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*****I REPORT**

on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 718/1999 on a Community-fleet capacity policy to promote inland waterway transport (COM(2013)0621 – C7-0265/2013 – 2013/0303(COD))

Committee on Transport and Tourism

Rapporteur: Corien Wortmann-Kool

Rapporteur for the opinion(*):

Jutta Steinruck, Committee on Employment and Social Affairs

(*) Associated committee – Rule 50 of the Rules of Procedure

Symbols for procedures

*	Consultation procedure
***	Consent procedure
***I	Ordinary legislative procedure (first reading)
***II	Ordinary legislative procedure (second reading)
***III	Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ■ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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(*) Associated committee – Rule 50 of the Rules of Procedure

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 718/1999 on a Community-fleet capacity policy to promote inland waterway transport (COM(2013)0621 – C7-0265/2013 – 2013/0303(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0621),
 - having regard to Article 294(2) and Article 91(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0265/2013),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 21 January 2014¹,
 - having regard to the opinion of the Committee of the Regions of 31 January 2014²,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on Transport and Tourism and the opinion of the Committee on Employment and Social Affairs (A7-0142/2014),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ Not yet published in the Official Journal.

² Not yet published in the Official Journal.

Amendment 1

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) In connection with the modernisation and restructuring of the fleets, social measures should be envisaged to help workers who wish to leave the inland waterway industry or to retrain for jobs in another sector, together with measures to encourage the establishment of groupings of undertakings, improve operators' skills and promote the adaptation of vessels to technical progress.

Amendment

(2) In connection with the modernisation and restructuring of the fleets, social measures, ***including early and preventive measures***, should be envisaged to help workers who wish to leave the inland waterway industry or to retrain for jobs in another sector, together with measures to encourage the establishment of groupings of undertakings, improve operators' skills and promote the adaptation of vessels to technical progress, ***in particular with regard to environmentally-friendly vessels. The reserve funds referred to in Regulation (EC) No 718/1999 should be used for measures affecting owner-operators, while dedicated funds that already exist at Union level should be used to support activities jointly undertaken by the social partners.***

Amendment 2

Proposal for a regulation

Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) The Commission and the Member States should strengthen research and innovation in the inland waterway transport sector and in multi-modal port infrastructure through the Horizon 2020 work programmes and the Connecting Europe Facility, ensuring the integration of that sector in multi-modal transport.

Amendment 3

Proposal for a regulation Recital 5

Text proposed by the Commission

(5) The measures in connection with the modernisation of the EU fleet referred to in Article 8 of Regulation (EC) No 718/1999 concern only social matters. Other types of support measure for creating a context favourable to innovation and the environment are not provided for.

Amendment

(5) The measures in connection with the modernisation of the EU fleet referred to in Article 8 of Regulation (EC) No 718/1999 concern only social matters ***and safety of the working environment***. Other types of support measure for creating a context favourable to innovation and the environment are not provided for.

Amendment 4

Proposal for a regulation Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) The Commission should support the adaptation of the inland waterway fleet to technical progress as regards the environment, by promoting the use of financial instruments from existing Union funds such as the Connecting Europe Facility and Horizon 2020, and should suggest ways to leverage the reserve funds by means of those existing funds as well as financing instruments from the European Investment Bank.

Amendment 5

Proposal for a regulation Article 1 Regulation (EC) No 718/1999 Article 8 – indent 1

Text proposed by the Commission

– make it easier for inland waterway

Amendment

– make it easier for inland waterway

carriers leaving the industry to obtain an early retirement pension or to transfer to another economic activity,

carriers leaving the industry to obtain an early retirement pension or to transfer to another economic activity, *inter alia by providing comprehensive information,*

Amendment 6

Proposal for a regulation

Article 1

Regulation (EC) No 718/1999

Article 8 – indent 2

Text proposed by the Commission

– organise vocational training or retraining schemes for crew members leaving the industry,

Amendment

– organise vocational training or retraining schemes for crew members leaving the industry *and provide appropriate information about those schemes,*

Amendment 7

Proposal for a regulation

Article 1 – paragraph 1

Regulation (EC) No. 718/1999

Article 8 – indent 3

Text proposed by the Commission

– improve skills in inland navigation in order to safeguard the development and future of the profession,

Amendment

– improve skills in inland navigation *and knowledge of logistics* in order to safeguard the development and future of the profession,

Amendment 8

Proposal for a regulation

Article 1 – paragraph 1

Regulation (EC) No. 718/1999

Article 8 – indent 5

Text proposed by the Commission

– encourage adaptation of vessels to technical progress in order to improve working conditions and promote safety,

Amendment

– encourage adaptation of vessels to technical progress in order to improve working conditions, ***including health protection***, and promote safety,

Amendment 9

Proposal for a regulation

Article 1 – paragraph 1

Regulation (EC) No. 718/1999

Article 8 – indent 6

Text proposed by the Commission

– encourage innovation of vessels and their adaptation to technical progress as regards the environment.

