Basic information

2000/0067(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Maritime safety: double hull or equivalent design for single hull oil tankers, package Erika I Repealed by 2011/0243(COD) Amended by 2000/0236(COD) Amended by 2002/0310(COD) Amended by 2006/0046(COD) **Subject** 3.20.03.01 Maritime safety	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
RETT Regional Policy, Transport and Tourism	HATZIDAKIS Konstantinos (PPE-DE)	19/04/2000

Former committee responsible	Former rapporteur	Appointed
RETT Regional Policy, Transport and Tourism	HATZIDAKIS Konstantinos (PPE-DE)	19/04/2000

Former committee for opinion	Former rapporteur for opinion	Appointed
BUDG Budgets	The committee decided not to give an opinion.	
ITRE Industry, External Trade, Research, Energy	PIÉTRASANTA Yves (V /ALE)	25/05/2000
ENVI Environment, Public Health, Consumer Policy	VACHETTA Roseline (GUE /NGL)	23/05/2000

Council of the European Union

Council configuration	Meetings	Date
Transport, Telecommunications and Energy	2292	2000-10-02
Transport, Telecommunications and Energy	2364	2001-06-27
Transport, Telecommunications and Energy	2279	2000-06-26

European Commission	Commission DG	Commissioner
	Energy and Transport	

Key events

Date	Event	Reference	Summary
21/03/2000	Legislative proposal published	COM(2000)0142	Summary
03/05/2000	Committee referral announced in Parliament, 1st reading		
26/06/2000	Debate in Council		Summary
02/10/2000	Debate in Council		
20/11/2000	Vote in committee, 1st reading		Summary
20/11/2000	Committee report tabled for plenary, 1st reading	A5-0344/2000	
30/11/2000	Decision by Parliament, 1st reading	T5-0533/2000	Summary
30/11/2000	Debate in Parliament		
13/12/2000	Modified legislative proposal published	COM(2000)0848	Summary
07/08/2001	Council position published	10221/1/2001	Summary
05/09/2001	Committee referral announced in Parliament, 2nd reading		
11/10/2001	Vote in committee, 2nd reading		Summary
11/10/2001	Committee recommendation tabled for plenary, 2nd reading	A5-0344/2001	
12/12/2001	Debate in Parliament		
13/12/2001	Decision by Parliament, 2nd reading	T5-0697/2001	Summary
18/02/2002	Final act signed		
18/02/2002	End of procedure in Parliament		
07/03/2002	Final act published in Official Journal		

Technical information

Procedure reference	2000/0067(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealed by 2011/0243(COD) Amended by 2000/0236(COD) Amended by 2002/0310(COD) Amended by 2006/0046(COD)
Legal basis	EC Treaty (after Amsterdam) EC 080-p2
Stage reached in procedure	Procedure completed

Committee dossier	RETT/5/14088

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0344/2000 OJ C 228 13.08.2001, p. 0005	20/11/2000	
Text adopted by Parliament, 1st reading/single reading		T5-0533/2000 OJ C 228 13.08.2001, p. 0017-0140	30/11/2000	Summary
Committee recommendation tabled for plenary, 2nd reading		A5-0344/2001	11/10/2001	
Text adopted by Parliament, 2nd reading		T5-0697/2001 OJ C 177 25.07.2002, p. 0212-0281 E	13/12/2001	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	10221/1/2001 OJ C 307 31.10.2001, p. 0041	07/08/2001	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2000)0142	21/03/2000	Summary
Document attached to the procedure	COM(2000)0603	27/09/2000	Summary
Modified legislative proposal	COM(2000)0848 OJ C 154 29.05.2001, p. 0041 E	13/12/2000	Summary
Commission communication on Council's position	SEC(2001)1343	29/08/2001	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
CofR	Committee of the Regions: opinion	CDR0165/2000 OJ C 022 24.01.2001, p. 0019	20/09/2000	
EESC	Economic and Social Committee: opinion, report	CES1206/2000 OJ C 014 16.01.2001, p. 0022	19/10/2000	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act	
Regulation 2002/0417 OJ L 064 07.03.2002, p. 0001-0005	Summary

