

Registration of persons sailing on board passenger ships operating to or from ports of the Member States: simplification

2016/0171(COD) - 04/10/2017 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 655 votes to 12 with 26 abstentions a legislative resolution on the proposal for a directive of the European Parliament and of the Council amending Council Directive 98/41/EC on the registration of persons sailing on board passenger ships operating to or from ports of the Member States of the Community and amending Directive 2010/65/EU of the European Parliament and of the Council on reporting formalities for ships arriving in and/or departing from ports of the Member States.

The proposal to amend Directive 98/41/EC introduces a requirement for the digital registration and notification of passenger data by means of harmonised administrative procedures (the ‘National Single Window’) established under Directive 2010/65/EU) in order to facilitate emergency search and rescue operations.

The European Parliament’s position adopted at first reading following the ordinary legislative procedure amended the Commission proposal as follows:

Notification of the number of passengers on board: before the passenger ship departs, the number of persons on board shall be communicated to the **master of the ship, and reported by appropriate technical means in the single window**, or, if the Member State so chooses, communicated to the designated authority by means of the Automatic Identification System.

For a **transitional period of six years** from the date of entry into force of the amending Directive, Member States could allow this information to be communicated to the company's passenger of the company installed ashore and having the same function.

Information recorded by passenger ships: in order to correctly identify persons on passenger ships travelling more than 20 miles from the point of departure to the next port, this information shall also include:

- **date** of birth;
- an **emergency contact number** if the Member State so decides and the passenger so requests;
- at the request of the passenger, information on any **special care or assistance** that may be need in an emergency.

The information listed above shall be collected before the passenger ship's departure and reported in the single window upon the passenger ship's departure but in no case later than **15 minutes** after its departure.

Data protection: personal data should therefore be **destroyed automatically and without undue delay** once a ship's voyage has been safely completed or, as applicable, when an investigation or a judicial proceeding taking place during the aftermath of an accident or emergency has been concluded.

Exemption: Member States may exempt passenger ships operating exclusively in a protected sea area where they provide scheduled services of one less than one hour between port calls and provided that search and rescue facilities are ensured in the vicinity.

This Directive shall not apply to pleasure craft.

In addition, **landlocked Member States** which do not have seaports and do not have passenger ships flying their flag that fall within the scope of the Directive shall be allowed to derogate from the provisions of the Directive.