Maritime transport: freedom to provide services, maritime cabotage

1998/0158(COD) - 29/04/1998 - Legislative proposal

PURPOSE: the proposal for a regulation has two objectives: - to ensure fair competition conditions/level playing field for all providers of regular passenger-ferry services between Member States; - to protect the employment of Community seafarers by guaranteeing that the terms and conditions of employment of all seafaring personnel in this trade will be in line with the level of the standards generally applicable in the Community. CONTENT: Council Regulation 3577/92/EEC makes different provisions for the liberalization of island cabotage as compared with mainland cabotage and requires the Commission to submit to the Council, on the basis of a report on the economic and social impact of the liberalization of island cabotage, a proposal which may include adjustments to the manning nationality provisions so that the definitive system for island cabotage shall be approved by the Council before 01/01/99. The 1997 Commission report referred to above considers that the regulation currently in force, which accords responsibility for all matters relating to manning in the island cabotage market to the host State, to be an obstacle to the operation of the single market. On the basis of this report, the Commission therefore proposes amending regulation 3577/98/EEC in order to remove this derogation and, as with mainland cabotage, accord responsibility for matters relating to manning to the flag State. Due to the particular characteristics of island passenger cabotage, as compared to island cargo cabotage, the Commission proposes, in particular, that Member States be allowed to require that all personnel employed on the passenger vessels operating within their territory shall consist of Community nationals, provided (of course) that this rule equally applies to vessels operating under their own national flag. This proposition is based on the principle that third-country seafarers employed in regular passenger services should receive equal treatment with Community residents.