Maritime safety: double hull or equivalent design for single hull oil tankers, package Erika I

2000/0067(COD) - 30/11/2000 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the report by Mr Konstantinos HATZIDAKIS (EPP/ED, Gr) on the accelerated phasing-in of double hull or equivalent design standards for single hull oil tankers. This report was adopted subject to numerous amendments. With regard to these amendments, the Parliament is sending a clear signal as to the importance it attaches to maritime safety and environmental protection. (Refer to the previous document which outlines the amendments adopted by the committee responsible and which mirror the amendments adopted by the House).

Maritime safety: double hull or equivalent design for single hull oil tankers, package Erika I

2000/0067(COD) - 29/08/2001 - Commission communication on Council's position

Given the Common Position is largely in line with the Commission's initial proposal, the Commission accepts the changes proposed by the Council. Further, the Commission is of the view that the Common Position reflects the international agreement as adopted by IMO MEPC 46, which will lead to a global acceleration of the phasing-out of single-hull oil tankers and hence reduce the risk of accidental oil pollution due to grounding or collision; not just in European waters but world wide.

Maritime safety: double hull or equivalent design for single hull oil tankers, package Erika I

2000/0067(COD) - 13/12/2000 - Modified legislative proposal

The European Parliament adopts the Commission's proposal to ensure the acceleration of the phasing out of single hull oil tankers operating under the flag of the Member States or in traffic to and from EU ports, in relation to the timetable currently in force through the international Convention on the Prevention of Pollution from Ships (Marpol 73/78). The European Parliament also shares the view of the European Commission and of the Council, that similar measures should be taken at global level. The International Maritime Organisation convened its Marine Environmental Protection Committee (MEPC) to prepare an amendment to the MARPOL 73/78 Regulation 13 G of Annex I to this effect. This draft amendment was agreed by MEPC in its 45th session on 2 to 6 October 2000. The amendments adopted by the Parliament are based on the draft MEPC text, which the Commission finds acceptable in relation to its original proposal. The Commission therefore, in the interest of harmonisation, accepts the amendments by the Parliament concerning the phase-out schedule for single hull tankers, since the proposed schedule is in line with the aforementioned new wording of Regulation 13 G of Annex I of the Marpol Convention. The Commission also agrees to exclude tankers between 600 and 3 000 tonnes deadweight from the phase-out schedule of the proposal, to ensure normal supply to the market in the island regions of the Union. The Commission furthermore agreed to withdraw its proposed system of financial incentives and disincentives, based on differential charging of port and pilotage fees, in the view of its expected limited impact. The Commission can however not accept: - the amendment proposing to create a new Committee, for the purpose of this Regulation only, rather than as is customary in recent legislation, make use of an existing Committee; - the amendment including a recital with a political statement not suitable for a legislative text, which has no equivalence in the Article of the Directive.

Maritime safety: double hull or equivalent design for single hull oil tankers, package Erika I

