



Council of the European Union
General Secretariat

**Interinstitutional files:
2016/0411(COD)**

Brussels, 18 July 2018

WK 8992/2018 INIT

LIMITE

**AVIATION
CODEC**

WORKING PAPER

This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.

WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Working Party on Aviation
N° prev. doc.:	ST 15777/16 AVIATION 255 CODEC 1939
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1008/2008 on common rules for the operation of air services in the Community - Comments from Luxembourg

With a view to the Aviation Working Party on 23 July 2018, delegations will find, attached, comments from Luxembourg on the above-mentioned proposal.

Luxembourg propose the following additions:

RECITAL

(7a) Taking into account the fact that the Commission is currently evaluating Regulation (EC) No 1008/2008, including its provisions on wet lease and their possible impact on workers and consumers, the present amendment should be limited in scope to align the Regulation with the international obligations described above and the opportunities created by the relevant agreements which are not intended to undermine labor standards or labor-related rights and principles contained in the agreements' Parties' respective laws.

ARTICLE

Article 1a

A Community air carrier wet leasing aircraft registered in a third country from another undertaking shall obtain prior approval for the operation from the competent licensing authority. The competent authority may grant an approval if:

- (a) the Community air carrier demonstrates to the satisfaction of the competent authority that all safety standards equivalent to those imposed by Community or national law are met; and
- (b) unless otherwise provided for in an international wet-lease agreement signed by the Union that includes reciprocal rights and obligations for both parties and that is based on an existing Air Transport Agreement, one of the following conditions is fulfilled: