CLECAT european voice of freight logistics and customs services •

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NEWS FROM BRUSSELS

CLECAT, ESC AND ERFA CALL FOR MORE COOPERATION IN RAIL FREIGHT

More cooperation on the rail network is needed! So why is a useful cooperation platform now at risk of being scrapped by the latest developments in the 4th Railway Package? The independent rail operators, represented by ERFA, the logistics service providers and freight forwarders, represented by CLECAT, and the shippers represented by the European Shippers Council, issued a press release last Friday insisting on more cooperation and customer orientation on the railways. ERFA, ESC and CLECAT are united in wanting a fundamental shift in the way the provision of rail services is delivered to reflect the need for a more dynamic, efficient and competitive rail sector and more customer-orientated services.

That is why the independent rail operators and the freight users strongly support the coordination committees, as envisaged by the original proposals in the 4th Railway Package, which bring together all the users, including the customers of the rail network to work together with the infrastructure manager in improving the performance and customer-orientation of the rail network.

Customers are crying out for more efficiency and coordination in delivering goods by rail across Europe. Operators of the rail network are extremely reliant on the management of the infrastructure to ensure efficient service provision for their customers.

The Coordination Committee is a chance to establish a platform for all users to advise the infrastructure manager on issues such as intermodality and the needs of users related to maintenance and development of infrastructure capacity. Greater cooperation among rail operators, the infrastructure manager and customers, will not only improve the quality of transport services, but also potentially lead to rail being a more attractive transportation choice for shippers and customers alike. Infrastructure managers, as natural monopolies, have not necessarily adapted to the needs of a more market orientated rail sector, one that competes for customers with other modes of transport.

ERFA, ESC and CLECAT believe that coordination committees inclusive to all users will help the infrastructure manager to become a facilitator of freight transportation, and avoid being a blocking force to more efficient rail services. That is why the independent rail operators and the rail users strongly opposes recent developments on the 4th Railway Package, which would exclude customers from the coordination committees, make the committees optional and weaken the ability of the coordination committee to give informed advice to the infrastructure manager. The associations urge EU decision-makers to reflect the needs of today’s rail sector, which has moved beyond the interests of an incumbent providing a monopoly service , and is reliant on cooperation and coordination between the relevant actors in order to increase investment, efficiency and growth.

THE IMPACT OF DIGITALIZATION OF TRANSPORT ON THE EUROPEAN ECONOMY

The European Logistics Platform will organise a lunch event on the 17th March at the Renaissance hotel in Brussels on the impact of digitalisation of transport on the European economy.

Speakers will include Keir Fitch, Head of Unit DG Move, Logistics and Innovation, Irmtraut Tonndorf, President of ERFA and a representative from the Association of European Airlines.

The event will be hosted by Wim van de Camp MEP, Rapporteur on the INI report on the White Paper on Transport.

ROAD

FRANCE IMPOSES MINIMUM WAGES ON FOREIGN TRUCK DRIVERS

A new French law, passed in the National Assembly on 17 February, and to take effect at the end of this year, will impose statutory minimum wage regulations on foreign truck drivers plying international routes to and from France and undertaking cabotage in the country.

The main trade federations representing French haulage firms said the new law was "a partial response" to their demands for action to combat the distortion of competition in the sector - notably as a result of 'low-cost' operators from Eastern Europe 'dumping' on wages. But they argue that ultimately, the issue can only resolved at EU level and by re-defining cabotage rules.

Earlier this month, the German government suspended a measure that had extended the country's minimum wage regulations to international hauliers operating in transit through Germany following criticism from other European countries. The Commission is now examining whether the move is legal under EU law.

Under current cabotage regulations, truck drivers from EU member states are at present allowed to carry out a maximum of three domestic transport operations in fellow member states over a seven-day period, immediately following an international operation. Not being considered as 'posted' workers (transferred from one EU state to work temporarily in another), their employers are not obliged to respect wage regulations in the host country. *To read the French associations' statement (in French), please see HERE*
Source: LLOYD'S LOADING LIST

CLECAT has been in contact with the European Commission concerning the validity of the German measures under EU law, and welcomed the German government's suspension of the requirements for transit. CLECAT member DSLV has published its guidelines concerning the German minimum wage law, available ON THEIR WEBSITE (in German).

