

Commission Decision of 13 October 2005 amending Decision 2005/180/EC on authorising Member States to adopt certain derogations pursuant to Council Directive 96/49/EC with regard to the transport of dangerous goods by rail (notified under document number C(2005) 3555) (Only the English text is authentic) (Text with EEA relevance) (2005/777/EC)

COMMISSION DECISION

of 13 October 2005

amending Decision 2005/180/EC on authorising Member States to adopt certain derogations pursuant to Council Directive 96/49/EC with regard to the transport of dangerous goods by rail

(notified under document number C(2005) 3555)

(Only the English text is authentic)

(Text with EEA relevance)

(2005/777/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 96/49/EC of 23 July 1996 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail⁽¹⁾, and in particular Article 6(9) thereof,

Whereas:

- (1) Pursuant to Article 6(9) of Directive 96/49/EC, Member States must give the Commission advance notification of their derogations, for the first time by 31 December 2002 or up to two years after the last date of application of the amended versions of the Annex to the Directive.
- (2) Commission Directive 2003/29/EC⁽²⁾ amended the Annex to Directive 96/49/EC. Under the terms of Directive 2003/29/EC Member States had to bring into force national legislation no later than 1 July 2003, the last date of application referred to in Article 6(9) of Directive 96/49/EC being 30 June 2003.
- (3) Certain Member States had notified the Commission by 31 December 2003 of their wish to adopt derogations from Directive 96/49/EC. By Commission Decision 2005/180/EC of 4 March 2005 authorising Member States to adopt certain derogations pursuant to Council Directive 96/49/EC with regard to the transport of dangerous goods by rail⁽³⁾, the Commission authorised the adoption by those Member States of the derogations listed in Annexes I and II to that Decision.

Changes to legislation: There are currently no known outstanding effects for the Commission Decision of 13 October 2005 amending Decision 2005/180/EC on authorising Member States to adopt certain derogations pursuant to Council Directive 96/49/EC with regard to the transport of dangerous goods by rail (notified under document number C(2005) 3555) (Only the English text is authentic) (Text with EEA relevance) (2005/777/EC), Introductory Text. (See end of Document for details)

- (4) Commission Directive 2004/89/EC⁽⁴⁾ again amended the Annex to Directive 96/49/EC. Under the terms of Directive 2004/89/EC Member States had to bring into force national legislation at the latest by 1 October 2004, the last date of application referred to in Article 6(9) of Directive 96/49/EC being 30 September 2004.
- (5) The United Kingdom notified the Commission by 31 December 2004 of its wish to amend its existing derogations in Annex I to Decision 2005/180/EC. The Commission has examined the notifications for compliance with the conditions laid down in Article 6(9) of Directive 96/49/EC and has approved them. That Member State should therefore be authorised to adopt the derogations in question.
- (6) It is therefore necessary to amend Annex I to Decision 2005/180/EC.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Committee on the transport of dangerous goods, set up under Article 9 of Council Directive 94/55/EC⁽⁵⁾,

HAS ADOPTED THIS DECISION:

Changes to legislation: There are currently no known outstanding effects for the Commission Decision of 13 October 2005 amending Decision 2005/180/EC on authorising Member States to adopt certain derogations pursuant to Council Directive 96/49/EC with regard to the transport of dangerous goods by rail (notified under document number C(2005) 3555) (Only the English text is authentic) (Text with EEA relevance) (2005/777/EC), Introductory Text. (See end of Document for details)

- (1) OJ L 235, 17.9.1996, p. 25. Directive as last amended by Commission Directive 2004/110/EC (OJ L 365, 10.12.2004, p. 24).
- (2) OJ L 90, 8.4.2003, p. 47.
- (3) OJ L 61, 8.3.2005, p. 41.
- (4) OJ L 293, 16.9.2004, p. 14.
- (5) OJ L 319, 12.12.1994, p. 7. Directive as last amended by Commission Directive 2004/111/EC (OJ L 365, 10.12.2004, p. 25).

Changes to legislation:

There are currently no known outstanding effects for the Commission Decision of 13 October 2005 amending Decision 2005/180/EC on authorising Member States to adopt certain derogations pursuant to Council Directive 96/49/EC with regard to the transport of dangerous goods by rail (notified under document number C(2005) 3555) (Only the English text is authentic) (Text with EEA relevance) (2005/777/EC), Introductory Text.