Basic information

2003/0209(AVC) AVC - Assent procedure (historic)	Procedure completed
Oil pollution: Fund for damage compensation, 2003 protocol to the IOPC Convention **Subject** 3.70.05 Marine and coastal pollution, pollution from ships, oil pollution	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs and Internal Market	GIL-ROBLES GIL-DELGADO José María (PPE-DE)	20/10/2003

Committee for opinion	Rapporteur for opinion	Appointed
ENVI Environment, Public Health, Consumer Policy	The committee decided not to give an opinion.	
RETT Regional Policy, Transport and Tourism	ORTUONDO LARREA Josu (ALDE)	04/11/2004

Council of the European Union

Council configuration	Meetings	Date
Transport, Telecommunications and Energy	2554	2003-12-15
Environment	2566	2004-03-02

European Commission

Commission DG	Commissioner
Energy and Transport	

Key events

Date	Event	Reference	Summary
08/09/2003	Initial legislative proposal published	COM(2003)0534	Summary
25/11/2003	Legislative proposal published	14389/2003	Summary
12/01/2004	Committee referral announced in Parliament		

27/01/2004	Vote in committee		Summary
27/01/2004	Committee report tabled for plenary, 1st reading/single reading	A5-0042/2004	
11/02/2004	Debate in Parliament		
12/02/2004	Decision by Parliament	T5-0094/2004	Summary
02/03/2004	Act adopted by Council after consultation of Parliament		
02/03/2004	End of procedure in Parliament		
16/03/2004	Final act published in Official Journal		

Technical information

Procedure reference	2003/0209(AVC)
Procedure type	AVC - Assent procedure (historic)
Procedure subtype	International agreement
Legal basis	EC Treaty (after Amsterdam) EC 300-p2/3-a1/2 EC Treaty (after Amsterdam) EC 061
Stage reached in procedure	Procedure completed
Committee dossier	JURI/5/20088

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0042/2004	27/01/2004	
Text adopted by Parliament, 1st reading/single reading		T5-0094/2004 OJ C 097 22.04.2004, p. 0577-0636 E	12/02/2004	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	14389/2003	25/11/2003	Summary

European Commission

Document type	Reference	Date	Summary
Initial legislative proposal	COM(2003)0534	08/09/2003	Summary

Additional information

Source	Document	Date

European Commission	EUR-Lex	

Final act	
Decision 2004/0246 OJ L 078 16.03.2004, p. 0022-0049	Summary

Oil pollution: Fund for damage compensation, 2003 protocol to the IOPC Convention

2003/0209(AVC) - 02/03/2004 - Final act

PURPOSE : to authorise the Member States to accede to the International Fund for Compensation for Oil Pollution Damage. LEGISLATIVE ACT : Council Decision 2004/246/EC. CONTENT : the Council adopted a Decision authorising the Member States to sign, ratify or accede to, in the interest of the European Community, the Protocol of 2003 to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, and authorising Austria and Luxembourg to accede to the underlying instruments. The Protocol to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992 is aimed at ensuring adequate, prompt, and effective compensation of persons who suffer damage caused by oil spills caused by tankers. By significantly raising the limits of compensation available in the present international system, the Supplementary Fund Protocol addresses one of the most significant shortcomings in the international regulation of oil pollution liability. Member States shall take the necessary steps to express their consent to be bound by the Protocol within a reasonable time and, if possible, before 30 June 2004, with the exception of Austria and Luxembourg. These two countries shall take the necessary steps to express their consent, as far as possible, by 31 December 2005.

Oil pollution: Fund for damage compensation, 2003 protocol to the IOPC Convention

2003/0209(AVC) - 12/02/2004 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution based on the report by JosΘ Maria GIL-ROBLES GIL-DELGADO (EPP-ED, E) giving its assent to the signing or ratification, by the Member States, of the Protocol of 2003 to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage 1992 and to the accession of Austria and Luxembourg to the underlying instruments. Member States are asked to sign or ratify the Protocol, if possible, by 30 June 2004.

Oil pollution: Fund for damage compensation, 2003 protocol to the IOPC Convention

2003/0209(AVC) - 25/11/2003 - Legislative proposal

PURPOSE : to authorise the Member States to sign, ratify or accede, in the interest of the European Community, the Protocol of 2003 to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992, and authorising Austria and Luxembourg, in the interest of the European Community, to accede to the underlying instruments. PROPOSED ACT : Council Decision. CONTENT : the Protocol to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992, is aimed at ensuring adequate, prompt, and effective compensation of persons who suffer damage caused by oil spills caused by tankers. By significantly raising the limits of compensation available in the present international system, the supplementary Fund Protocol addresses one of the most significant shortcomings in the international regulation of oil pollution liability. Member States shall take the necessary steps to express their consent simultaneously to be bound by the Supplementary Fund Protocol, as far as possible before the end of June 2004, with the exception of Austria and Luxembourg. Member States shall exchange information with the Commission within the Council, by 30 April 2004, on the date on which they expect their internal procedures to be completed. Austria and Luxembourg shall take the necessary steps to express their consent to be bound by the underlying instruments and the Supplementary Fund Protocol, as far as possible, by 31 December 2005.

Oil pollution: Fund for damage compensation, 2003 protocol to the IOPC Convention

2003/0209(AVC) - 08/09/2003 - Initial legislative proposal

PURPOSE : to authorise the Member States to ratify the Supplementary Fund Protocol and to authorise Austria and Luxembourg to accede to the underlying instruments. CONTENT : The Protocol to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992 ('the Supplementary Fund Protocol') is aimed at ensuring adequate, prompt, and effective compensation of persons who suffer damage caused by oil spills caused by tankers. By significantly raising the limits of compensation available in the present international system, the Supplementary Fund Protocol addresses one of the most significant shortcomings in the international regulation of oil pollution liability. The maximum limits of compensation by the Supplementary Fund have been established at 750 million SDR, which at the time of adoption corresponded to some 920 million EUR or 1,000 million USD. Articles 7 and 8 of the Supplementary Fund Protocol affect Community legislation on jurisdiction and the recognition and enforcement of judgements, as laid down in Council Regulation 44/2001/EC on jurisdiction and the recognition and enforcement of judgements in civil and commercial matters. The Community and the Member States share competence for subject areas covered by the Supplementary Fund Protocol. The Community has exclusive competence in relation to Articles 7 and 8. Only sovereign States may be party to the Supplementary Fund Protocol. It is not therefore possible for the Community to ratify or accede to the Protocol, nor is there a prospect that it will be able to do so in the near future. The Council should therefore authorise the Member States to sign and conclude the Supplementary Fund Protocol in the interest of the Community, under certain conditions: - Member States must inform the Secretary-General of the International Maritime Organisation in writing that signature, ratification or accession has taken place; - Member States will take the necessary steps to sign before the end of 2003; - Member States must use their best endeavours to ensure that the Supplementary Fund Protocol, and the underlying instruments, are amended in order to allow the Community to become a Contracting Party to them. Only Contracting Parties to the underlying instruments may become Contracting Parties to the Supplementary Fund Protocol. Austria and Luxembourg are not currently parties to the underlying instrument but since the underlying instruments contain provisions affecting Regulation 44/2001/EC, Austria and Luxembourg are also authorised to accede to these instruments before 31 /12/05; - Denmark is not taking part in the adoption of this Decision; The text of the Supplementary Fund Protocol is attached in Annex 1 of the Decision.