

Basic information	
<b>2003/0159(COD)</b>  COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
European Maritime Safety Agency: competence  Amending Regulation (EC) No 1406/2002 <a href="#">2000/0327(COD)</a>	
<b>Subject</b>  3.20.03.01 Maritime safety 8.40.08 Agencies and bodies of the EU	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>RETT</b> Regional Policy, Transport and Tourism	MASTORAKIS Emmanouil (PSE)	10/09/2003
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>BUDG</b> Budgets	KUCKELKORN Wilfried (PSE)	11/09/2003
	<b>ENVI</b> Environment, Public Health, Consumer Policy	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meetings	Date
	Transport, Telecommunications and Energy	2551	2003-12-05
European Commission	Commission DG	Commissioner	
	Energy and Transport		

Key events			
Date	Event	Reference	Summary
06/08/2003	Legislative proposal published	COM(2003)0440 	Summary
01/09/2003	Committee referral announced in Parliament, 1st reading		
05/12/2003	Debate in Council		

21/01/2004	Vote in committee, 1st reading		Summary
21/01/2004	Committee report tabled for plenary, 1st reading	A5-0021/2004	
11/02/2004	Debate in Parliament		
12/02/2004	Decision by Parliament, 1st reading	T5-0092/2004	Summary
25/03/2004	Act adopted by Council after Parliament's 1st reading		
31/03/2004	Final act signed		
31/03/2004	End of procedure in Parliament		
29/04/2004	Final act published in Official Journal		

Technical information	
Procedure reference	2003/0159(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Amending Regulation (EC) No 1406/2002 <a href="#">2000/0327(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		A5-0021/2004	21/01/2004	
Text adopted by Parliament, 1st reading/single reading		T5-0092/2004 OJ C 097 22.04.2004, p. 0576-0604 E	12/02/2004	<a href="#">Summary</a>

European Commission				
Document type				
Document type	Reference	Date	Summary	
Legislative proposal	COM(2003)0440 	06/08/2003	<a href="#">Summary</a>	

Other institutions and bodies				
Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0095/2004 OJ C 108 30.04.2004, p. 0052-0054	28/04/2004	

Additional information		
Source	Document	Date
European Commission	EUR-Lex	

Final act
Regulation 2004/0724 OJ L 129 29.04.2004, p. 0001-0005

[Summary](#)

## European Maritime Safety Agency: competence

2003/0159(COD) - 31/03/2004 - Final act

PURPOSE: to widen the European Maritime Safety Agency's competence in order to improve maritime safety and security.

LEGISLATIVE ACT: Regulation 724/2004/EC of the European Parliament and of the Council amending Regulation 1406/2002/EC establishing a European Maritime Safety Agency.

CONTENT: Regulation 1406/2002/EC established a European Maritime Safety Agency ("the Agency") for the purpose of ensuring a high, uniform and effective level of maritime safety and prevention of pollution by ships. Recent accidents in Community waters, particularly those of the oil tankers "Erika" and "Prestige", demonstrated the need for additional Community action not only in the field of pollution prevention, but also in the pollution response field. The Agency needed to be provided with the appropriate means to support or request the pollution response mechanisms of the Member States. The activities of the Agency in this field will not relieve coastal States of their responsibility to have appropriate pollution response mechanisms in place and will respect existing cooperation arrangements between Member States or groups of Member States in this field. In the event of a pollution incident, the Agency will assist the affected Member State under the authority of which the cleaning up operations will be conducted. The Agency will act in support of the Community mechanism in the field of civil protection. Furthermore: - Directive 2003/103/EC on the minimum level of training of seafarers introduces new procedures with regard to the recognition of certificates of competency of seafarers issued by third countries. The Agency will assist the Commission in the evaluation of the compliance of those countries with the requirements of the 1978 International Convention on Standards of Training, Certification and Watchkeeping (STCW Convention). - The Administrative Board of the Agency will have the competence, in agreement with the Commission, to define a policy plan with regard to the Agency's pollution preparedness and response activities. In drawing up the plan, the Administrative Board will take into account the added value which the Agency's pollution response activities involve for the activities of the Member States, as well as the best possible combination of cost and efficiency. - Regard will be had to the existing agreements on accidental pollution, such as the Agreement for cooperation in dealing with pollution of the North Sea by oil and other harmful substances, 1983 (Bonn Cooperation Agreement), which facilitate mutual assistance and cooperation between Member States in this field, as well as to the relevant international conventions and agreements for the protection of European maritime areas from pollution incidents, such as the International Convention on Oil Pollution Preparedness, Response and Cooperation, 1990 (OPRC Convention) developed under the auspices of the IMO, the Convention for the Protection of the Marine Environment of the North-East Atlantic of 22 September 1992 (OSPAR Convention), the Barcelona Convention, the Helsinki Convention and the Lisbon Agreement. - For future appointments in the administrative structure of the Agency (Administrative Board, Executive Director), due account must be taken of the required experience and expertise in the newfields of competence of the Agency: the response to pollution caused by ships, and maritime security. - Third countries wishing to participate in the Agency must apply Community law in all fields of competence of the Agency, including the response to pollution caused by ships and maritime security.

