

Maritime transport and safety: transfer of cargo and passenger ships between registers within the Community

2003/0180(COD) - 13/01/2004 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution adopting several amendments to the proposal. The rapporteur was Bernard POIGNANT (PES, F). A majority of Members was against the proposal to display the emblem of the European Union in a corner of their flags for ships sailing under the flag of a EU Member State. The two amendments adopted by the Transport Committee (please see the previous document), were rejected in plenary with respectively 369 votes against, 137 in favour and 6 abstentions and with 458 votes against, 44 in favour and 5 abstentions. The proposal to integrate the EU stars onto the national flags had already been heavily opposed in the UK. The amendments adopted include the following: - a new recital states that a Member State receiving a ship must nonetheless retain the option of applying rules which differ in their scope or nature from those referred to in the conventions listed in the regulation; - ships which have been refused access to European ports under Directive 95/21/EC or which have been consigned more than once following an inspection in the port during the three years preceding the application for registration should not be able to benefit from the possibility of being transferred under the simplified system to another register within the Community; - Parliament amended the definitions of "Conventions", "certificates" and "requirements"; - the definition of "cargo ship" was amended to mean a ship which is not a passenger ship; - the definitions may be amended in accordance with the stipulated procedure to reflect international developments, including those within the International Maritime Organisation (IMO), and to make the regulation more effective in the light of experience and technical progress, provided that such amendments do not extend the scope of the Regulation. - Parliament stated that the regulation should not apply to ships delivered after completion of construction which do not hold valid non-provisional certificates issued by the Member State of the losing register. Nor should it apply to ships that have been refused access to Member States' ports in accordance with Directive 95/21/EC during the three years preceding the application for registration or to ships that have been consigned more than once during the three years preceding the application for registration as a result of an inspection in a port of a signatory State to the 1982 Paris Memorandum of Understanding on Port State Control. Member States must nevertheless consider applications pertaining to these ships in due form and in good time. Furthermore, the regulation would not apply either: 1) to warships or ships intended for the transport of troops or to other ships belonging to a Member State and used exclusively for non-commercial government purposes; 2) to ships that are not mechanically propelled, or to wooden ships of primitive construction, to yachts used for noncommercial purposes or to fishing vessels; 3) to cargo ships of less than 500 gross register tons. Finally, Parliament deleted the maximum period of three months for the suspension of a registration for reasons of security.