COUNCIL REGULATION (EC) No 863/2004
of 29 April 2004

adapting Regulation (EC) No 2327/2003 of the European Parliament and of the Council, in the field of transport, by reason of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and Slovakia

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Treaty concerning the accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic to the European Union [1], (hereinafter referred to as the "Treaty of Accession"), and in particular Article 2(3) thereof,

Having regard to the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded [2] (hereinafter referred to as the "Act of Accession") and in particular Article 57(1) thereof,

Having regard to the proposal from the Commission,

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[1] OJ L 236, 23.9.2003, p. 17.
[2] OJ L 236, 23.9.2003, p. 33.

Whereas:

(1) For certain acts which remain valid beyond 1 May 2004 and require adaptation by reason of accession, the necessary adaptations were not provided for in the Act of Accession, or were provided for, but further adaptations are necessary. All these adaptations need to be adopted before accession in order to enter into force as from accession.

(2) Pursuant to Article 57(2) of the Act of Accession, such adaptations are to be adopted by the Council in all cases where the Council adopted the original act alone or jointly with the European Parliament.

(3) Regulation (EC) No 2327/2003 of the European Parliament and of the Council of 22 December 2003 establishing a transitional points system applicable to heavy goods vehicles travelling through Austria for 2004 within the framework of a sustainable transport policy [1] should therefore be amended,

HAS ADOPTED THIS REGULATION:

[1] OJ L 345, 31.12.2003, p. 30.