

PARLAMENT EWROPEW

2004



2009

Dokument ta' sessjoni

A6-0264/2008

25.6.2008

*****II**

RAKKOMANDAZZJONI GĦAT- TIENI QARI

dwar il-pożizzjoni komuni tal-Kunsill fir-rigward ta' l-adozzjoni ta' regolament tal-Parlament Ewropew u tal-Kunsill dwar regoli komuni għall-operat ta' servizzi tat-trasport bl-ajru fil-Komunità (riformulazzjoni)
(16160/4/2007 – C6-0176/2008 – 2006/0130(COD))

Kumitat għat-Trasport u t-Turiżmu

Rapporteur: Arūnas Degutis

Tifsira tas-simboli użati

- * Proċedura ta' konsultazzjoni
maġġoranza tal-voti mitfugħa
- **I Proċedura ta' koperazzjoni (l-ewwel qari)
maġġoranza tal-voti mitfugħa
- **II Proċedura ta' koperazzjoni (it-tieni qari)
maġġoranza tal-voti mitfugħa, sabiex tiġi approvata l-pożizzjoni komuni
maġġoranza tal-Membri kollha tal-Parlament, sabiex tiġi miċħuda jew emendata l-pożizzjoni komuni
- *** Proċedura ta' kunsens
maġġoranza tal-Membri kollha tal-Parlament, minbarra fil-każi msemmija fl-Artikoli 105, 107, 161 u 300 tat-Trattat KE u fl-Artikolu 7 tat-Trattat UE
- ***I Proċedura ta' kodeċiżjoni (l-ewwel qari)
maġġoranza tal-voti mitfugħa
- ***II Proċedura ta' kodeċiżjoni (it-tieni qari)
maġġoranza tal-voti mitfugħa, sabiex tiġi approvata l-pożizzjoni komuni
maġġoranza tal-Membri kollha tal-Parlament, sabiex tiġi miċħuda jew emendata l-pożizzjoni komuni
- ***III Proċedura ta' kodeċiżjoni (it-tielet qari)
maġġoranza tal-voti mitfugħa, sabiex tiġi approvata l-pożizzjoni komuni

(Dan it-tip ta' proċedura jiddependi mill-bażi legali proposta mill-Kummissjoni.)

Emendi għal test leġislattiv

Fl-emendi li jsiru mill-Parlament, it-test emendat huwa indikat b' tipa ***qawwija korsiva***. Test *korsiv normal* huwa indikazzjoni għas-servizzi tekniċi li turi partijiet tat-test leġislattiv li għalihom qed tkun proposta korrezzjoni bl-iskop li tgħin fil-preparazzjoni tat-test finali (perezempju, żbalji ovvjji jew nuqqasijiet f'verżjoni lingwistika minnhom). Il-korrezzjonijiet proposti huma suġġetti għall-qbil tas-servizzi tekniċi involuti.

WERREJ

Paġna

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ABBOZZ TA' RIŻOLUZZJONI LEGIŻLATTIVA TAL-PARLAMENT EWROPEW

**dwar il-pożizzjoni komuni tal-Kunsill fir-rigward ta' l-adozzjoni ta' regolament tal-Parlament Ewropew u tal-Kunsill dwar regoli komuni għall-operat ta' servizzi tat-trasport bl-ajru fil-Komunità (riformulazzjoni)
(16160/4/2007 – C6-0176/2008 – 2006/0130(COD))**

(Proċedura ta' kodeċizzjoni: it-tieni qari)

Il-Parlament Ewropew,

- wara li kkunsidra l-pożizzjoni komuni tal-Kunsill (16160/4/2007 – C6-0176/2008),
 - wara li kkunsidra l-pożizzjoni tiegħu fl-ewwel qari¹ dwar il-proposta tal-Kummissjoni lill-Parlament u lill-Kunsill (COM(2006)0396)²,
 - wara li kkunsidra l-Artikolu 251(2) tat-Trattat KE,
 - wara li kkunsidra l-Artikolu 67 tar-Regoli ta' Proċedura tiegħu,
 - wara li kkunsidra r-rakkomandazzjoni għat-tieni qari tal-Kumitat għat-Trasport u t-Turizmu (A6-0264/2008),
1. Japprova l-pożizzjoni komuni;
 2. Jinnota li l-att huwa adottat skond il-pożizzjoni komuni;
 3. Jagħti istruzzjonijiet lill-President tiegħu biex jiffirma l-att mal-President tal-Kunsill skond l-Artikolu 254(1) tat-Trattat KE;
 4. Jagħti istruzzjonijiet lis-Segretarju Ġenerali tiegħu biex jiffirma l-att, ladarba jkun gie vverifikat li l-proċeduri kollha tlestew kif suppost, u, bi qbil mas-Segretarju Ġenerali tal-Kunsill, jipubblikah fil-Ġurnal Uffiċjali ta' l-Unjoni Ewropea.
 5. Jagħti istruzzjonijiet lill-President tiegħu sabiex jgħaddi l-pożizzjoni tal-Parlament lill-Kunsill u lill-Kummissjoni.

¹ Testi adottati, 11.7.2007, P6_TA(2007)0337.

² Għadha mhix ippubblikata fil-ĠU.

EXPLANATORY STATEMENT

Introduction and Background

The Regulation is a recast of legislation governing the operation of air services in the Community. Its purpose is to address and update the third aviation package which constituted the final stage in the liberalisation of air transport in the Community and dates back to 1992.