AIR

SAS ANNOUNCES ALL-IN CARGO PRICING

Scandinavian Airlines (SAS) has followed Emirates, Qatar Airways and IAG Cargo (comprising British Airways and Iberia) in moving to all-in freight pricing.

The European Shippers' Council's (ESC) head of air freight policy, Joost van Doesburg, stated that he expects a snowball effect, with five airlines having announced a shift to an all-in system and other large European carriers thought to be considering a similar move.

He said feedback suggested there was a general feeling among European carriers of being forced into adopting a single rate as a result of the pressure being exerted by the move by Emirates and Qatar Airways.

Source: [Lloyd's Loading List]

New ITF Working Group on air transport liberalisation

The ITF Working Group on the Liberalisation of Air Transport met for the first time on February 3-4 in Paris to discuss policy issues related to aviation's economic regulation. The Working Group brings together international aviation experts and negotiators from a number of ITF countries including Canada, Finland, France, Germany, New Zealand and USA, as well as the International Air Transport Association (IATA), the World Trade Organisation (WTO), and the World Travel and Tourism Council (WTTC). The meeting was chaired by the International Civil Aviation Organisation (ICAO). The discussion will feed into the research report to be published later this year on aviation liberalisation and will support discussion between ministers at the 2015 Summit. As part of its ongoing work in this area, ITF has published the following new Discussion Papers:

- What Do We Mean by a Level Playing Field in International Aviation?
Go to the Discussion Paper (pdf)

MARITIME

EC approves French fiscal exemptions in maritime charter services

The European Commission has closed an in-depth investigation opened in 2013 to examine whether changes to French tax rules for maritime companies were in line with EU state aid rules after France offered commitments addressing the Commission's concerns. The Commission had concerns that also giving favourable fiscal benefits to certain vessels sailing under non-EU flags would run counter the objectives of EU maritime transport policy. France has now committed to ensure that French tonnage tax payers flag at least 25% of their tonnage in the EEA. This addresses the Commission's concerns.

In May 2003, the Commission originally approved the French tonnage tax scheme. This scheme allows shipping companies to be taxed on the basis of the tonnage of the fleet rather than the actual profits of the company. The scheme limited the eligibility of time chartered ships not flagged in the EU ("time chartered" vessels provide maritime transport services with vessels and crew temporarily rented from other companies). Such ships could not constitute more than 75% of the fleet of a tonnage tax payer. This scheme was in line with the then applicable 1997 EU guidelines on state aid to maritime transport, which aimed to enhance the competitiveness of shipping companies facing competition from non-EU businesses and boost jobs in the sector. After the adoption of the Commission's updated guidelines on State aid to maritime transport in 2004, France removed the specific flagging rules for time-chartered vessels without informing the Commission.

In November 2013, the Commission opened an in-depth investigation and invited interested parties to submit comments on the reformed measure, because it considered that specific limits on the eligibility of time chartered ships that do not sail under the flag of a Member State should be maintained. Having examined the submissions received, the Commission came to the conclusion that so far no tonnage tax beneficiary in France has had more than 75% of its fleet composed of time chartered vessels flagged outside the EU or the EEA. The removal of the specific flagging rules therefore did not yet have any effect in practice. At the same time, the Commission also found that there was no guarantee that this would remain the case in future as no minimum EEA flagging requirements were foreseen for new entrants. As a result, a newcomer company whose fleet was 100% composed of non-EEA time-chartered vessels would be able to benefit from the tonnage taxation.

To address the Commission's concerns, the French authorities have therefore committed to require from all the French tonnage taxpayers that at least 25% of their tonnage is EEA flagged. The Commission has accepted this commitment and has therefore closed its investigation.

