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*Committee on the Environment, Public Health and Food Safety*

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**2010/0303(COD)**

11.4.2011

# **AMENDMENTS**

## **15 - 37**

**Draft opinion**  
**Bart Staes**  
(PE458.845v01-00)

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency

Proposal for a regulation  
(COM(2010)0611 – C7-0343/2010 – 2010/0303(COD)) – C7-  
2010/0303(COD))

AM\_Com\_LegOpinion

**Amendment 15**  
**João Ferreira**

**Proposal for a regulation – amending act**  
**Recital 5**

*Text proposed by the Commission*

(5) The Agency should act in the interest of **the Union. This should include that the Agency may act outside the territory of the EU in its fields of competence.**

*Amendment*

(5) The Agency should act in the interest of **conservation of the marine environment, in particular by seeking to prevent and control the pollution caused by offshore oil and natural gas exploration. To that end it should coordinate its activities with those of appropriate national and international bodies responsible for relevant** fields.

Or. pt

**Amendment 16**  
**Matthias Groote**

**Proposal for a regulation - amending act**  
**Recital 6**

*Text proposed by the Commission*

(6) The Agency should enhance its assistance to the Commission regarding research activities related to its field of competences. However, *double work* with the existing EU research framework should be avoided. In particular, the Agency should not be in charge of the management of research projects.

*Amendment*

(6) The Agency should enhance its assistance to the Commission regarding research activities related to its field of competences. However, *duplication* with the existing EU research framework should be avoided. In particular, the Agency should not be in charge of the management of research projects. ***In extending the Agency's tasks, attention should be paid to ensuring that the tasks are described clearly and precisely, that there is no duplication and that any confusion is avoided.***

Or. de

**Amendment 17**  
**Hannu Takkula**

**Proposal for a regulation - amending act**  
**Recital 8**

*Text proposed by the Commission*

(8) **Recent events highlighted the risks of** offshore oil and gas exploration and production **activities to** maritime transport **and the marine environment**. The use of the Agency's response capabilities should be explicitly extended to cover response to pollution originating from such activities. In addition, the Agency should assist the Commission in analysing the safety of mobile offshore gas and oil installations, in order to identify possible weaknesses, basing its contribution on the expertise it has developed with regard to maritime safety, maritime security, the prevention of pollution caused by ships and response to marine pollution.

*Amendment*

(8) **Oil disasters at sea are a consequence of uncontrolled risks arising from** offshore **activities associated with** oil and gas exploration and production, **whose impact affects large areas of the sea and coast and thus also** maritime transport. The use of the Agency's response capabilities should be explicitly extended to cover response to pollution originating from such activities. In addition, the Agency should assist the Commission in analysing the safety of mobile offshore gas and oil installations, in order to identify possible weaknesses, basing its contribution on the expertise it has developed with regard to maritime safety, maritime security, the prevention of pollution caused by ships and response to marine pollution.

Or. fi

**Amendment 18**  
**Bart Staes**

**Proposal for a regulation - amending act**  
**Recital 8**

*Text proposed by the Commission*

(8) Recent events highlighted the risks of offshore oil and gas exploration and production activities to maritime transport and the marine environment. The use of the Agency's response capabilities should be explicitly extended to cover response to pollution originating from such activities. In addition, the Agency should assist the

*Amendment*

(8) Recent events highlighted the risks of offshore oil and gas exploration and production activities to maritime transport and the marine environment. The use of the Agency's response capabilities should be explicitly extended to cover **prevention of and** response to pollution originating from such activities. In addition, the Agency

Commission in analysing the safety of mobile offshore gas and oil installations, in order to identify possible weaknesses, basing its contribution on the expertise it has developed with regard to maritime safety, maritime security, the prevention of pollution caused by ships and response to marine pollution.

should assist the Commission in analysing the safety of mobile offshore gas and oil installations, in order to identify possible weaknesses, basing its contribution on the expertise it has developed with regard to maritime safety, maritime security, the prevention of pollution caused by ships and response to marine pollution. ***The Agency should in particular, through its existing satellite monitoring and surveillance service, assist the Commission and the Member States in detecting and dealing with the effects of oil spills emanating from offshore oil and gas installations.***

Or. en

## **Amendment 19** **Radvilė Morkūnaitė-Mikulėnienė**

### **Proposal for a regulation - amending act** **Recital 8**

#### *Text proposed by the Commission*

(8) Recent events highlighted the risks of offshore oil and gas exploration ***and*** production activities to maritime transport and the marine environment. The use of the Agency's response capabilities should be explicitly extended to cover response to pollution originating from such activities. In addition, the Agency should assist the Commission in analysing the safety of mobile offshore gas and oil installations, in order to identify possible weaknesses, basing its contribution on the expertise it has developed with regard to maritime safety, maritime security, the prevention of pollution caused by ships and response to marine pollution.