Amendment

– encourage innovation of vessels and their adaptation to technical progress as regards the environment, ***in particular environmentally-friendly vessels***,

Amendment 10

Proposal for a regulation

Article 1 – paragraph 1

Regulation (EC) No. 718/1999

Article 8 – indent 6 a (new)

Text proposed by the Commission

Amendment

– use the reserve funds preferably to enhance the multiplier effect of grants funded from the Union's budget as well as that of financing instruments from the European Investment Bank (EIB) for measures supporting innovation in relation to vessels, including the development of river-adapted ships, and their adaptation to technical progress as regards the environment, and for other measures to increase marine engine fuel-efficiency, to encourage the use of liquefied natural gas and to improve air quality. The Commission shall suggest ways of promoting the attainment of these

*objectives through reserve funds leverage
by means of financial instruments from
existing Union funds such as the
Connecting Europe Facility or Horizon
2020, and from the EIB.*

EXPLANATORY STATEMENT

Background

Regulation (EC) No 718/1999 sets up measures to support the structural improvements in the waterway sector, in particular with respect to the fleet capacity of Member States with inland waterways linked to those of another Member State.

Within this framework Reserve Funds –financed by the inland waterway transport industry from the surplus funding from structural improvements schemes conducted up to 28 April 1999 and by the special contributions from the ‘old-for-new’ rule– have been constituted.

The Reserve Funds, administrated by the Member States, could only be used for the following aims:

- a) to support measures taken at Community level designed to prevent any new increase of the fleet capacity in the event of serious market disturbance;
- b) to support social measures and promote adaptation of vessels to technical progress with regards safety aspects, under the condition that this measures have unanimous support of the organisations representing inland waterway transport.

Over the years the funds have grown to a cumulative value currently of around EUR 35 million. The inland navigation sector and the Member States tried to utilise the funds but the Commission considered that the requests were not within the scope of the Regulation. In fact, the limited scope of Article 8 of this Regulation has been so far a barrier to trigger the use of the funds.

Therefore the Commission proposed to broaden the scope of the Regulation towards training schemes for all crew members and to make it possible to use the funds for innovation of vessels and their adaption to technical progress as regards to the environment.

Rapporteur’s views

Your Rapporteur welcomes the Commission’s proposal to broaden the scope of the existing Regulation to allow the Reserve Funds to be used to support more efficiently the inland navigation sector and create a context favourable to innovation and improved safety and environmental performance. She would like to stress that the proposal is unanimously supported by the inland navigation sector.

A characteristic of the inland waterway sector is its structure largely based on SMEs, i.e. owners-operators who work and live with their families on the vessels. These SMEs are particularly vulnerable to the crisis. It is therefore vital to provide support to maintain and reinforce the inland waterway sector.

Among the advantages of the inland waterway transport, your Rapporteur would like to underline its cost-efficiency as well as its energy and environmental performances, pointing

out at the same time that these performances could be further improved. While road transport suffers from congestion, resulting in economic and environmental loss, the inland waterway network still offers a large potential to absorb traffic without risk of congestion. These advantages should be further exploited.

The intention of the inland waterway sector to invest into greening and innovation measures is very much welcomed by the Rapporteur. However, the funds available within the framework of this Regulation are rather limited with regard to the costs required to modernise the fleet. Therefore, your Rapporteur would like to encourage the European Commission to investigate together with the sector how the funds could be used in conjunction with the financial instruments from the EIB and existing EU funds, such as CEF funds, in order to optimise the financial means dedicated to the sector.

Furthermore, your Rapporteur regrets the absence of reference to intermodal freight logistics. Clearly, inland waterways have a very important role to play in the reinforcement of a sustainable freight transport chain in Europe. The current trend in Europe is, unfortunately, a decline of the waterways modal share. This trend needs to be reversed so that Europe could respond to the challenges of transport, i.e. congestion, environmental impact and energy needs.

Finally, your Rapporteur believes that a well-structured policy with achievable short- and mid-term goals would be an asset to a sector with high potential. Certainty concerning the legal framework is with no doubt a pre-condition to attract or stimulate investments in the sector thereby ensuring the sustainable development of the inland waterway market. She therefore calls on the Commission to put flesh on the bones of NAIADES II and provide as soon as possible concrete actions that takes into account the specificities of the sector largely based on SMEs.

