

European maritime single window environment

2018/0139(COD) - 18/04/2019 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 508 votes to 24, with 19 abstentions, a legislative resolution on the proposal for a Regulation of the European Parliament and of the Council establishing a European Maritime Single Window environment and repealing Directive 2010/65/EU.

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

Objective of the Regulation

This Regulation establishes a framework for a technologically neutral and interoperable European Maritime Single Window environment ('EMSWe') with harmonised interfaces, in order to facilitate the electronic transmission of information in relation to reporting obligations for ships arriving at, staying in and departing from a Union port.

The main aim of this Regulation is to:

- lay down harmonised rules for the provision of the information that is required for port calls, in particular by ensuring that the same data sets can be reported to each maritime National Single Window in the same way;
- facilitate the transmission of information between declarants, relevant authorities and the providers of port services in the port of call, and other Member States.

The Commission may adopt delegated acts to amend the Annex to the Regulation to introduce, delete or adapt references to national legislation or requirements, international or Union legal acts and to establish and amend the EMSWe data set.

Adding new obligations

A Member State may only introduce new reporting obligations if the Commission has given its agreement and the corresponding information has been integrated into the EMSWe data set and applied in the harmonised reporting interfaces. Amendments to the EMSWe data set shall only be introduced once a year, except in duly justified cases.

In exceptional circumstances, a Member State may ask declarants to provide additional data elements without the approval of the Commission during a period of less than three months. The Member State shall notify those data elements to the Commission without delay. The Commission may allow the Member State to continue to request the additional data elements for two further periods of three months if the exceptional circumstances persist.

Maritime National Single Window

Member States may jointly establish a maritime single window with one or more other Member States. Those Member States shall designate that maritime single window as their maritime National Single Window, and shall remain responsible for its operation in accordance with this Regulation.

Member States which do not have maritime ports shall be exempted from the obligation to develop, establish, operate and make available a maritime National Single Window.

The Member States shall ensure:

- the compatibility of the maritime National Single Window with the harmonised reporting interface module and adherence of the graphical user interface of their maritime National Single Window to the common functionalities;
- the timely integration of the harmonised reporting interfaces;
- a connection with the relevant systems of competent authorities, to enable the transfer of data to be reported to those authorities, through the maritime National Single Window;
- the provision of a helpdesk during the first 12 months from the date of application of this Regulation, and an online support website for their maritime National Single Window with clear instructions in the official language(s) of that Member State and, where relevant, in a language that is internationally used;
- the provision of adequate and necessary training for staff who are directly involved in the operation of the maritime National Single Window;
- make available to the public the estimated and actual arrival and departure times of ships in an electronic format harmonised at EU level on the basis of data provided by declarants to the national maritime one-stop shop.

Harmonised Reporting Interfaces

The Commission shall, in close cooperation with the Member States, adopt implementing acts laying down the functional and technical specifications for the harmonised reporting interface module for the maritime National Single Windows.

No later than three years after the entry into force of the Regulation, the Commission should develop and subsequently update the harmonised reporting interface module for the maritime National Single Windows.

Databases

The Commission shall also establish:

- a EMSWe ship database containing a list of ship identification information and particulars, as well as records on ship reporting exemptions;
- a common location database that contains a reference list of location codes and port facility codes, as registered in the IMO database GISIS;
- a common Hazmat database containing a list of dangerous and polluting goods that must be notified;
- a common ship sanitation databasethat is able to receive and store data related to the Maritime Declarations of Health under Article 37 of the International Health Regulations 2005 (IHR). Personal data relating to ill persons on board ships shall not be stored on that database.

Once-only principle

Member States shall ensure that the declarant is requested to provide the information pursuant to this Regulation only once per port call, and that the relevant data elements of the EMSWe data set are made available and reused.