Maritime safety: ship inspections and survey organisations, package Erika I

2000/0066(COD) - 21/03/2000 - Legislative proposal

PURPOSE : to present a proposal for a Directive of the European Parliament and of the Council amending Council Directive 94/57/EC on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations. CONTENT : the proposed amendments to Council Directive 94/57/EC can be divided in two categories: the fine-tuning of the Community-wide recognition to be met by the recognised organisations, including controls and sanctions, and the more stringent requirements to be met by the recognised organisations. With regard to the fine-tuning of the Community-wide recognition of classification societies, this can be divided into sub-categories such as: - the granting of the recognition which will seek to ensure that compliance with the provisions of the Directive by the organisations seeking recognition as well as their good record of safety and pollution performance are assessed in a centralised and harmonised manner; - the suspension of the recognition by the Commission on the basis of the comitology procedure; - the withdrawal of the recognition by the Commission on the basis of the comitology procedure; - a positive side effect of the proposed amendments: the simplification and enhancement of the procedure for monitoring the recognised organisations; - the liability of the classification societies. As far as the more stringent requirements to be met by the recognised organisations are concerned, the classification societies of the International Association of Classification Societies (IACS) have adopted and implemented a so-called "Transfer of Class (TOC) Agreement", aimed at avoiding the unacceptable practice of ships changing class in order to avoid carrying out the requested repairs ("class hopping"). It is felt necessary to make the main provisions of this Agreement compulsory at Community level, and therefore for all the organisations recognised on the basis of the Directive, whether they are members of the IACS or not. The relevant provisions of the TOC Agreement to be transposed into the Directive are those stating that the certificates of a ship changing class can be issued by the gaining organisation only after all overdue surveys, overdue recommendations, conditions of class, operating conditions or operating restrictions issued against the vessel by the losing classification society have been properly dealt with. Moreover, in order to enhance transparency, the recognised organisations shall disclose more information on their classed fleets, and on changes, suspensions and withdrawals of class. In an attempt to tighten the net around substandard ships, the recognised organisations are required to communicate to the Port State Control authorites all overdue surveys, overdue recommendations, conditions of class, operating conditions or operating restictions issued against a ship. In addition, it is also proposed that the recognised organisations will no longer be able to make use of non-exclusive surveyors to carry out statutory tasks. The exclusive surveyors shall only be authorised to operate onboard those types of ships of which they have an extensive knowledge. The new requirements aim to strengthen the working procedures of the classification societies in order to enhance their quality performance and, in turn, maritime safety and pollution in general. The proper implementation of these rules will be monitored by the Commission and the Member States in the framework of the inspections of the recognised organisations to be carried out on the basis of the Directive.