Regulation (EU) No 546/2014 of the European Parliament and of the Council of 15 May 2014 amending Council Regulation (EC) No 718/1999 on a Community-fleet capacity policy to promote inland waterway transport

REGULATION (EU) No 546/2014 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 15 May 2014

amending Council Regulation (EC) No 718/1999 on a Community-fleet capacity policy to promote inland waterway transport

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee[(1)],

Having regard to the opinion of the Committee of the Regions[(2)],

Acting in accordance with the ordinary legislative procedure[(3)],

Whereas:

(1) Council Regulation (EC) No 718/1999[(4)] establishes the Union-fleet capacity policy for vessels used to carry goods by inland waterway in the Member States.

(2) In connection with the modernisation and restructuring of the fleets, social measures should be envisaged, preferably at an early stage, to help all crew members, including workers and owner-operators, who wish to leave the inland waterway industry or to retrain for jobs in another sector, together with measures to encourage the establishment of groupings of undertakings, improve skills in inland navigation and promote the adaptation of vessels to technical progress, including with regard to environmentally-friendly vessels. The reserve fund set up in each Member State whose inland waterways are linked to those of another Member State and the tonnage of whose fleet is above 100 000 tonnes, as provided for in Regulation (EC) No 718/1999, should be used for measures affecting owner-operators. Other dedicated funds that already exist at Union level could be used to support activities jointly undertaken by the social partners.

(3) To that end, the reserve funds could be used if so requested unanimously by the organisations representing inland waterway transport.

(4) The reserve funds, consisting solely of financial contributions from the industry, have never been used hitherto.

(5) The measures in connection with the modernisation of the Union fleets referred to in Article 8 of Regulation (EC) No 718/1999 concern only social matters and the safety of the working environment. Other types of support measures for creating a context favourable to innovation and the environment are not provided for.

(6) The measures in Regulation (EC) No 718/1999 concerning vocational training or retraining schemes are relevant to all crew members leaving the sector, including owner-operators, and not only to those who are qualified as workers.

(7) Regulation (EC) No 718/1999 provides for measures that encourage owner-operators to join trade associations, but not for measures that strengthen the organisations representing inland waterway transport at Union level, despite the fact that stronger Union-wide organisations can help to mitigate fragmentation in the sector.

(8) Regulation (EC) No 718/1999 should be complemented by measures aimed at establishing training or retraining schemes for crew members other than those who qualify as 'workers' leaving the industry, encouraging owner-operators to join trade associations, strengthening professional associations and encouraging the innovation of vessels and their adaptation to technical progress as regards the environment.

(9) The Commission and the Member States should strengthen research and innovation in the inland waterway transport sector and in multi-modal port infrastructure through available financial instruments, including, where appropriate, under Horizon 2020 – the Framework Programme for Research and Innovation 2014-2020 ('Horizon 2020')[(5)] and the Connecting Europe Facility[(6)], thereby ensuring the integration of that sector in multi-modal transport.

(10) The Commission should support measures for innovation and the adaptation of the inland waterway fleets to technical progress as regards the environment, by promoting the use of financial instruments from existing Union funds, such as the Connecting Europe Facility and Horizon 2020, and should suggest ways to leverage the reserve funds by means of those existing funds as well as of financing instruments from the European Investment Bank.

(11) As reserve funds have been set up by means of contributions from the industry, it should be possible for them to be used for the adaptation of vessels to technical and environmental requirements adopted after the entry into force of this Regulation, including their adaptation to the further development of European standards on engine emissions, as well as for the encouragement of engine fuel efficiency, of the use of alternative fuels and of any other measures to improve air quality, and for environmentally-friendly vessels, including river-adapted vessels.

(12) Regulation (EC) No 718/1999 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

Article 8 of Regulation (EC) No 718/1999 is replaced by the following: