

Basic information	
<b>1997/0215(SYN)</b> SYN - Cooperation procedure (historic)	Procedure completed
Maritime safety, pollution: international standards for ships using community ports  Repealed by <a href="#">2005/0238(COD)</a>  <b>Subject</b>  3.20.03.01 Maritime safety 3.20.09 Ports policy	

Key players					
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>	
	<span style="border: 1px solid red; padding: 2px;">TRAN</span> Transport and Tourism		BAZIN Jean-Pierre (UPE)	29/10/1997	
	<b>Former committee responsible</b>		<b>Former rapporteur</b>	<b>Appointed</b>	
	<span style="border: 1px solid red; padding: 2px;">TRAN</span> Transport and Tourism		BAZIN Jean-Pierre (UPE)	29/10/1997	
	<b>Former committee for opinion</b>		<b>Former rapporteur for opinion</b>	<b>Appointed</b>	
	<span style="border: 1px solid red; padding: 2px;">ENVI</span> Environment, Public Health and Consumer Protection		The committee decided not to give an opinion.		
	Council of the European Union	<b>Council configuration</b>		<b>Meetings</b>	<b>Date</b>
		General Affairs		2085	1998-04-27
		Transport, Telecommunications and Energy		2059	1997-12-10
Research		2067	1998-02-12		

Key events			
Date	Event	Reference	Summary
25/07/1997	Legislative proposal published	COM(1997)0416 	<a href="#">Summary</a>
19/09/1997	Committee referral announced in Parliament		
24/11/1997	Vote in committee		<a href="#">Summary</a>

24/11/1997	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A4-0369/1997</a>	
12/02/1998	Council position published	<a href="#">05004/1/1998</a>	<a href="#">Summary</a>
19/02/1998	Committee referral announced in Parliament, 2nd reading		
17/03/1998	Vote in committee, 2nd reading		<a href="#">Summary</a>
17/03/1998	Committee recommendation tabled for plenary, 2nd reading	<a href="#">A4-0090/1998</a>	
27/04/1998	Act adopted by Council after consultation of Parliament		
27/04/1998	End of procedure in Parliament		
07/05/1998	Final act published in Official Journal		

Technical information	
<b>Procedure reference</b>	1997/0215(SYN)
<b>Procedure type</b>	SYN - Cooperation procedure (historic)
<b>Procedure subtype</b>	Legislation
<b>Amendments and repeals</b>	Repealed by <a href="#">2005/0238(COD)</a>
<b>Legal basis</b>	EC Treaty (before Amsterdam) E 084-p2
<b>Stage reached in procedure</b>	Procedure completed
<b>Committee dossier</b>	TRAN/4/09780

Documentation gateway				
<b>European Parliament</b>				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A4-0369/1997</a> <a href="#">OJ C 388 22.12.1997, p. 0002</a>	24/11/1997	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T4-0595/1997</a> <a href="#">OJ C 388 22.12.1997, p. 0010-0016</a>	04/12/1997	<a href="#">Summary</a>
Committee recommendation tabled for plenary, 2nd reading		<a href="#">A4-0090/1998</a> <a href="#">OJ C 138 04.05.1998, p. 0006</a>	17/03/1998	
Text adopted by Parliament, 2nd reading		<a href="#">T4-0173/1998</a> <a href="#">OJ C 138 04.05.1998, p. 0018-0025</a>	31/03/1998	<a href="#">Summary</a>
<b>Council of the EU</b>				
Document type		Reference	Date	Summary
Council position		<a href="#">05004/1/1998</a> <a href="#">OJ C 091 26.03.1998, p. 0028</a>	12/02/1998	<a href="#">Summary</a>
<b>European Commission</b>				
Document type		Reference	Date	Summary
		<a href="#">COM(1997)0416</a>		

Legislative proposal	 OJ C 264 30.08.1997, p. 0033	25/07/1997	<a href="#">Summary</a>	
Commission communication on Council's position	 SEC(1998)0228	13/12/1998	<a href="#">Summary</a>	
<b>Other institutions and bodies</b>				
Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	<a href="#">CES1393/1997</a> <a href="#">OJ C 073 09.03.1998, p. 0064</a>	10/12/1997	<a href="#">Summary</a>

Additional information		
Source	Document	Date
European Commission	<a href="#">EUR-Lex</a>	

Final act
<a href="#">Directive 1998/0025</a> <a href="#">OJ L 133 07.05.1998, p. 0019</a> <span style="float: right;"><a href="#">Summary</a></span>

## Maritime safety, pollution: international standards for ships using community ports

1997/0215(SYN) - 13/12/1998 - Commission communication on Council's position

The Commission is of the opinion that the text of the common position is acceptable since it is in line with the basic principles embodied in the original and provides useful clarification on the application of the proposed provisions.

