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30 January 2001

*****I**

REPORT

1. on the proposal for a European Parliament and Council regulation concerning the Committee on Safe Seas and amending the Regulations on maritime safety and the prevention of pollution from ships (COM(2000) 489 – C5-0475/2000 – 2000/0236(COD))

and

2. on the proposal for a European Parliament and Council directive amending the Directives on maritime safety and the prevention of pollution from ships (COM(2000) 489 – C5-0476/2000 – 2000/0237(COD))

Committee on Regional Policy, Transport and Tourism

Rapporteur: Emmanouil Bakopoulos

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position
- *** Assent procedure
majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission)

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PROCEDURAL PAGE

By letter of 15 September 2000 the Commission submitted to Parliament, pursuant to Article 251(2) and Article 80(2) of the EC Treaty, the proposal for a European Parliament and Council regulation concerning the Committee on Safe Seas and amending the Regulations on maritime safety and the prevention of pollution from ships (COM(2000) 489 - 2000/0236 (COD)), and the proposal for a European Parliament and Council directive amending the Directives on maritime safety and the prevention of pollution from ships (COM(2000) 489 – 2000/0237(COD)).

At the sitting of 6 October 2000 the President of Parliament announced that she had referred these proposals to the Committee on Regional Policy, Transport and Tourism as the committee responsible, and to the Committee on Employment and Social Affairs, the Committee on the Environment, Public Health and Consumer Policy and the Committee on Industry, External Trade, Research and Energy for their opinions (C5-0475/2000 and C5-0476/2000).

The Committee on Regional Policy, Transport and Tourism appointed Emmanouil Bakopoulos rapporteur at its meeting of 11 October 2000.

It considered the Commission proposals and draft report at its meetings of 4 December 2000 and 24 January 2001.

At the last meeting it adopted the draft legislative resolutions unanimously.

The following were present for the vote: Konstantinos Hatzidakis, chairman; Rijk van Dam, Helmuth Markov, Emmanouil Mastorakis, vice-chairman; Emmanouil Bakopoulos, rapporteur; Sir Robert Atkins, Rolf Berend, Theodorus J.J. Bouwman, Felipe Camisón Asensio, Luigi Cesaro, Luigi Cocilovo (for Philip Charles Bradbourn), Garrelt Duin, Alain Esclopé, Markus Ferber (for Francis F.M. Decourrière), Jacqueline Foster, Mathieu J.H. Grosch, Ewa Hedkvist Petersen, Mary Honeyball, Marie Anne Isler Béguin (for Reinhold Messner), Juan de Dios Izquierdo Collado, Georg Jarzembowski, Brigitte Langenhagen (for Dieter-Lebrecht Koch), Giorgio Lisi, Sérgio Marques, Erik Meijer, Rosa Miguélez Ramos, Francesco Musotto, Juan Ojeda Sanz, Josu Ortuondo Larrea, Karla M.H. Peijs, Wilhelm Ernst Piecyk, Giovanni Saverio Pittella (for Giovanni Claudio Fava), Samuli Pohjamo, Alonso José Puerta, Reinhard Rack, Carlos Ripoll i Martínez Bedoya, Isidoro Sánchez García, Gilles Savary, Dana Rosemary Scallon, Ingo Schmitt, Renate Sommer, Per Stenmarck (for Margie Sudre), Dirk Sterckx, Ulrich Stockmann, Joaquim Vairinhos and Ari Vatanen.

The opinion of the Committee on the Environment, Public Health and Consumer Policy is attached; the Committee on Employment and Social Affairs and the Committee on Industry, External Trade, Research and Energy decided respectively on 12 October and on 7 November 2000 not to deliver opinions.

The report was tabled on 30 January 2001.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

LEGISLATIVE PROPOSAL

1. Proposal for a European Parliament and Council regulation concerning the Committee on Safe Seas and amending the Regulations on maritime safety and the prevention of pollution from ships (COM(2000) 489 – C5-0475/2000 – 2000/0236(COD))

The proposal is amended as follows:

Text proposed by the Commission ¹

Amendments by Parliament

(Amendment 1)
Recital 4

In keeping with the Council Resolution of 8 June 1993, a Committee on Safe Seas should be set up and assigned the tasks previously devolved to the committees established under the existing Community legislation on maritime safety. All new Community legislation adopted in the field of maritime safety should stipulate recourse to the Committee on Safe Seas.