2000/0067(COD) - 21/03/2000 - Legislative proposal

PURPOSE : to present a proposal for a Regulation of the European Parliament and the Council on the accelerated phasing-in of double hull or equivalent design standards for single hull oil tankers in order to raise the safety and pollution prevention standards for oil tankers operating to and from and between ports of the Member States. CONTENT : in the follow-up to the pollution accidents with the oil tankers "Aegean Sea" off la Coruña in December 1992 and the "Braer" off the Shetlands in January 1993, the Commission issued its communication "a common policy on safe seas". This communication took stock of the existing situation with regard to maritime safety and the prevention of pollution of the marine environment. It underlined in particular the request of the extraordinary Council on Environment and Transport of 25 January 1993 to support the action of the International Maritime Organisation (IMO) on the reduction of safety gap between new and existing ships by upgrading and/or phasing-out existing ships, built to earliest standards, after a reasonable period of operation. This request stressed the need of paying particular attention to oil tankers and their protective location as laid down in the international Convention for the Prevention of Pollution from ships, 1973 and the Protocol of 1978 related thereto (MARPOL 73/78). The purpose of this Regulation specifies the age limits and end-dates by which single hull oil tankers have to comply with the double hull or equivalent design requirements of Regulation 13F of Annex I of the Marpol 73/78 Convention. The age limits proposed are either lower than the ones specified in the Regulation 13G of Annex I of Marpol 73/78 or apply to these categories of tankers which because of their size are not covered by that Regulation. The end-date limits specified aim at avoiding that single hull oil tankers can continue or start trading to European ports after the end-date limits beyond which they are no longer allowed to operate in the waters falling under the jurisdiction of the United States. Compliance with these requirements will be imposed as a condition of access to ports of the Member States for all oil tankers of 600 tons deadweight and above, irrespective of the flag they fly. Further, all oil tankers of that size category, flying the flag of a Member State will have to comply with the accelerated phasing-in scheme of the double hull or equivalent design standards. In addition, and as a complementary measure, the proposal foresees the replacement of the actual differential charging system for port and pilotage dues as laid down in Council Regulation 2798/94/EC. The existing system has to be abolished, since it does not provide for a differentiation in the charging of port and pilotage dues between single hull and double hull oil tankers both equipped with segregated ballast tanks. Moreover, the accelerated phasing-in system will lead to the disappearance of single hull oil tankers without segregated ballasts tanks as soon as in 2005, and therefore there will be no reasons to prolong the actual system beyond that date. The new financial system for differential charging of port and pilotage dues proposed foresees a reduction of these dues for double hull oil tankers, but the reduction should be regressive with the ship's age. For single hull oiltankers, a surcharge on the dues is applied, progressive with the ship's age. The proposal specifies that this differential charging system should cease to be applied, once the phasing-in of the double hull or equivalent design standards for single hull oil tankers is fully accomplished. Finally, the proposed Regulation provides for its notification to IMO, once it has been adopted. The purpose of this notification is to inform the international maritime community about the new rules of play in the Community for trading with oil tankers to and from and between ports of the Member States. The proposal provides also for a mandate to the Commission, subject to Comitology, for amending the Regulation to take account of amendments to the relevant international instruments, as well as for adjusting the percentages of the reductions and surcharges in the differential charging system, to take account of possible fluctuations in the rate at which the replacement of single hull tonnage by double tonnage is taking place over the phasing-in period.

Maritime safety: double hull or equivalent design for single hull oil tankers, package Erika I

2000/0067(COD) - 13/12/2001 - Text adopted by Parliament, 2nd reading

Parliament approved the resolution by Mr Konstantinos HATZIDAKIS (EPP-ED, GR) on the Council's common position without amendment. Since almost all amendments from first reading had been included in the common position, there was no reason for delay in the phasing-out timetable for single-hull oil tankers, particularly since two years had now passed since the shipwreck of the Erika. Single hull tankers will now be phased out on the basis of a ship's date of delivery, i.e. on completing a certain number of years of service. The deadlines, based on a schedule laid down in April 2001 by the IMO, are the following: Category 1 ships (more than 25 years old) should be withdrawn by 2007 and Category 2 ships (those meeting the conditions of a special survey regime) by 2015. The withdrawal deadline for Category 3 ships (below 20.000 ore 30.000 tons depending on circumstances) is also 2015 but the tonnage limit for these vessels has increased from the 3000 tons suggested by Parliament at first reading to 5000 tons.

