## Basic information

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|---|---|
| **2002/0310(COD)**<br><br>COD - Ordinary legislative procedure (ex-codecision procedure)<br>Regulation | Procedure completed |
| Double hull or equivalent design requirements for oil tankers<br><br>Amending Regulation (EC) No 417/2002 2000/0067(COD)<br><br>**Subject**<br><br>3.20.03.01 Maritime safety<br>3.40.04 Shipbuilding, nautical industry<br>3.70.05 Marine and coastal pollution, pollution from ships, oil pollution | |

## Key players

### European Parliament

| Committee responsible | Rapporteur | Appointed |
|---|---|---|
| RETT Regional Policy, Transport and Tourism | PIECYK Willi (PSE) | 21/01/2003 |

| Committee for opinion | Rapporteur for opinion | Appointed |
|---|---|---|
| ITRE Industry, External Trade, Research, Energy | PURVIS John (PPE-DE) | 20/02/2003 |
| ENVI Environment, Public Health, Consumer Policy | THORS Astrid (ELDR) | 28/01/2003 |

### Council of the European Union

| Council configuration | Meetings | Date |
|---|---|---|
| Transport, Telecommunications and Energy | 2499 | 2003-03-27 |
| Agriculture and Fisheries | 2524 | 2003-07-22 |

### European Commission

| Commission DG | Commissioner |
|---|---|
| Energy and Transport | |

## Key events

| Date | Event | Reference | Summary |
|---|---|---|---|
| 20/12/2002 | Legislative proposal published | COM(2002)0780 | Summary |
| 13/01/2003 | Committee referral announced in Parliament, 1st reading | | |
| 27/03/2003 | Debate in Council | | |

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|---|---|---|---|
| 30/04/2003 | Vote in committee, 1st reading | | Summary |
| 30/04/2003 | Committee report tabled for plenary, 1st reading | A5-0144/2003 | |
| 02/06/2003 | Debate in Parliament |  | |
| 04/06/2003 | Decision by Parliament, 1st reading | T5-0247/2003 | Summary |
| 22/07/2003 | Act adopted by Council after Parliament's 1st reading | | |
| 22/07/2003 | Final act signed | | |
| 22/07/2003 | End of procedure in Parliament | | |
| 01/10/2003 | Final act published in Official Journal | | |

## Technical information

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|---|---|
| **Procedure reference** | 2002/0310(COD) |
| **Procedure type** | COD - Ordinary legislative procedure (ex-codecision procedure) |
| **Procedure subtype** | Legislation |
| **Legislative instrument** | Regulation |
| **Amendments and repeals** | Amending Regulation (EC) No 417/2002 2000/0067(COD) |
| **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 | | A5-0144/2003 | 30/04/2003 | |
| Text adopted by Parliament, 1st reading/single reading | | T5-0247/2003<br>OJ C 068 18.03.2004, p. 0149-0306 E | 04/06/2003 | Summary |

**European Commission**

| Document type | Reference | Date | Summary |
|---|---|---|---|
| Legislative proposal | COM(2002)0780 | 20/12/2002 | Summary |

**Other institutions and bodies**

| Institution/body | Document type | Reference | Date | Summary |
|---|---|---|---|---|
| EESC | Economic and Social Committee: opinion, report | CES0218/2003<br>OJ C 133 06.06.2003, p. 0097-0101 | 26/03/2003 | |
| EESC | Economic and Social Committee: opinion, report | CES0415/2003 | 26/03/2003 | |

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

| Final act | |
|---|---|
| Regulation 2003/1726<br>OJ L 249 01.10.2003, p. 0001-0004 | Summary |

