

# Passenger ships: safety rules and standards

1996/0041( SYN) - 30/06/1997 - Council position

The common position corresponded largely to the Commission proposal. The document includes the substance of some of the amendments proposed by the European Parliament and introduces several additional provisions. The main Parliament amendments taken over by the Council sought to: - introduce the principle according to which, and in addition to the provisions in the Directive, passenger ships should comply with existing national safety requirements and to specific local conditions; - guarantee that the host State was granted a more active role when existing passenger ships of Classes C and D sailing under the flag of another Member State had to undertake national trips through the territory of the host State; - change the name of the certificate from 'document of compliance' to 'Passenger Ship Safety Certificate'; - change the date of the entry into force of certain requirements from 1 October 1997 to 1 October 2000, so as to take into account the time needed by the industrial sector to carry out the main alterations to existing passenger ships; - introduce a provision on the difficulties that could be caused by the implementation of the technical systems in Annex I to existing small passenger ships. The Council also introduced new provisions on the following: - purpose of the directive: the text emphasized that the Community could not determine unilateral international rules but should work within the framework of the competent international organizations; - definitions: in the definitions of 'a new ship' and 'an existing ship', all references to high speed passenger craft were removed; - scope: the common position excluded from the Directive's scope: existing small passenger ships less than 24 metres in length; vessels constructed in a material other than steel or its equivalent and not covered by the standards concerning High Speed Craft or Dynamically Supported Craft; - application: the provisions defining expanded inspection laid down in the Port State Control Directive would become fully applicable to domestic passenger ships or craft; - safety requirements: the Council replaced the dates for the application of the relevant requirements for existing passenger ships with a more detailed timetable with a view to ensuring that older passenger ships complied with the provisions in the Directive before more recent ships. Moreover, the document stated that, in principle, all craft should meet the requirements of the High Speed Craft Code (HSC Code) but that certain craft built before certain dates could continue operation provided they met the requirements of the Code of Safety for Dynamically Supported Craft (DSC Code); - additional safety requirements: the common position allowed a group of Member States to adopt additional safety requirements justified by specific local conditions; new provisions allowed Member States to take safeguard measures; - surveys: the Council added to the parties which could carry out surveys on behalf of the Administration of the flag State, the Administration of a Member State if it had been authorized by the flag State to do so; - certificates: the document aimed to provide a more active role for the host State when high speed passenger craft were to be engaged on domestic voyages in such a host State; - commitology: the Council requested that this be adopted in accordance with the IIIa procedure; - Annex I: many amendments proposed the inclusion of additional requirements with a view to enhancing the overall safety level of the original proposal. An annex to the common position contained draft declarations to be recorded in the minutes of the meeting of the Council at which the Directive would be adopted.