#### *Amendment*

(8) Recent events highlighted the risks of offshore oil and gas exploration, production ***and transport*** activities to maritime transport and the marine environment. The use of the Agency's response capabilities should be explicitly extended to cover response to pollution originating from such activities. In addition, the Agency should assist the Commission in analysing the safety of mobile offshore gas and oil installations ***(including transport installations)***, in order to identify possible weaknesses, basing its contribution on the expertise it has developed with regard to maritime safety, maritime security, the prevention of pollution caused by ships and response to marine pollution.

Or. It

**Amendment 20**  
**Corinne Lepage**

**Proposal for a regulation - amending act**  
**Recital 8**

*Text proposed by the Commission*

(8) Recent events highlighted the risks of offshore oil and gas exploration and production activities to maritime transport **and** the marine environment. The use of the Agency's response capabilities should be explicitly extended to cover response to pollution originating from such activities. In addition, the Agency should assist the Commission in analysing the safety of mobile offshore gas and oil installations, in order to identify possible weaknesses, basing its contribution on the expertise it has developed with regard to maritime safety, maritime security, the prevention of pollution caused by ships and response to marine pollution.

*Amendment*

(8) Recent events highlighted the risks of offshore oil and gas exploration and production activities to maritime transport, the marine environment **and coastal areas**. The use of the Agency's response capabilities should be explicitly extended to cover response to pollution originating from such activities. In addition, the Agency should assist the Commission in analysing the safety of mobile offshore gas and oil installations, in order to identify possible weaknesses, basing its contribution on the expertise it has developed with regard to maritime safety, maritime security, the prevention of pollution caused by ships and response to marine pollution.

Or. en

**Amendment 21**  
**Radvilė Morkūnaitė-Mikulėnienė**

**Proposal for a regulation - amending act**  
**Recital 10**

*Text proposed by the Commission*

(10) The Agency has established itself as the authoritative provider of maritime traffic data at EU level which are of interest and relevance in other EU activities. Through its activities, in particular regarding port state control, the monitoring of maritime traffic and shipping routes as well as assistance for tracking

*Amendment*

(10) The Agency has established itself as the authoritative provider of maritime traffic data at EU level which are of interest and relevance in other EU activities. Through its activities, in particular regarding port state control, the monitoring of maritime traffic and shipping routes as well as assistance for tracking

possible polluters, the Agency should contribute to reinforce synergies at EU level regarding certain coastguard operations. In addition, the Agency's data monitoring and collection should also gather basic information on potential threats to maritime transport and the marine environment from offshore oil and gas exploration *and* production.

possible polluters, the Agency should contribute to reinforce synergies at EU level regarding certain coastguard operations. In addition, the Agency's data monitoring and collection should also gather basic information on potential threats to maritime transport and the marine environment from offshore oil and gas exploration, production *and transport*.

Or. It

**Amendment 22**  
**Matthias Groot**

**Proposal for a regulation - amending act**  
**Recital 10**

*Text proposed by the Commission*

(10) The Agency has established itself as the authoritative provider of maritime traffic data at EU level which are of interest and relevance in other EU activities. Through its activities, in particular regarding port state control, the monitoring of maritime traffic and shipping routes as well as assistance for tracking possible polluters, the Agency should contribute to *reinforce* synergies at EU level regarding certain coastguard operations. In addition, the Agency's data monitoring and collection should also gather basic information on potential threats to maritime transport and the marine environment from offshore oil and gas exploration and production.

*Amendment*

(10) The Agency has established itself as the authoritative provider of maritime traffic data at EU level which are of interest and relevance in other EU activities. Through its activities, in particular regarding port state control, the monitoring of maritime traffic and shipping routes as well as assistance for tracking possible polluters, the Agency should contribute to *reinforcing* synergies at EU level regarding certain coastguard operations. ***Furthermore, a study should be carried out to examine whether the Agency, acting as a European coastguard service, should take over these tasks in future, in order to enable swifter, more effective action by the authorities.*** In addition, the Agency's data monitoring and collection should also gather basic information on potential threats to maritime transport and the marine environment from offshore oil and gas exploration and production.