Source: Hellenic Shipping News, 19/02/2015

MARITIME TRANSPORT IN THE BALTIC SEA TO BECOME GREENER WITH EU SUPPORT

The EU's TEN-T Programme will back with over €2m the upgrade of two ferries navigating in the Baltic Sea to the mixed use of electricity and fuel. The new hybrid propulsion system will help to considerably reduce the environmental impact of ships, as well as secure the operability and stability of the vessels. This project will retrofit two ferries ensuring the link between Rødby (Denmark) and Puttgarden (Germany) with a hybrid propulsion system using electricity and fuel. Thanks to the most size-efficient bunker consumption, SOx and particle matter from ship exhaust gases will be reduced by up to 99% and 88%, respectively. Bunker consumption savings will result in about 15% less CO2 emissions. The project was selected for EU funding with the assistance of external experts under the TEN-T Multi-Annual Call 2013, priority 'Motorways of the Sea' and it is to be completed by December 2015.

Source: INEA, 18th February 2015

RAIL

TRANSPORTING GOODS FROM ASIA TO THE EU: WHAT ROLE FOR INTERMODALITY?

CLECAT will participate in a forum organised by the CER tomorrow evening in Brussels on solutions in transporting goods from Asia to the EU by intermodal solutions. Asia is the EU's biggest commercial partner, both for export and import. The container traffic flow between the EU and Asia is set to almost triple in the next decade. Intermodality is one solution to these challenges. However, new transport patterns must emerge so that larger volumes of freight can be carried to their destination by using the most efficient combination of transport modes. The event is organised by CER with the support of the Latvian Presidency and a key note will be provided by Dins Merirands, Deputy State Secretary of the Latvian Ministry of Transport.

CUSTOMS

TEMPORARY IMPORTATION OF MEANS OF TRANSPORT

The European Commission adopted on 13 February 2015 Implementing Regulation (EU) No 2015/234 amending Regulation (EEC) No 2454/93 as regards the temporary importation of means of transport intended to be used by a natural person resident in the customs territory of the Union.

Commission Regulation (EEC) No 2454/93 provides a possibility for means of transport to be temporarily imported into the customs territory of the Union and used by natural persons in that territory under certain conditions. Recent incidents have indicated misuse of the temporary importation of means of transport. For this reason, Commission decided to amend article 561 (2) of Regulation (EEC) No 2454/93 in order to exclude the possibility of such misuse.

This new paragraph provides that '*total relief from import duties shall be granted where means of transport are used commercially or privately by a natural person resident in the customs territory of the Union and employed by the owner, hirer or lessee of the means of transport established outside that territory. Private use of the means of transport is allowed for journeys between the place of work and the place of residence of the employee or with the purpose of performing a professional task of the employee as stipulated in the contract of employment*'.

This new provision will apply from 1 May 2015.

Source: OFFICIAL JOURNAL OF THE EUROPEAN UNION, 14/02/2015

EU VAT FORUM - CALL FOR BUSINESS APPLICATIONS FOR THE SELECTION OF MEMBERS

On 20 February 2015, the EU VAT Forum published a call for business applications for the selection of members from 2015 to 2018. The forum consists of representatives from the Member States and representatives of 15 organisations maximum representing business or tax practitioners.

Set up by the European Commission in 2012, the EU VAT Forum is a dialogue platform aiming at facilitating relationship and exchanges between the business and tax authorities.

The term of office of the current members expires on 30 September 2015. Applications must be sent by Friday 20 March 2015 at the latest.

More information is available HERE. The list of the current business members of the EU VAT Forum is available HERE.

GENERAL

HOW TO ENSURE SECURITY AND CUSTOMS COMPLIANCE IN GLOBAL SUPPLY CHAINS?

PARIS SITL International Week of Transport and Logistics

CLECAT, TLF and ESC are jointly organising a seminar on how to ensure compliance in global supply chains on Thursday 2 April at the SITL International Week of Transport and Logistics in Paris.

Three panels will discuss how customs can contribute to the secure, safe and business continuity in the global supply chain. What is needed to ensure the balance between trade facilitation and security. How to embrace digitalisation and new IT solutions whilst remaining competitive?

Confirmed speakers include Lothar Moehle, Director Air Security Standardization, DB Schenker, Damian Viccars, World Shipping Council, David Hesketh, Senior Business Officer, HM Revenue & Customs, Jean François Auzéau, Directeur Douane / Customs Manager, Ziegler Group, Marc Huybrechts, President CLECAT.