In keeping with the Council Resolution of 8 June 1993, a Committee on Safe Seas ***and the Prevention of Pollution by Ships*** should be set up and assigned the tasks previously devolved to the committees established under the existing Community legislation on maritime safety, ***the prevention of pollution by ships, the protection of the marine environment and shipboard living and working conditions***. All new Community legislation adopted in the field of maritime safety should stipulate recourse to the Committee on Safe Seas ***and the Prevention of Pollution by Ships***.

Justification:

The name of the committee should include terms relating to the prevention of pollution. It should also be indicated that amendments are being made not only to Community legislation on maritime safety; laws relating to the protection of the marine environment and to shipboard living and working conditions (which are so closely related to maritime safety) are being included and amended as well.

(Amendment 2)
Recital 6

The pertinent provisions of Decision 1999/468/EC should therefore be applied to the Committee on Safe Seas. As the measures required to implement the legislation in the field of maritime safety are measures of general scope within the meaning of Article 2 of Decision 1999/468/EC, they should be adopted by

The pertinent provisions of Decision 1999/468/EC should therefore be applied to the Committee on Safe Seas ***and the Prevention of Pollution by Ships***. As the measures required to implement the legislation in the field of maritime safety, ***the prevention of pollution by ships, the protection of the marine environment and***

¹ OJ C 365, 19.12.2000, p. 276.

the regulatory procedure laid down in Article 5 of the Decision.

shipboard living and working conditions are measures of general scope within the meaning of Article 2 of Decision 1999/468/EC, they should be adopted by the regulatory procedure laid down in Article 5 of the Decision.

Justification:

The name of the committee should include terms relating to the prevention of pollution. It should also be indicated that amendments are being made not only to Community legislation on maritime safety; laws relating to the protection of the marine environment and to shipboard living and working conditions (which are so closely related to maritime safety) are being included and amended as well.

(Amendment 3)
Recital 7

The existing **maritime safety** legislation should also be amended to substitute the Committee on Safe Seas for the committee set up by Directive 93/75/EEC or, where appropriate, for the *ad hoc* committee established under the particular piece of legislation. This Regulation should in particular amend the relevant provisions of Council Regulation (EEC) No 613/91, (EC) No 2978/94 and (EC) No 3051/95, in order to insert a reference to the Committee on Safe Seas and to stipulate the regulatory procedure laid down in Article 5 of Decision 1999/468/EC.

The existing legislation **on maritime safety, the prevention of pollution by ships, the protection of the marine environment and shipboard living and working conditions** should also be amended to substitute the Committee on Safe Seas **and the Prevention of Pollution by Ships** for the committee set up by Directive 93/75/EEC or, where appropriate, for the *ad hoc* committee established under the particular piece of legislation. This Regulation should in particular amend the relevant provisions of Council Regulation (EEC) No 613/91, (EC) No 2978/94 and (EC) No 3051/95, in order to insert a reference to the Committee on Safe Seas **and the Prevention of Pollution by Ships** and to stipulate the regulatory procedure laid down in Article 5 of Decision 1999/468/EC.

Justification:

The name of the committee should include terms relating to the prevention of pollution. It should also be indicated that amendments are being made not only to Community legislation on maritime safety; laws relating to the protection of the marine environment and to shipboard living and working conditions (which are so closely related to maritime safety) are being included and amended as well.

(Amendment 4)

Recital 8

Moreover, the existing Community legislation on maritime safety is based on the application of rules resulting from international conventions, codes and resolutions in force at the date of adoption of the Community act in question, or at the date specified by the latter. As a consequence, Member States cannot apply the subsequent amendments to these international instruments until the Community directives or regulations have been amended. This has major disadvantages owing to the difficulty of getting the date of entry into force of the amendment at the international level to coincide with that of the regulation integrating this amendment into Community law, not least the delayed application within the Community of the most recent and most stringent international safety standards.

Moreover, the existing Community legislation on maritime safety, ***the prevention of pollution by ships, the protection of the marine environment and shipboard living and working conditions*** is based on the application of rules resulting from international conventions, codes and resolutions in force at the date of adoption of the Community act in question, or at the date specified by the latter. As a consequence, Member States cannot apply the subsequent amendments to these international instruments until the Community directives or regulations have been amended. This has major disadvantages owing to the difficulty of getting the date of entry into force of the amendment at the international level to coincide with that of the regulation integrating this amendment into Community law, not least the delayed application within the Community of the most recent and most stringent international safety standards.

Justification:

The name of the committee should include terms relating to the prevention of pollution. It should also be indicated that amendments are being made not only to Community legislation on maritime safety; laws relating to the protection of the marine environment and to shipboard living and working conditions (which are so closely related to maritime safety) are being included and amended as well.

