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(Acts whose publication is obligatory)

COUNCIL REGULATION (EEC) No 1384/79

of 25 June 1979

amending Regulation (EEC) No 1108/70 introducing an accounting system for expenditure on infrastructure in respect of transport by rail, road and inland waterway

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 (1),

Having regard to the opinion of the Economic and Social Committee (2),

Whereas, in order to institute under the common transport policy a system of charging for the use of infrastructure, it is necessary to know what expenditure is incurred in respect of infrastructure ;

Whereas a permanent accounting system offers the most suitable means for knowing what expenditure is incurred in respect of infrastructure ;

Whereas to this end the Council, by Regulation (EEC) No 1108/70 (3), introduced a permanent accounting system for such expenditure ;

Whereas account should be taken of experience gained and of the development of the common transport policy ; whereas the forms of accounts, the list of types of infrastructure and the schedule of returns concerning the use of infrastructure provided for in Regulation (EEC) No 1108/70 should be adjusted accordingly,

HAS ADOPTED THIS REGULATION :

Article 1

Regulation (EEC) No 1108/70 is hereby amended as follows :

1. Article 3 shall be replaced by the following :

'*Article 3*

Infrastructure expenditure accounts shall be kept for each of the railway networks listed in Annex II (A.1) and for the total of all the other networks listed in Annex II (A.2), as well as for all roads and inland waterways open to public traffic, with the following exceptions :

(a) roads closed to motor traffic, that is, to vehicles with a cylinder capacity equal to or exceeding 50 cm^3 ;

(b) roads used exclusively by agricultural or forestry vehicles or which serve only to provide access for agricultural or forestry operations ;

(c) inland waterways on which traffic is limited to vessels of less than 250 tonnes deadweight ;

(d) waterways of a maritime character, as listed in Regulation (EEC) No 281/71 (1).

(1) OJ No L 33, 10. 2. 1971, p. 11.'

2. Article 5 (2) (a) shall be replaced by the following :

'2. Separate accounts shall be presented :

(a) in respect of railways :

(i) for each of the networks listed in Annex II (A.1) ;

(ii) for the total of all the other networks listed in Annex II (A.2). However, the returns relating to these networks shall be sent only once every five years, starting with those for the year 1980.'

(1) OJ No C 296, 11. 12. 1978, p. 57.
(2) OJ No C 128, 21. 5. 1979, p. 35.
(3) OJ No L 130, 15. 6. 1970, p. 4.

3. The second indent of the first subparagraph of Article 6 shall be replaced by the following:

'— capital repayments and, separately, interest on loans contracted earlier.'

4. Article 7 shall be replaced by the following:

'Article 7

Member States shall send to the Commission, at the same time as they send the accounts referred to in Article 5 and in respect of the same period, returns relating to the use of infrastructures in accordance with Tables A, B (1.1) and C of Annex III.

The returns covered by Tables B (1.2) and B (2) of that Annex shall be sent only once every five years. In the case of Table B (1.2) returns shall be sent for the first time for the year 1980 and, in the case of Table B (2), returns shall be suspended until work on the system of charging for the use of infrastructure make them necessary.'

5. Annexes I, II and III are amended in accordance with the Annex.

Article 2

Member States shall, in good time and after consulting the Commission, adopt such laws, regulations or administrative provisions as may be necessary for the implementation of this Regulation.

Where a Member State so requests, or where the Commission considers it appropriate, the Commission shall consult with the Member States concerned upon the proposed terms of the measures referred to in the preceding paragraph.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Luxembourg, 25 June 1979.

For the Council

The President

J. LE THEULE

ANNEX

1. In B (2) of Annex I to Regulation (EEC) No 1108/70, subdivisions 20 and 21 shall be deleted.

2. Annex II to Regulation (EEC) No 1108/70 is hereby amended as follows:

'ANNEX II

SCHEDULE OF THE RAIL NETWORKS, CATEGORIES OF ROAD AND INLAND WATERWAYS REFERRED TO IN ARTICLES 3 AND 5 (2)

A. 1. RAIL — Main networks

Kingdom of Belgium

— Société nationale des chemins de fer belges (SNCB)/Nationale Maatschappij der Belgische Spoorwegen (NMBS)

Kingdom of Denmark

— Danske Statsbaner (DSB)

Federal Republic of Germany

— Deutsche Bundesbahn (DB)

French Republic

— Sociéte nationale des chemins de fer français (SNCF)

Ireland

— Coras Iompair Eireann (CIE)

Italian Republic

— Azienda autonoma delle ferrovie dello Stato (FS)

Grand Duchy of Luxembourg

— Société nationale des chemins de fer luxembourgeois (CFL)

Kingdom of the Netherlands

— N.V. Nederlandse Spoorwegen (NS)

United Kingdom of Great Britain and Northern Ireland

— British Railways Board (BRB)
— Northern Ireland Railways Company Ltd (NIR)

A. 2. RAIL — Networks open to public traffic and connected to the main network (excluding urban networks)

Federal Republic of Germany

Albtal-Verkehrs-Gesellschaft mbH
Alsternordbahn GmbH
Eisenbahn-Gesellschaft Altona-Kaltenkirchen-Neumünster
Augsburger Lokalbahn GmbH
Bayerische Landeshafenverwaltung
Bentheimer Eisenbahn AG
Birkenfelder Eisenbahn GmbH
Delmenhorst-Harpstedter Eisenbahn GmbH
DB, Bundesbahndirektion Frankfurt, Ne-Geschäftsführung
Deutsche Eisenbahn-GmbH
Dortmunder Eisenbahn
Elmshorn-Barmstedt-Oldesloer Eisenbahn AG
Verkehrsbetriebe Extertal — Extertalbahn GmbH
Filderbahn der Stuttgarter Straßenbahnen AG

