

Safety rules and standards for passenger ships

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This **Delegated Regulation** corrects [Directive 2009/45/EC](#) of the European Parliament and the Council on safety rules and standards for passenger ship.

BACKGROUND: Directive 2009/45/EC of the European Parliament and of the Council provides for safety standards for domestic passenger ships made of steel or equivalent material and high-speed craft. Where applicable and feasible, it is based on internationally agreed standards, namely the International Convention of 1974 for the Safety of Life At Sea (SOLAS 1974).

Annexes I, II and III to Directive 2009/45/EC include the technical safety requirements and the corresponding certificate forms. Annex I has been last amended by Commission [Delegated Regulation \(EU\) 2020/411](#), on 19 November 2019.

Commission Delegated Regulation (EU) 2020/411 contained **an error** in Section 2, Chapter II-1, Part B of Annex I to Directive 2009/45/EC.

Section 2, Chapter II-1, Part B of that Annex provides that Class B, C and D ships shall comply with the safe return to port requirements of **Regulation 8.1 of the respective Chapter II-1 of the 1974 SOLAS Convention** (Stability of ro-ro passenger ships in damaged condition), whereas it was explicitly agreed during the negotiations of the draft Regulation that they should not comply with this obligation.

The aim of the delegated regulation is to **correct this error in Annex I of Directive 2009/45/EC** accordingly. Indeed, the experts agreed that the safe return to port requirements in Regulation 8.1 of Chapter II-1, Part B of the 1974 SOLAS Convention should not apply to passenger ships of category B, C, and D, as it would be disproportionate considering the circumstances under which those categories of ships operate.

CONTENT: Section 2, Chapter II-1, Part B in Annex 1 of Directive 2009/45/EC contains requirement for ships of B, C, and D category to comply with the safe return to port requirements encoded in Regulation 8.1 of the respective Chapter II-1 of SOLAS 1974. It is proposed that this SOLAS regulation should be excluded from the scope of the respective provision.