(Amendment 5)
Recital 12a (new)

12a. in particular, Articles 5(5), 7(3) and 8 of Council Decision 1999/468/EC guarantee the role of the European Parliament in the regulatory procedure.

Justification:

Incorporates in the proposal for a regulation the role of the European Parliament in the regulatory procedure as laid down by Decision 1999/468/EC.

(Amendment 6)
Article 1

Objective

The objective of this Regulation is to improve the implementation of the pertinent Community legislation on maritime safety, protection of the marine environment and shipboard living and working conditions:

a) by centralising the tasks of the committees set up under the pertinent Community legislation by creating a single committee, to be known as the Committee on Safe Seas;

b) by facilitating the process of amending the pertinent Community legislation in the light of developments in the international instruments applicable to maritime safety, protection of the marine environment and shipboard living and working conditions.

Objective

The objective of this Regulation is to improve the implementation of the pertinent Community legislation on maritime safety, ***the prevention of pollution from ships***, protection of the marine environment and shipboard living and working conditions:

a) by centralising the tasks of the committees set up under the pertinent Community legislation by creating a single committee, to be known as the Committee on Safe Seas ***and the Prevention of Pollution by Ships, and disbanding those committees***;

b) by facilitating the process of amending the pertinent Community legislation in the light of developments in the international instruments applicable to maritime safety, ***prevention of pollution from ships***, protection of the marine environment and shipboard living and working conditions.

Justification:

The name of the committee should include terms relating to the prevention of pollution. It should also be indicated that amendments are being made not only to Community legislation on maritime safety; laws relating to the protection of the marine environment and to

shipboard living and working conditions (which are so closely related to maritime safety) are being included and amended as well.

This amendment seeks to clarify the text, which does not prescribe the abolition of the previous committees.

(Amendment 7)
Article 2(1)

1. ‘international instruments’: the conventions, protocols, resolutions, codes, compendia of rules, circulars, standards and provisions adopted by an international conference, the International Maritime Organisation (IMO), the International Labour Organisation (ILO), the parties to a memorandum of understanding or an international standards body, in the field of maritime safety, prevention of pollution from ships and shipboard living and working conditions.

1. ‘international instruments’: the conventions, protocols, resolutions, codes, compendia of rules, circulars, standards and provisions adopted by an international conference, the International Maritime Organisation (IMO), the International Labour Organisation (ILO), the parties to a memorandum of understanding or an international standards body, in the field of maritime safety, prevention of pollution from ships, ***protection of the marine environment*** and shipboard living and working conditions.

Justification:

Self-explanatory.

(Amendment 8)
Article 3 (title)

Establishment of the Committee on Safe Seas

Establishment of the Committee on Safe Seas ***and the Prevention of Pollution by Ships***

Justification:

Self-explanatory.

(Amendment 9)

Article 3(1)

1. The Commission shall be assisted by a regulatory committee, hereinafter called the Committee on Safe Seas, composed of representatives of the Member States and chaired by the representative of the Commission.

1. The Commission shall be assisted by a regulatory committee, hereinafter called the Committee on Safe Seas **and the Prevention of Pollution by Ships**, composed of representatives of the Member States and chaired by the representative of the Commission.

Justification:

Self-explanatory.

(Amendment 10)

Article 3(3)

3. For the purposes of this Regulation, the period referred to in Article 5(6) of Decision 1999/468/EC shall be one month.

3. For the purposes of this Regulation, the period referred to in Article 5(6) of Decision 1999/468/EC shall be one month **since the abovementioned regulatory committee is required to operate under urgent conditions.**

Justification:

This amendment seeks to explain the reason for the short period of time.

(Amendment 11)

Article 4(1), second subparagraph

Such amendment to the Community legislation shall be possible only if there is a manifest risk that the international amendment will lower the standard of maritime safety or protection of the marine environment established by the Community legislation on maritime safety, or be incompatible with the latter, or if it is likely to compromise the achievement of the Community's objectives in the field of maritime safety.

Such amendment to the Community legislation shall be possible only if **the Commission or a Member State certifies that** there is a manifest risk that the international amendment will lower the standard of maritime safety or protection of the marine environment established by the Community legislation on maritime safety **and the prevention of pollution by ships**, or be incompatible with the latter, or if it is likely to compromise the achievement of the Community's objectives in the field of maritime safety **and the protection of the marine environment.**

Justification:

Attempt to clarify the text by explaining that the risk of lowering standards should be certified by the Commission or a Member State.