Maritime safety: double hull or equivalent design for single hull oil tankers, package Erika I

2000/0067(COD) - 27/09/2000 - Document attached to the procedure

This present report from the Commission for the Biarritz European Coucil outlines the Community strategy for safety at sea. The Feira European Council of 19-20 June 2000 welcomed the Commission's intention to deliver a report on the overall strategy concerning the safey of transport at sea to enable a decision to be taken before the end of the year. Following the sinking of the oil tanker, Erika, on 12 December 1999, the Commission responded quickly to the calls from the European Parliament and the Council to tighten significantly the rules governing safety at sea at the Community level by adopting a "communication on the safety of oil transport by sea" on 21 March 2000. The communication describes an overall strategy that includes a certain number of practical short and medium-term activiites to prevent such accidents from ever happening again. The three proposed legislative measures adopted by the Commission after the Erika disaster are currently being discussed within the European Parliament and the Council. The three proposals relate in particular to: - amending the existing Directive on the inspection of ships by the Port State in order to make the checks in ports more stringent; - amending the existing Directive with regard to classification societies for which Member States delegate a major proportion of their inspection powers; - banning single-hull oil tankers in line with a timetable similar to that set by the United States. Progress has been made on the three proposals, however, substantial work still has to be done before the Nice European Council in December. Furthermore, beyond the proposed short-term actions set out in the communication, the Commission has announced further action to provide long-term protection of European waters against the risk of accidents and pollution of the seas. The Commission intends to propose that a European fund to compensate for damage caused by pollution be set up which would provide top-up compensation for victims where the ceilings set by the Conventions are exceeded. In

addition, the Commission is contemplating the setting-up of a specific structure which might take the form of a "European Agency for Maritime Safety". Finally, as announced in the Commission's communication of 21 March, the proposals concerning the safety of traffic at sea and the European structure will be finalised at the end of the year and will be immediately followed by a proposal on liability. All of these forms of action together, including the first package of short-term measures, make up a coherent whole which should significantly improve maritime safety in the waters and the ports of the European Union.

Maritime safety: double hull or equivalent design for single hull oil tankers, package Erika I

2000/0067(COD) - 07/08/2001 - Council position

In line with amendments proposed by the European Parliament and later accepted by the European Commission, the Council's Common Position reflects by and large the view of the other two institutions. Within the international context, the Council Common Position takes note of the changes made at MEPC 46 and in particular Resolution MEPC.95(46). This Resolution refers to the amendments of Regulation 13G of Annex I to MARPOL 73 /78. Specifically, this denies entry of oil tankers referred to in paragraph (5) of the same regulation into the ports or offshore terminals located in the Community beyond the anniversary date of such tankers in 2015 in full respect of the conditions laid down in paragraph 8(b). Given that the MARPOL text is fully in line with the aims and purpose of the EU Regulation and given that it is fully compatible with Parliamentary amendments to that effect, the Council has revised the initial proposal in accordance with international specifications. Further changes have also been introduced to the Commission proposal. These include: - A number of editorial changes to ensure strict direct application of the Regulation. (Article 9 has thus been deleted). - A lower size limit of 5.000 tdwt in line with the new international agreement. - The exclusion of certain specific ships not used for commercial services, such as warships and naval auxiliary ships. Again this is fully in line with the application of MARPOL and with the Parliament and Council Directive in the field of Maritime Transport. - A strengthening of the Regulation's provisions to ensure that Member States engage themselves to adhere strictly to the revised Regulation 13G for ships flying their own flag. - Clear provisions denying entry into EU ports of Category 2 and 3 tankers after 2015. - Making use of the Condition Assessment Scheme (CAS) binding through specific articles. - Allowing Member States the possibility of making derogations from the Regulation for oil tankers in distress and/or needing repair provided that the strict conditions are fulfilled and that the implementing measures are dully communicated to the Commission. - A revision of the notification procedures which follow the requirements of revised regulation 13G of Annex I to MARPOL as well as Community measures to IMO. - The postponement of the repeal of Council Regulation No 2978/94 until the end of 2007. This ensures that some financial dis-incentives to operate single-hull tankers remain, at least until the final date when Category 1 tankers are allowed to enter ports and offshore terminals under the jurisdiction of the Member States.

