



EUROPEAN PARLIAMENT

2009 - 2014

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*Committee on Transport and Tourism*

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**2011/2094(INI)**

21.9.2011

# **AMENDMENTS**

## **1 - 38**

**Draft opinion**  
**Marian-Jean Marinescu**  
(PE470.013v01-00)

on the annual report on EU competition policy  
(COM(2011)0328 – 2011/2094(INI))

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PE472.207v01-00

**EN**

*United in diversity*

**EN**

AM\_Com\_NonLegOpinion

**Amendment 1**  
**Philippe De Backer**

**Draft opinion**  
**Paragraph 1 a (new)**

*Draft opinion*

*Amendment*

***1a. Stresses that the completion of the internal market for all transport modes needs to be and remain the main goal of the European transport policy;***

Or. en

**Amendment 2**  
**Philippe De Backer**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

*Amendment*

2. Considers it necessary to strengthen the transparency of all the costs and charges in the transport sector as a precondition for assessing eligibility for state support, including regional services, and reiterates, therefore, its call on the Commission to publish a report with an overview of all state aid offered to the public transport sector;

2. Considers it necessary to strengthen the transparency of all the costs and charges in the transport sector as a precondition for assessing eligibility for state support, including regional services, and reiterates, therefore, its call on the Commission to publish ***on the one hand*** a report with an overview of all state aid offered to the public transport sector, ***and on the other hand an overview of indirect support such as taxation, levies, infrastructure financing and charges for the different transport modes and their effect on inter- and intramodal competition;***

Or. en

**Amendment 3**  
**Michael Cramer**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. Shares the Commission's view that the EU still lacks a sufficiently interconnected, interoperable and efficient cross-border transport infrastructure network, which is indispensable for the completion of the internal market;

*Amendment*

3. Shares the Commission's view that the EU still lacks a sufficiently interconnected, interoperable and efficient cross-border transport infrastructure network, which is indispensable for ***fair competition within*** the completion of the internal market;

Or. en

**Amendment 4**  
**Zigmantas Balčytis**

**Draft opinion**  
**Paragraph 3**

*Draft opinion*

3. Shares the Commission's view that the EU still lacks a sufficiently interconnected, interoperable and efficient cross-border transport infrastructure network, which is indispensable for the completion of the internal market;

*Amendment*

3. Shares the Commission's view that the EU still lacks a sufficiently interconnected, interoperable and efficient cross-border transport infrastructure network, which is indispensable for the completion of the internal ***transport market and the development of regular growth; calls for the adoption of effective measures to remove the barriers and obstacles in the trans-European transport network (TEN-T) and to ensure that the integrated financing strategy, which would include the contribution of the Member States and the EU – in addition to private sources of funding – works at the EU level;***

Or. lt

**Amendment 5**  
**Dominique Riquet**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. **Reaffirms its commitment to making a reality of the Single European Railway Area, where non-discriminatory access to the rail network is crucial; calls on the Member States to speed up liberalisation of the railway transport sector and to guarantee fair competition;**

*Amendment*

4. **Points out the delay in organising railway competition and stresses that major structural and operational reforms are still needed in order to ensure non-discriminatory access to the rail network, independent service providers and strong, independent national regulators that are coordinated at European level, as these aspects should be regarded as prerequisites for speeding up liberalisation;**

Or. fr

**Amendment 6**  
**Saïd El Khadraoui**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Reaffirms its commitment to making a reality of the Single European Railway Area, where non-discriminatory access to the rail network is crucial; **calls on the Member States to speed up liberalisation of the railway transport sector and to guarantee fair competition;**

*Amendment*

4. Reaffirms its commitment to making a reality of the Single European Railway Area, where non-discriminatory access to the rail network is crucial; **underlines the importance of public service obligations, working conditions and the quality of services delivered;**

Or. en

**Amendment 7**  
**Georges Bach**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Reaffirms its commitment to making a reality of the Single European Railway Area, where non-discriminatory access to the rail network is crucial; calls on the Member States to ***speed up*** liberalisation of the railway transport sector and to ***guarantee*** fair competition;

*Amendment*

4. Reaffirms its commitment to making a reality of the Single European Railway Area, where non-discriminatory access to the rail network is crucial; calls on the Member States to ***guarantee*** liberalisation of the railway transport sector and to ***ensure that*** fair competition ***is observed by means of their national regulatory authorities***;

Or. de

**Amendment 8**  
**Michael Cramer**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Reaffirms its commitment to making a reality of the Single European Railway Area, where non-discriminatory access to the rail network is crucial; calls on the Member States to ***speed up liberalisation of*** the railway transport ***sector*** and to guarantee fair competition;

*Amendment*

4. Reaffirms its commitment to making a reality of the Single European Railway Area, where non-discriminatory access to the rail network is crucial; calls on the Member States to ***open*** the railway transport ***market*** and to guarantee fair competition ***as well as a better quality of services, linked with the necessary social standards of the employed***;