(Amendment 12)
Article 5, title

Powers of the Committee on Safe Seas

Powers of the Committee on Safe Seas ***and the Prevention of Pollution from Ships***

Justification:

Self-explanatory.

(Amendment 13)
Article 5, first subparagraph

The Committee on Safe Seas shall exercise the powers conferred on it by virtue of the Community legislation in force.

The Committee on Safe Seas ***and the Prevention of Pollution from Ships*** shall exercise the powers conferred on it by virtue of the Community legislation in force ***and at all times in compliance with Article 3(2) of this Regulation.***

Justification:

This amendment refers to Article 3(2) concerning the Council decision which provides for the regulatory committee.

(Amendment 14)
ARTICLE 6(2)
Articles 6 and 7 (Regulation (EEC) No 613/91)

2. Articles 6 and 7 are replaced by the following:

‘Article 6

The Commission shall be assisted by the Committee on Safe Seas created by Article 3 of Regulation (EC) No ... 2000.

2. Articles 6 and 7 are replaced by the following:

‘Article 6

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships*** created by Article 3 of Regulation (EC) No ... 2000.

Article 7

Where reference is made to this Article, the regulatory procedure laid down in Article 3 of Regulation (EC) No.../2000 shall apply.’.

Article 7

Where reference is made to this Article, the regulatory procedure laid down in Article 3 of Regulation (EC) No.../2000 shall apply.’.

Justification:

Self-explanatory.

(Amendment 15)

ARTICLE 7(2)

Article 7 (Regulation (EEC) No 2978/94)

Article 7 is replaced by the following:

‘Article 7

The Commission shall be assisted by the Committee on Safe Seas in accordance with the procedure laid down in Article 3 of Regulation (EC) No.../2000.’.

Article 7 is replaced by the following:

‘Article 7

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships*** in accordance with the procedure laid down in Article 3 of Regulation (EC) No.../2000.’.

Justification:

Self-explanatory.

(Amendment 16)

ARTICLE 8(2)

Article 10 (Regulation (EEC) No 3051/95)

Article 10 is replaced by the following

‘Article 10

The Commission shall be assisted by the Committee on Safe Seas in accordance with the procedure laid down in Article 3 of Regulation (EC) No.../2000 of the European Parliament and of the Council.’.

Article 10 is replaced by the following

‘Article 10

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships*** in accordance with the procedure laid down in Article 3 of Regulation (EC) No.../2000 of the European Parliament and of the Council.’.

Justification:

Self-explanatory.

DRAFT LEGISLATIVE RESOLUTION

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation concerning the Committee on Safe Seas and amending the Regulations on maritime safety and the prevention of pollution from ships (COM(2000) 489 – C5-0475/2000 – 2000/0236(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2000) 489¹),
 - having regard to Article 251(2) and Article 80(2) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0475/2000),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Regional Policy, Transport and Tourism and the opinion of the Committee on the Environment, Public Health and Consumer Policy (A5-0031/2001),
1. Approves the Commission proposal as amended;
 2. Asks to be consulted again should the Commission intend to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

¹ OJ C 365, 19.12.2000, p. 276.

LEGISLATIVE PROPOSAL

2. Proposal for a European Parliament and Council directive amending the Directives on maritime safety and the prevention of pollution from ships (COM(2000) 489 – C5-0476/2000 – 2000/0237(COD))

The proposal is amended as follows:

Text proposed by the Commission ¹

Amendments by Parliament

(Amendment 17)
Recital 1

The Directives in force in the field of maritime safety make reference to the committee set up by Council Directive 93/75/EEC and, in certain cases, to an *ad hoc* committee set up by the pertinent directive. The existing directives provide that the committees thereby established are governed by the rules of Council Decision 87/373/EEC of 13 July 1987 laying down the procedures for the exercise of implementing powers conferred on the Commission.

The Directives in force in the field of maritime safety ***and the prevention of pollution from ships*** make reference to the committee set up by Council Directive 93/75/EEC and, in certain cases, to an *ad hoc* committee set up by the pertinent directive. The existing directives provide that the committees thereby established are governed by the rules of Council Decision 87/373/EEC of 13 July 1987 laying down the procedures for the exercise of implementing powers conferred on the Commission.

Justification:

Self-explanatory.

(Amendment 18)
Recital 2

Decision 87/373/EEC was replaced by Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission. As the measures necessary to implement the Directives in force in the field of maritime

Decision 87/373/EEC was replaced by Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission. As the measures necessary to implement the Directives in force in the field of maritime

¹ OJ C 365, 19.12.2000, p. 280.

safety are measures of a general scope within the meaning of Article 2 of Decision 1999/468/EC, they should be adopted by the regulatory procedure laid down in Article 5 of the Decision.

safety **and the prevention of pollution from ships** are measures of a general scope within the meaning of Article 2 of Decision 1999/468/EC, they should be adopted by the regulatory procedure laid down in Article 5 of the Decision.

