parcel** service providers **with more than 5% of the national market share or established in more than one Member State** conclude multilateral agreements on terminal rates they shall meet all reasonable requests **that are made by small and medium sized enterprises, defined in accordance with Commission recommendation 2003/361/EC and that concern** access to all network elements and associated facilities as well as relevant services and information systems, necessary for the provision of cross-border parcel delivery services. **Any refusal of access shall be justified in a clear and**

objective way, and notified to national regulatory authorities.

Or. en

Amendment 275
Sergio Gutiérrez Prieto

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. Whenever **universal** service providers **providing parcel delivery services** conclude multilateral agreements on terminal rates they shall meet all reasonable requests **for** access to all network elements and associated facilities as well as relevant services and information systems, necessary for the provision of cross-border parcel delivery services.

Amendment

1. Whenever **parcel** service providers **with more than 5% of the national market share or established in more than one Member State** conclude multilateral agreements on terminal rates they shall meet all reasonable requests **that are made by parcel delivery service providers defined as small and medium sized enterprises (SME), in accordance with Commission recommendation 2003/361/EC and that concern** access to all network elements and associated facilities as well as relevant services and information systems, necessary for the provision of cross-border parcel delivery services. **Any refusal of access shall be justified in a clear and objective way, and notified to national regulatory authorities.**

Or. en

Amendment 276
Anneleen Van Bossuyt

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. Whenever universal service providers providing parcel delivery services conclude multilateral agreements on terminal rates they shall meet all reasonable requests for access to all

Amendment

1. Whenever universal service providers providing parcel delivery services conclude multilateral agreements on terminal rates they shall, **under and subject to the conditions of general EU**

network elements and associated facilities as well as relevant services and information systems, necessary for the provision of cross-border parcel delivery services.

competition law, meet all reasonable requests for access to all network elements and associated facilities as well as relevant services and information systems, necessary for the provision of cross-border parcel delivery services.

Or. en

Amendment 277

Antonio López-Istúriz White, Eva Maydell, Roberta Metsola, Cristian-Silviu Buşoi, Carlos Coelho

Proposal for a regulation Article 6 – paragraph 3

Text proposed by the Commission

3. **Universal** service providers referred to in paragraph 1 shall publish a reference offer. The reference offer shall contain all the relevant associated terms and conditions, including prices.

Amendment

3. **Parcel delivery** service providers referred to in paragraph 1 shall publish a reference offer **following a request by the SME seeking access**. The reference offer shall contain all the relevant **sales** associated terms and conditions, including prices.

Or. en

Amendment 278

Sergio Gutiérrez Prieto

Proposal for a regulation Article 6 – paragraph 3

Text proposed by the Commission

3. **Universal** service providers referred to in paragraph 1 shall publish a reference offer. The reference offer shall contain all the relevant associated terms and conditions, including prices.

Amendment

3. **Parcel delivery** service providers referred to in paragraph 1 shall publish a reference offer **following a request by the SME seeking access**. The reference offer shall contain all the relevant **sales** associated terms and conditions, including prices.

Or. en

Amendment 279
Antonio López-Istúriz White

Proposal for a regulation
Article 6 – paragraph 5

Text proposed by the Commission

5. Before the reference offer is published, it shall be ***approved by the national regulatory authority. The national regulatory authority may, where necessary, impose changes to the reference offer to give effect to obligations set out in this Regulation.***

Amendment

5. Before the reference offer is published, it shall be ***communicated to*** the national regulatory authority.

Or. en

Amendment 280
Antonio López-Istúriz White, Eva Maydell, Roberta Metsola, Cristian-Silviu Buşoi, Carlos Coelho

Proposal for a regulation
Article 6 – paragraph 6

Text proposed by the Commission

6. ***Universal*** service providers referred to in paragraph 1 shall upon request, and based on a reference offer, make an individual offer available to ***a parcel delivery service provider requesting*** access within the meaning of that paragraph at the latest one month after the receipt of the request. ***Universal*** service providers receiving an access request and providers requesting access shall negotiate in good faith.

Amendment

6. ***Parcel delivery*** service providers referred to in paragraph 1 shall upon request, and based on a reference offer, make an individual offer available to ***the SMEs seeking*** access within the meaning of that paragraph at the latest one month after the receipt of the request. ***Parcel delivery*** service providers receiving an access request and providers requesting access shall negotiate in good faith.

Or. en

Amendment 281
Sergio Gutiérrez Prieto

Proposal for a regulation
Article 6 – paragraph 6

Text proposed by the Commission

6. **Universal** service providers referred to in paragraph 1 shall upon request, and based on a reference offer, make an individual offer available to **a parcel delivery service provider requesting** access within the meaning of that paragraph at the latest one month after the receipt of the request. **Universal** service providers receiving an access request and providers requesting access shall negotiate in good faith.