13.2.2014

OPINION OF THE COMMITTEE ON EMPLOYMENT AND SOCIAL AFFAIRS(*)

for the Committee on Transport and Tourism

on the proposal for a regulation of the European Parliament and of the Council amending Council Regulation (EC) No 718/1999 on a Community-fleet capacity policy to promote inland waterway transport
(COM(2013)0621 – C7-0265/2013– 2013/0303(COD))

Rapporteur: Jutta Steinruck

(*) Associated committee – Rule 50 of the Rules of Procedure

SHORT JUSTIFICATION

In an effort to reduce tonnage and modernise the European inland waterway fleet, further measures must be taken to help to improve the working conditions of crews and, in particular, to encourage a withdrawal from inland waterway transport.

The rapporteur welcomes the proposal to adapt the directive concerning recourse to the EUR 35 million available in the Reserve Fund. In order to improve the social and financial situation of crew members leaving the profession, it is necessary to broaden the definition of those eligible to make a claim by including a specific reference to paid crew members.

The modernisation of the internal waterway fleet requires technical modernisation on the one hand and, on the other, highly-qualified crew operating and working on the ships who are capable of using the latest technology. For this reason, the rapporteur proposes clearer wording concerning the social and professional aspects of all employment relationships in the internal waterway transport sector.

In order to ensure the equal treatment of all involved players, it is important that not only inland waterway transport operators but also crew members should be eligible for early retirement measures.

A number of compulsory modernisation measures in the areas of safety and environmental protection will be introduced for ships used in the inland waterway sector in the near future. In order not only to consider these measures from a technical point of view but also, in particular, to prepare crew members for potential new requirements, the rapporteur proposes the broadening of professional qualifications in this area too.

For all proposed measures, the relevant information ought to be disseminated in order to ensure that as many businesses and crew members as possible find out about the opportunities available to them and are able to make use of them.

Furthermore, the sponsored membership of organisations representing inland waterway transport should not be available to owner-operators alone. The term owner-operator clearly refers only to undertakings which operate up to three ships. Small undertakings which operate more than three ships should also receive help to join organisations.

Strengthening the role of the social partners in the implementation of the regulation is essential if the allocated funds are to serve their purposes. The affected shipping associations and the trade unions representing paid workers in the inland waterway transport sector have a better understanding of the problems and needs than others.

The improvement in working conditions should be extended to occupational health and safety, so as to enable inland waterway transport operators to be in a position to cover the costs of guaranteeing compliance with the highest standards in working conditions and health protection.

AMENDMENTS

The Committee on Employment and Social Affairs calls on the Committee on Transport and Tourism, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation Recital 2

Text proposed by the Commission

(2) In connection with the modernisation and restructuring of the fleets, social measures should be envisaged to help workers who wish to leave the inland waterway industry or to retrain for jobs in another sector, together with measures to encourage the establishment of groupings of undertakings, improve operators' skills and promote the adaptation of vessels to technical progress.

Amendment

(2) In connection with the modernisation and restructuring of the fleets, social measures, ***including early and preventive measures***, should be envisaged to help workers who wish to leave the inland waterway industry or to retrain for jobs in another sector, together with measures to encourage the establishment of groupings of undertakings, improve operators' skills and promote the adaptation of vessels to technical progress.

Amendment 2

Proposal for a regulation

Article 1

Regulation (EC) No 718/1999

Article 8 – introductory phrase

Text proposed by the Commission

Without prejudice to Article 3(5), any Member State may take measures in particular to:

Amendment

Without prejudice to Article 3(5), any Member State may take measures ***in conjunction with the social partners*** in particular to:

Amendment 3

Proposal for a regulation

Article 1

Regulation (EC) No 718/1999

Article 8 – indent 1

Text proposed by the Commission

– make it easier for inland waterway carriers leaving the industry to obtain an early retirement pension or to transfer to another economic activity,

Amendment

– make it easier for inland waterway carriers leaving the industry to obtain an early retirement pension or to transfer to another economic activity ***by providing comprehensive information, among other measures,***

Amendment 4

Proposal for a regulation

Article 1

Regulation (EC) No 718/1999

Article 8 – indent 2

Text proposed by the Commission

– organise vocational training or retraining schemes for crew members leaving the industry,

Amendment

– organise vocational training or retraining schemes for crew members leaving the industry ***and provide appropriate information about those schemes,***

Amendment 5

Proposal for a regulation

Article 1

Regulation (EC) No 718/1999

Article 8 – indent 3

Text proposed by the Commission

– improve skills in inland navigation in order to safeguard the development and future of the profession,

