

Amendment 12**Johan Danielsson**

on behalf of the S&D Group

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—**C9-0186/2020**Sustainable rail market in view of COVID-19 outbreak
(COM(2020)0260 – C9-0186/2020 – 2020/0127(COD))**Proposal for a regulation****Recital 3***Text proposed by the Commission*

(3) Under article 31(3) of Directive 2012/34/EU, track access charges to be paid to the infrastructure manager may not fall below the cost directly incurred as a result of operating the train service. A partial or full waiver of charges or deferral thereof, applied in a transparent, objective and non-discriminatory way to all railway undertakings, active in the freight and passenger rail sectors, would alleviate the impact of the COVID-19 pandemic during the reference period. Member States should therefore be provided with the possibility to authorise such measures on the part of infrastructure managers.

Amendment

(3) Under article 31(3) of Directive 2012/34/EU, track access charges to be paid to the infrastructure manager may not fall below the cost directly incurred as a result of operating the train service. A partial or full waiver of charges or deferral thereof, applied in a transparent, objective and non-discriminatory way to all railway undertakings, active in the freight and/or passenger rail sectors, would alleviate the impact of the COVID-19 pandemic during the reference period. Member States should therefore be provided with the possibility to authorise such measures on the part of infrastructure managers.

Or. en

15.9.2020

C9-0186/13

Amendment 13

Johan Danielsson

on behalf of the S&D Group

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C9-0186/2020

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Sustainable rail market in view of COVID-19 outbreak
(COM(2020)0260 – C9-0186/2020 – 2020/0127(COD))

Proposal for a regulation

Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) Measures under Article 2 of this Regulation that constitute State aid are subject to notification pursuant to Article 108(3) TFEU.

Or. en

15.9.2020

C9-0186/14

Amendment 14

Johan Danielsson

on behalf of the S&D Group

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C9-0186/2020

Sustainable rail market in view of COVID-19 outbreak
(COM(2020)0260 – C9-0186/2020 – 2020/0127(COD))

Proposal for a regulation

Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) The further development of the COVID-19 outbreak and its further impact on the rail transport sector are difficult to predict. The Commission should continuously analyse the economic impact of the COVID-19 outbreak on that sector and the Union should be in a position to prolong without undue delay the period during which the measures provided for by this Regulation apply if the adverse conditions persist.

Or. en

15.9.2020

C9-0186/15

Amendment 15

Johan Danielsson

on behalf of the S&D Group

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C9-0186/2020

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Sustainable rail market in view of COVID-19 outbreak
(COM(2020)0260 – C9-0186/2020 – 2020/0127(COD))

Proposal for a regulation

Recital 10

Text proposed by the Commission

Amendment

(10) In view of the urgency entailed by the exceptional circumstances caused by the COVID 19 pandemic justifying the proposed measures, and more particularly in order to adopt the necessary measures quickly so as to contribute to the financial sustainability of railway undertakings, it is appropriate to provide for an exception to the eight week period referred to in Article 4 of Protocol No 1 on the role of national Parliaments in the European Union, annexed to the TEU, to the Treaty on the Functioning of the European Union and to the Treaty establishing the European Atomic Energy Community.

deleted

Or. en

15.9.2020

C9-0186/16

Amendment 16

Johan Danielsson

on behalf of the S&D Group

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C9-0186/2020

Sustainable rail market in view of COVID-19 outbreak
(COM(2020)0260 – C9-0186/2020 – 2020/0127(COD))

Proposal for a regulation

Article 2 – paragraph 1

Text proposed by the Commission

1. Notwithstanding Articles 27 and 31(3) of Directive 2012/34/EU, and subject to compliance with State aid rules, Member States may authorise infrastructure managers to reduce, waive or defer the payment of the charges for the minimum access package and for access to infrastructure connecting service facilities in a transparent, objective and non discriminatory way ***in the cases in which*** such payment has or will become due during the reference period.

Amendment

1. Notwithstanding Articles 27 and 31(3) of Directive 2012/34/EU, and subject to compliance with State aid rules, Member States may authorise infrastructure managers to reduce, waive or defer the payment of the charges for the minimum access package and for access to infrastructure connecting service facilities, ***where appropriate according to the market segments identified in their network statements***, in a transparent, objective and non discriminatory way, ***where*** such payment has or will become due during the reference period.

Or. en

15.9.2020

C9-0186/17

Amendment 17

Johan Danielsson

on behalf of the S&D Group

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C9-0186/2020

Sustainable rail market in view of COVID-19 outbreak
(COM(2020)0260 – C9-0186/2020 – 2020/0127(COD))

Proposal for a regulation

Article 2 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Member States shall inform the Commission of the measures taken under this Article no later than three months from the date of entry into force of this Regulation, and shall inform the Commission of subsequent measures or changes thereof. The Commission shall make this information publicly available.

Or. en

15.9.2020

C9-0186/18

Amendment 18

Johan Danielsson

on behalf of the S&D Group

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C9-0186/2020

Sustainable rail market in view of COVID-19 outbreak
(COM(2020)0260 – C9-0186/2020 – 2020/0127(COD))

Proposal for a regulation

Article 5 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Where the reference period is extended, the infrastructure managers shall provide the Commission with a new set of data when half of the prolongation of the reference period has elapsed, in order to allow the Commission to assess the development of the situation during the prolongation of the reference period.

Or. en

15.9.2020

C9-0186/19

Amendment 19

Johan Danielsson

on behalf of the S&D Group

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C9-0186/2020

Sustainable rail market in view of COVID-19 outbreak
(COM(2020)0260 – C9-0186/2020 – 2020/0127(COD))

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

2. Where the Commission finds, on the basis of the data referred to in paragraph 1, that there is a persistent reduction in the level of rail traffic, as compared to the level in the corresponding period in the previous **year**, and that the trend is likely to persist, and also finds, on the basis of the best available scientific data, that the situation is the result of the impact of the COVID-19 pandemic, the Commission shall, by means of delegated acts adopted in accordance with Article 6, amend the reference period accordingly.

Amendment

2. Where the Commission finds, on the basis of the data referred to in paragraph 1, that there is a persistent reduction in the level of rail traffic, as compared to the level in the corresponding period in the previous **years**, and that the trend is likely to persist, and also finds, on the basis of the best available scientific data, that the situation is the result of the impact of the COVID-19 pandemic, the Commission shall, by means of delegated acts adopted in accordance with Article 6, amend the reference period accordingly.
Any such amendment may only extend the reference period by up to six months, and the reference period may not be extended beyond ... [date of entry into force plus 18 months].

Or. en