

System of inspections for the safe operation of ro-ro passenger ships and high-speed passenger craft in regular service

2016/0172(COD) - 04/10/2017 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 661 votes to 11, with 17 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council on a system of inspections for the safe operation of ro-ro ferry and high-speed passenger craft in regular service and amending Directive 2009/16/EC of the European Parliament and of the Council on port State control and repealing Council Directive 1999/35/EC.

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

Scope: the Directive seeks to ensure the **safe operation of ro-ro passenger ships and high-speed passenger craft in regular service**. It shall not apply to ro-ro passenger ships and high-speed passenger craft which are covered by the port State control [Directive 2009/16/EC](#).

Pre-commencement inspections: the **competent authorities** of the Member States shall carry out a pre-commencement inspection of ro-ro passenger ships or high-speed passenger craft before they are put into operation on a regular service.

In the case of pre-commencement inspections, a Member State **may decide not to apply certain requirements or procedures** in Annexes I and II relevant to any annual flag State survey or inspection carried out within the previous six months, provided that relevant procedures designed to achieve the same goal have been followed.

Regular inspections: in view of their specific risk profile, ro-ro passenger ships and high-speed passenger craft shall be regularly inspected as a **matter of priority**.

Member States shall carry out, once every twelve-month period:

- an inspection, in accordance with the procedures described in Annex II;
- a **second inspection** during a regular service, taking place not before **four months** but not later than **eight months** after the first inspection.

During an inspection, the inspector of the competent authority of the port State may agree to **accompany a port State inspector** from another Member State as an observer.

Any inspection of ro-ro passenger ships and high-speed passenger craft falling within the scope of Directive 2009/16/EC shall be included in the total number of annual inspections carried out by each Member State. When inspections are carried out under Directive 2009/16/EC, all possible efforts should be made to avoid a ship being unduly detained or delayed.

Transfer: in a new Annex it is specified that when a ro-ro passenger ship or high-speed passenger craft is to be engaged on a regular service, the Member State concerned may **take into account inspections carried out within the last eight months by another Member State** in respect of that ro-ro passenger ship or high-speed passenger craft for operations on another regular service covered by this Directive.

In each case the Member State shall take the view that these previous inspections are relevant to the new operating conditions and that during those inspections the requirements for safe operation were met.

Costs: the text provides that where the inspections confirm or reveal deficiencies hazardous to **health or safety** and warranting a prohibition of departure order, all costs relating to the inspections shall be covered by the company.

Inspection database: all Member States shall be connected. This database will be based on the inspection database referred to in Article 24 of Directive 2009/16/EC and shall have similar functionalities to that database.

A new recital stressed the need to take into account the **on-board working and living conditions** of the crew and the training and qualifications of its members, given that health, safety and social considerations are closely intertwined.