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COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 19.3.2008
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Proposal for a

COUNCIL DIRECTIVE

adapting Directive 2006/87/EC of the European Parliament and of the Council laying down technical requirements for inland waterway vessels , by reason of the accession of the Republic of Bulgaria and Romania

(presented by the Commission)

EXPLANATORY MEMORANDUM

Article 56 of the 2005 Act of Accession stipulates that where acts of the institutions adopted prior to accession require adaptation by reason of accession, and the necessary adaptations have not been provided for in this Act or its Annexes, the Council or the Commission (if the original acts was adopted by the Commission) shall adopt the necessary acts.

The attached proposal for a Council Directive covers the adaptations in the area of technical requirements for inland waterway vessels to Directive 2006/87/EC, adopted on 12 December 2006. These adaptations, based on previous similar adaptations of Directive 82/714/EEC, are of a technical nature. To technically adapt the acquis in view of accession has no financial impact.

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adapting Directive 2006/87/EC of the European Parliament and of the Council laying down technical requirements for inland waterway vessels , by reason of the accession of the Republic of Bulgaria and Romania

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to the Act of Accession of Bulgaria and Romania, and in particular Article 56 thereof,

Having regard to the proposal from the Commission¹,

Whereas:

- (1) Pursuant to Article 56 of the Act of Accession, where a Council act adopted prior to accession requires adaptation by reason of accession, and the necessary adaptations have not been provided for in the Act of Accession or its Annexes, the Council shall adopt the necessary act.
- (2) Directive 2006/87/EC of the European Parliament and of the Council of 12 December 2006 laying down technical requirements for inland waterway vessels and repealing Council Directive 82/714/EEC² was adopted on 12 December 2006, prior to the accession of Bulgaria and Romania to the European Union, and requires adaptation by reason of this accession.
- (3) Directive 2006/87/EC should therefore be amended accordingly,

HAS ADOPTED THIS DIRECTIVE:

Article 1

Directive 2006/87/EC is amended as follows:

- (1) Annex I is amended as follows:
 - (a) In Chapter 2, Zone 3,

¹ OJ C , , p. .

² OJ L 389, 30.12.2006, p. 1. Directive amended by Directive 2006/137/EC, OJ L 389, 30.12.2006, p. 261

- (i) the following is inserted between the entries for the Kingdom of Belgium and the Czech Republic:

"Republic of Bulgaria

Danube: from rkm 845,650 to rkm 374,100";

- (ii) the following is inserted between the entries for the Republic of Poland and the Slovak Republic:

"Romania

Danube: from the Serbian – Romanian border (km 1075) to the Black Sea on the Sulina Channelbranch.

Danube – Black Sea Canal (64,410 km length): from the junction with the Danube river, at km 299,300 of the Danube at Cernavodă (respectively km 64,410 of the Canal), to the Port of Constanta South – Agigea (km "0" of the Canal).

Poarta Albă – Midia Năvodari Canal (34,600 km length): from the junction with the Danube – Black Sea Canal at km 29,410 at Poarta Albă (respectively km 27,500 of the Canal) to the Port of Midia (km "0" of the Canal).".

- (b) In Chapter 3, Zone 4, the following is inserted between the entries for the Republic of Poland and the Slovak Republic

"Romania

All other waterways not listed in Zone 3."

- (2) Annex IX is amended as follows:

- (a) in part I, Chapter 4, Article 4.05,

- (i) the following is inserted between the entries for Denmark and Poland:

“19 = Romania”

- (ii) the following is inserted between the entries for Latvia and Lithuania:

“34 = Bulgaria”

- (b) in Part III, Chapter 1, Article 1.06:

- (i) the following is inserted between the entries for Denmark and Poland :

“19 = Romania”

- (ii) the following is inserted between the entries for Latvia and Lithuania :

“34 = Bulgaria”

- (c) in Part IV, Chapter 1, Article 1.06,

(i) the following is inserted between the entries for Denmark and Poland:

“19 = Romania”

(ii) the following is inserted between the entries for Latvia and Lithuania :

“34 = Bulgaria”

Article 2

1. Member States which have inland waterways as referred to in Article 1(1) of Directive 2006/87/EC shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive with effect from 30 December 2008. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force on the day of its publication in the *Official Journal of the European Union*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels, [...]

For the Council
The President
[...]