The event is addressed to all those involved in global supply chains that will need to be ready to comply with the new Union Customs Code and the related Commission Acts applicable as from May 2016.

For more info: HTTP://WWW.SITL.EU/

THE EUROPEAN COMMISSION WILL PRESENT A TAX TRANSPARENCY PACKAGE IN MARCH

On the 18th of February, European Commissioners discussed possible key actions to improve the approach to taxation in the EU. The debates focused particularly on the fight against tax evasion and avoidance, two topics ranked as top political priority by the Juncker Commission.

The EU Commissioners agreed that a key objective was to ensure that companies were taxed where their economic activities generating the profits were performed and could not avoid paying their fair share through aggressive tax planning. In this respect, there was strong consensus in the College that a particular focus must be on improving tax transparency in the area of corporate taxation. To this end, the College of Commissioners agreed to present a Tax Transparency Package in March.

The March proposal will be accompanied by a set of measures, legislative and non-legislative, to increase tax transparency. This will include, for instance, a legislative proposal on an extension of the automatic exchange of information on tax rulings. The Commission plans to present a second package of measures dealing with fair and efficient corporate taxation this summer, which will also take into account current initiatives by the G20 and OECD to tackle tax avoidance.

The press release of the European Commission is available HERE.

"AN EXAMPLE OF DEVELOPING FOR THE ICARGO ECOSYSTEM: THE PLANNING SERVICE"

The iCargo consortium is organizing a webinar on Thursday 26th February "An example of developing for the iCargo Ecosystem: the Planning Service." The webinar will start with a discussion of the question "what can I develop for the iCargo Ecosystem?" In a second step, the webinar will focus on the Planning Service of iCargo as a particular example for a service used within the Ecosystem. The Planning service is a component that provides the capability of green and efficient transport chain composition and optimization. The webinar is presented by Florian Krietsch, Senior Project Manager at the Logistics Software Concepts and Solutions Unit, PTV Group, Karlsruhe (Germany).
Registration is available here

MOBILITY DATA IN PRACTICE: FUELLING THE BIG DATA DEBATE

Big Data as a driver for better evidence-based policy making was the subject of an OECD workshop "Big Data in Practice" held in Paris on 20 January. ITF's ongoing Corporate Partnership Board work on mobility data was presented by Sharon Masterson, Manager Corporate Partnership Board and Private Sector. Major institutions in the big data debate were represented including the UN Economic Commission for Europe (UNECE), the Italian National Institute of Statistics (Istat), and Eurostat, the statistical office of the European Union, as well as private sector experts.
Go to the VIDEO MOBILITY DATA: Changes and Opportunities

FORTHCOMING EVENTS

CLECAT MEETINGS:

Security Institute
- 10 March a.m, Brussels

Air Logistics Institute
- 10 March p.m.

Maritime Institute
- 11 March a.m.

Sustainable Logistics Institute
- 11 March p.m.

Road Institute/Joint meeting with FIATA
- 17 March p.m. Zurich

Rail Institute / joint meeting with FIATA
- 23-24 April Vienna

Board General Assembly
- 2 June 2015, Brussels

Freight Forwarders Forum
- 19 November 2015

OTHER EVENTS with CLECAT PARTICIPATION

European Shipping Week Conference, Brussels
- 4 March 2015

22nd Meeting of the EU-U.S. Transport Security Cooperation Group, Brussels
- 5-6 March 2015

Global Supply Chains in Air and Sea Freight How to ensure Security and Customs Compliance, Paris
- 2 April 2015

ITS Conference 2015: A Digital Strategy for Mobility: from capacity to connectivity, Brussels
- 24 April 2015

iCargo Final Event, Transport Logistics Trade Fair, Munich
- 6 May 2015 at 12:00-17:00

ITF Summit Leipzig
- 27-29 May 2015

EP TRAN Committee
- 23/24 February (afternoon)
- 24 February (morning and afternoon)

Council (Lithuanian Presidency)
- Transport Council, 13 March 2015
- Transport Council, 11 June 2015.