

ORAL QUESTION WITH DEBATE O-0069/03

pursuant to Rule 42 of the Rules of Procedure

by Paolo Costa, on behalf of the Committee on Regional Policy, Transport and Tourism
to the Council

Subject: Public services: Council common position

On 14 November 2001, the European Parliament adopted at first reading a report on the proposal for a regulation on action by Member States concerning public service requirements and the award of public service contracts in passenger transport by rail, road and inland waterway (COM(2000)0007/final – COD 2000/0212¹ - rapporteur: Erik Meijer).

That proposal for a regulation has been awaiting the attention of the Council of Ministers ever since, and it is clear that this situation is contributing to the continued legal uncertainty that is seriously undermining the capacity of public authorities and public and private sector entrepreneurs to make commitments and investments.

The Committee on Regional Policy, Transport and Tourism is aware that the public transport sector, and above all short-haul transport, is one of the linchpins of any strategy for the sustainable development and decongestion of urban centres and is convinced of the urgent need to establish common rules at European level delineating the public service and entrepreneurial dimensions of public transport.

The Committee is particularly anxious to avoid the courts having to resolve legal issues on a case by case basis (see the Altmark case²). It is clear that the solutions provided by domestic and European courts are no substitute for the specific legal framework which it is evident this sector currently requires.

What concrete steps has the Council taken to enable a common position to be adopted on this matter as swiftly as possible?

Tabled: 05.11.2003

Forwarded: 06.11.2003

Deadline for reply: 27.11.2003

¹ OJ C 365 E of 19.12.2000, p. 169.

² Altmark Trans GmbH (C-280/00, ruling of 24.7.2003)