COMMISSION DECISION

of 23 June 1976

modifying its Decision of 23 December 1975 authorizing Denmark to continue to take protective measures in respect of Council Regulation (EEC) No 543/69 of 25 March 1969 on the harmonization of certain social legislation relating to road transport

(Only the Danish text is authentic)

(76/589/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Act concerning the conditions of accession and the adjustments to the Treaties, and in particular Article 135 thereof,

Whereas by virtue of Article 133 of the Act of Accession and paragraph 1 of Table III of Annex VII to the Act, the application of Council Regulation (EEC) No 543/69 of 25 March 1969 on the harmonization of certain social legislation relating to national transport operations in the new Member States is postponed until 1 January 1976;

Whereas the Government of Denmark requested by letter dated 19 December 1975 authorization under Article 135 of the Act of Accession for the taking of protective measures in the road transport sector, and in particular for the suspension until 31 December 1977 of the application of Regulation (EEC) No 543/69 to national traffic;

Whereas the Commission in its Decision of 23 December 1975 authorized Denmark to take national measures with respect to national transport operations for a period until 30 June 1976 derogating from Articles 6 to 12, 14 and 15 of Council Regulation (EEC) No 543/69 of 25 March 1969 on the harmonization of certain social legislation relating to road transport;

Whereas in the Decision of 23 December 1975, the Commission also laid down certain conditions as to the maintenance of conditions at least as favourable as those already in force in Denmark, as to notification of measures taken and as to the Commission's power to review the authorization;

Whereas the Government of Denmark has now requested by letter dated 2 June 1976 prolongation of the authorization granted by the Decision of 23 December 1975 up to and including 31 January 1977;

Whereas the facts submitted by the Danish Government concerning the structure of the industry, the economic pressures to which it is subjected, the adverse impact on costs which a reduction in hours resulting from the application of the Regulation would have and the damaging effects which application of the Regulation would bring about to communications, all of which led the Commission to take its Decision, remain unchanged;

Whereas, given the likelihood of an improvement in economic conditions in the relevant sectors, a prorogation of the existing authorization of derogation for seven months should permit the Regulation to be fully applied by the end of that period;

Whereas it is appropriate that the same conditions continue to be attached to the authorization for derogation,

HAS ADOPTED THIS DECISION:

Article 1

The Decision of 23 December 1975 is modified as follows:

in Article 1 (1) the date of 31 January 1977 shall be submitted for the date of 30 June 1976;

in Article 2 (2) the date of 1 November 1976 shall be substituted for the date of 1 April 1976;

in Article 3 (1) the date of 30 November 1976 shall be substituted for the date of 30 April 1976.

Article 2

This Decision is addressed to Denmark.

Done at Brussels, 23 June 1976.

For the Commission

Patrick J. HILLERY

Vice-President