Or. de

**Amendment 23**  
**Bart Staes**

**Proposal for a regulation - amending act**  
**Recital 12**

*Text proposed by the Commission*

(12) The Agency *carries* out inspections in order to assist the Commission in the assessment of the effective implementation of EU law. The roles of the Agency, the Commission, the Member States and the Administrative Board should be clearly defined.

*Amendment*

(12) ***In particular***, the Agency ***should assist the Commission in carrying*** out inspections in ***third countries in the Mediterranean and Black Sea Regions in whose waters oil and gas exploration and production is taking place, and in assisting those third countries in strengthening their capacity to improve the safety of their offshore operations.***

Or. en

**Amendment 24**  
**Radvilė Morkūnaitė-Mikulėnienė**

**Proposal for a regulation - amending act**  
**Recital 12**

*Text proposed by the Commission*

(12) The Agency carries out inspections in order to assist the Commission in the assessment of the effective implementation of EU law. The roles of the Agency, the Commission, the Member States and the Administrative Board should be clearly defined.

*Amendment*

(12) The Agency carries out inspections in order to assist the Commission in the assessment of the effective implementation of EU law. The roles of the Agency, the Commission, the Member States and the Administrative Board should be clearly defined. ***In particular, the Agency should assist the Commission in carrying out inspections in third countries in the Mediterranean, Black Sea and Baltic regions in whose waters oil and gas exploration and production is taking place.***

Or. It



**Amendment 25**  
**Matthias Grootte**

**Proposal for a regulation - amending act**  
**Recital 12**

*Text proposed by the Commission*

(12) The Agency carries out inspections in order to assist the Commission in the assessment of the effective implementation of EU law. The roles of the Agency, the Commission, the Member States and the Administrative Board should be clearly defined.

*Amendment*

(12) The Agency carries out inspections in order to assist the Commission in the assessment of the effective implementation of EU law. The roles of the Agency, the Commission, the Member States and the Administrative Board should be clearly defined. ***Cooperation with third countries in carrying out tasks should be strengthened in order to enable swifter action.***

Or. de

**Amendment 26**  
**João Ferreira**

**Proposal for a regulation - amending act**  
**Article 1 – point 1**

Regulation (EC) No 1406/2002

Article 1 - paragraph 2

*Text proposed by the Commission*

2. The Agency shall provide the Member States and the Commission with the technical and scientific assistance needed and with a high level of expertise, in order to help them to apply the ***Union*** legislation properly in the field of maritime safety, maritime security, prevention of pollution caused by ships, to monitor its implementation and to evaluate the effectiveness of the measures in place.

*Amendment*

2. The Agency shall provide the Member States and the Commission with the technical and scientific assistance needed and with a high level of expertise, in order to help them to apply the ***relevant*** legislation properly in the field of maritime safety, maritime security, ***marine protection of the environment in particular ensuring the*** prevention of pollution caused by ships, ***by offshore oil and gas installations including both oil and gas drilling platforms and pipeline terminals,*** to monitor its implementation

and to evaluate the effectiveness of the measures in place.

Or. en

**Amendment 27**

**João Ferreira**

**Proposal for a regulation – amending act**

**Article 1 – point 1**

Regulation (EC) No 1406/2002

Article 1 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

***3a. The Agency shall also support existing cross-border coastal coordination networks with a view to developing cooperation, focusing more explicitly on disaster prevention, thereby enabling the networks to benefit both from technical and scientific assistance from the Agency and from the detailed knowledge that regional and local authorities have of specific features and local conditions.***

Or. pt

**Amendment 28**

**Radvilė Morkūnaitė-Mikulėnienė**

**Proposal for a regulation - amending act**

**Article 1 – point 1**

Regulation (EC) No 1406/2002

Article 2 - paragraph 1

*Text proposed by the Commission*

*Amendment*

1. In order to ensure that the objectives set out in Article 1 are met in the appropriate manner, the Agency shall perform the tasks listed in paragraph 2 of this Article in the fields of maritime safety and maritime security, the prevention of pollution caused

1. In order to ensure that the objectives set out in Article 1 are met in the appropriate manner, the Agency shall perform the tasks listed in paragraph 2 of this Article in the fields of maritime safety and maritime security, the prevention of pollution caused

by ships and response to marine pollution.

by ships **and by mobile offshore oil and gas installations (including transport installations)**, and response to marine pollution.

