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**Interinstitutional File:  
2018/0149 (NLE)**

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**TRANS 295**

**'I/A' ITEM NOTE**

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	9025/18 TRANS 204 + ADD 1
Subject:	Council Decision on the signing, on behalf of the European Union, of a Protocol to the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement) regarding the international regular and special regular carriage of passengers by coach and bus – Adoption

1. On 16 May 2018 the Commission submitted to Council a proposal on the subject above.
2. Prior to this proposal, the Council on 4 December 2014 had authorised the Commission to negotiate, on the Union's behalf, an extension of the scope of the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement) towards regular services.<sup>1</sup>
3. Prior to launching negotiations, the Commission during 2016 consulted the Special Committee created to this effect at the Council in order to prepare the text of a draft protocol. The discussion in the Special Committee concerned, *i.a.*, the question of fiscal provisions in the protocol, the arrangements for partnerships in countries which are crossed by a bus service, and the procedure for alterations to the frequency of such services.

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<sup>1</sup> See documents ST 14892/1/14 REV 1 and 15601/14 + ADD 1 (EU RESTRICTED).

4. The contracting parties to the Interbus Agreement met on 1 February, 23 June and 10 November 2017 to negotiate such an extension. On that last meeting, the negotiations were conclusive, subject to minor technical modifications. During these negotiations, the Commission consulted the Special Committee in accordance with the mandate.
5. At the meeting of the Working Party on Land Transport on 12 June 2018, the proposal was endorsed. The DE delegation reiterated its position that, while not being against the extension of the scope towards regular services as such, it is not in agreement with an outcome of negotiations that includes additional custom and fiscal provisions (see Article 7 of the draft protocol) under a purely transport-related legal base. The RO delegation made a number of comments and requests concerning Articles 6, 10, 17 and a new Annex to the draft protocol. The IT delegation expressed its disappointment with the arrangements for partnerships, where its position aimed for a compulsory regime. The suggestion by the AT delegation that the right to join a partnership should be more clearly spelled out, appeared acceptable.
6. Following that meeting, a slightly revised text was circulated with a view to finalising the file.<sup>2</sup>
7. In light of the above, the Committee of Permanent Representatives is requested to invite the Council:
  - to adopt the Decision on the signing, on behalf of the European Union, of a Protocol to the Agreement on the international occasional carriage of passengers by coach and bus (Interbus Agreement) regarding the international regular and special regular carriage of passengers by coach and bus, as set out in documents ST 9561/18 and 9687/18 which have been reviewed by lawyer-linguists.

The text of the decision including the draft protocol will be transmitted to the European Parliament for information in accordance with Article 218(10) TFEU.

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<sup>2</sup> See doc. 10152/18.