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*****II**

RECOMMENDATION FOR SECOND READING

on the Council common position for adopting a European Parliament and
Council regulation on rail transport statistics
(8652/2/2002 – C5-0311/2002 – 2001/0048(COD))

Committee on Regional Policy, Transport and Tourism

Rapporteur: Felipe Camisón Asensio

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). These suggested corrections are subject to the agreement of the departments concerned.

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PROCEDURAL PAGE

At the sitting of 4 September 2001 Parliament adopted its position at first reading on the proposal for a European Parliament and Council regulation on rail transport statistics (COM(2000) 798 - 2001/0048 (COD)).

At the sitting of 3 July 2002 the President of Parliament announced that the common position had been received and referred to the Committee on Regional Policy, Transport and Tourism (8652/2/2002 - C5-0311/2002).

The committee appointed Felipe Camisón Asensio rapporteur at its meeting of 10 July 2002.

It considered the common position and draft recommendation for second reading at its meetings of 10 July, 10 September and 8 October 2002.

At the last meeting it adopted the draft legislative resolution unanimously.

The following were present for the vote: Luciano Caveri, Rijk van Dam, Gilles Savary and Helmuth Markov vice-chairmen; Felipe Camisón Asensio, rapporteur; Sylviane H. Ainardi, Carlos Bautista Ojeda (for Camilo Nogueira Román), Rolf Berend, Luigi Cocilovo, Jan Dhaene, Den Dover (for Philip Charles Bradbourn), Garrelt Duin, Giovanni Claudio Fava, Mathieu J.H. Grosch, Konstantinos Hatzidakis, Ewa Hedkvist Petersen, Juan de Dios Izquierdo Collado, Georg Jarzembowski, Elisabeth Jeggle (for Jacqueline Foster), Karsten Knolle (for Renate Sommer), Dieter-Lebrecht Koch, Giorgio Lisi, Emmanouil Mastorakis, Rosa Miguélez Ramos, Jan Mulder, (for Isidoro Sánchez García, pursuant to Rule 153(2)), Francesco Musotto, James Nicholson, Josu Ortuondo Larrea, Wilhelm Ernst Piecyk, Giovanni Pittella (for John Hume), Samuli Pohjamo, Bernard Poignant, José Javier Pomés Ruiz, Reinhard Rack, Encarnación Redondo Jiménez (for Sérgio Marques, pursuant to Rule 153(2)), Ingo Schmitt, Elisabeth Schroedter (for Nelly Maes), Brian Simpson, Dirk Sterckx, Ulrich Stockmann, Margie Sudre, Hannes Swoboda (for Danielle Darras), Joaquim Vairinhos, Jaime Valdivielso de Cué (for Carlos Ripoll i Martínez Bedoya, pursuant to Rule 153(2)), Ari Vatanen, Herman Vermeer, Dominique Vlasto (for Christine de Veyrac), Christian Ulrik von Boetticher (for Karla M.H. Peijs) and Mark Francis Watts.

The recommendation for second reading was tabled on 8 October 2002.

DRAFT LEGISLATIVE RESOLUTION

European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council regulation on rail transport statistics (8652/2/2002 – C5-0311/2002 – 2001/0048(COD))

(Codecision procedure: second reading)

The European Parliament,

- having regard to the Council common position (8652/2/2002 – C5-0311/2002),
 - having regard to its position at first reading¹ on the Commission proposal to Parliament and the Council (COM(2000) 798²),
 - having regard to Article 251(2) of the EC Treaty,
 - having regard to Rule 78 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on Regional Policy, Transport and Tourism (A5-0337/2002),
1. Approves the common position;
 2. Notes that the act is adopted in accordance with the common position;
 3. Instructs its President to sign the act with the President of the Council pursuant to Article 254(1) of the EC Treaty;
 4. Instructs its Secretary-General duly to sign the act and, in agreement with the Secretary-General of the Council, to have it published in the Official Journal of the European Communities;
 5. Instructs its President to forward its position to the Council and Commission.

¹ OJ C 72 E, 21.3.2002, p. 58.

² OJ C 180, 26.6.2001, p. 94

EXPLANATORY STATEMENT

Commission proposal

The promotion of rail transport as an environmentally-friendly alternative to the use of Europe's congested roads lies at the heart of the common European transport policy. By opening up the market, the aim is to adapt the railways to competition conditions and requirements within the internal market, bringing about the revitalisation of the sector. A second rail package is currently being discussed by the European Parliament with a view to achieving this extremely important goal.

In order to enable developments in the rail sector to be monitored and analysed more effectively, the Commission put forward a proposal in February 2001 for a regulation on rail transport statistics, which was to replace the current Directive 80/1177/EEC. The new proposal is essentially a necessary measure to update the existing provisions and adapt them to changes in the situation in the rail sector resulting from the adoption of the first rail package. For example, the current directive applies only to freight transport, and there is no provision for adapting it in line with new conditions by means of a committee procedure. The new regulation is intended to eliminate these shortcomings and provide a framework for the furnishing of harmonised data. The aim is also, through a flexible approach, to keep costs as low as possible for national authorities and undertakings and to make use of existing data collection activities.

In line with long-established practice in the area of statistics, a regulation has been opted for rather than a directive, which means that the new provisions will apply directly in each Member State.

First reading by the European Parliament and Council common position

Parliament adopted five amendments at first reading, including amendments relating to the collection of data on investment in infrastructure, a more detailed breakdown by type of passenger train and the exclusion of the collection of data on metro or light rail systems from the scope of the regulation. The two other amendments adopted were for purposes of adaptation and clarification.

The Commission, in its opinion, and the Council, in its common position, have adopted three of the five amendments proposed by Parliament. The amendments not adopted are those on the collection of data on investment in infrastructure and a more detailed breakdown by type of passenger train. In the view of the Council and the Commission, the two amendments would impose an excessive additional administrative burden on those concerned.

In Article 7(1) of the common position, the Council has also introduced stricter confidentiality provisions for the dissemination of data collected, with explicit approval for disclosure required to be given by the undertakings concerned.

Rapporteur's position

Adapting the current provisions on the collection of statistical data on the European rail sector

is a major priority, in order to ensure a reliable basis for policy decisions under the EU's legislative procedures. To that end, in the view of your rapporteur, the regulation should replace the existing directive as quickly as possible, preferably by the end of this year.

Your rapporteur therefore proposes that the common position be approved without amendment, even though the Council has not adopted all of the amendments proposed by Parliament. The collection of data on investment in infrastructure can probably best be undertaken within a different context, and, as regards types of passenger train, the possibility exists, if necessary, of shortly amending the regulation under the committee procedure. Despite the introduction of stricter provisions on procedures for the dissemination of data, the new wording is fully in line with Community rules on confidentiality of statistical data.

In view of these circumstances, your rapporteur recommends that early adoption and publication of the regulation should be made a priority of this House.