Maritime safety: double hull or equivalent design for single hull oil tankers, package Erika I

2000/0067(COD) - 26/06/2000

The Council noted progress in proceedings on the Regulation proposed by the Commission on the gradual introduction of double-hull oil tankers. It drew attention to the importance of the technical questions raised by the Commission proposal. The Council took note of the delegations' contributions and instructed the Permanent Representatives Committee to continue its work and to make preparations for a discusson at the October Council. Furthermore, the Council adopted conclusions on maritime safety. Under the terms of these conclusions, the Council: - reaffirms its resolve to pursue and step up a maritime safety policy at international, Community and national level to reduce the risk of accidents, thus avoiding loss of human life and preventing pollution of marine environment; - recognises that acceptance, by any part of the shipping industry, of substandard practices affects protection of people and the environment, vessel safety and fair competition and that the elimination of such practices will be beneficial for all parties involved and help bring about a universal culture of safety and quality; - calls on the Member States to evaluate the situation and, where necessary, to tailor human resources and means required to the various tasks to be carried out by them and to introduce a quality management system; - points out the need to develop exchanges of experience between the Member States on organisational matters and working methods in particular by a better coordination of the activities of Vessel Traffic Services, with a view to establishing improved procedures and requirement levels; - supports the development and extension of the EQUASIS information system so as to bring greater transparency of information of the safety and quality of merchant vessels worldwide; - realising that the improvement of maritime safety requires fully qualified crews and good shipboard working conditions; - considers that special heed should be paid to seaborne trade of oil and other hazardous substances. The Council also urges the Member States, bearing in mind the importance of involving non-EU countries as well, strongly to support work under way within the IMO that should result in a quick and adequate revision of Annex I to the MARPOL Convention so as to eliminate the risk of shipping in single-hull oil tankers. In addition, the Council calls on the Commission and the Member States to pursue the objective of increasing the ceiling for compensation per accident laid down by the International Fund for Compensation for Oil Pollution Damage (IOPCF) with a view, in particular, to providing better coverage for damage to the environment, and to work for that purpose with non-EU countries as well. The Council requests the Commission to consider developing, when appropriate, a European database on accidents and incidents at sea. In conclusion, it points out that pursuit of maritime safety policy depends on proper, effective application of existing legislation, including general Community measures on health and working conditions applicable to the maritime sector. It reiterates the aim of maintaining and promoting seafaringoccupations in Europe, by means of increased interest in such work on the part of young Europeans and appropriate job training. To this end it calls on the Commission to submit a communication on the recruitment and training of seafarers, bearing in mind in particular the suggestion made by the social partners.

Maritime safety: double hull or equivalent design for single hull oil tankers, package Erika I

2000/0067(COD) - 18/02/2002 - Final act

PURPOSE : to secure ship safety by accelerating the phasing in of double hull tankers. COMMUNITY MEASURE : Regulation 417/2002/EC of the European Parliament and of the Council on the accelerated phasing in of double hull or equivalent design requirements for single hull oil tankers and repealing Council Regulation 2978/94/EC. CONTENT : The purpose of this Regulation is to establish an accelerated phasing in scheme for the application of the double hull or equivalent design requirements of the MARPOL 73/78 to single hull oil tankers. The Regulation applies to oil tankers of 5000 tons deadweight and above entering into a port or offshore terminal under the jurisdiction of a member State, irrespective of their flag, or flying the flag of a Member State. The respective final dates by which tankers must comply with MARPOL 73/78 depend on the size and age of the ship. Oil tankers are divided into three categories according to their tonnage, construction and age. The final date by which a single hull oil tanker is to be phased out is the anniversary of the date of delivery of the ship, according to a schedule starting in 2003 until 2007 for Category 1 oil tankers, and until 2015 for Categories 2 and 3. An oil tanker will not be allowed to enter ports or offshore terminals under the jurisdiction of a Member state beyond the anniversary of the date of delivery of the ship, in 2005 for Category 1 ships and 2010 for category 2 ships, unless it complies with the Condition Assessment Scheme. Council Regulation 2978/94/EC is repealed from 31/12/07. There are exemptions for ships in difficulty or ships to be repaired. ENTRY INTO FORCE : 27/03/02. DATE OF APPLICATION : 01/09/02.