Or. en

**Amendment 9**  
**Philippe De Backer**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Reaffirms its commitment to making a

*Amendment*

4. Reaffirms its commitment to making a

reality of the Single European Railway Area, where non-discriminatory access to the rail network is crucial; calls on the Member States to speed up liberalisation of the railway transport sector and to guarantee fair competition;

reality of the Single European Railway Area, where non-discriminatory access to the rail network is crucial; calls on the Member States **and the Commission** to speed up liberalisation of the railway transport sector and to guarantee fair competition;

Or. en

**Amendment 10**  
**Dominique Riquet**

**Draft opinion**  
**Paragraph 5**

*Draft opinion*

*Amendment*

***5. Stresses the need to ensure the independence of rail-related service providers from railway undertakings;***

***deleted***

Or. fr

**Amendment 11**  
**Georges Bach**

**Draft opinion**  
**Paragraph 5**

*Draft opinion*

*Amendment*

***5. Stresses the need to ensure the independence of rail-related service providers from railway undertakings;***

***deleted***

Or. de

**Amendment 12**  
**Carlo Fidanza**

**Draft opinion  
Paragraph 5**

*Draft opinion*

5. Stresses the need to ensure the independence of rail-related service providers from railway undertakings;

*Amendment*

5. Stresses the need to ensure the independence of rail-related service providers from railway undertakings, ***while safeguarding the efficiency and quality of the service;***

Or. it

**Amendment 13  
Juozas Imbrasas**

**Draft opinion  
Paragraph 5**

*Draft opinion*

5. Stresses the need to ensure the independence of rail-related service providers from railway undertakings;

*Amendment*

5. Stresses the need to ensure the independence of rail-related service providers from railway undertakings; ***notes that the full management structure of the national railways ensures that the rail sector performs well and is therefore in a good competitive position on the international freight market, enabling the public financing of railways to be limited and even providing revenue;***

Or. It

**Amendment 14  
Rolandas Paksas**

**Draft opinion  
Paragraph 5**

*Draft opinion*

5. Stresses the need to ensure the independence of rail-related service

*Amendment*

5. Stresses the need to ensure the independence of rail-related service



providers from railway undertakings;

providers from railway undertakings; *notes that the full management structure of the national railways ensures that the rail sector performs well and is therefore in a good competitive position on the international freight market, enabling the public financing of railways to be limited and even providing revenue;*

Or. lt

**Amendment 15**  
**Dominique Riquet**

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

*6. Recalling that the Commission has launched a number of infringement procedures against Member States for not properly implementing the First Railway Package, stresses the need for a strong and independent regulatory body to safeguard the rail market;*

*Amendment*

*deleted*

Or. fr

**Amendment 16**  
**Philippe De Backer, Ramon Tremosa i Balcells**

**Draft opinion**  
**Paragraph 6**

*Draft opinion*

6. Recalling that the Commission has launched a number of infringement procedures against Member States for not properly implementing the First Railway Package, stresses the need for *a* strong and independent regulatory *body* to safeguard the rail market;

*Amendment*

6. Recalling that the Commission has launched a number of infringement procedures against Member States for not properly implementing the First Railway Package, stresses the need for strong and independent regulatory *bodies, on national and European level*, to safeguard the rail

market;

Or. en

## Amendment 17

Georges Bach

### Draft opinion

#### Paragraph 6 a (new)

*Draft opinion*

*Amendment*

***6a. Calls on the Commission to ascertain whether the abolition of trade tax for a rail undertaking with a registered office in a given Member State and the simultaneous introduction of a flat-rate levy on rolling stock is compatible with EU competition law, given that non-national undertakings – unlike domestic undertakings – have to pay the trade tax in their Member State of establishment and that this situation is liable to create unfair competition;***

Or. fr

## Amendment 18

Dominique Riquet

### Draft opinion

#### Paragraph 7

*Draft opinion*

*Amendment*

7. Stresses that, in view of the level of indebtedness of companies in the railway sector in ***the new*** Member States, debt ***cancellation*** should ***continue*** to be permitted under certain conditions and in particular if such ***cancellation*** helps to ***ease the way to an open rail market;***

7. Stresses that, in view of the level of indebtedness of companies in the railway sector in ***certain*** Member States, debt ***restructuring*** should ***be able*** to be permitted under certain conditions and in particular if such ***restructuring*** helps to ***open up and develop rail transport;***

Or. fr

**Amendment 19**  
**Philippe De Backer**

**Draft opinion**  
**Paragraph 7**

*Draft opinion*

7. Stresses that, in view of the level of indebtedness of companies in the railway sector in the new Member States, debt cancellation should continue to be permitted under certain conditions and in particular if such cancellation helps to ease the way to an open rail market;

