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REPORT

From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)
No. prev. doc.:	6849/16 TRANS 68 CODEC 256
No. Cion doc.:	5960/13 TRANS 35 CODEC 209 5985/13 TRANS 36 CODEC 216 6015/13 TRANS 41 CODEC 228
Subject:	4th Railway Package <ul style="list-style-type: none">• Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1370/2007 concerning the opening of the market for domestic passenger transport services by rail.• Proposal for a Directive of the European Parliament and of the Council amending Directive 2012/34/EU establishing a single European railway area, as regards the opening of the market for domestic passenger transport services by rail and the governance of the railway infrastructure.• Proposal for a Regulation of the European Parliament and of the Council repealing Regulation (EEC) No 1192/69 of the Council on common rules for the normalisation of the accounts of railway undertakings<ul style="list-style-type: none">- Analysis of the final compromise text with a view to agreement

1. On 30 January 2013, the Commission presented the fourth Railway Package, which consists of six legislative proposals aimed at removing the remaining barriers to the completion of the Single European Railway Area, contributing thereby to an increase in the modal share of rail in intra-EU transport.

More specifically, the main objective of this legislative package is to enhance the quality and efficiency of rail services by removing remaining legal, institutional and technical obstacles, fostering the performance of the railway sector and its competitiveness.

This legislative package can be divided in two pillars: a "technical" and a "market" pillar. The market pillar consists of the proposal for a Directive amending Directive 2012/34/EU establishing a Single European Railway Area (the "Governance Directive"), the proposal for a Regulation amending Regulation (EC) No 1370/2007 concerning the opening of the market for domestic passenger transport services by rail (the "PSO Regulation") and the proposal for a Regulation repealing Regulation (EEC) No 1192/69 on common rules for the normalisation of the accounts of railway undertakings (the "Accounts Regulation").

2. The European Parliament's Committee on Transport and Tourism appointed Mr David-Maria Sassoli (IT-S&D) for the Governance Directive, Mr Wim van de Camp (NL-EPP) for the PSO Regulation and Mrs Merja Kyllönen (FI-GUE/NGL). The vote in the TRAN Committee took place on 17 December 2013 and the European Parliament voted the outcome of its first reading in plenary on 26 February 2014.

3. An agreement on the technical pillar was reached with the European Parliament in June 2015. The Council position at first reading was adopted as an "A" item at the TTE Council on 10 December 2015. It was transmitted to the European Parliament on 18 December 2015, and was announced at the February plenary session. The vote in plenary is foreseen on 28 April.

4. In December 2014 and October 2015, a general approach was adopted on the three files of the market pillar.

5. UK maintains a parliamentary scrutiny reservation on the three proposals of the market pillar.

6. After six rounds of trilogues, an overall agreement on a compromise text was reached ad referendum on 19 April on the three files of the market pillar. A consolidated version of the three texts reflecting the outcome of the negotiations with the European Parliament is enclosed in ADD 1, 2 and 3 to Doc. 8061/16.

7. The Presidency considers that the agreement reached with the European Parliament is balanced and takes into account most concerns raised by Member States throughout the negotiations.

8. In light of the above, the Permanent Representatives Committee is asked to confirm that it can approve the text on 27 April 2016, as set out in ADD 1, 2 and 3 to Doc. 8061/16.