Hafen- und Verkehrsbetriebe der Stadt Kiel
Häfen der Stadt Köln
Hafen- und Bahnbetriebe der Stadt Krefeld
Hersfelder Kreisbahn
Hohenzollerische Landesbahn AG
Verkehrsbetriebe Grafschaft Hoya GmbH
Hümmlinger Kreisbahn
Ilmebahn-Gesellschaft AG
Köln-Bonner Eisenbahnen AG
Kölner Verkehrs-Betriebe AG (Köln-Frechen-Benzelrather Eisenbahn)
Eisenbahn Köln-Mülheim-Leverkusen der Farbenfabriken Bayer AG
Krefelder Eisenbahn-Gesellschaft AG
Kreiswerke Gelnhausen GmbH — Verkehrsbetriebe
Meppen-Haselünner Eisenbahn
Merzig-Büschfelder Eisenbahn GmbH
Mindener Kreisbahnen
Bahnen der Stadt Monheim GmbH
Neukölln-Mittenwalder Eisenbahn-Gesellschaft
Neusser Eisenbahn
Niederrheinische Verkehrsbetriebe Aktiengesellschaft NIAG
Nordfriesische Verkehrsbetriebe AG
Kreisbahn Osterode am Harz — Kreiensen
Osthannoversche Eisenbahnen AG
Osthavelländische Eisenbahn
Verkehrsbetriebe Peine-Salzgitter GmbH
Regentalbahn AG
Rhein-Sieg-Verkehrsgesellschaft
Verkehrsbetriebe des Kreises Schleswig-Flensburg
Siegener Kreisbahn GmbH
Südwestdeutsche Eisenbahnen AG
Tegernsee-Bahn AG
Trossinger Eisenbahn
Uetersener Eisenbahn-AG
Verden-Walsroder Eisenbahn GmbH
Vorwohle-Emmerthaler Verkehrsbetriebe GmbH
Bahngesellschaft Waldhof — Nebenbahn Waldhof/Sandhofen
Wanne-Bochum-Herner Eisenbahn
Werne-Bockum-Höveler Eisenbahn
Westfälische Verkehrsgesellschaft mbH
Westerwaldbahn
Wuppertaler Stadtwerke AG
Württembergische Eisenbahn-GmbH
Württembergische Nebenbahnen GmbH
Industriebahn der Stadt Zülpich
Hafenbahn Aschaffenburg
Brohltal-Eisenbahn GmbH
Kleinbahnverwaltung Gemeinde Edewecht
Hohenlimburger Kleinbahn
Oberrheinische Eisenbahn Gesellschaft AG
Wittlager Kreisbahn GmbH

Italian Republic

Torino — Ceres
Ferrovie Nord Milano
Trento — Malè
Società Veneta Autoferrovie
Società Veneta per imprese e costruzioni pubbliche
Ferrovia Suzzara — Ferrara
Gestione Governativa Ferrovie Padane
Azienda Trasporti Consorziali di Modena
Azienda Trasporti Consorziali — Bologna
Acotral
Ferrovie Adriatico Appennino
Gestione Governativa Ferrovia Cancello — Benevento
Ferrotranviaria (SpA)
Ferrovie del Sud-Est
Ferrovie del Gargano
Gestione Governativa Ferrovia Circumetnea

Azienda Consorziale Trasporti — Reggio Emilia
La Ferroviaria italiana
Società Mediterranea strade ferrate umbro-aretine
Società nazionale di ferrovie e tranvie.'

3. Annex III to Regulation (EEC) No 1108/70 is hereby amended as follows:

3.1. Table B (1) in Annex III is replaced by Tables B (1.1) and B (1.2) below:

'TABLE B — ROAD

1.1. **Vehicle / kilometres run annually on roads outside built-up areas**

Member State:

Category of road:

(millions of units)

Category of vehicle	Vehicle/ kilometres
1. Passenger vehicles with less than 10 seats	
2. Vans with total permitted laden weight of less than three tonnes	
3. Goods vehicles	
4. Goods vehicles with trailer	
5. Tractors with semi-trailer	
6. Buses and coaches	
7. Other	

1.2. **Vehicle / kilometres run annually on roads outside built-up areas**

Member State:

Category of road:

(millions of units)

Category of vehicle	Vehicle/ kilometres
3.1. Two-axled goods vehicles	
3.2. Three-axled goods vehicles	
3.3. Four-axled goods vehicles	
4.1. Two-axled goods vehicles with two-axled trailer	
4.2. Two-axled goods vehicles with three-axled trailer	
4.3. Three-axled goods vehicles with two-axled trailer	
4.4. Three-axled goods vehicles with three-axled trailer	
4.5. Other categories of goods vehicle with trailer (1)	
5.1. Two-axled tractors with single-axle semi-trailer	
5.2. Two-axled tractors with two-axled semi-trailer	
5.3. Three-axled tractors with two-axled semi-trailer	
5.4. Three-axled tractors with two-axled semi-trailer	
5.5. Other categories of tractor with semi-trailer (1)	
6.1. Two-axled buses and coaches	
6.2. Three-axled buses and coaches	

(1) To be subdivided where appropriate into representative categories according to the number and location of axles.'

3.2. Items (e) and (f) of Table C in Annex III shall be replaced by the following:

'(e) Tugs with a power of (1 000 units): — < 184 W — 184 — 293 W — 294 — 734 W — ⩾ 735 W			
Total (e)			
(f) Pusher craft with a power of (1 000 units): — < 184 W — 184 — 293 W — 294 — 734 W — ⩾ 735 W			
Total (f)'			