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

2000/0067(COD) - 21/03/2000 - Legislative proposal

PURPOSE : to present a proposal for a Regulation of the European Parliament and the Council on the accelerated phasing-in of double hull or equivalent design standards for single hull oil tankers in order to raise the safety and pollution prevention standards for oil tankers operating to and from and between ports of the Member States. CONTENT : in the follow-up to the pollution accidents with the oil tankers "Aegean Sea" off la Coruña in December 1992 and the "Braer" off the Shetlands in January 1993, the Commission issued its communication "a common policy on safe seas". This communication took stock of the existing situation with regard to maritime safety and the prevention of pollution of the marine environment. It underlined in particular the request of the extraordinary Council on Environment and Transport of 25 January 1993 to support the action of the International Maritime Organisation (IMO) on the reduction of safety gap between new and existing ships by upgrading and/or phasing-out existing ships, built to earliest standards, after a reasonable period of operation. This request stressed the need of paying particular attention to oil tankers and their protective location as laid down in the international Convention for the Prevention of Pollution from ships, 1973 and the Protocol of 1978 related thereto (MARPOL 73/78). The purpose of this Regulation specifies the age limits and end-dates by which single hull oil tankers have to comply with the double hull or equivalent design requirements of Regulation 13F of Annex I of the Marpol 73/78 Convention. The age limits proposed are either lower than the ones specified in the Regulation 13G of Annex I of Marpol 73/78 or apply to these categories of tankers which because of their size are not covered by that Regulation. The end-date limits specified aim at avoiding that single hull oil tankers can continue or start trading to European ports after the end-date limits beyond which they are no longer allowed to operate in the waters falling under the jurisdiction of the United States. Compliance with these requirements will be imposed as a condition of access to ports of the Member States for all oil tankers of 600 tons deadweight and above, irrespective of the flag they fly. Further, all oil tankers of that size category, flying the flag of a Member State will have to comply with the accelerated phasing-in scheme of the double hull or equivalent design standards. In addition, and as a complementary measure, the proposal foresees the replacement of the actual differential charging system for port and pilotage dues as laid down in Council Regulation 2798/94/EC. The existing system has to be abolished, since it does not provide for a differentiation in the charging of port and pilotage dues between single hull and double hull oil tankers both equipped with segregated ballast tanks. Moreover, the accelerated phasing-in system will lead to the disappearance of single hull oil tankers without segregated ballasts tanks as soon as in 2005, and therefore there will be no reasons to prolong the actual system beyond that date. The new financial system for differential charging of port and pilotage dues proposed foresees a reduction of these dues for double hull oil tankers, but the reduction should be regressive with the ship's age. For single hull oiltankers, a surcharge on the dues is applied, progressive with the ship's age. The proposal specifies that this differential charging system should cease to be applied, once the phasing-in of the double hull or equivalent design standards for single hull oil tankers is fully accomplished. Finally, the proposed Regulation provides for its notification to IMO, once it has been adopted. The purpose of this notification is to inform the international maritime community about the new rules of play in the Community for trading with oil tankers to and from and between ports of the Member States. The proposal provides also for a mandate to the Commission, subject to Comitology, for amending the Regulation to take account of amendments to the relevant international instruments, as well as for adjusting the percentages of the reductions and surcharges in the differential charging system, to take account of possible fluctuations in the rate at which the replacement of single hull tonnage by double tonnage is taking place over the phasing-in period.