

European Maritime Safety Agency: further development

2010/0303(COD) - 28/10/2010 - Legislative proposal

PURPOSE: to amend Regulation 1406/2002 by clarifying the European Maritime Safety Agency's (EMSA) existing tasks and role as well as by extending EMSA's tasks to new areas under development at international and/or EU level.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

BACKGROUND: following the accident of the oil tanker "Erika" and the major oil pollution caused by this accident, the Commission set up the European Maritime Safety Agency (EMSA) as a technical body with the aim to ensure a high, uniform and effective level of maritime safety and prevention of pollution by ships in the EU.

Today, EMSA provides Member States and the Commission with technical and scientific assistance in order to help Member States to apply properly the Community legislation in the field of maritime safety, maritime security and prevention of pollution by ships, to monitor the implementation of this legislation and to evaluate the effectiveness of the measures in place and assist in the development of new measures.

The previous modifications made to regulation 1406/2002 have not been sufficient to address the new challenges ahead for EMSA, most of the challenges being external either to EMSA only or to EMSA and the EU as a whole.

Based on the findings of the external evaluation, the recommendations by the Administrative Board and the multi-annual strategy, some provisions of Regulation (EC) No 1406/2002 should be clarified and updated. Furthermore, the Agency should receive a number of additional tasks reflecting the development of the maritime safety policy at EU and international level.

IMPACT ASSESSMENT: the Impact Assessment report and the summary are attached to the proposal. The Impact Assessment Board issued its opinion on 22 June 2008 providing a number of recommendations for improvements of the draft report, which have been incorporated in the final version.

LEGAL BASIS: Article 100(2) of the Treaty on the Functioning of the European Union (TFEU), which has served as legal basis for Regulation 1406/2002.

CONTENT: the Commission proposes to maintain EMSA's current tasks and institutional structure, ensuring continuity for the Agency's activities which provide added value at EU-level and are well appreciated by the stakeholders. The proposal for a limited extension of EMSA's tasks reflects new needs. **EMSA's updated mandate** would:

- clarify that the Stand-by Oil Spill Response Vessels under contract by EMSA can intervene also in case of **oil pollution caused by offshore installations**;
- increase EMSA's involvement in EU **research** (analysis of research projects and identification of research priorities);
- extend EMSA's technical assistance to all **European Neighbourhood Policy** countries in order to promote the EU maritime safety policy in all the regional seas bordering the EU;

