Maritime safety: enforcement of international standards in respect of shipping using Community ports

1994/0068(SYN) - 14/03/1995 - Council position

The Council common position follows the Commission proposal and incorporates most of the European Parliament's amendments. In detail, the common position requires: - the total number of inspections to correspond to at least 25% of the number of ships entering the ports of each Member States during a typical year; - stricter inspections to be carried out if there is a likelihood of identifying irregularities on board; - priority inspections to be carried out on certain categories of ships; - detailed inspections to be carried out where there are clear grounds for believing that a ship does not meet international standards; - enhanced controls to be carried out on certain categories of ship where there are clear grounds for doing so; - ships with deficiencies which are clearly hazardous to safety, health or the environment to be detained or operation prohibited; - ships which refuse to comply with a request by a Member State to comply with international standards to be refused access to all Community ports; - ships frequently detained to be entered on a black list; - the competent authorities to cooperate and exchange information on ships using their ports; - the competent authorities to publish quarterly lists of ships detained. The main amendments incorporated by the Council concerned: - enhanced inspections to be carried out on passenger ships providing regular services between Member States; - the professional qualifications of inspectors. The Council also amended the proposal by: - defining a surveyor inspector as a "civil servant "; - making a distinction between "detention" and "prohibited operation"; - changing the scope of the directive: controls by the port state should apply in all ports, including inland ports, offshore installations in service on the continental shelf of a Member State and ships anchored off such ports or offshore terminals; - changing the provisions governing enhanced inspections for certain categories of ships (old ships and passenger ships); - introducing a new provision allowing the inspection to be suspended and corrective action demanded as and when it becomes clear that the general state of the ship is not up to standard; - increasing the number of cases in which a ship which does not comply and has been refused access may be admitted in order to prevent accidents and coastal pollution; - defining oil tankers subject to enhanced inspections more accurately.