That package had three elements: Regulation No. 2407/92 which dealt with the licensing of carriers and the leasing of aircraft; Regulation No.2408/92 which established the principle of free access for Community air carriers to intra-community air routes and lays down certain derogations, particularly for public service obligations; and Regulation No. 2409/92 which liberalised air fares.

The purpose of the present Regulation is to update and modify, in some instances tighten the provisions of this package on the basis of experience acquired and the current circumstances of the aviation sector.

Content of the Draft Regulation

The present proposal aims to establish a level playing field in the granting and revoking of operating licences. It requires Member States to reinforce the supervision of operating licences. It seeks better to align and strengthen rules governing the leasing of aircraft; both "dry" (without crew) and "wet" (with crew) the better to ensure safety and the proper application of social provisions. It clarifies the rules on traffic distribution between airports by removing the "airport system" concept and addressing the reality of cities and conurbations served by the same airport(s) while disqualifying discrimination between carriers. Finally it promotes price transparency for the passenger and fair price behaviour.

Parliament's First Reading.

Parliament completed its First Reading of this proposal on 9 May 2007. A total of 53 amendments were adopted, all of which reflected issues raised in the Transport and Tourism committee. In summary Parliament's amendments addressed:

- reinforcement of financial oversight;
- the proper application of social legislation;
- price transparency and optional price supplements to be on an "opt-in" basis only, clarity in the definition of "wet "and "dry" lease agreements;
- reinforcement of financial fitness requirements;
- clear administrative responsibility for revoking or suspending operating licences;
- arrangements for reviewing compliance;
- conditions to be fulfilled before aircraft can be "wet leased " from a third country;
- the right of carriers to be heard before a decision is taken to suspend or revoke an operating licence;
- the inclusion social development criteria in respect of Public Service Obligations;

- consultation of airports on traffic distribution and
- penalties for infringements of the Regulation.

After Parliament's First Reading

The Council Presidency indicated a willingness to accept wholly, partially or in principle Parliament's amendments in these areas.

By letter dated 29 November 2009 the chairman of the Transport and Tourism committee confirmed with the agreement of the rapporteur and shadow rapporteurs, that he would be prepared to recommend the proposed common position with these amendments included.

Council's Common Position

After careful examination of Council's common position, communicated to Parliament on 17 April 2008, it can be stated that Council respected this engagement. Council accepted 20 of Parliament's amendments in their entirety. A further 12 amendments were accepted in principle but incorporated elsewhere in the Regulation or redrafted. Council rejected 13 amendments on the grounds of lack of clarity, for technical reasons or because they were rendered redundant by other amendments. Only eight amendments, dealing with the scope of the Regulation and aspects of the licensing regime were rejected on grounds of principle.

Recommendation

Your rapporteur recommends acceptance of the Council's common position without further amendment. This is for two reasons. Firstly the proposed Regulation reinforces and improves the provisions of the existing legislation in the areas it addresses, that is on the supervision of operating licences; the leasing of aircraft; traffic distribution and transparent pricing. Secondly taken together the amendments of both arms of the legislative authority improve the Commission's original draft. Thirdly the substance of Parliament's amendments have been accepted.

PROCĊEDURA

Titolu	Regoli komuni għall-operat ta' servizzi tat-trasport bl-ajru fil-Komunità (riformulazzjoni)
Referenzi	16160/4/2007 – C6-0176/2008 – 2006/0130(COD)
Data ta' l-1 qari tal-PE - Numru P	11.7.2007 T6-0337/2007
Proposta tal-Kummissjoni	COM(2006)0396 - C6-0248/2006
Data tat-thabbir fis-seduta plenarja tal-wasla tal-pożizzjoni komuni	24.4.2008
Kumitat responsabbli Data tat-thabbir fis-seduta plenarja	TRAN 24.4.2008
Rapporteur(s) Data tal-ħatra	Arūnas Degutis 5.5.2008
Eżami fil-kumitat	28.5.2008
Data ta' l-adozzjoni	24.6.2008
Riżultat tal-votazzjoni finali	+: 39 -: 0 0: 2
Membri preżenti għall-votazzjoni finali	Gabriele Albertini, Inés Ayala Sender, Michael Cramer, Luis de Grandes Pascual, Arūnas Degutis, Christine De Veyrac, Petr Duchoň, Saïd El Khadraoui, Robert Evans, Francesco Ferrari, Brigitte Fouré, Mathieu Grosch, Georg Jarzembowski, Timothy Kirkhope, Dieter-Lebrecht Koch, Jaromír Kohlíček, Bogusław Liberadzki, Eva Lichtenberger, Seán Ó Neachtain, Josu Ortuondo Larrea, Paweł Bartłomiej Piskorski, Reinhard Rack, Brian Simpson, Renate Sommer, Dirk Sterckx, Silvia-Adriana Țicău, Yannick Vaugrenard
Sostitut(i) preżenti għall-votazzjoni finali	Margrete Auken, Philip Bradbourn, Jeanine Hennis-Plasschaert, Lily Jacobs, Elisabeth Jeggle, Maria Eleni Koppa, Helmuth Markov, Rosa Miguélez Ramos, Vural Öger, Marie Panayotopoulos-Cassiotou, Corien Wortmann-Kool
Sostitut(i) (skond l-Artikolu 178(2)) preżenti għall-votazzjoni finali	Ioannis Gklavakis, Helmut Kuhne, Maria Petre