Justification:

Self-explanatory.

(Amendment 19)
Recital 3

Regulation (EC) No .../2000 of the European Parliament and of the Council has set up a committee, the Committee on Safe Seas, to centralise the tasks of the committees established under the pertinent Community legislation on maritime safety, and stipulates the use of the regulatory procedure described in Article 5 of Decision 1999/468/EC for the purposes of implementing this legislation.

Regulation (EC) No .../2000 of the European Parliament and of the Council has set up a committee, the Committee on Safe Seas **and the Prevention of Pollution from Ships**, to centralise the tasks of the committees established under the pertinent Community legislation on maritime safety **and the prevention of pollution from ships**, and stipulates the use of the regulatory procedure described in Article 5 of Decision 1999/468/EC for the purposes of implementing this legislation.

Justification:

Self-explanatory.

(Amendment 20)
Recital 4

The Directives in force in the field of maritime safety should therefore be amended in order to replace the existing committees by the Committee on Safe Seas.

The Directives in force in the field of maritime safety **and the prevention of pollution from ships** should therefore be amended in order to replace the existing committees by the Committee on Safe Seas **and the Prevention of Pollution from Ships**.

Justification:

Self-explanatory.

(Amendment 21)

Recital 5

These Directives should also be amended in order to apply to them the amendment procedures laid down by Regulation (EC) No .../2000 and the relevant provisions of that Regulation designed to facilitate their adaptation to take account of changes to the international instruments applicable in the field of maritime safety,

These Directives should also be amended in order to apply to them the amendment procedures laid down by Regulation (EC) No .../2000 and the relevant provisions of that Regulation designed to facilitate their adaptation to take account of changes to the international instruments applicable in the field of maritime safety ***and the prevention of pollution from ships.***

Justification:

Self-explanatory.

(Amendment 22)

Recital 5a (new)

5a. Particular reference should be made to Articles 5(5), 7(3) and 8 of Council Decision 1999/468/EC, which guarantee the role of the European Parliament in the regulatory procedure.

Justification:

Incorporates in the proposal for a directive the role of the European Parliament in the regulatory procedure as laid down by Decision 1999/468/EC.

(Amendment 23)

Article 1

Objective

The objective of this Directive is to amend the Council Directives in force governing maritime safety, protection of the marine

Objective

The objective of this Directive is to amend the Council Directives in force governing maritime safety ***and the prevention of***

environment and shipboard living and working conditions:

- a) by making reference to the Committee on Safe Seas set up by Regulation (EC) No/2000;
- b) by facilitating their adaptation to take account of changes to the international instruments applicable in the field of maritime safety, prevention of pollution from ships and shipboard living and working conditions, in the manner laid down by Regulation (EC) No /2000.

pollution from ships, protection of the marine environment and shipboard living and working conditions:

- a) by making reference to the Committee on Safe Seas set up by Regulation (EC) No/2000;
- b) by facilitating their adaptation to take account of changes to the international instruments applicable in the field of maritime safety, prevention of pollution from ships, ***protection of the marine environment*** and shipboard living and working conditions, in the manner laid down by Regulation (EC) No /2000.

Justification:

Self-explanatory.

(Amendment 24)

ARTICLE 2(2)

Article 12 (Directive 93/75/EEC)

2) Article 12 is replaced by the following:

'Article 12

The Commission shall be assisted by the Committee on Safe Seas, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.'

2) Article 12 is replaced by the following:

'Article 12

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships***, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.'

Justification:

Self-explanatory.

(Amendment 25)
ARTICLE 3(2)
Article 7 (Directive 94/57/EC)

In Article 7, the first sentence is replaced by the sentence ‘The Commission shall be assisted by the Committee on Safe Seas, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.’.

In Article 7, the first sentence is replaced by the sentence ‘The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships*** in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.’.

Justification:

Self-explanatory.

(Amendment 26)
ARTICLE 4(2)
Article 13 (Directive 94/58/EC)

Article 13 is replaced by the following:

‘Article 13

The Commission shall be assisted by the Committee on Safe Seas, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.’.

Article 13 is replaced by the following:

‘Article 13

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships***, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.’.

Justification:

Self-explanatory.