ENTRY INTO FORCE : 19/05/04.

## European Maritime Safety Agency: competence

2003/0159(COD) - 12/02/2004 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Emmanouil MASTORAKIS (PES, GR) making some amendments to the Commission's proposals. (Please see the summary of 21/01/04.) In addition, Parliament added the following key amendments: - the Agency can only assist with maritime security within the limits of the tasks defined in the Regulation; - regard should be had to the existing agreements on accidental pollution, such as the Bonn Co-operation Agreement, which facilitate mutual assistance and cooperation between Member States in this field, as well as to the relevant international conventions and agreements for the protection of European maritime areas from pollution incidents, such as the OPRC Convention 2 developed under the auspices of the IMO, the OSPAR Convention 3, the Barcelona Convention, the Helsinki Convention and the Lisbon Agreement. - an additional task for the Agency is the verification of compliance of third countries with the requirements of the STCW Convention and of the measures taken to prevent fraud involving certificates of competency; - a new clause is added on the adoption of the work programme. In the event that the Commission expresses, within 15 days from the date of adoption of the work programme, its disagreement with the programme, the Administrative Board must reexamine the programme and adopt it, possibly amended, within a period of two months, in second reading either with a

two-thirds majority, including the Commission representatives, or by unanimity of the representatives of the Member States; - a new clause was added on the Executive Directors responsibilities on the work programme and the detailed plan for the Agency's pollution preparedness and response activities.

## European Maritime Safety Agency: competence

2003/0159(COD) - 06/08/2003 - Legislative proposal

**PURPOSE** : to widen the European Maritime Safety Agency's competence in order to improve maritime safety and security. **CONTENT** : in the aftermath of the Erika and Prestige disasters, maritime safety legislation has been drastically improved to guarantee the highest level of environment protection to European shores and waters. The Commission is determined to ensure that these rules are adequately and strictly applied. The newly established European Maritime Safety Agency provided the appropriate framework for developing concrete pollution response actions at Community level. In order to give to the Agency the competence and the means to act, the Commission proposes to amend accordingly Regulation 1406/2002 which established the Agency. To this end, Regulation 1406/2002 has to be amended to: - provide the Agency with the legal competence and the appropriate means to fight accidental and illicit pollution caused by ships. The actions undertaken by the Agency will supplement the efforts of Member States and provide added value to the Community framework for co-operation in the field of marine pollution and civil protection and the Community mechanism in the field of civil protection; - enlarge the objectives of the Agency in order to cover the field of maritime security, allowing the Agency to supplement the Community policy in this field in line with the Commission Communication on enhancing maritime transport security; - further define the Agency's competence in the field of the training of seafarers in order to reflect the enlarged role attributed to the Commission and to the Agency in line with the revision of Directive 2001/25/EC on the minimum level of training of seafarers. **FINANCIAL STATEMENT** : - Budget lines : 06020201 and 06020202: European Maritime Safety Agency (Subsidy for titles 1, 2 and 3), 06020203: European Maritime Safety Agency (Subsidy for anti-pollution measures ); - Period of application : indefinite, starting in 2004; - Anti-pollution measures (budget line 06020203): European Maritime Safety Agency: an budget of EUR 20 million have been programmed by the Commission for each year of the period 2004-2006, subject to revision in line with future decisions by the legislative authority. An amount of EUR 20 million has been allocated in the 2004 Draft Community budget for this action; - Support activities for the 3 activities provided for in the Regulation (studies, meetings and publications) (budget line 06020202) EUR 650 000 for the period 2004-2006; - Impact on staff and administrative expenditure : 25 posts in total (3 permanent and 22 temporary); - Overall financial impact of human resources (2004-2006) (budget lines 06020201 and 06020202) :EUR 3 240 000 for 12 months.