

Maritime safety: establishing a Community vessel traffic monitoring and information system

2005/0239(COD) - 23/04/2009 - Final act

PURPOSE: to amend Directive 2002/59/EC establishing a Community vessel traffic monitoring and information system, particularly in order to reflect technological developments and to harmonise the “places of refuge” plans.

LEGISLATIVE ACT: Directive 2009/17/EC of the European Parliament and of the Council amending Directive 2002/59/EC establishing a Community vessel traffic monitoring and information system.

CONTENT: following conciliation between Parliament and Council and a third reading by the European Parliament. The Council adopted this Directive which is aimed, in particular, at incorporating additional measures to enhance ship safety and environmental protection and harmonising the implementation of plans regarding places of refuge by Member States. The text approved includes the development of the Community maritime safety information exchange system, SafeSeaNet, which will strengthen vessel monitoring measures; and the designation by Member States of one or more authorities responsible for the accommodation of ships in distress, whether insured or not. In addition, it makes the use of automatic identification systems (AIS) compulsory for fishing vessels longer than 15 metres and tightens the shipper's information obligations.

The main points are as follows:

Use of AIS by fishing vessels: any fishing vessel with an overall length of more than 15 metres and flying the flag of a Member State and registered in the Community, or operating in the internal waters or territorial sea of a Member State, or landing its catch in the port of a Member State shall, in accordance with the timetable set out in the text be fitted with an AIS (Class A) which meets the performance standards drawn up by the IMO. Fishing vessels equipped with AIS shall maintain it in operation at all times. In exceptional circumstances, AIS may be switched off where the master considers this necessary in the interest of the safety or security of his vessel.

Information requirements concerning the transport of dangerous goods: the provisions on the exchange of information on dangerous goods being carried by ships are improved. This will enable all Member States to improve their ability to anticipate and prevent risks.

Plans for the accommodation of ships in need of assistance: Member States must draw up plans for the accommodation of ships in order to respond to threats presented by ships in need of assistance in the waters under their jurisdiction, including, where applicable, threats to human life and the environment. The competent authority must participate in drawing up and carrying out those plans. The plans must include the identity of the competent authority for assessing the situation and taking a decision on acceptance or refusal of a ship in need of assistance in the place of refuge selected, as well as the assessment procedures for acceptance or refusal of a ship in need of assistance in a place of refuge

SafeSeaNet: Member States must establish maritime information management systems, at national or local level, to process the information referred to in the Directive. The systems set up must allow the information gathered to be used operationally. To guarantee an effective exchange of information, Member States shall ensure that national or local systems set up to gather, process and preserve that

information can be interconnected with SafeSeaNet. The Commission shall ensure that SafeSeaNet is operational on a 24 hour-a-day basis. The description and principles of SafeSeaNet are laid down in the text.

Measures in the event of risks posed by the presence of ice: where a competent authority designated by a Member State considers, on the basis of an ice forecast provided by a qualified meteorological information service, that the sailing conditions are creating a serious threat to the safety of human life or a serious threat of pollution, it must so inform the masters of the ships present in its area of competence or intending to enter or leave the port or ports in the area concerned. The authority concerned will be able to take any appropriate steps to ensure the safety of human life at sea and to protect the environment. Member States can also verify that the necessary documentation on board provides evidence that the ship complies with strength and power requirements commensurate with the ice situation in the area concerned.

This Directive is part of a series of measures, comprising the **third maritime package**, aiming to strengthen the security of maritime transport in Europe by improving accident prevention and investigations into accidents and by strengthening vessel quality control. (See also [COD/2005/0236](#), [COD/2005/0237](#), [COD/2005/0238](#), [COD/2005/0240](#), [COD/2005/0241](#) and [COD/2005/0242](#)).

ENTRY INTO FORCE: 31/05/2009.

TRANSPOSITION: 30/11/2010.