Basic information

1996/0231(SYN) SYN - Cooperation procedure (historic)	Procedure completed
Community ports: vessels carrying dangerous or polluting goods (amend. Directive 93/75/EEC) **Subject** 3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport)	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
TRAN Transport and Tourism	NOVO BELENGUER Alfonso (ARE)	19/11/1996

Former committee responsible	Former rapporteur	Appointed
TRAN Transport and Tourism	NOVO BELENGUER Alfonso (ARE)	19/11/1996

Council of the European Union

Council configuration	Meetings	Date
Transport, Telecommunications and Energy	2059	1997-12-10
Transport, Telecommunications and Energy	1979	1996-12-13
Transport, Telecommunications and Energy	1951	1996-10-03
Budget	2114	1998-07-17

Key events

Date	Event	Reference	Summary
23/09/1996	Legislative proposal published	COM(1996)0455	Summary
03/10/1996	Debate in Council		
23/10/1996	Committee referral announced in Parliament		
13/12/1996	Debate in Council		
26/02/1997	Vote in committee		Summary
26/02/1997	Committee report tabled for plenary, 1st reading/single reading	A4-0073/1997	
23/04/1997	Debate in Parliament		Summary

23/07/1997	Modified legislative proposal published	COM(1997)0344	Summary
11/12/1997	Council position published	11603/4/1997	Summary
18/12/1997	Committee referral announced in Parliament, 2nd reading		
25/02/1998	Vote in committee, 2nd reading		Summary
25/02/1998	Committee recommendation tabled for plenary, 2nd reading	A4-0069/1998	
10/03/1998	Debate in Parliament		Summary
14/05/1998	Modified legislative proposal published	COM(1998)0319	Summary
17/07/1998	Act adopted by Council after consultation of Parliament		
17/07/1998	End of procedure in Parliament		
01/08/1998	Final act published in Official Journal		

Technical information

Procedure reference	1996/0231(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Procedure subtype	Legislation
Legal basis	EC Treaty (before Amsterdam) E 084-p2
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/4/09592

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0073/1997 OJ C 115 14.04.1997, p. 0005	26/02/1997	
Text adopted by Parliament, 1st reading/single reading		T4-0203/1997 OJ C 150 19.05.1997, p. 0014-0030	24/04/1997	Summary
Committee recommendation tabled for plenary, 2nd reading		A4-0069/1998 OJ C 104 06.04.1998, p. 0006	25/02/1998	
Text adopted by Parliament, 2nd reading		T4-0134/1998 OJ C 104 06.04.1998, p. 0099-0117	11/03/1998	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	11603/4/1997 OJ C 023 23.01.1998, p. 0006	11/12/1997	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1996)0455 OJ C 334 08.11.1996, p. 0011	23/09/1996	Summary
Modified legislative proposal	COM(1997)0344 OJ C 264 30.08.1997, p. 0004	23/07/1997	Summary
Commission communication on Council's position	SEC(1997)2315	12/12/1997	Summary
Modified legislative proposal	COM(1998)0319	14/05/1998	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0227/1997 OJ C 133 28.04.1997, p. 0007	26/02/1997	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Directive 1998/0055
OJ L 215 01.08.1998, p. 0065 Summary

Community ports: vessels carrying dangerous or polluting goods (amend. Directive 93/75/EEC)

1996/0231(SYN) - 12/12/1997 - Commission communication on Council's position

The Commission considers that the text of the common position is acceptable, since it respects the basic principles of the original and provides added value by the addition of new information, in particular in the Annexes to Directive 93/75/EEC.