(Amendment 27)
ARTICLE 5(2)
Article 18 (Directive 95/21/EC)

Article 18 is replaced by the following:

‘Article 18

Committee on Safe Seas

The Commission shall be assisted by the Committee on Safe Seas, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.’.

Article 18 is replaced by the following:

‘Article 18

Committee on Safe Seas ***and the Prevention of Pollution from Ships***

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships***, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.’.

Justification:

Self-explanatory.

(Amendment 28)
ARTICLE 6(2)
Article 18 (Directive 96/98/EC)

Article 18 is replaced by the following:

‘Article 18

The Commission shall be assisted by the Committee on Safe Seas, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.’.

Article 18 is replaced by the following:

‘Article 18

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships***, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.’.

Justification:

Self-explanatory.

(Amendment 29)
ARTICLE 7(2)
Article 9 (Directive 97/70/EC)

‘Article 9

Committee on Safe Seas

The Commission shall be assisted by the Committee on Safe Seas, in accordance with the procedure laid down in Article 3 of Regulation (EC) No.../2000 of the European Parliament and of the Council.’.

‘Article 9

Committee on Safe Seas ***and the Prevention of Pollution from Ships***

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships***, in accordance with the procedure laid down in Article 3 of Regulation (EC) No.../2000 of the European Parliament and of the Council.’.

Justification:

Self-explanatory.

(Amendment 30)
ARTICLE 8(4)
Article 9 (Directive 98/18/EC)

Article 9 is replaced by the following:

‘Article 9

Committee on Safe Seas

The Commission shall be assisted by the Committee on Safe Seas, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.’.

Article 9 is replaced by the following:

‘Article 9

Committee on Safe Seas ***and the Prevention of Pollution from Ships***

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships***, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.’.

Justification:

Self-explanatory.

(Amendment 31)
ARTICLE 9(2)
Article 13 (Directive 98/41/EC)

Article 13 is replaced by the following:

'Article 13

The Commission shall be assisted by the Committee on Safe Seas, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.'.

Article 13 is replaced by the following:

'Article 13

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships***, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.'.

Justification:

Self-explanatory.

(Amendment 32)
ARTICLE 10(2)
Article 16 (Directive 1999/35/EC)

Article 16 is replaced by the following:

'Article 16

Committee on Safe Seas

The Commission shall be assisted by the Committee on Safe Seas, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.'.

Article 16 is replaced by the following:

'Article 16

Committee on Safe Seas ***and the Prevention of Pollution from Ships***

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships***, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.'.

Justification:

Self-explanatory.

DRAFT LEGISLATIVE RESOLUTION

European Parliament legislative resolution on the proposal for a European Parliament and Council directive amending the Directives on maritime safety and the prevention of pollution from ships (COM(2000) 489 – C5-0476/2000 – 2000/0237(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2000) 489¹),
 - having regard to Article 251(2) and Article 80(2) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0476/2000),
 - having regard to Rule 67 of its Rules of Procedure,
 - having regard to the report of the Committee on Regional Policy, Transport and Tourism and the opinion of the Committee on the Environment, Public Health and Consumer Policy (A5-0031/2001),
1. Approves the Commission proposal as amended;
 2. Asks to be consulted again should the Commission intend to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

¹ OJ C 365, 19.12.2000, p. 280.

EXPLANATORY STATEMENT

I. Introduction

Maritime safety and the protection of the marine environment from pollution caused by ships have become matters of particular current interest.

The European Union already has an arsenal of twelve directives and three regulations aimed at stricter enforcement of the rules on marine safety, the prevention of pollution from ships, the criteria governing the training and formal qualifications of seafarers and working conditions at sea.

The Commission has in fact submitted two proposals. A proposal for a regulation to set up a regulatory committee called the Committee on Safe Seas, which entails amending the current regulations and a proposal for a directive amending existing directives to incorporate the Committee on Safe Seas.

II. Objectives and substance of the proposal

1. The object of the proposal for a regulation is to replace the existing committees dealing with safety at sea with a single Committee on Safe Seas in order to facilitate the implementation of amendments to the relevant international conventions by the Member States of the European Union. It is also considered that the new committee will make the Union's maritime safety policy more effective.

The proposal for a regulation replaces the existing regulatory procedure based on Decision 87/373/EEC with the regulatory procedure provided under Council Decision 1999/468/EC.

At the same time, the Commission is taking the opportunity presented by setting up the Committee on Safe Seas to opt for a procedure which ensures that it has the right to decide whether an international amendment to the regulations raises or lowers maritime safety standards.

