II

(Acts whose publication is not obligatory)

COMMISSION

COMMISSION DECISION

of 27 November 1991

on the compliance of certain air fares with the requirements of Article 3 (1) of Council Regulation (EEC) No 2342/90

(92/8/EEC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 2342/90 of 24 July 1990 on fares for scheduled air services (1), and in particular Article 5 (3) thereof,

Whereas the United Kingdom requested the Commission, by letters dated 27 December 1990 and 23 January 1991 to examine, pursuant to Article 5 (1) of Regulation (EEC) No 2342/90, a number of fare increases filed by Community air carriers for certain routes to and from the United Kingdom ;

Whereas the United Kingdom withdrew that request in relation to some of the routes, by letter dated 16 July 1991 ;

Whereas a detailed examination of the information on costs and revenues as provided by the air carriers concerned following various requests of the Commission has led to certain conclusions,

HAS ADOPTED THIS DECISION :

Article 1

The air fares listed in Annex I to this Decision comply with Article 3 (1) of Regulation (EEC) No 2342/90.

Article 2

The air fares listed in Annex II to this Decision do not comply with Article 3 (1) of Regulation (EEC) No 2342/90. These fares cannot, therefore, serve as reference fares for subsequent seasons. Member States concerned have not fulfilled their obligations pursuant to the said Article 3 (1). They shall take appropriate measures in order to comply with these obligations and shall inform the Commission accordingly.

Moreover, some of the fares in respect of which the request has been withdrawn do not comply with the said Article 3 (1).

Article 3

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the French Republic, the Federal Republic of Germany, the Hellenic Republic, the Italian Republic, the Portuguese Republic, the Kingdom of Spain and the United Kingdom and to the air carriers Sabena, SAS, Air France, Lufthansa, Olympic Airways, Alitalia, Tap Air and British Airways.

Done at Brussels, 27 November 1991.

For the Commission

Karel VAN MIERT

Member of the Commission

(1) OJ No L 217, 11. 8. 1990, p. 1.

ANNEX I

TABLE I

Fares for which the Commission's examination, pursuant to Article 5 of Regulation (EEC) No 2342/90, has led to the conclusion that they are in compliance with the criteria laid down in Article 3 (1) of that Regulation :

Route	Airline	Fare			
		Outbound		Inbound	
LHR-CPH	BA	GBP	206		
MAN-CPH	BA	GBP	195	DKK	2 775
LHR-BRU	BA	GBP	138		
MAN-BRU	BA	GBP	165		
LHR-LIN	BA	GBP	188		
LGW-LIN	BA	GBP	188		
MAN-LIN	BA	GBP	241	LIT	668 000
LHR-TRN	BA	GBP	190		
LHR-VCE	BA	GBP	217		
LHR-BLQ	BA	GBP	216	LIT	624 000
LHR-ATH	BA	GBP	312		
LHR-BCN	BA	GBP	203	ESP	43 400
LGW-BCN	BA	GBP	203	ESP	43 400
LHR-AGP	BA	GBP	239	ESP	60 050
LGW-AGP	BA	GBP	239	ESP	60 050
LHR-LIS	BA	GBP	220		
LGW-LIS	BA	GBP	220		
LIS-LON	TP	PTE	75 300	GBP	220
FAO-LGW	TP	PTE	81 000	GBP	237
CPH-LHR	SK			GBP	206
CPH-MAN	SK	DKK	2 775	GBP	195
BRU-LHR	SN	BEF	9 300	GBP	138
BRU-MAN	SN	BEF	11 940	GBP	165
MAD-LON	IB	ESP	54 250	GBP	216
BCN-LON	IB	ESP	43 400	GBP	203
AGP-LON	IB	ESP	60 040	GBP	239
LIN-LON	AZ			GBP	188
PSA-LHR	AZ			GBP	209
TRN-LHR	AZ			GBP	190
VCE-LHR	AZ			GBP	217
BLQ-LHR	AZ			GBP	216
LIN-MAN	AZ	LIT	668 000	GBP	241

TABLE II

Fares which, on the basis of the information available by 17 July 1991, comply with the criteria laid down in Article 3 (1) but for which the request has been withdrawn by the competent authorities of the United Kingdom

Route	Airline	Fare	
		Outbound	Inbound
LHR-HAJ	BA	GBP 182	—
LHR-DUS	BA	GBP 135	—
BHX-DUS	BA	GBP 165	—
LHR-CGN	BA	GBP 135	—
LON-FRA	BA	GBP 168	—
MAN-FRA	BA	GBP 196	—
LHR-STR	BA	GBP 185	—
LHR-BRE	BA	GBP 163	—
DUS-LHR	LH	—	GBP 135
DUS-BHX	LH	—	GBP 165
CGN-LHR	LH	—	GBP 135
FRA-LON	LH	—	GBP 168
FRA-MAN	LH	—	GBP 196
TXL-LHR	LH	Information not available	

ANNEX II

TABLE I

Fares for which the Commisson's examination, pursuant to Article 5 of Regulation (EEC) No 2342/90, has led to the conclusion that they are NOT in compliance with the criteria laid down in Article 3 (1) of that Regulation :

Route	Airline	Fare			
		Outbound		Inbound	
LHR-CPH	BA			DKK	2 715
LHR-BRU	BA			BEF	9 300
MAN-BRU	BA			BEF	11 940
LHR-NCE	BA	GBP	192	FRF	2 725
LHR-FCO	BA	GBP	237	LIT	702 000
LHR-LIN	BA			LIT	558 000
LGW-LIN	BA			LIT	558 000
LHR-PSA	BA	GBP	209	LIT	624 000
LHR-VCE	BA			LIT	633 000
LHR-ATH	BA			GRD	97 300
LGW-FAO	BA	GBP	237	PTE	81 000
LHR-MAD	BA	GBP	216	ESP	54 250
LGW-MAD	BA	GBP	216	ESP	54 250
LHR-LIS	BA			PTE	75 300
LGW-LIS	BA			PTE	75 300
MAN-CDG	BA	GBP	194	FRF	2 500
BHX-CDG	BA	GBP	176	FRF	2 295
FCO-LHR	AZ	LIT	702 000	GBP	237
LIN-LON	AZ	LIT	558 000		
PSA-LHR	AZ	LIT	624 000		
VCE-LHR	AZ	LIT	633 000		
BLQ-LHR	AZ	LIT	624 000		
CPH-LHR	SK	DKK	2 715		
CDG-MAN	AF	FRF	2 500	GBP	194
CDG-BHX	AF	FRF	2 295	GBP	176
NCE-LHR	AF	FRF	2 725	GBP	192
ATH-LHR	OA	GRD	97 300	GBP	312

TABLE II

Fares which did not, on the basis of the information available by 17 July 1991, comply with the criteria laid down in Article 3 (1) but for which the request has been withdrawn by the competent authorities of the United Kingdom :

Route	Airline	Fare			
		Outbound		Inbound	
LHR-HAM	BA	GBP	182	DEM	—
MAN-DUS	BA	GBP	185	DEM	—
BHX-FRA	BA	GBP	201	DEM	—
LHR-MUC	BA			DEM	740
LHR-TXL	BA	GBP	205	DEM	811
HAM-LHR	LH		—	GBP	182
HAJ-LHR	LH		—	GBP	182
FRA-BHX	LH		—	GBP	201
MUC-LHR	LH	DEM	740	GBP	200
STR-LHR	LH		—	GBP	185
BRE-LHR	LH		—	GBP	163
TXL-LHR	LH	Information not available			