Amendment

6. **Parcel delivery** service providers referred to in paragraph 1 shall upon request, and based on a reference offer, make an individual offer available to **the SMEs seeking** access within the meaning of that paragraph at the latest one month after the receipt of the request. **Parcel delivery** service providers receiving an access request and providers requesting access shall negotiate in good faith.

Or. en

Amendment 282

Antonio López-Istúriz White, Eva Maydell, Roberta Metsola, Cristian-Silviu Buşoi, Carlos Coelho

**Proposal for a regulation
Article 6 – paragraph 7**

Text proposed by the Commission

7. When no agreement is reached on the basis of the individual offer referred to in paragraph 6, the **parcel delivery service provider requesting** access may submit the individual offer made by the **universal** service provider to the national regulatory authority. If necessary, the national regulatory authority shall change the individual offer to give effect to the obligations laid down in this Article.

Amendment

7. When no agreement is reached on the basis of the individual offer referred to in paragraph 6, the **SME seeking** access may submit the individual offer made by the **parcel delivery** service provider to the national regulatory authority. If necessary, the national regulatory authority shall change the individual offer to give effect to the obligations laid down in this Article.

Or. en

Amendment 283

Sergio Gutiérrez Prieto

**Proposal for a regulation
Article 6 – paragraph 7**

Text proposed by the Commission

7. When no agreement is reached on

Amendment

7. When no agreement is reached on

the basis of the individual offer referred to in paragraph 6, the ***parcel delivery service provider requesting*** access may submit the individual offer made by the ***universal*** service provider to the national regulatory authority. If necessary, the national regulatory authority shall change the individual offer to give effect to the obligations laid down in this Article.

the basis of the individual offer referred to in paragraph 6, the ***SME seeking*** access may submit the individual offer made by the ***parcel delivery*** service provider to the national regulatory authority. If necessary, the national regulatory authority shall change the individual offer to give effect to the obligations laid down in this Article.

Or. en

Amendment 284

Róza Gräfin von Thun und Hohenstein, Inese Vaidere, Markus Ferber

Proposal for a regulation

Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6 a

Maximum cross-border terminal rates

1. With effect from 1 January 2019, the maximum cross-border terminal rate for the delivery of postal items falling within the categories listed in the Annex, which destination universal service provider charges to the operator in the originating Member State, equals to the least expensive tariff of destination universal service provider for the universal service corresponding to the service being the subject of cross-border parcel delivery service. The least expensive tariff is the tariff setting the lowest price for a given national universal service, taking into account any discounts or rebates that a universal service provider has included in its price list or other document specifying the price terms for the universal services.

2. Universal service providers are required to apply rates in transparent and non-discriminatory manner. The cross-border terminal rates are published in the reference offer referred to in Article 6 paragraph 3.

Amendment 285

Lucy Anderson, Liisa Jaakonsaari, Olga Sehnalová, Biljana Borzan

Proposal for a regulation

Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6 a

Provision of information to users by traders

All traders concluding sales contracts with users that include the sending of cross-border parcels shall make available to users at the pre-contractual stage the following information, online or by other accessible means:

(a) prices charged by them to users for cross-border parcel delivery including any relevant alternative or discounted rates or breakdown of charges;

(b) cross-border delivery options offered, including track and trace, and mechanisms allowing the user to intervene throughout the delivery process, including regarding returns and to arrange redelivery or collection times or locations where applicable;

(c) details of their own and relevant parcel service provider complaints processes and of the European Consumer Centre network for cross-border complaints.

Or. en

Amendment 286

Pascal Durand

Proposal for a regulation

Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6 a

Provision of information to users by traders

All traders concluding sales contract with users that include the sending of cross-border parcels shall make available to users at the pre-contractual stage the following information, online or by other accessible means:

(a) prices charged by them to users for cross-border parcel delivery;

(b) cross-border delivery options offered, including track and trace, and mechanisms allowing the user to intervene throughout the delivery process, including regarding returns and to arrange redelivery or collection times where applicable;

(c) details of their own and relevant parcel delivery service provider complaints processes and of the European Consumer Centre network for cross-border complaints.

Or. en

Amendment 287

Lucy Anderson, Liisa Jaakonsaari, Olga Sehnalová, Biljana Borzan

Proposal for a regulation

Article 6 b (new)

Text proposed by the Commission

Amendment

Article 6 b

Harmonisation of quality of service and technical standards

The harmonisation of quality of service and technical standards for cross-border parcel deliveries shall be prioritised further in accordance with the provisions of Directive 97/67/EC, through the European Committee for Standardisation and otherwise, taking into account in particular the interests of users, and efficiency and environmental

considerations.

