

| Basic information  |                     |
|--|---------------------|
| <b>2002/0074(COD)</b><br><br>COD - Ordinary legislative procedure (ex-codecision procedure)<br>Directive | Procedure completed |
| Safe seas: ro-ro passenger ships, specific stability requirements  |                     |
| Amended by <a href="#">2022/0036(COD)</a>  |                     |
| <b>Subject</b><br><br>3.20.03 Maritime transport: passengers and freight                                 |                     |

| Key players                   |   |   |            |
|-------------------------------|---|---|------------|
| European Parliament           | Committee responsible                       | Rapporteur                                    | Appointed  |
|                               | RETT Regional Policy, Transport and Tourism | POIGNANT Bernard (PSE)                        | 18/04/2002 |
|                               | Committee for opinion                       | Rapporteur for opinion                        | Appointed  |
|                               | JURI Legal Affairs and Internal Market      | The committee decided not to give an opinion. |            |
| Council of the European Union | Council configuration                       | Meetings                                      | Date       |
|                               | Transport, Telecommunications and Energy    | 2438  | 2002-06-17 |
|                               | Agriculture and Fisheries                   | 2494  | 2003-03-17 |
| European Commission           | Commission DG                               | Commissioner                                  |            |
|                               | Energy and Transport                        |   |            |

| Key events |   |  |         |
|------------|---|--|---------|
| Date       | Event   | Reference  | Summary |
| 25/03/2002 | Legislative proposal published                          | COM(2002)0158<br> | Summary |
| 08/04/2002 | Committee referral announced in Parliament, 1st reading |  |         |
| 08/10/2002 | Vote in committee, 1st reading                          |  | Summary |
| 08/10/2002 | Committee report tabled for plenary, 1st reading        | A5-0339/2002   |         |
| 06/11/2002 | Debate in Parliament                                    |                   |         |

|            |   |  |         |
|------------|---|--|---------|
| 07/11/2002 | Decision by Parliament, 1st reading                   | T5-0528/2002   | Summary |
| 04/12/2002 | Modified legislative proposal published               | COM(2002)0721<br> | Summary |
| 17/03/2003 | Act adopted by Council after Parliament's 1st reading |  |         |
| 14/04/2003 | Final act signed                                      |  |         |
| 14/04/2003 | End of procedure in Parliament                        |  |         |
| 17/05/2003 | Final act published in Official Journal               |  |         |

| Technical information      |  |
|----------------------------|--|
| Procedure reference        | 2002/0074(COD)   |
| Procedure type             | COD - Ordinary legislative procedure (ex-codecision procedure) |
| Procedure subtype          | Legislation  |
| Legislative instrument     | Directive  |
| Amendments and repeals     | Amended by <a href="#">2022/0036(COD)</a>                      |
| Legal basis                | EC Treaty (after Amsterdam) EC 080-p2                          |
| Stage reached in procedure | Procedure completed  |

| Documentation gateway   |           |   |            |         |
|---|-----------|---|------------|---------|
| European Parliament   |           |   |            |         |
| Document type   | Committee | Reference   | Date       | Summary |
| Committee report tabled for plenary, 1st reading/single reading |           | A5-0339/2002  | 08/10/2002 |         |
| Text adopted by Parliament, 1st reading/single reading          |           | T5-0528/2002<br>OJ C 016 22.01.2004, p. 0015-0061 E | 07/11/2002 | Summary |

| European Commission           |  |            |         |  |
|-------------------------------|--|------------|---------|--|
| Document type                 | Reference  | Date       | Summary |  |
| Legislative proposal          | COM(2002)0158<br> | 25/03/2002 | Summary |  |
| Modified legislative proposal | COM(2002)0721<br> | 04/12/2002 | Summary |  |

| Other institutions and bodies |  |   |            |         |
|-------------------------------|--|---|------------|---------|
| Institution/body              | Document type                                  | Reference   | Date       | Summary |
| EESC                          | Economic and Social Committee: opinion, report | CES1352/2002<br>OJ C 085 08.04.2003, p. 0020-0024 | 11/12/2002 |         |

| Additional information |          |      |
|------------------------|----------|------|
| Source                 | Document | Date |
| European Commission    | EUR-Lex  |      |

| Final act  |
|--|
| Directive 2003/0025<br>OJ L 123 17.05.2003, p. 0022-0041 |

[Summary](#)

## Safe seas: ro-ro passenger ships, specific stability requirements

2002/0074(COD) - 07/11/2002 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution based on the draft by Bernard BOIGNANT (PES, France) on safety requirements for ro-ro passenger ships. (Please refer to the document dated 08/10/02.) The following additional amendments were made to the draft directive: - a child aged less than one year is not to be counted as a passenger; -where an additional ship is operated for a short period, the shipping company must notify the host State not later than one month before the ship is operated on the service, instead of the original proposal of three months; -where in unforeseen circumstances, a replacement ship must be introduced rapidly to ensure continuity of serve, the provisions of Directive 1999/35/EC must apply.

