Maritime safety: double hull or equivalent design for single hull oil tankers, package Erika I

2000/0067(COD) - 07/08/2001 - Council position

In line with amendments proposed by the European Parliament and later accepted by the European Commission, the Council's Common Position reflects by and large the view of the other two institutions. Within the international context, the Council Common Position takes note of the changes made at MEPC 46 and in particular Resolution MEPC.95(46). This Resolution refers to the amendments of Regulation 13G of Annex I to MARPOL 73/78. Specifically, this denies entry of oil tankers referred to in paragraph (5) of the same regulation into the ports or offshore terminals located in the Community beyond the anniversary date of such tankers in 2015 in full respect of the conditions laid down in paragraph 8(b). Given that the MARPOL text is fully in line with the aims and purpose of the EU Regulation and given that it is fully compatible with Parliamentary amendments to that effect, the Council has revised the initial proposal in accordance with international specifications. Further changes have also been introduced to the Commission proposal. These include: - A number of editorial changes to ensure strict direct application of the Regulation. (Article 9 has thus been deleted). - A lower size limit of 5.000 tdwt in line with the new international agreement. - The exclusion of certain specific ships not used for commercial services, such as warships and naval auxiliary ships. Again this is fully in line with the application of MARPOL and with the Parliament and Council Directive in the field of Maritime Transport. - A strengthening of the Regulation's provisions to ensure that Member States engage themselves to adhere strictly to the revised Regulation 13G for ships flying their own flag. - Clear provisions denying entry into EU ports of Category 2 and 3 tankers after 2015. - Making use of the Condition Assessment Scheme (CAS) binding through specific articles. - Allowing Member States the possibility of making derogations from the Regulation for oil tankers in distress and/or needing repair provided that the strict conditions are fulfilled and that the implementing measures are dully communicated to the Commission. - A revision of the notification procedures which follow the requirements of revised regulation 13G of Annex I to MARPOL as well as Community measures to IMO. - The postponement of the repeal of Council Regulation No 2978/94 until the end of 2007. This ensures that some financial dis-incentives to operate single-hull tankers remain, at least until the final date when Category 1 tankers are allowed to enter ports and offshore terminals under the jurisdiction of the Member States.