Regular passenger and ferry services: manning conditions

1998/0159(COD) - 13/07/2000 - Modified legislative proposal

On April 29 1998, the Commission presented to the Council a communication on a common policy on manning of regular passenger and ferry services operating in and between Member States. The Communication included two attached proposals, one for a Council Regulation and the other for a Council Directive. As regards the proposal for a Directive, the European Parliament, although endorsing the proposal as a whole, adopted 5 amendments. The Commission on the other hand, accepted only 2 of these amendments which relate in particular to vessels carrying cargo only, they should be expressly excluded from the scope of the Directive even when more than 12 drivers accompany their vehicles on this type of vessel. The other amendment accepted by the Commission concerns the submission of a report to the Council from the Commission on the possible impact of the application of the Directive. The Commission did not, however, accept the amendments which relate in particular to: - employment contracts; - the permanent residence of seafarers on board the vessels where they are employed as this is a matter for national law; - the employment, training, treatment and funding of seafarers and the promotion of the maritime profession to young people as these issues will be analysed in a separate communication currently being drawn up by the Commission. In addition, the Commission has made amendments to the text which will simplify the application of the Directive; provide for Member States to ensure that the shipping companies in question apply those conditions, refered to in paragraph 2, to seafarers who are nationals of third countries; clarify the Member States' responsibility for ensuring that shipowners operating regular services between Member States comply with the Directive; change the deadline for the application of provisions by the Member States to comply with the Directive.