## Maritime safety, pollution: international standards for ships using community ports

1997/0215(SYN) - 12/02/1998 - Council position

The common position established by the Council largely corresponds to the Commission proposal. The proposal for a directive changes the reference dates in terms of Directive 95/21/EC to take account of the amendments to the Paris memorandum of understanding on port state control (entered into force on 14 January 1998). In addition a new provision has been inserted seeking to: - ensure that vessels unable to present 'a document of compliance' or 'safety management certificate' issued in accordance with the ISM Code are detained; - enable Member States to lift such a detention order provided that no other deficiencies warranting attention have been found and that this measure is necessary in order to avoid port congestion; - ensure that vessels which have been allowed to leave the port under these conditions are in principle refused access to all Community ports until they are able to prove compliance with the ISM Code. Finally, the common position sets out more precisely the scope of the committee procedure in the event of any future amendments to international conventions and the memorandum of understanding.

## Maritime safety, pollution: international standards for ships using community ports

1997/0215(SYN) - 10/12/1997 - Economic and Social Committee: opinion, report

The Economic and Social Committee re-affirms its support for the ISM code as a major and important instrument for improving standards of maritime safety worldwide and welcomes the Commission's proposal to make detention of a vessel mandatory in the absence of a recognized document of compliance and safety management certificate, even if it recognizes that significant practical problems need to be overcome as the code initially enters into force. The Committee accepts the amendment to the Directive that permits Member States, at their discretion, to allow ships which do not comply on their first call at a Community port after 1 July 1998 to be released from detention and to continue their voyages, but only to ports outside the Community. It emphasizes that apart from this single proviso there should be no further derogations of any sort and the provisions of the proposed new Article 9(a) should be strictly complied with. The Committee considers that it is of the utmost importance that the Port State Control provisions should be applied in a uniform manner throughout the Community so that owners are not tempted to send ships which do not totally comply with the requirements to ports where they perceive that a more lax inspection regime is applied. As a more general point the Committee believes that confirmation that a ship carries this and the other necessary documentation required under the Port State Control procedures might be facilitated by the adoption of a pre-notification procedure and suggests that this might be the subject of further study by the Commission with a view to its possible development within the IMO.

## **Maritime safety, pollution: international standards for ships using community ports**

1997/0215(SYN) - 27/04/1998 - Final act

OBJECTIVE: to update Directive 95/21/EC in order to take account of recent amendments to the international conventions applicable for the purposes of the directive: amendments to the MARPOL and SOLAS Conventions and 1995 amendments to the 1978 STCW Convention (conventions on standards of training, certification and watchkeeping for seafarers). OBJECTIVE: Council Directive 95/21/EC concerning the enforcement, in respect of ships using EU ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port state control). CONTENT: the amendments introduced by the directive seek to: - extend port state control to take account of recent amendments to the MARPOL, SOLAS and STCW Conventions; - oblige Member States to ensure that ships using their ports comply with the International Management Code for the Safe Operation of Ships and Pollution Prevention (ISM Code); - introduce specific procedures for detaining ships not carrying a copy of the document of compliance or safety management certificate issued under the ISM Code, taking account of the fact that many companies and ships will not have an ISM certificate on 1 July 1998, when the ISM Code enters into force; - stipulate the powers granted under the committee procedure where amendments are made to international conventions at a later date. ENTRY INTO FORCE: 7 May 1998 DEADLINE FOR TRANSPOSITION: 1 July 1998.

## **Maritime safety, pollution: international standards for ships using community ports**

1997/0215(SYN) - 25/07/1997 - Legislative proposal

OBJECTIVE: to amend Directive 95/21/EC concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control). SUBSTANCE: the amendments proposed by the European Commission seek to: - adapt Directive 95/21/EC to recent amendments to the international conventions applicable for the purpose of the Directive: amendments to the Marpol and Solas Conventions and the 1995 amendments to the 1978 STCW Convention (conventions on standards of training, certification and watchkeeping for seafarers); - lay down specific procedures for ships not carrying the certificates issued under the IMO's ISM(International Management Code for the Safe Operation of Ships and for Pollution Prevention) Code on board; - facilitate adaption of the Directive to changes in international legislation by applying the committee procedure.

## **Maritime safety, pollution: international standards for ships using community ports**

1997/0215(SYN) - 04/12/1997 - Text adopted by Parliament, 1st reading/single reading

In adopting without discussion the report by Mr Jean-Pierre BAZIN (UPE, F), the European Parliament has approved the adoption of an ISM Code (International Management Code for the Safe Operation of Ships).

## **Maritime safety, pollution: international standards for ships using community ports**

1997/0215(SYN) - 31/03/1998 - Text adopted by Parliament, 2nd reading

Parliament approved the common position (procedure without debate).