It is in fact proposed that, by way of an exclusion procedure, only those amendments to international conventions which lower the level of safety required in the European Union are referred to the Committee on Safe Seas. Amendments to international conventions which are not referred to the Committee on Safe Seas are adopted and automatically incorporated in the Community act.

In summary, the essence of the proposal for a regulation is as follows: the Member States implement the most recent provisions of international conventions, except for those expressly referred to and incorporated in a Community act. In the latter case, they are dealt with by the Commission, which may refer them for exclusion to the Committee on Safe Seas, failing which they apply automatically. In other words, referral to the Committee on Safe Seas also entails modifying the relevant Community act in order to exclude the amendments to the international convention from that act. These provisions are the substance of Article 4 of the proposal for a regulation.

What is involved here is a fundamental political choice to be made within the scope allowed by Decision 1999/468/EC.

Naturally, the European Parliament in particular has the rights provided by Articles 5(5), 7(3) and 8 of Decision 1999/468/EC, though it exercises the powers conferred thereby in strict compliance with Article 202, third indent of the Treaty.

2. A proposal for a directive amending the Council directives to incorporate therein the Committee on Safe Seas, together with the essential clause preventing the lowering of maritime safety standards.

III. Remarks

The Commission's proposal to set up a Committee on Safe Seas is to be welcomed as an attempt at rational organisation and centralisation of the tasks concerning the Union's maritime safety policy. It also makes a more general contribution towards improving the monitoring of the maritime safety aspects of Community and international law.

Accordingly, your rapporteur has submitted a small number of amendments aimed at clarifying the text and safeguarding Parliament's rights to take part in the regulatory procedure.

23 January 2001

OPINION OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND CONSUMER POLICY

for the Committee on Regional Policy, Transport and Tourism

1. on the proposal for a Regulation of the European Parliament and of the Council concerning the Committee on Safe Seas and amending the Regulations on maritime safety and the prevention of pollution from ships
(COM(2000) 489 – C5-0475/2000 – 2000/0236(COD))

2. on the proposal for a Directive of the European Parliament and of the Council amending the Directives on maritime safety and the prevention of pollution from ships
(COM(2000) 489 – C5-0476/2000 – 2000/0237(COD))

Draftsman: Françoise D. Grossetête

PROCEDURE

The Committee on the Environment, Public Health and Consumer Policy appointed Françoise D. Grossetête draftsman at its meeting of 21 November 2000.

It considered the draft opinion at its meeting of 23 January 2001.

At that meeting it unanimously adopted the following amendments.

The following were present for the vote: Caroline F. Jackson, chairman; Guido Sacconi, vice-chairman; Françoise D. Grossetête, draftsman; Per-Arne Arvidsson, Hans Blokland, David Robert Bowe, John Bowis, Martin Callanan, Avril Doyle, Marialiese Flemming, Karl-Heinz Florenz, Laura González Álvarez, Robert Goodwill, Mary Honeyball (for Dorette Corbey), Anneli Hulthén, Christa Klač, Eija-Riitta Anneli Korhola, Bernd Lange, Torben Lund, Riitta Myller, Giuseppe Nisticò, Karl Erik Olsson, Béatrice Patrie, Dagmar Roth-Behrendt, Jean Saint-Josse, Jonas Sjöstedt, Roseline Vachetta and Kathleen Van Brempt (for Carlos Lage).

SHORT JUSTIFICATION

The environmental disasters caused by pollutants discharged by vessels along the coasts of Europe and, in particular, the recent case involving the *Erika* have raised the general public's and political leaders' awareness of the issue to yet higher levels.

The Commission's proposal is obviously a response to this urgent state of affairs and to the requirement for the European Union to be given the tools it needs in order to be able to combat pollution at sea more effectively.

The very title of the proposal refers not only to maritime safety but also to the prevention of pollution from ships. Furthermore, most of the directives and regulations which the Commission proposes to amend refer to the protection of the marine environment and the shipboard living and working conditions of workers, and thereby establish a link between those conditions and maritime safety and also between maritime safety and the importance of the latter to the protection of the marine environment.

Hence it is important for this overall concept of safety and protection of the marine environment to be reflected in the text proposed by the Commission. In addition, the title of the new committee to be set up by means of the proposal should encompass both concepts, namely safety and the prevention of pollution.

These are the reasons which have prompted the Committee on the Environment, Public Health and Consumer Policy to table a set of amendments (more formal than substantive in nature) to the text proposed by the Commission. The purpose of the amendments is to try to make it clearer to the Member States' representatives and political leaders and also to the general public that the new committee should not only concern itself with aspects relating to maritime safety but should also take full account of aspects relating to the prevention of pollution.