Amendment

– improve skills ***among actors especially employees and operators*** in inland navigation in order to safeguard the development and future of the profession ***where modernisation is foreseeable and required by legislation***,

Amendment 6

Proposal for a regulation

Article 1

Regulation (EC) No 718/1999

Article 8 – indent 4

Text proposed by the Commission

– encourage ***owner-operators*** to join trade associations and strengthen the organisations representing inland waterway transport at Union level,

Amendment

– encourage ***inland waterway transport operators*** to join trade associations and strengthen the organisations representing inland waterway transport at Union level,

Amendment 7

Proposal for a regulation

Article 1

Regulation (EC) No 718/1999

Article 8 – indent 5

Text proposed by the Commission

– encourage adaptation of vessels to technical progress in order to improve working conditions and promote safety,

Amendment

– encourage adaptation of vessels to technical progress in order to improve working conditions and ***health protection and*** promote safety,

PROCEDURE

Title	Proposal for a regulation amending Council Regulation (EC) No 718/1999 of 29 March 1999 on a Community-fleet capacity policy to promote inland waterway transport		
References	COM(2013)0621 – C7-0265/2013 – 2013/0303(COD)		
Committee responsible f Date announced in plenary	TRAN 8.10.2013		
Opinion by Date announced in plenary	EMPL 8.10.2013		
Associated committee(s) - date announced in plenary	12.12.2013		
Rapporteur Date appointed	Jutta Steinruck 26.11.2013		
Discussed in committee	17.12.2013	22.1.2014	12.2.2014
Date adopted	13.2.2014		
Result of final vote	+: 34 -: 3 0: 0		
Members present for the final vote	Regina Bastos, Heinz K. Becker, Phil Bennion, Pervenche Berès, Philippe Boulland, Alejandro Cercas, Ole Christensen, Derek Roland Clark, Minodora Cliveti, Andrea Cozzolino, Frédéric Daerden, Karima Delli, Sari Essayah, Richard Falbr, Nadja Hirsch, Stephen Hughes, Danuta Jazłowiecka, Jean Lambert, Patrick Le Hyaric, Verónica Lope Fontagné, Thomas Mann, Anthea McIntyre, Csaba Öry, Konstantinos Poupakis, Elisabeth Schroedter, Gabriele Stauner, Jutta Steinruck		
Substitute(s) present for the final vote	Georges Bach, Philippe De Backer, Edite Estrela, Sergio Gutiérrez Prieto, Paul Murphy, Antigoni Papadopoulou, Gabriele Zimmer		
Substitute(s) under Rule 187(2) present for the final vote	Timothy Kirkhope, George Lyon, Jarosław Leszek Wałęsa		

PROCEDURE

Title	Proposal for a regulation amending Council Regulation (EC) No 718/1999 of 29 March 1999 on a Community-fleet capacity policy to promote inland waterway transport		
References	COM(2013)0621 – C7-0265/2013 – 2013/0303(COD)		
Date submitted to Parliament	10.9.2013		
Committee responsible Date announced in plenary	TRAN 8.10.2013		
Committee(s) asked for opinion(s) Date announced in plenary	BUDG 8.10.2013	EMPL 8.10.2013	
Not delivering opinions Date of decision	BUDG 18.9.2013		
Associated committee(s) Date announced in plenary	EMPL 12.12.2013		
Rapporteur(s) Date appointed	Corien Wortmann-Kool 22.10.2013		
Discussed in committee	25.11.2013	17.12.2013	11.2.2014
Date adopted	20.2.2014		
Result of final vote	+: 30 -: 1 0: 2		
Members present for the final vote	Inés Ayala Sender, Georges Bach, Izaskun Bilbao Barandica, Michael Cramer, Joseph Cuschieri, Philippe De Backer, Luis de Grandes Pascual, Saïd El Khadraoui, Ismail Ertug, Jacqueline Foster, Franco Frigo, Mathieu Grosch, Jim Higgins, Dieter-Lebrecht Koch, Georgios Koumoutsakos, Eva Lichtenberger, Marian-Jean Marinescu, Gesine Meissner, Dominique Riquet, Brian Simpson, Giommara Uggias, Peter van Dalen, Patricia van der Kammen, Artur Zasada		
Substitute(s) present for the final vote	Spyros Danellis, Isabelle Durant, Eider Gardiazábal Rubial, Alfreds Rubiks, Bernadette Vergnaud, Corien Wortmann-Kool, Janusz Władysław Zemke		
Substitute(s) under Rule 187(2) present for the final vote	Birgit Sippel, Robert Sturdy		
Date tabled	24.2.2014		