Community ports: vessels carrying dangerous or polluting goods (amend. Directive 93/75/EEC)

1996/0231(SYN) - 23/07/1997 - Modified legislative proposal

The Commission's amended proposal took account of Parliament's amendments relating to: - the amendment of the first article of the draft directive, as this would facilitate subsequent amendments to the annexes to the directive under the committee procedure provided for by Directive 93/75/EC, with a view to taking account of future amendments of the International Maritime Organisation's INF code for the safe carriage of irradiated nuclear fuel, plutonium and high-level radioactive waste in flasks on board ships; - the amendment of Annex I on the requirement to inform the port state authorities

of the number of crew on board. However, the Commission did not accept the amendments that did not come under the scope of the directive or that related to situations that were already covered in other legislative proposals. These included: - the amendment aimed at banning the transport of radioactive material on board ships carrying passengers; - the amendment stipulating that radioactive material may only be transported in containers meeting the latest IAEA standards; - the addition to the list of information included in Annex I of Directive 93/75/EEC involving various safety requirements and emergency measures relating to the carriage of radioactive material; - the extension of the notification requirements to cover vessels in transit; - the requirement for passenger ships carrying dangerous goods to possess a list of the passengers on board; - the requirement for Member States to systematically forward any information they receive to the relevant authorities in the other Member States involved.

Community ports: vessels carrying dangerous or polluting goods (amend. Directive 93/75/EEC)

1996/0231(SYN) - 11/12/1997 - Council position

The Council's common position amends the definition of 'dangerous goods' which originally only referred to the International Maritime Dangerous Goods Code (IMDG) in order to clarify that it covers radioactive materials as referred to in the INF Code. It also requires ships to notify their INF Class. As a consequence the common position also provides for a definition of 'INF Code'. Moreover, the competences of the regulatory committee provided for under Directive 93/75/EEC have been extended so that it will be in a position: -to apply, for the purposes of the Directive, subsequent amendments to the INF Code which have entered into force; - to amend the Annexes in line with subsequent amendments to the relevant international conventions, codes and resolutions which have entered into force, but without broadening the scope of the Directive. The common position also amends Annex I (information on vessels carrying dangerous or polluting goods) and Annex II (check list for vessels) in the light of amendments to the relevant international instruments which have entered into force since the date of adoption of Directive 93/75/EEC. The Member States will have to comply with the Directive no later than 30 June 1998. The Council followed the Commission's amended proposal on all points, taking over in particular two of Parliament's amendments seeking to: - permit the application for the purposes of the Directive of subsequent amendments to the INF Code by using the committee procedure set up under Directive 93/75/EEC; - ensure that the authorities in charge of emergency response in the case of an accident or incident at sea involving a ship carrying hazardous materials have access to information on the number of crew on board.

Community ports: vessels carrying dangerous or polluting goods (amend. Directive 93/75/EEC)

1996/0231(SYN) - 24/04/1997 - Text adopted by Parliament, 1st reading/single reading

In adopting the report by Mr Alfonso Novo Belenguer, (ARE; ES) the European Parliament amended the Commission proposal, calling in particular for : - a ban on radioactive material of any type being transported on board ships carrying passengers; - all vessels transporting dangerous or polluting goods, even if not stopping at a Community port, to notify the coastal Member States on route, before beginning the voyage, of all information listed in Annex 1. Concerning the transport of dangerous substances by passenger vessels, Parliament proposes tighter controls on the transportation of such materials with passengers in Community waters, and an obligation for ship-owners and ships' masters to notify the Post State authorities of the number of crew members and to publish a passenger list.

Community ports: vessels carrying dangerous or polluting goods (amend. Directive 93/75/EEC)

1996/0231(SYN) - 14/05/1998 - Modified legislative proposal

In its re-examined proposal following Parliament's second reading, the Commission has incorporated two of the four amendments adopted by Parliament. These are the amendments on the new version of the INF code (International Maritime Organization code on safety rules for the transport of irradiated nuclear fuel, plutonium and high-level radioactive waste in flasks on board ships), which came into force on 1 January 1998 and not 1 January 1996 as stated in the common position. The Commission also accepts a general amendment ensuring that the level of environmental safety standards laid down in the directive will be maintained even if texts, conventions and codes are modified at international level. The other amendments were either redundant (notification obligation for vessels in transit in the territorial waters of the Member States) or inappropriate.

