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**A7-0002/2009**

27.7.2009

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## **REPORT**

on the proposal for a Council decision concerning the conclusion of the Protocol amending the Agreement on Maritime Transport between the European Community and its Member States, of the one part, and the Government of the People's Republic of China, of the other part (8127/2009 – 13698/2008 - – C7-0030/2009 – 2008/0133(CNS))

Committee on Transport and Tourism

Rapporteur: Brian Simpson

(Simplified procedure - Rule 46(1) of the Rules of Procedure)

### ***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***. In the case of amending acts, passages in an existing provision that the Commission has left unchanged, but that Parliament wishes to amend, are highlighted in **bold**. Any deletions that Parliament wishes to make in passages of this kind are indicated thus: [...]. 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). Suggested corrections of this kind are subject to the agreement of the departments concerned.

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## **DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION**

**on the proposal for a Council decision concerning the conclusion of the Protocol amending the Agreement on Maritime Transport between the European Community and its Member States, of the one part, and the Government of the People's Republic of China, of the other part (8127/2009 - 13698/2008 - – C7-0030/2009 – 2008/0133(CNS)) (Consultation procedure)**

*The European Parliament,*

- having regard to the Commission proposal to the Council (COM(2008)0405),
  - having regard to the proposal for a Council decision ( - 8127/2009),
  - having regard to the Protocol amending the Agreement on maritime transport between the European Community and its Member States, of the one part, and the Government of the People's Republic of China, of the other part (13698/2009)
  - having regard to Articles 80(2) and 300(2), first subparagraph, first sentence, of the EC Treaty,
  - having regard to Article 300(3), first subparagraph, of the EC Treaty, pursuant to which the Council consulted Parliament (C7-0030/2009),
  - having regard to Rules 55, 90(8) and 46(1) of its Rules of Procedure,
  - having regard to the report of the Committee on Transport and Tourism (A7-0002/2009),
1. Approves the conclusion of the Protocol amending the agreement;
  2. Instructs its President to forward its position to the Council and to the Commission and to the governments and parliaments of the Member States and of the People's Republic of China.

## **EXPLANATORY STATEMENT**

Bulgaria and Romania acceded to the European Union on 1 January 2007. Under Article 6(2) of the Act concerning the Accession of the Republic of Bulgaria and Romania to the European Union, their accession to the Agreement on Maritime Transport between the European Community and its Member States, of the one part, and the People's Republic of China, of the other part, must be approved by the conclusion of a Protocol amending this Agreement. This Protocol must be concluded by means of a simplified procedure, as provided for in that same Article 6(2) of the Accession Act, by the Council of the European Union, acting unanimously on behalf of the Member States.

The draft Protocol was initialled by the Commission and the Chinese representatives in Beijing on 28 February 2008.

The Protocol provides for the necessary technical and linguistic adaptations of the Agreement that ensue from the accession of the two new Member States.

Parliament has the right to deliver an opinion on the Protocol under the consultation procedure, pursuant to Rule 90, 'International agreements', paragraph 8, of its Rules of Procedure, which reads:

'Parliament shall give its opinion on, or its assent to, the conclusion, renewal or amendment of an international agreement or a financial protocol concluded by the European Community in a single vote by a majority of the votes cast without amendments to the text of the agreement or protocol being admissible.'

The protocol in question was signed in Brussels on 31 March 2009.

On the basis of the above and taking account of the technical nature of the document in question, your rapporteur proposes that the TRAN Committee deliver a favourable opinion on the conclusion of this protocol.

## PROCEDURE

<b>Title</b>	Maritime transport between the EC and China
<b>References</b>	08127/2009 – C7-0030/2009 – COM(2008)0405 – 2008/0133(CNS)
<b>Date of consulting Parliament</b>	6.5.2009
<b>Committee responsible</b> Date announced in plenary	TRAN 14.7.2009
<b>Rapporteur(s)</b> Date appointed	Brian Simpson 15.7.2009
<b>Simplified procedure - date of decision</b>	9.7.2009
<b>Date adopted</b>	21.7.2009