*Amendment*

7. Stresses that, in view of the level of indebtedness of companies in the railway sector in the new Member States, **historic** debt cancellation should continue to be permitted under certain conditions and in particular if such cancellation helps to ease the way to an open rail market;

Or. en

**Amendment 20**  
**Carlo Fidanza, Antonio Cancian, Georges Bach**

**Draft opinion**  
**Paragraph 7**

*Draft opinion*

7. Stresses that, in view of the level of indebtedness of companies in the railway sector in the new Member States, debt cancellation should continue to be permitted under certain conditions and in particular if such cancellation helps to ease the way to an open rail market;

*Amendment*

7. Stresses that, in view of the level of indebtedness of companies in the railway sector in the new Member States, debt cancellation should continue to be permitted under certain conditions and in particular if such cancellation helps to ease the way to an open rail market, **though distortions of competition should always be avoided;**

Or. it

**Amendment 21**  
**Georges Bach**

**Draft opinion**  
**Paragraph 7 a (new)**

*Draft opinion*

*Amendment*

***7a. Calls on the Commission to work on the swift abolition of all existing restrictions on cabotage, in order to allow fair competition and avoid as many unnecessary empty runs as possible, together with harmonisation of the social provisions at European level to prevent wage dumping and social imbalances;***

Or. de

**Amendment 22**  
**Philippe De Backer**

**Draft opinion**  
**Paragraph 9**

*Draft opinion*

*Amendment*

9. Calls on the Commission to monitor closely state support granted to low-cost air carriers ***and to ensure fair allocation and effective use of slots;***

9. Calls on the Commission to monitor closely state support granted to low-cost air carriers;

Or. en

**Amendment 23**  
**Dominique Riquet**

**Draft opinion**  
**Paragraph 9**

*Draft opinion*

*Amendment*

9. Calls on the Commission to monitor closely state support granted to low-cost air carriers and to ensure fair allocation and effective use of slots;

***9. Stresses how important it is for the European Union to remain a leading air hub and*** calls on the Commission to monitor closely state support granted to low-cost air carriers and to ensure fair

allocation and effective use of slots;

Or. fr

**Amendment 24**  
**Michael Cramer**

**Draft opinion**  
**Paragraph 9**

*Draft opinion*

9. Calls on the Commission to monitor closely state support granted to low-cost air carriers and to ensure fair allocation and effective use of slots;

*Amendment*

9. Calls on the Commission to monitor closely state support granted to **regional airports and to** low-cost air carriers and to ensure fair allocation and effective use of slots;

Or. en

**Amendment 25**  
**Inés Ayala Sender**

**Draft opinion**  
**Paragraph 9 a (new)**

*Draft opinion*

*Amendment*

***9a. Is concerned about the practice adopted by some air carriers to prevent passengers boarding with articles purchased in airport shops, in addition to their one item of hand luggage, but allowing them to make unrestricted purchases on board; considers that this practice restricts the freedom of choice and creates unfair competition; urges the Commission to open an investigation aimed at putting an end to such practices;***

Or. es

**Amendment 26**  
**Inés Ayala Sender**

**Draft opinion**  
**Paragraph 9 b (new)**

*Draft opinion*

*Amendment*

***9b. Considers it fundamental that all passengers are guaranteed the right to an immediate, straightforward, and accessible procedure for lodging complaints at no additional cost, so that competent national and EU consumer authorities can identify abuses of a dominant position, unfair competition and/or unfair terms in travel contracts; calls on the Commission, in cooperation with consumer rights defence associations and consumer authorities, to put an end to such practices;***

Or. es

**Amendment 27**  
**Philippe De Backer**

**Draft opinion**  
**Paragraph 9 a (new)**

*Draft opinion*

*Amendment*

***9a. Calls on the Commission to ensure fair and transparent allocation and effective use of slots, awaits its proposal in this regard;***

Or. en

**Amendment 28**  
**Carlo Fidanza**

**Draft opinion**  
**Paragraph 9 a (new)**

*Draft opinion*

*Amendment*

***9a. Calls on the Commission and the Member States to take action against any discriminatory policies that may be applied by non-European countries, in order to avoid competitive distortions between international airlines and thus ensure fair competition;***

Or. it

**Amendment 29**  
**Marian-Jean Marinescu**

**Draft opinion**  
**Paragraph 10 a (new)**

*Draft opinion*

*Amendment*

***10a. Calls on the European Commission to constantly monitor the proper enforcement of the EU acquis on price transparency and anti-discrimination obligations concerning national road charging systems;***

Or. en

**Amendment 30**  
**Michael Cramer**

**Draft opinion**  
**Paragraph 10 a (new)**

*Draft opinion*

*Amendment*

***10a. Repeats that the rules on the obligation to show real, transparent and complete prices of flight tickets should be strictly enforced in favour of fairer inter- and intra-modal competition;***

