

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(77) 709 final.

Brussels, 2 January 1978.

Proposal for a Council Directive amending
Directive 76/135/EEC on reciprocal
recognition of navigability licences for
inland waterway vessels

(submitted to the Council by the Commission)

COM(77) 709 final.

EXPLANATORY MEMORANDUM

Article 7 of Council Directive 76/135/EEC of 20 January 1976 states that the Directive shall be valid until 31 December 1978 but that if need be its validity may be extended by the Council until the common provisions establishing technical requirements come into force.

The common list of these technical requirements is in preparation, but even now it is foreseeable that - owing to difficulties with the preparatory work - it cannot be adopted by the Council "not later than 1 January 1978", the date specified in Article 5 of Directive 76/135/EEC. What is more, a period of time will very probably be necessary between the date when the list is adopted and the date on which the measures adopted come into force.

Having regard to the foregoing, the Commission hereby proposes:

- (1) extension of Directive 76/135/EEC until the Council has adopted common provisions relating to technical requirements for inland waterway vessels;
- (2) a change of the time limit in Article 5 of the Directive for the adoption of these provisions by the Council.

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The Council of the European Communities,

Having regard to the Treaty establishing the European Economic
Community, and in particular Article 75 thereof,

Having regard to the proposal from the Commission,

Having regard to the Opinion of the European Parliament,

Having regard to the Opinion of the Economic and Social Committee,

Whereas Article 5 of Council Directive 76/135/EEC of
20 January 1976 on reciprocal recognition of navigability licences
for inland waterway vessels provides that as soon as possible,
and not later than 1 January 1978, the Council shall, on a
proposal from the Commission, adopt common provisions establishing
technical requirements for inland waterway vessels; whereas owing
to the complexity of the matter it will not be possible to observe
this time limit; whereas in these circumstances it is advisable to
extend the deadline to 1 January 1980;

Whereas Article 7 of the Directive lays down that it shall be valid
until 31 December 1978 and that, if need be, its validity may be
extended by the Council on a proposal from the Commission until
the provisions referred to in Article 5 enter into force; whereas
for the reasons set out above Article 7 must be amended in such a
way that the Directive will be valid until the effective entry into
force of common provisions establishing technical requirements for
inland waterway vessels,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Council Directive 76/135/EEC is hereby amended as follows:

¹OJ No L 21, 29.1.1976, p.10

3.

1. In Article 5, "1 January 1978" shall be replaced by "1 January 1980".

2. Article 7 shall be replaced by the following:

"This Directive shall be valid until the effective entry into force of the provisions referred to in Article 5".

Article 2

This Directive is addressed to the Member States.