

● **Council Directive 96/75/EC of
19 November 1996 on the systems
of chartering and pricing in
national and international inland
waterway transport in the
Community**

● Article 1 d)

'**serious market disturbance**' shall mean the emergence, in the inland waterway transport market, of problems **specific to that** market likely to cause a **serious** and potentially **persistent excess of supply over demand**, thereby posing a serious **threat** to the financial **stability** and **survival** of a **large number** of inland waterway **carriers**, **unless** the short and medium-term **forecasts** for the market in question indicate **substantial** and **lasting improvements**.



Article 7

1. In the event of a serious disturbance in the **inland waterway transport market**, the Commission **may**,..., at the **request of a Member State**, take **suitable measures**, and in **particular** measures designed to **prevent any new increase** in the **transport capacity** on offer on the **market in question**. The decision shall be taken in accordance with the **procedure** laid down in Article 8 (2).



Article 7

2. In the event of a **request from a Member State** for suitable measures, a decision shall be taken within a period of three months from receipt of the request.

● Article 7

3. The **request** from a Member State for suitable measures to be taken must be **accompanied by all the information** needed to assess the economic situation in the sector in question, **in particular:**
- indication of the **average costs and prices** for the **different types of transport**,
 - the **rate of utilization of the hold**,
 - **forecast demand**.
- (...)

Article 7

4. Decisions taken pursuant to this Article, which may not exceed the duration of the disturbance in the market, shall be notified immediately to the Member States.

● Article 8

1. The Commission shall be **assisted by the Committee** established by Directive 91/672/EEC.
2. The representative of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft, where necessary by vote, within a time limit which the Chairman may lay down according to the urgency of the matter. (...)
The Commission shall take the utmost account of the opinion delivered by the Committee. (...)



● **Council Regulation (EC)
No 718/1999 of 29 March 1999 on a
Community-fleet capacity policy to
promote inland waterway transport**

Use of the reserve fund

1. Tatsächlich verfügbare Beträge in den Fondskassen zoom 31.12.2007

€	Trockenladung	Schubboote	Tankschiffahrt	Gesamt (National)
Österreich	90,706.00	2,327.00	83,830.00	176,863.00
Belgien	1,044,411.96	205,843.40	4,244,401.18	5,494,656.54
Deutschland	2,237,885.00	30,963.00	3,721,791.00	5,990,639.00
Frankreich	172,000.00	43,000.00	207,000.00	422,000.00
Niederlande	9,829,841.00	398,964.00	11,552,659.00	21,781,464.00
Schweiz				
Gesamt	13,374,843.96	681,097.40	19,809,681.18	33,865,622.54

2. Zum 31.12.2007 noch ausstehende Beträge (nicht vereinnahmte Beiträge oder Sonderbeiträge)

€	Trockenladung	Schubboote	Tankschiffahrt	Gesamt (National)
Österreich	0.00	0.00	0.00	0.00
Belgien	0.00	0.00	481,043.59	481,043.59
Deutschland	0.00	0.00	0.00	0.00
Frankreich	0.00	0.00	0.00	0.00
Niederlande	206,725.00	0.00	468.00	207,193.00
Schweiz				
Gesamt	206,725.00	0.00	481,511.59	688,236.59

3. Gesamtsumme aus Punkt 1. und Punkt 2. (tatsächl. verfügbare und noch aussteh. Beträge)

€	Trockenladung	Schubboote	Tankschiffahrt	Gesamt Fonds
Gesamt	13,788,293.96	681,097.40	20,772,704.36	35,242,095.72

● 1st Alternative: Article 3 (4)

The reserve fund may be used **in connection with the suitable measures** referred to in **Article 7 of Directive 96/75/EC** and, in particular, in the course of the **improvement measures organised at Community level** in accordance with the procedure defined in paragraph 6 and Article 6 of the Regulation.



Article 6

In the **event of serious disturbance on the market**, as defined in Article 7 of Directive 96/75/EC and, at the **request of a Member State**, after the **Committee** referred to in Article 8 of the said Directive has given **its opinion** and following the procedure laid down in the same Article, **the Commission may reactivate** the "**old-for-new**" rule for a limited period, in accordance with Article 7 of the said Directive, **accompanied or not by structural improvement measures.**





Article 6

Under such structural improvement measures **owners** of vessels referred to in Article 2(1) **who scrap a vessel**, i.e. who have the hull of the vessel broken up totally or, in the case of pusher craft, destroy the hull and the engine, **may receive a scrapping premium** at the rate set by the Commission under the conditions laid down in Article 7 from the Fund covering the vessel **insofar as the financial resources are available**. However, this premium may be granted only in respect of vessels which the owner proves form part of his active fleet. (...)

- 2nd Alternative: Article 3 (5), 8

The reserve fund may be used in the course of **measures referred to in Article 8 if unanimously requested by the organisations representing inland waterway transport.**

In this case, the measures must be the subject of **an action at Community level.**

● Article 8

(...) measures in particular to:

- make it easier for inland waterway **carriers leaving the industry** to obtain an **early retirement pension** or to **transfer to another economic activity**,
- organise **vocational training** or **re-training** schemes **for workers** leaving the industry,
- encourage private owner-operators to join **trade associations**,
- encourage **adaptation of vessels** to technical progress in order to improve working conditions and promote technical safety requirements,
- **improve operators' skills** in order to safeguard the development and future of the trade.



- Article 7 (5)

The **decisions reached by the Commission** shall also **take account** of the results of **observation of the transport markets in the Community** and of any foreseeable changes therein, as well as of the need to **avoid any distortion of competition** to an extent which is contrary to the common interest. (...)