Maritime safety: enforcement of international standards in respect of shipping using Community ports

1994/0068(SYN) - 15/11/1994 - Modified legislative proposal

1) CONTENT: 1. This directive seeks to improve safety at sea in Community waters by attempting to ban ships which do not comply with standards from the Community. 2. Scope of the directive: the directive applies to all merchant ships in the ports or cruising in the territorial waters of a Member State. Ban on more lenient treatment for ships sailing under the flag of a country which is not signatory to a convention. 3. Obligation for the Member States to introduce and control national maritime administrations, called "competent authorities", in charge of inspecting ships using their ports or cruising in their territorial waters. 4. Obligations as regards inspections: each Member State is obliged to inspect at least 25% of the number of ships sailing under a foreign flag which enter its ports. Selection criteria of ships to be inspected: no checks on ships already inspected over the previous six months. 5. Inspection procedure: list of certificates and documents to be checked and types of checks to be carried out. Rules to be followed where a more detailed inspection is needed. 6. Obligation to carry out enhanced controls on the following ships: * oil tankers no more than five years away from the date of their withdrawal; * bulk carriers over twelve years old; * passenger ships. 7. Obligation for the surveyor to provide the master with an inspection report on completion of the inspection. 8. Obligation for the Member States to have deficiencies identified during the inspection rectified. Conditions of detention of the ship. 9. Follow up of inspections and detention of the ship. Conditions to be met in order to be able to authorise a ship to move to a repair yard. Obligation to notify movements and measures taken. Sanctions (access refused to all Community ports) against ships which refuse to comply with the demands of the competent authorities. 10. Professional profile of surveyors. Qualification criteria. 11. Obligation for ships' pilots and the harbour authorities to point out deficiencies which they learn of. 12. Obligation for the Member States to ensure that its competent authorities collaborate with the competent authorities in other Member States. 13. Obligation for each competent authority to publish quarterly lists of the number of ships detained. Rules governing this information. 14. Obligation for shipowners or operators of ships with deficiencies which warrant detention to pay a fee to cover the inspection costs. 15. Obligation for the Member States to notify the number of surveyors working for them and the number of ships entering their ports every year. 16. Advisory committee to be set up to assist the Commission. 2) OBJECTIVE: to introduce the legislative framework needed in order to introduce a harmonised system of controls on ships by the port state with a view to reducing the number of substandard ships operating in Community waters and, through this preventive action, to improve the safety of life at sea and protection of the marine environment. Source: European Commission - Info92 08/95