Basic information

1998/0159(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure lapsed or withdrawn
Regular passenger and ferry services: manning conditions **Subject** 3.20.03 Maritime transport: passengers and freight 3.20.10 Transport undertakings, transport industry employees	

Key players

Council of the European Union

Council configuration	Meetings	Date
Transport, Telecommunications and Energy	2324	2000-12-20
Transport, Telecommunications and Energy	2142	1998-11-30
Transport, Telecommunications and Energy	2108	1998-06-17

European Commission

Commission DG	Commissioner
Energy and Transport	

Key events

Date	Event	Reference	Summary
29/04/1998	Legislative proposal published	COM(1998)0251	Summary
17/06/1998	Debate in Council		
14/09/1998	Committee referral announced in Parliament, 1st reading		
30/11/1998	Debate in Council		
17/02/1999	Vote in committee, 1st reading		Summary
17/02/1999	Committee report tabled for plenary, 1st reading	A4-0075/1999	
12/03/1999	Debate in Parliament		
28/07/1999	Vote in committee, 1st reading		
28/07/1999	Committee report tabled for plenary confirming Parliament's position	A5-0005/1999	
16/09/1999	Decision by Parliament, 1st reading	T5-0015/1999	
13/07/2000	Modified legislative proposal published	COM(2000)0437	Summary
20/12/2000	Debate in Council		
06/08/2004	Additional information		Summary

Technical information

Procedure reference	1998/0159(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 080-p2
Stage reached in procedure	Procedure lapsed or withdrawn
Committee dossier	TRAN/4/10327

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0075/1999 OJ C 175 21.06.1999, p. 0004	17/02/1999	
Text adopted by Parliament, 1st reading/single reading		T4-0203/1999 OJ C 175 21.06.1999, p. 0417-0440	12/03/1999	Summary
Committee final report tabled for plenary, 1st reading /single reading		A5-0005/1999 OJ C 054 25.02.2000, p. 0010	28/07/1999	
Text adopted by Parliament confirming position adopted at 1st reading		T5-0015/1999 OJ C 054 25.02.2000, p. 0056-0079	16/09/1999	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1998)0251	29/04/1998	Summary
Reconsultation	SEC(1999)0581	28/04/1999	
Document attached to the procedure	SEC(2000)0377	25/02/2000	
Modified legislative proposal	COM(2000)0437 OJ C 337 28.11.2000, p. 0214 E	13/07/2000	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1436/1998 OJ C 040 15.12.1999, p. 0003	02/12/1998	

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Regular passenger and ferry services: manning conditions

1998/0159(COD) - 13/07/2000 - Modified legislative proposal

On April 29 1998, the Commission presented to the Council a communication on a common policy on manning of regular passenger and ferry services operating in and between Member States. The Communication included two attached proposals, one for a Council Regulation and the other for a Council Directive. As regards the proposal for a Directive, the European Parliament, although endorsing the proposal as a whole, adopted 5 amendments. The Commission on the other hand, accepted only 2 of these amendments which relate in particular to vessels carrying cargo only, they should be expressly excluded from the scope of the Directive even when more than 12 drivers accompany their vehicles on this type of vessel. The other amendment accepted by the Commission concerns the submission of a report to the Council from the Commission on the possible impact of the application of the Directive. The Commission did not, however, accept the amendments which relate in particular to: - employment contracts; - the permanent residence of seafarers on board the vessels where they are employed as this is a matter for national law; - the employment, training, treatment and funding of seafarers and the promotion of the maritime profession to young people as these issues will be analysed in a separate communication currently being drawn up by the Commission. In addition, the Commission has made amendments to the text which will simplify the application of the Directive; provide for Member States to ensure that the shipping companies in question apply those conditions, refered to in paragraph 2, to seafarers who are nationals of third countries; clarify the Member States' responsibility for ensuring that shipowners operating regular services between Member States comply with the Directive; change the deadline for the application of provisions by the Member States to comply with the Directive.

Regular passenger and ferry services: manning conditions

1998/0159(COD) - 12/03/1999 - Text adopted by Parliament, 1st reading/single reading

The Parliament approved the text of the Commission's proposal subject to a few amendments. The Rapporteur was Ms. Anne McIntosh (EPP, UK). Among the amendments is one designed to impose a ban on allowing sailors to live permanently on board ships where they are working. The Parliament also sought to ensure that the Directive would not apply to exclusively cargo-carrying vessels engaged in trade between ports situated in different Member States. It also clarified the definition of a 'passenger ship' as being a sea-going vessels which carries more than 12 passengers. A further amendment would ensure that the Parliament and the Council, acting in co-decision on a proposal from the Commission, shall adopt, by 31 December 1999, a decision establishing an action programme at EU level for attracting young people to the maritime profession, including specific training targets, as well as the resources for funding that programme.

Regular passenger and ferry services: manning conditions

1998/0159(COD) - 29/04/1998 - Legislative proposal

PURPOSE: the proposal for a directive 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: the proposal, which is accompanied by a Commission communication, deals with the working conditions of third-country nationals employed on ferries which provide regular passenger services within Member States. The proposal provides that third-country nationals employed on board ships under Member States' flags shall be treated in a similar way as residents of Member States employed on board these ships (flag-state conditions). In the case of ferries under third-country flags, the labour conditions of such crew members shall be in line with those applicable to residents of Member States in the Member State with which the service is most closely connected (host State). The terms and conditions of employment guaranteed to third-country nationals under this proposal will cover hte following matters: maximum work periods and minimum rest periods, minimum annual paid holiday, minimum rates of pay, including overtime rates, health safety and hygiene at work, protective measures with regard to pregnant women, children and young people, equality of men and women, measures for the repatriation of seafarers and the payment of outstanding salary and social contributions in the event of th insolvency of their employer. The proposal allows for a derogation from this principle for third-country workers who stay for an insignificant short period in the Community.

Regular passenger and ferry services: manning conditions

1998/0159(COD) - 16/09/1999

The European Parliament confirmed its first reading in the context of the codecision procedure of the text that it adopted on 12.03.1999 concerning this proposal for a regulation.