

**Question for written answer E-5592/2010  
to the Commission**

Rule 117

**Knut Fleckenstein (S&D)**

**Subject:** Application for exemption (Article 19, Council Directive 2003/96/EC): exemption of shore-side electricity supply for ships from taxes on electricity

In February 2008 the German Finance Ministry submitted the above application for the exemption of shore-side electricity supply for ships from taxes on electricity to the Directorate-General for Taxation, pursuant to Article 19 of Directive 2003/96/EC<sup>1</sup>. The application was made as a result of the often unsatisfactory levels of exhaust fumes and noise in Europe's ports caused by the use of on-board electricity generators. The problem is particularly severe when busy port areas are in physical proximity to residential areas and office buildings. Port-side electricity supply can significantly reduce local emissions in such cases. Exemption from taxes on electricity would be a significant additional financial incentive to help shipowners decide against producing the electricity they need on board using cheap marine diesel oil, which harms the local environment.

In its 2006 Recommendation on the promotion of shore-side electricity for use by ships at berth in Community ports (2006/339/EC)<sup>2</sup>, the Commission made the following recommendations: 'Member States should consider the installation of shore-side electricity for use by ships at berth in ports; particularly in ports where air quality limit values are exceeded or where public concern is expressed about high levels of noise nuisance, and especially in berths situated near residential areas. [...] Member States should consider offering economic incentives to operators to use shore-side electricity provided to ships, taking advantage of the possibilities set out in Community legislation.'

In the light of the above, it is surprising that, nearly 2½ years after submission of the application, the Commission has still not decided on the matter. Article 19 of the Energy Tax Directive lays down a deadline of three months for the Commission to reach a decision. As I understand, the German Government has responded promptly to all the queries addressed to it by the various Commission services.

1. When will a decision on the above application be made?
2. If a decision is not expected to be made soon, what is preventing such a decision from being made?

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<sup>1</sup> OJ L 283, 31.10.2003, p. 51.

<sup>2</sup> OJ L 125, 12.5.2006, p. 38.