# Double hull or equivalent design requirements for oil tankers

2002/0310(COD) - 22/07/2003 - Final act

PURPOSE : to phase-out single hull oil tankers following the Prestige accident and to amend Regulation 417/2002/EC. LEGISLATIVE ACT : Regulation 1726/2003/EC of the European Parliament and of the Council amending Regulation 417/2002/EC on the accelerated phasing-in of double-hull or equivalent design requirements for single-hull oil tankers. CONTENT : the Council adopted the Regulation banning single-hull oil tankers from European ports. From 21 October 2003, single-hull oil tankers may not be used to carry heavy grades of oil to or from EU ports. In addition, the timetable for the phasing-out of such tankers has been speeded up, and oil tankers more than 23 years old, as the Erika and the Prestige were, are banned from EU ports immediately. During the gradual phasing-out period, tankers 15 or more years old will undergo exhaustive technical inspections. The EU is now focusing on the international arena in order to have similar measures introduced by everyone concerned. The sinking of the Prestige has drawn attention to the urgent need to phase out single-hull tankers and the specific problem caused by heavy fuel oil, which is usually transported in old, single-hull oil tankers that are more accident-prone. On 20 December 2002 the Commission decided to propose amending the existing Regulation. The European Parliament and the Council adopted the amendment on 22 July 2003. The changes made to the legislation concern three points: 1) The transportation of heavy grades of oil in single-hull oil tankers is prohibited with immediate effect : The transportation of heavy oil in single-hull oil tankers to or from the ports of a Member State of the European Union is therefore now prohibited: double hull tankers must be used for this purpose. The categories of heavy grades of oil are heavy fuel oil, heavy crude, used oil and bitumen and tar. 2) The programme for the gradual phasing-out of single-hull oil tankers is being speeded up : The European Union will now be applying rules which are as strict as current US rules for the gradual phasing-out of single-hull oil tankers. - Category 1 oil tankers are the most vulnerable and the oldest vessels. The final date for the use of these oil tankers under the Regulation is therefore brought forward from 2007 to 2005 subject to an age limit of 23 years (28 years under the rules previously in force). - Category 2 oil tankers - known as Marpol tankers - provide greater protection against grounding and collision. These tankers will be withdrawn by 2010 in accordance with a stricter timetable. The same timetable now applies to small, category 3 oil tankers (with a deadweight of less than 20 000 or 30 000 tonnes). 3) The special inspection arrangements for oil tankers to assess the sound structural state of single-hull oil tankers which are more than 15 years old have been extended and will be implemented earlier. All single-hull tankers, including the smallest ones which were initially not covered by the scheme, will now be subject to the Condition Assessment Scheme (CAS) from the age of 15 years. The CAS is an enhanced additional inspection scheme specially developed to detect structural weaknesses in single-hull tankers. Oil tankers, even those built recently,which do not meet the test requirements may be refused entry to EU ports or permission to fly the flag of an EU country. ENTRY INTO FORCE : 21 October 2003.

# Double hull or equivalent design requirements for oil tankers

2002/0310(COD) - 04/06/2003 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution making several amendments to the Commission's proposal, by 501 votes in favour, 5 against and 14 abstentions. The resolution was drafted by Willy PIECYK (PES, Germany). (Please refer to the summary of 30/04/03.) Parliament also added some new recitals, which include the following: - The accelerated phasing-out of single hull vessels will lead to a significant increase in the number of vessels for scrapping, and an effort should be made to ensure that scrap vessels are processed in a way which is safe for human beings and the environment. - Freight or container ships often contain heavy fuel oil as engine fuel in their bunkers, the quantity of which may considerably exceed the cargoes of smaller oil tankers. The Commission should submit a proposal to the European Parliament and the Council as soon as possible in order to ensure that for new ships bunker oil for engine fuel purposes is also stored in safe, doublewalled tanks. - European shipyards have the necessary know-how to build doublehulled tankers. The Commission and the Member States should accordingly strive to ensure, by means of the appropriate instruments and programmes, that the increased demand for safe double-hulled tankers resulting from this Regulation has positive impact on the Community's shipbuilding industry.

# Double hull or equivalent design requirements for oil tankers

2002/0310(COD) - 20/12/2002 - Legislative proposal

PURPOSE : to phase-out single hull oil tankers following the Prestige accident and amend Regulation 417/2002/EC. CONTENT : The Commission proposes three amendments to the existing regulation: i) a provision that heavy grades of oil will only be carried by double hull tankers. The Commission proposes prohibiting the transport of heavy grades of oil in single-hulled tankers bound for or leaving EU ports of a Member State. The choice of oil types are those with high viscosity that in the case of an oil spill either sink or float in the sea, causing the most severe forms of pollution of the marine and coastal environments. ii) a revision of the phasing out scheme to ensure, in particular, that single hull tankers of category 1 will not operate beyond 23 years and 2005, or, 28 years and 2010 for category 2 and 28 years for Category 3. The purpose of the modifications introduced in this proposal is to lower the age limits, and cut-off dates to the level as initially proposed in the ERIKA I package in order to ensure a better protection of the marine environment. The categories are defined as follows: Category 1 - so-called "pre-MARPOL" single hull oil tankers, being crude oil tankers of 20000 tons dead-weight and above and oil product carriers of 30000 tons and above having no segregated ballast tanks in protective location. Category 2 - corresponds to "MARPOL" single hull tankers, being of the same size as category 1, but which are equipped with segregated ballast tanks in protective locations. Category 3 corresponds to single hull oil tankers below the size limits of categories I and 2 but above 5000 tons dead weight. Under current legislation, the maximum age limit for category 1 tankers is 26 to 30 years. The Prestige and the Erika were Category 1 tankers of 26 years at the time of their fatal accidents. The prestige would have been phased out in accordance with the current legislation in March 2005. iii) a broader application of the special inspection regime for tankers (the Condition Assessment Scheme) designed to assess the structural soundness of single hull tankers, which have passed the age of 15 years. The CAS as introduced by Regulation 417/2002/EC is an additional reinforced inspection scheme specifically developed to detect structural weaknesses of single-hulled oil tankers. It is carried out every two and a half years. Currently, singe hull tankers of category 1 and 2 which have not yet reached their age limit can only continue to operate beyond 2005 or 2010 respectively if they have successfully passed the test of CAS. The Scheme does not apply to the smaller Category 3 ships. The Commission proposes that the latter also be required to comply. All remaining categories of single hull oil tankers shall comply with CAS from the age of 15 years. 2005 is an appropriate start-up date for this requirement.