Or. It

## **Amendment 29**

**João Ferreira**

### **Proposal for a regulation - amending act**

#### **Article 1 – point 1**

Regulation (EC) No 1406/2002

Article 2 - paragraph 1

#### *Text proposed by the Commission*

1. In order to ensure that the objectives set out in Article 1 are met in the appropriate manner, the Agency shall perform the tasks listed in paragraph 2 of this Article in the fields of maritime safety and maritime security, the prevention of pollution caused by ships and response to marine pollution.

#### *Amendment*

1. In order to ensure that the objectives set out in Article 1 are met in the appropriate manner, the Agency shall perform the tasks listed in paragraph 2 of this Article in the fields of maritime safety and maritime security, the prevention of pollution caused by ships, **by offshore oil and gas installations including pipeline terminals** and response to marine pollution.

Or. en

## **Amendment 30**

**Bart Staes**

### **Proposal for a regulation - amending act**

#### **Article 1 – point 1**

Regulation (EC) No 1406/2002

Article 2 - paragraph 3 – point c a (new)

#### *Text proposed by the Commission*

#### *Amendment*

**(ca) extend the use of the existing electronic detection system to additional types of vessels.**

Or. en

**Amendment 31**  
**Bart Staes**

**Proposal for a regulation - amending act**

**Article 1 – point 1**

Regulation (EC) No 1406/2002

Article 3 - paragraph 1 – subparagraph 1

*Text proposed by the Commission*

1. In order to perform the tasks entrusted to it and to assist the Commission in fulfilling its duties under the Treaty in particular the assessment of the effective implementation of Union law, the Agency shall carry out inspections in the Member States.

*Amendment*

1. In order to perform the tasks entrusted to it and to assist the Commission in fulfilling its duties under the Treaty in particular the assessment of the effective implementation of Union law, the Agency shall ***assist the Commission in reviewing environmental impact assessments and*** carry out inspections in the Member States.

Or. en

*Justification*

*EMSA could also play a role in the scrutiny of Environmental Impact Assessments (EIA) for offshore activities to avoid detrimental environmental impacts on highly sensitive marine ecosystems.*

**Amendment 32**  
**Bart Staes**

**Proposal for a regulation - amending act**

**Article 1 – point 1**

Regulation (EC) No 1406/2002

Article 3 - paragraph 1 – subparagraph 3

*Text proposed by the Commission*

In addition, the Agency shall carry out inspections on behalf of the Commission in third countries as required by EU legislation, in particular regarding organisations recognised by the Union in accordance with Regulation (EC) 391/2009

*Amendment*

In addition, the Agency shall carry out inspections on behalf of the Commission in third countries as required by EU legislation, in particular regarding organisations recognised by the Union in accordance with Regulation (EC) 391/2009

of the European Parliament and of the Council and the training and certification of seafarers in accordance with Directive 2008/106/EC of the European Parliament and of the Council.

of the European Parliament and of the Council and the training and certification of seafarers in accordance with Directive 2008/106/EC of the European Parliament and of the Council. ***The Agency shall in particular assist the Commission in carrying out inspections in third countries in the Mediterranean and Black Sea Regions in whose waters oil and gas exploration and production is taking place, and in assisting those third countries in strengthening their capacity to improve the safety of their offshore operations.***

Or. en

**Amendment 33**  
**Radvilė Morkūnaitė-Mikulėnienė**

**Proposal for a regulation - amending act**  
**Article 1 – point 1**

Regulation (EC) No 1406/2002  
Article 3 - paragraph 1 – subparagraph 3

*Text proposed by the Commission*

In addition, the Agency shall carry out inspections on behalf of the Commission in third countries as required by EU legislation, in particular regarding organisations recognised by the Union in accordance with Regulation (EC) 391/2009 of the European Parliament and of the Council and the training and certification of seafarers in accordance with Directive 2008/106/EC of the European Parliament and of the Council.