Community ports: vessels carrying dangerous or polluting goods (amend. Directive 93/75/EEC)

1996/0231(SYN) - 26/02/1997 - Economic and Social Committee: opinion, report

In line with opinions expressed previously, and in particular those in its Opinion on the Communication on a Common Policy for Safety at Sea the Committee welcomes the present draft directive. As the carriage of radioactive materials by sea is increasing and the position of EU Member States regarding that transport is very important, the Committee thinks that the introduction of a reference to the INF Code in Article 2 of Directive 93/75/EEC is fully justified. The Committee is also of the opinion that due consideration should be given to the application of Directive 93/75/EEC, as modified by

the present Directive, not only to vessels bound for or leaving Community ports, or staying at anchor in territorial waters of an EU Member State, but also to all vessels in transit in those territorial waters. Finally, the adoption of the committee procedure makes it easier to follow the evolution of international legislation. In terms of safety at sea and marine environment protection this evolution is currently very fast.

Community ports: vessels carrying dangerous or polluting goods (amend. Directive 93/75/EEC)

1996/0231(SYN) - 23/09/1996 - Legislative proposal

OBJECTIVE: To amend Directive 93/75/EEC, the aim of which is to improve prevention and remedial action in the event of circumstances at sea which might lead to accidents involving ships carrying dangerous or polluting goods. SUBSTANCE: The proposal for a Council directive aims to: - extend the scope of Directive 93/75/EEC to cover the carriage of irradiated nuclear fuel, plutonium and high-level radioactive waste in flasks on board ships; - supplement the information given in the annexes to the directive in the light of developments in international legislation (e.g. by including a reference to the IMO identification number, the purpose of which is to facilitate identification of vessels in order to enhance safety at sea and to protect the marine environment); - facilitate the amendment of those annexes in the light of developments in international legislation by applying the committee procedure.

Community ports: vessels carrying dangerous or polluting goods (amend. Directive 93/75/EEC)

1996/0231(SYN) - 11/03/1998 - Text adopted by Parliament, 2nd reading

In adopting the recommendation for second reading by Mr Alfonso NOVO BELENGUER (ARE, E), Parliament approved the common position whose purpose was: - to include within the scope of the 1993 Directive requirements for vessels carrying irradiated nuclear fuel, plutonium and highly radioactive waste; - to supplement the information provided to port authorities by inserting additional information in the technical annexes; - to facilitate the future amendment of the annexes by means of the commitology procedure. Parliament stated that the changes must not weaken the provisions concerning safety and protection of the marine environment. It called for operators of vessels transporting dangerous or polluting goods whilst transiting through the territorial waters of the Community without stopping at a Community port to notify their route to the coastal Member States en route before beginning the voyage.

Community ports: vessels carrying dangerous or polluting goods (amend. Directive 93/75/EEC)

1996/0231(SYN) - 17/07/1998 - Final act

OBJECTIVE: To improve preventive measures and response in the event of incidents at sea which could lead to accidents involving ships transporting dangerous or polluting goods. COMMUNITY MEASURE: Council Directive 98/55/EC amending Directive 93/75/EEC concerning minimum requirements for vessels bound for or leaving Community ports and carrying dangerous or polluting goods. SUBSTANCE: The amendment approved by the Council aims to: - specify that the directive covers certain radioactive materials as referred to in the INF code (IMO code for the safe carriage of irradiated nuclear fuel, plutonium, and high-level radioactive wastes in flasks on board ships); - amend the current annexes to Directive 93/75/EEC in line with developments in international law; - enable the Community procedure to be applied in order to amend the annexes to the directive in line with developments in international law with regard to safety at sea and environmental protection. ENTRY INTO FORCE: 21/08/1998. DEADLINE FOR TRANSPOSITION: 31/12/1998.