Common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations. Recast

2005/0237A(COD) - 11/06/2008

The Commission accepts splitting the proposal into a draft Directive and a draft Regulation in so far as (a) it remains a formal procedure and the substance of its proposal is fully respected; and (b) it helps create greater legal certainty for the organisations concerned.

In terms of the Directive, the Commission can accept the amendment made by the Council that aims to remove the safeguard clause from Article 8(1), which does not undermine its right of initiative. The Commission also reiterated its position on Member States drawing up concordance tables between Member States' transposal measures and the provisions of the Directive, in the interests of citizens, better regulation and transparency. Despite the removal of this requirement from Article 14, the Commission offered no opposition to the Council's agreement. However, it expects this horizontal matter to be considered jointly by the institutions.

The Commission and the Council are both of the opinion that the system currently being developed by the Community could usefully serve as a model at international level. This is in line with the European Parliament's concerns regarding the need for coordination between the Community system and the international system. The Commission and the Member States are therefore prepared to call on the International Maritime Organization (IMO) to draw up a code guaranteeing that classification societies operate to a high level of quality worldwide. The Council and the Commission have therefore signed a joint declaration to this effect.

In conclusion, the Commission considers that the Council's common position fully addresses the concerns which led it to submit its proposal to recast Directive 94/57/EC and retains the key elements of the measures it recommended. Now that the act has been split into a draft Directive and a draft Regulation, most of those measures have been incorporated into the draft Regulation. Furthermore, the common position incorporates almost all of those amendments put forward by the European Parliament which the Commission was able to accept either in whole or in part. The Commission therefore accepts the common position, which forms a good basis for reaching agreement with the European Parliament at second reading.