COMMISSION REGULATION (EC) No 13/2004

of 8 December 2003

determining the composition of the list of waterways of a maritime character provided for in Article 3(d) of Council Regulation (EEC) No 1108/70

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EEC) No 1108/70 of 4 June 1970 introducing an accounting system for expenditure on infrastructure in respect of transport by rail, road and inland waterway [1], as last amended by the Act of Accession of Austria, Finland and Sweden, and in particular Article 3(d),

Whereas:

(1) Commission Regulation (EEC) No 281/71 of 9 February 1971 determining the composition of the list of waterways of a maritime character provided for in Article 3(e) of Council Regulation (EEC) No 1108/70 of 4 June 1970 [2] has been substantially amended several times [3]. In the interests of clarity and rationality the said Regulation should be codified.

(2) Regulation (EEC) No 1108/70 provides that infrastructure expenditure accounts are not required for various categories of infrastructure. This provision applies, *inter alia*, to certain waterways of a maritime character, a list of which is to be drawn up by the Commission.

(3) In drawing up this list account must be taken of the proportion of the traffic on waterways of maritime character accounted for by inland waterway traffic, or of the desirability of introducing an accounting system for infrastructure expenditure in respect of such waterways in the light of the institution of a system of charging for the use of infrastructure,

HAS ADOPTED THIS REGULATION:

Article 1

The list of waterways of a maritime character provided for in Article 3(d) of Regulation (EEC) No 1108/70 shall be as given in Annex I to this Regulation.

Article 2

Regulation (EEC) No 281/71 is repealed.

References to the repealed Regulation shall be construed as references to this Regulation and shall be read in accordance with the correlation table in Annex III.

Article 3

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 8 December 2003.

For the Commission
Loyola DE PALACIO
Vice-President

[1] OJ L 130, 15.6.1970, p. 4.
[2] OJ L 33, 10.2.1971, p. 11.
[3] See Annex II.