*Amendment*

In addition, the Agency shall carry out inspections on behalf of the Commission in third countries as required by EU legislation, in particular regarding organisations recognised by the Union in accordance with Regulation (EC) 391/2009 of the European Parliament and of the Council and the training and certification of seafarers in accordance with Directive 2008/106/EC of the European Parliament and of the Council, ***and also in third countries in the Mediterranean, Black Sea and Baltic regions in whose waters oil and gas exploration and production are taking place.***

Or. It

**Amendment 34**  
**João Ferreira**

**Proposal for a regulation - amending act**  
**Article 1 – point 2**  
Regulation (EC) No 1406/2002  
Article 5 - paragraph 3

*Text proposed by the Commission*

3. At the request of the Commission, the Administrative Board may decide, with the agreement of the Member States concerned, to establish the regional centres necessary in order to carry out the Agency's tasks in the most efficient and effective way.

*Amendment*

3. At the request of the Commission, the Administrative Board may decide, with the agreement **and cooperation** of the Member States concerned, to establish the regional centres necessary in order to carry out the Agency's tasks in the most efficient and effective way, **enhancing cooperation with existing regional and national networks already engaged in prevention measures.**

Or. en

**Amendment 35**  
**Rovana Plumb**

**Proposal for a regulation - amending act**  
**Article 1 – point 5**  
Regulation (EC) No 1406/2002  
Article 16 - paragraph 1

*Text proposed by the Commission*

1. The Executive Director shall be appointed and dismissed by the Administrative Board. The appointment shall be made from a list of candidates proposed by the Commission for a period of five years on grounds of merit and documented administrative and managerial skills, as well as competence and experience relevant for maritime safety, maritime security, prevention of pollution caused by ships and response to marine pollution. Before appointment, the candidate selected by the Administrative Board may be invited to make a statement

*Amendment*

1. The Executive Director shall be appointed and dismissed by the Administrative Board. The appointment shall be made from a list of candidates proposed by the Commission for a period of five years on grounds of merit and documented administrative and managerial skills, as well as **gender equality**, competence and experience relevant for maritime safety, maritime security, prevention of pollution caused by ships and response to marine pollution. Before appointment, the candidate selected by the Administrative Board may be invited to

before the competent committee of the European Parliament and answer questions put by its members. The Administrative Board shall take its decision by a four-fifths majority of all members with the right to vote.

make a statement before the competent committee of the European Parliament and answer questions put by its members. The Administrative Board shall take its decision by a four-fifths majority of all members with the right to vote.

Or. ro

**Amendment 36**  
**Rovana Plumb**

**Proposal for a regulation - amending act**  
**Article 1 – point 5**  
Regulation (EC) No 1406/2002  
Article 16 - paragraph 4

*Text proposed by the Commission*

4. The Heads of Department shall be appointed on grounds of merit and documented administrative and managerial skills, as well as professional competence and experience relevant for maritime safety, maritime security, prevention of pollution caused by ships and response to marine pollution. The Heads of Department shall be appointed or dismissed by the Executive Director after having received a positive opinion of the Administrative Board.

*Amendment*

4. The Heads of Department shall be appointed on grounds of merit and documented administrative and managerial skills, as well as ***gender equality***, professional competence and experience relevant for maritime safety, maritime security, prevention of pollution caused by ships and response to marine pollution. The Heads of Department shall be appointed or dismissed by the Executive Director after having received a positive opinion of the Administrative Board.

Or. ro

**Amendment 37**  
**João Ferreira**

**Proposal for a regulation - amending act**  
**Article 1 – point 5**  
Regulation (EC) No 1406/2002  
Article 16 - paragraph 1

*Text proposed by the Commission*

1. The Executive Director shall be appointed and dismissed by the Administrative Board. The appointment shall be made from a list of candidates proposed by the Commission for a period of five years on grounds of merit and documented administrative and managerial skills, as well as competence and experience relevant for maritime safety, maritime security, prevention of pollution caused by ships and response to marine pollution. Before appointment, the candidate selected by the Administrative Board may be invited to make a statement before the competent committee of the European Parliament and answer questions put by its members. The Administrative Board shall take its decision by a four-fifths majority of all members with the right to vote.

*Amendment*

1. The Executive Director shall be appointed and dismissed by the Administrative Board. The appointment shall be made from a list of candidates proposed by the Commission for a period of five years on grounds of merit and documented administrative and managerial skills, as well as competence and experience relevant for maritime safety, maritime security, prevention of pollution caused by ships, ***by offshore oil and gas installations including pipeline terminals*** and response to marine pollution. Before appointment, the candidate selected by the Administrative Board may be invited to make a statement before the competent committee of the European Parliament and answer questions put by its members. The Administrative Board shall take its decision by a four-fifths majority of all members with the right to vote.

Or. en