

# EUROPEAN PARLIAMENT

1999



2004

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*Session document*

FINAL  
**A5-0416/2002**

28 November 2002

**\*\*\*II**

## **RECOMMENDATION FOR SECOND READING**

on the Council common position for adopting a European Parliament and  
Council regulation on statistical returns in respect of the carriage of passengers,  
freight and mail by air  
(10011/2/2002 – C5-0451/2002 – 1995/0232(COD))

Committee on Regional Policy, Transport and Tourism

Rapporteur: Samuli Pohjamo

***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 16 September 1999 Parliament reaffirmed at first reading in accordance with the codecision procedure the position it had adopted on 29 February 1996 for a European Parliament and Council regulation on statistical returns in respect of the carriage of passengers, freight and mail by air (COM(95) 353 - 1995/0232(COD)).

At the sitting of 10 October 2002 the President of Parliament announced that the common position had been received and referred to the Committee on Regional Policy, Transport and Tourism (10011/2/2002 - C5-0451/2002).

The committee had appointed Samuli Pohjamo rapporteur at its meeting of 8 October 2002.

It considered the common position and draft recommendation for second reading at its meetings of 5 November and 27 November 2002.

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

The following were present for the vote: Luciano Caveri, chairman; Rijk van Dam, Gilles Savary and Helmuth Markov, vice-chairmen; Samuli Pohjamo, rapporteur; Sylviane H. Ainardi, Emmanouil Bakopoulos, Rolf Berend, Felipe Camisón Asensio, Luigi Cocilovo, Danielle Darras, Jean-Maurice Dehousse, (for John Hume), Jan Dhaene, Garrelt Duin, Jacqueline Foster, Mathieu J.H. Grosch, Konstantinos Hatzidakis, Ewa Hedkvist Petersen, Juan de Dios Izquierdo Collado, Georg Jarzembowski, Dieter-Lebrecht Koch, Giorgio Lisi, Nelly Maes, Emmanouil Mastorakis, Erik Meijer, Francesco Musotto, Josu Ortuondo Larrea, Camilo Nogueira Román, Karla M.H. Peijs, Giovanni Pittella, (for Giovanni Claudio Fava), Bernard Poignant, Reinhard Rack, Carlos Ripoll y Martínez de Bedoya, Dana Rosemary Scallon, Agnes Schierhuber, (for Margie Sudre), Brian Simpson, Renate Sommer, Dirk Sterckx, Ulrich Stockmann, Hannes Swoboda, (for Wilhelm Ernst Piecyk), Roseline Vachetta, (for Alonso José Puerta), Joaquim Vairinhos, Ari Vatanen, Herman Vermeer and Brigitte Wenzel-Perillo. (for Ingo Schmitt).

The recommendation for second reading was tabled on 28 November 2002.

## DRAFT LEGISLATIVE RESOLUTION

**European Parliament legislative resolution on the Council common position for adopting a European Parliament and Council regulation on statistical returns in respect of the carriage of passengers, freight and mail by air (10011/2/2002 – C5-0451/2002 – 1995/0232(COD))**

**(Codecision procedure: second reading)**

*The European Parliament,*

- having regard to the Council common position (10011/2/2002 – C5-0451/2002),
  - having regard to its position at first reading<sup>1</sup> on the Commission proposal to Parliament and the Council (COM(95) 353<sup>2</sup>),
  - 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 (A5-0416/2002),
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.

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<sup>1</sup> OJ C 78, 18.3.1996, p. 12

<sup>2</sup> OJ C 325, 6.12.1995, p. 11

## EXPLANATORY STATEMENT

Over the last few decades air traffic has increased exponentially, raising questions concerning the saturation of airspace, the capacity of airports to meet requirements and the ability of the airline industry to develop procedures and methods enabling it to respect ever tighter environmental needs.

In order to ensure the safety of passengers and efficiently manage its enterprises dealing with freight and mail, the European airline industry requires recent and comparable statistics, which will enable them to have a global and detailed view of their activities.

The initial Commission proposal addressed this problem in 1995 and Parliament gave its opinion at first reading in February 1996, however the Council was unable to proceed with this legislation owing to the dispute over Gibraltar. This question having been solved, the Council unanimously adopted its Common position on 30 September 2002, taking into account the necessity to update the initial Commission proposal in order to bring it in to line with the latest legal measures concerning European statistics.

At the end of its first reading, Parliament proposed four amendments. The most important of these, concerned the conversion of aircraft passenger load into weight load was accepted by the Commission and included in Council's Common Position.

Neither the Commission nor the Council has been able to accept the other three amendments proposed by Parliament. The first two of these concerned the establishment of separate statistics for freight and mail. In its letter of explanation<sup>1</sup>, the Commission pointed out that at present no universally accepted definition permits the clear separation of freight from mail. Consequently it would be extremely difficult to establish accurate statistics whilst making this difference.

The third amendment proposed by Parliament concerned the replacement of the terms 'Scheduled services' and 'passenger services' under the single heading 'passenger services'. Neither the Commission nor the Council was able to accept this amendment, as it would confuse some of the definitions in the annexes to the legislation.

### **Recommendation of the Rapporteur:**

The principal amendment proposed by Parliament at first reading is now incorporated in the Council's Common position. Your rapporteur considers that the explanations given by the Commission<sup>1</sup> as to why Parliament's three other amendments were not retained, are satisfactory. Consequently he recommends that the Council's Common position be approved without further amendment.

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<sup>1</sup> SEC(2002)1068