## Safe seas: ro-ro passenger ships, specific stability requirements

2002/0074(COD) - 25/03/2002 - Legislative proposal

PURPOSE : to lay down a uniform level of specific stability requirements for ro-ro passenger ships. CONTENT : this is the first legislative proposal of the Communication on passenger ship safety, and introduces specific stability requirements on ro-ro passenger ships operating on international routes to/from EU ports by 1 October 2010 at the latest. The proposal flows from the fact the stability of passenger vessels following a collision is of key importance for the safety of ro-ro passenger ships. The longer a ship remains afloat in case of serious damage, the more efficient will be the evacuation of passengers and crew. The size of ro-ro ships serving Community ports is escalating and the number of passengers they carry is increasing. One of the main dangers for a ship with an enclosed ro-ro deck is the effect of a build-up of a significant amount of water on that deck. The stability of ro-ro ships has been addressed by the International Maritime Organisation and specific standards have been established on the basis of the SOLAS 90 Convention. Following the Estonia disaster, eight European countries (Denmark, Finland, Germany, Ireland, Netherlands, Norway, Sweden and the United Kingdom) decided in February 1996 to require higher standards of damage stability for ro-ro passenger ships than those prescribed by SOLAS 90. These were introduced in the context of the Stockholm Agreement (SA). According to the logic of the Agreement, the residual freeboard of the vessel and the significant wave height of the area where the ship operates determine the height of water on the car deck that would arise following the occurrence of accidental damage. Consequently, a ship should be designed to withstand the significant wave heights that prevail in the areas where she operates. The result is that a vessel should resist capsize even with a flooded ro-ro deck up to a level of 0.5m. The maps indicating significant wave heights values that appear on SA are based on all year round statistics. The Commission has studied the SA and the suitability of extending its scope of application to European waters not covered by it. The European Parliament, in its resolution following the "Express Samina" incident, stated that it awaited the evaluation of the SA. The Commission concludes that the application of the SA to all EU waters is justified. The proposed directive will result in the introduction of the SA in the Community framework and its extension to the Southern European waters and the Atlantic coast. New ships will comply with the specific stability requirements as from 01/10/04, while a phasing-in period is introduced for the compliance of existing ships. This is necessary in view of the structural modifications the existing ships will have to undertake. A final deadline for compliance has been set for 01/10/10, the same as for SOLAS 90. Certificates of compliance will be issued by the flag State Administration. There are additional provisions for the specific treatment of ro-ro passenger ships operating only on a seasonal basis in an area where the significant wave height during such season is of a lower value than for a year round operation in the same area.

## Safe seas: ro-ro passenger ships, specific stability requirements

2002/0074(COD) - 04/12/2002 - Modified legislative proposal

All the amendments proposed by the Parliament have been incorporated in the present amended proposal. They mainly concern the following areas: - the explicit reference in the recitals that the deadline for compliance of existing ro-ro ships, provided in article 7.2 should not affect the present enforcement of the specific stability requirements by the Member States parties to the Stockholm Agreement; - a clarification that High-Speed passenger crafts should not be required to comply with the requirements of this Directive, provided that they comply with the specific international rules established for these type of crafts; - modifications in the definitions of "ro-ro passenger ship" and "a passenger" in order to align them completely with the Safety of Life at Sea (SOLAS) Convention; - a modification on the deadline for compliance with ro-ro ships which on the date of the adoption of this Directive will already comply with the stability requirements subscribed by the SOLAS Convention (SOLAS 90 standard). This provision, which

introduces a more flexible deadline, will concern only ships which already have a high quality stability standard much earlier than the 1 October 2010 (compliance deadline with SOLAS 90 standard); - an improvement in the provisions relating to specific authorisations for seasonal and short time operations by ro-ro ships; - a modification in the implementation date which shall be 18 months from the entry into force of the Directive. No modifications have been introduced in the technical Annexes to the proposal (Annexes I and II) which are not reproduced in the present amended proposal.

## **Safe seas: ro-ro passenger ships, specific stability requirements**

2002/0074(COD) - 14/04/2003 - Final act

**PURPOSE** : to establish specific stability requirement for ro-ro passenger ships. **COMMUNITY MEASURE** : Directive 2003/25/EC of the European Parliament and of the Council on specific stability requirements for ro-ro passenger ships. **CONTENT** : the purpose of this Directive is to lay down a uniform level of specific stability requirements for ro-ro passenger ships, which will improve the survivability of this type of vessel in case of collision damage and provide a high level of safety for the passengers and the crew. This Directive shall apply to all ro-ro passenger ships operating to or from a port of a Member State on a regular service, regardless of their flag, when engaged on international voyages. This Directive obliges Member States to lay down the rules on penalties applicable to infringements of the national provisions adopted pursuant to this Directive and shall take all the measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. **ENTRY INTO FORCE** : 17 May 2003. **IMPLEMENTATION** : 17 November 2004.