Or. en

Amendment 288

Lucy Anderson, Liisa Jaakonsaari, Nicola Danti, Olga Sehnalová

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

Before XX/XX/2019, and thereafter every **four** years, the Commission shall submit to the European Parliament, the Council and the Economic and Social Committee an evaluation report on the application of this Regulation accompanied where appropriate by a proposal for its review.

Amendment

Before XX/XX/2019, and thereafter every **three** years, the Commission shall submit to the European Parliament, the Council and the Economic and Social Committee an evaluation report on the application of this Regulation accompanied where appropriate by a **legislative** proposal for its review. ***The report shall be produced following consultation with all appropriate stakeholders, including the Social Dialogue Committee for the postal sector.***

Or. en

Amendment 289

Dita Charanzová

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

Before XX/XX/2019, and thereafter every **four** years, the Commission shall submit to the European Parliament, the Council and the Economic and Social Committee an evaluation report on the application of this Regulation accompanied where appropriate by a proposal for its review.

Amendment

Before XX/XX/2019, and thereafter every **three** years, the Commission shall submit to the European Parliament, the Council and the Economic and Social Committee an evaluation report on the application of this Regulation accompanied where appropriate by a proposal for its review.

Or. en

Amendment 290

Antonio López-Istúriz White, Eva Maydell, Cristian-Silviu Buşoi, Róza Gräfin von Thun und Hohenstein, Carlos Coelho

Proposal for a regulation

Article 8 – paragraph 1

Text proposed by the Commission

Before **XX/XX/2019**, and thereafter every four years, the Commission shall submit to the European Parliament, the Council and the Economic and Social Committee an evaluation report on the application of this Regulation accompanied where appropriate by a proposal for its review.

Amendment

Before **31/01/2019**, and thereafter every four years, the Commission shall submit to the European Parliament, the Council and the Economic and Social Committee an evaluation report on the application of this Regulation accompanied where appropriate by a **legislative** proposal for its review.

Or. en

Amendment 291

Lucy Anderson, Liisa Jaakonsaari, Olga Sehnalová

Proposal for a regulation

Article 8 – paragraph 2 – point a

Text proposed by the Commission

(a) whether the affordability of cross-border parcel delivery services has improved, including for users located in remote or sparsely populated areas;

Amendment

(a) whether the **efficiency and** affordability of cross-border parcel delivery services has improved, including for users located in remote or sparsely populated areas;

Or. en

Amendment 292

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Article 8 – paragraph 2 – point b

Text proposed by the Commission

(b) ***the extent to which transparent and non-discriminatory wholesale cross-border access as referred to in Article 6 has been granted by universal service***

Amendment

deleted

providers providing parcel delivery services;

Or. en

Amendment 293

Antonio López-Istúriz White, Eva Maydell, Cristian-Silviu Buşoi, Carlos Coelho

Proposal for a regulation

Article 8 – paragraph 2 – point b

Text proposed by the Commission

(b) the extent to which transparent and non-discriminatory wholesale cross-border access as referred to in Article 6 has been granted by *universal* service providers providing parcel delivery services;

Amendment

(b) the extent to which transparent and non-discriminatory wholesale cross-border access as referred to in Article 6 has been granted by *parcel delivery* service providers *owing more than the 5% of the national market share or established in more than one Member State and* providing parcel delivery services; *including as regards return shipments;*

Or. en

Amendment 294

Lucy Anderson, Liisa Jaakonsaari, Olga Sehnalová

Proposal for a regulation

Article 8 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(b a) the impact on cross-border parcel delivery levels and prices, including data on delivery fees charged to both traders and users;

Or. en

Amendment 295

Lucy Anderson, Liisa Jaakonsaari, Olga Sehnalová

Proposal for a regulation

Article 8 – paragraph 2 – point b b (new)

Text proposed by the Commission

Amendment

(b b) progress on quality of service and technical standard development on cross-border parcel deliveries.

Or. en

Amendment 296

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Article 8 – paragraph 2 – point d

Text proposed by the Commission

Amendment

(d) progress on other initiatives for completing the single market for parcel delivery services.

deleted

Or. en

Amendment 297

Lucy Anderson, Liisa Jaakonsaari

Proposal for a regulation

Article 9

Text proposed by the Commission

Amendment

Article 9

deleted

Committee procedure

1. The Commission shall be assisted by the Postal Directive Committee established by Article 21 of Directive 97/67/EC. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Or. en

Proposal for a regulation
Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9 a

Exercise of the delegation

- 1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.***
- 2. The power to adopt delegated acts referred to in Article 3(4) shall be conferred on the Commission for a period of five years from ... *. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.***
- 3. The delegation of power referred to in Article 3(4) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.***
- 4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.***
- 5. A delegated act adopted pursuant to Article 3(4) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of four months of notification of that act to the European***

Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

** OJ: please insert the date of entry into force of this Regulation.*

Or. en