**Amendment 31**  
**Georges Bach**

**Draft opinion**  
**Paragraph 11**

*Draft opinion*

11. Expresses its satisfaction with the fact that passenger rights have now been regulated for all transport sectors and welcomes in particular the Commission's intention to publish a comprehensive overview of *passenger* rights *for* all transport modes; *recommends to the Commission that it also publish a passengers' handbook/guide, to be widely distributed for the information of passengers;*

*Amendment*

11. Expresses its satisfaction with the fact that passenger rights have now been regulated for all transport sectors and welcomes in particular the Commission's intention to publish a comprehensive *common* overview of *the* rights of *passengers using* all transport modes; *stresses that particular attention should be paid to the use of fair compensation schemes for refunds in cases of delays;*

Or. de

**Amendment 32**  
**Michael Cramer**

**Draft opinion**  
**Paragraph 11**

*Draft opinion*

11. *Expresses its satisfaction with the fact* that passenger rights have now been regulated for all transport sectors and *welcomes* in particular the Commission's intention to publish a comprehensive overview of passenger rights for all transport modes; recommends to the Commission that it also publish a passengers' handbook/guide, to be widely distributed for the information of passengers;

*Amendment*

11. *Notes* that passenger rights have now been regulated for all transport sectors and *encourages* in particular the Commission's intention to publish a comprehensive overview of *competition aspects within* passenger rights for all transport modes; recommends to the Commission that it also publish a passengers' handbook/guide, to be widely distributed for *improving* the information of passengers;



**Amendment 33**  
**Carlo Fidanza, Spyros Danellis**

**Draft opinion**  
**Paragraph 12**

*Draft opinion*

12. Encourages the Commission to **promote** standards which **help** to further strengthen **tourists'** rights and the competitiveness of the European tourism industry, **and** reiterates in this context its call on the Commission to support the harmonisation of the European accommodation classification system;

*Amendment*

12. Encourages the Commission to **make existing** standards which **protect tourists' rights in various circumstances clearer and more visible; calls on the Commission** to further strengthen **those** rights **where necessary** and **to encourage** the competitiveness of the European tourism industry; reiterates in this context its call on the Commission to support the **gradual** harmonisation of the European accommodation classification system, **in close cooperation with the authorities at various levels and the operators in the sector;**

Or. it

**Amendment 34**  
**Michael Cramer**

**Draft opinion**  
**Paragraph 12**

*Draft opinion*

12. Encourages the Commission to promote standards which help to further strengthen tourists' rights and the competitiveness of the European tourism industry, and reiterates in this context its call on the Commission to support the harmonisation of the European accommodation classification system;

*Amendment*

12. Encourages the Commission to promote **a charter and** standards which help to further strengthen tourists' rights and the competitiveness of the European tourism industry, and reiterates in this context its call on the Commission to support the harmonisation of the European accommodation classification system;

**Amendment 35**  
**Dominique Riquet**

**Draft opinion**  
**Paragraph 12**

*Draft opinion*

12. Encourages the Commission to promote standards which help to further strengthen tourists' rights and the competitiveness of the European tourism industry, and reiterates in this context its call on the Commission to support the harmonisation of the European accommodation classification system;

*Amendment*

12. Encourages the Commission to promote standards which help to further strengthen tourists' rights and the competitiveness of the European tourism industry, ***in particular by furthering the implementation of the Lisbon Treaty, which makes it a policy in its own right,*** and reiterates in this context its call on the Commission to support the harmonisation of the European accommodation classification system;

Or. fr

**Amendment 36**  
**Philippe De Backer**

**Draft opinion**  
**Paragraph 13 a (new)**

*Draft opinion*

*Amendment*

***13a. Reminds the Commission that the road freight market is not fully open yet; expresses its disappointment with the current rules on cabotage;***

Or. en

**Amendment 37**  
**Saïd El Khadraoui**

**Draft opinion**  
**Paragraph 14**

*Draft opinion*

14. Calls on the Member States to ***speed up*** the ***implementation of the*** 3rd Postal Directive, ***and*** encourages the Commission to examine ***with due attention compensation for services of general economic interest (SGEI)*** in this field;

*Amendment*

14. Calls on the Member States to ***implement*** the 3rd Postal Directive, ***but*** encourages the Commission to ***closely*** examine ***and report on the social consequences of the liberalisation of the postal market and the universal service obligation*** in this field;

Or. en

**Amendment 38**  
**Georges Bach**

**Draft opinion**  
**Paragraph 14 a (new)**

*Draft opinion*

***14a. Calls on the Commission, in implementing the directive on postal service liberalisation, to verify compliance with the universal service obligation and to ensure that competition focuses on the areas of quality and service and does not lead to social dumping at the expense of workers;***

*Amendment*

Or. de