Maritime safety: monitoring, control and information for traffic, package Erika II (repeal. Directive 93/75/EEC)

2000/0325(COD) - 12/06/2002 - Commission opinion on Parliament's position at 2nd reading

Parliament adopted nine amendments to the common position of the Council at the second reading. The Commission accepts all the amendments proposed by the European Parliament. These refer in particular to: 1) the ban on leaving port in bad weather : these amendments introduce the following elements: - greater clarity in the wording of the common position. - indication that the measures taken by the authorities may include a refusal to allow a ship not only to leave a port but also to enter a port. - obligation on the captain to inform the authorities of the decision taken. - obligation on the competent authorities to take measures to limit as far as possible, or if necessary, prohibit bunkering operations in territorial waters. 2) places of refuge : Parliament wants the plans to accommodate ships in distress to contain, where the Member States consider this necessary and feasible, provisions concerning the equipment of the places of refuge with the appropriate means of assistance, rescue and pollution control. Parliament is also reintroducing an amendment approved in the first reading and rejected by the Council which concerns the obligation on Member States to inform the Commission on refuge plans. However, the European Parliament is now proposing that the information should be transmitted to the Commission within 18 months of the entry into force of the Directive and not within 12 months as in the first reading. 3) evaluation of the implementation of the Directive : Parliament is extending the scope of the evaluation to Articles 22 (Information from the parties concerned on the designation of the competent authorities) and 25 (Penalties). In addition, Parliament proposes that the Commission should examine, as part of its evaluation, the need for and feasibility of measures at Community level aiming at facilitating the recovery or compensation of costs and damages incurred for the accommodation of ships in places of refuge, including the question of compulsory insurance. The Commission should report, within three years, the results of this examination to the European Parliament and the Council. 4) bringing forward of timetable for the carriage of transponders (AIS) on board ships : having regard to the work underway in the IMO (International Maritime Organisation) in connection with anti-terrorist measures, in order to improve the methods of detecting and identifying ships, it is probable that the timetable contained in the Commission proposal will be brought forward at international level. The purpose of the Parliament's amendments is to take into account, for each of the categories of ships concerned, a probable decision by the IMO aimed at speeding up the introduction of transponders.