Port State control. Recast

2005/0238(COD) - 26/02/2007

The committee adopted the report by Dominique VLASTO (EPP-ED, FR) amending - under the 1st reading of the codecision procedure - the proposed directive on Port State Control (PSC). The main amendments were as follows:

- the objectives of the directive should include more thorough and frequent inspections for high-risk vessels and the introduction of "elements related to a Community port State control regime", aimed at establishing common criteria for control of ships by the port State and harmonising procedures on inspection and detention;

- the French overseas departments should be excluded from the scope of the directive;

- a derogation mechanism should be provided for so that Member States without seaports - but with ports on major river routes - are not required to apply all the provisions of the directive;

- the committee tabled a number of amendments aimed at tightening up and clarifying some of the provisions relating to the inspection regime, the criteria for selecting ships for inspection and the parameters for calculating a ship's risk profile. It specified inter alia in the article dealing with the 'expanded inspection' regime that expanded inspections should apply to ships with a high risk profile and to passenger ships and oil and chemical tankers more than 12 years old;

- MEPs introduced a mechanism enabling "persons with a demonstrated legitimate interest" to lodge complaints with the authority competent to initiate inspections, with the proviso that "the initial inspection must make it possible to establish as swiftly as possible whethe the complaint is admissible or whether it is manifestly unfounded or clearly abusive";

- a new article 18a stipulated that the Commission should develop and maintain an inspection database, "which shall be a common database for both the European Union and the Paris Memorandum of Understanding", showing the risk profiles of ships, indicating all ships due for inspection, calculating the inspection commitment and capable of receiving ship movement data;

- the Commission must ensure that the system of penalties provided for under the directive allows for uniform application of the inspection regime throughout the Community and does not create distortions between Member States.