AMENDMENTS

The Committee on the Environment, Public Health and Consumer Policy calls on the Committee on Regional Policy, Transport and Tourism, as the committee responsible, to incorporate the following amendments into its report:

1. Amendments to the proposal for a Regulation of the European Parliament and of the Council concerning the Committee on Safe Seas and amending the Regulations on maritime safety and the prevention of pollution from ships (COM(2000) 489 – C5-0475/2000 – 2000/0236(COD))

Text proposed by the Commission ¹	Amendments by Parliament
<p>(Amendment 1) Recital 4</p>	
<p>In keeping with the Council Resolution of 8 June 1993, a Committee on Safe Seas should be set up and assigned the tasks previously devolved to the committees established under the existing Community legislation on maritime safety. All new Community legislation adopted in the field of maritime safety should stipulate recourse to the Committee on Safe Seas.</p>	<p>In keeping with the Council Resolution of 8 June 1993, a Committee on Safe Seas <i>and the Prevention of Pollution by Ships</i> should be set up and assigned the tasks previously devolved to the committees established under the existing Community legislation on maritime safety, <i>the prevention of pollution by ships, the protection of the marine environment and shipboard living and working conditions</i>. All new Community legislation adopted in the field of maritime safety should stipulate recourse to the Committee on Safe Seas <i>and the Prevention of Pollution by Ships</i>.</p>
<p><i>Justification:</i></p> <p><i>The name of the committee should include terms relating to the prevention of pollution. It should also be indicated that amendments are being made not only to Community legislation on maritime safety; laws relating to the protection of the marine environment and to shipboard living and working conditions (which are so closely related to maritime safety) are being included and amended as well.</i></p>	
<p>(Amendment 2) Recital 6</p>	
<p>The pertinent provisions of Decision 1999/468/EC should therefore be applied to the Committee on Safe Seas. As the measures required to implement the legislation in the field of maritime safety are measures of general scope within the meaning of Article 2 of Decision 1999/468/EC, they should be adopted by</p>	<p>The pertinent provisions of Decision 1999/468/EC should therefore be applied to the Committee on Safe Seas <i>and the Prevention of Pollution by Ships</i>. As the measures required to implement the legislation in the field of maritime safety, <i>the prevention of pollution by ships, the protection of the marine environment and</i></p>

¹ OJ C xxx.

the regulatory procedure laid down in Article 5 of the Decision.

shipboard living and working conditions are measures of general scope within the meaning of Article 2 of Decision 1999/468/EC, they should be adopted by the regulatory procedure laid down in Article 5 of the Decision.

Justification:

The name of the committee should include terms relating to the prevention of pollution. It should also be indicated that amendments are being made not only to Community legislation on maritime safety; laws relating to the protection of the marine environment and to shipboard living and working conditions (which are so closely related to maritime safety) are being included and amended as well.

(Amendment 3)
Recital 7

The existing ***maritime safety*** legislation should also be amended to substitute the Committee on Safe Seas for the committee set up by Directive 93/75/EEC or, where appropriate, for the *ad hoc* committee established under the particular piece of legislation. This Regulation should in particular amend the relevant provisions of Council Regulation (EEC) No 613/91, (EC) No 2978/94 and (EC) No 3051/95, in order to insert a reference to the Committee on Safe Seas and to stipulate the regulatory procedure laid down in Article 5 of Decision 1999/468/EC.

The existing legislation ***on maritime safety, the prevention of pollution by ships, the protection of the marine environment and shipboard living and working conditions*** should also be amended to substitute the Committee on Safe Seas ***and the Prevention of Pollution by Ships*** for the committee set up by Directive 93/75/EEC or, where appropriate, for the *ad hoc* committee established under the particular piece of legislation. This Regulation should in particular amend the relevant provisions of Council Regulation (EEC) No 613/91, (EC) No 2978/94 and (EC) No 3051/95, in order to insert a reference to the Committee on Safe Seas ***and the Prevention of Pollution by Ships*** and to stipulate the regulatory procedure laid down in Article 5 of Decision 1999/468/EC.

Justification:

The name of the committee should include terms relating to the prevention of pollution. It should also be indicated that amendments are being made not only to Community legislation on maritime safety; laws relating to the protection of the marine environment and to shipboard living and working conditions (which are so closely related to maritime safety) are being included and amended as well.

(Amendment 4)

Recital 8

Moreover, the existing Community legislation on maritime safety is based on the application of rules resulting from international conventions, codes and resolutions in force at the date of adoption of the Community act in question, or at the date specified by the latter. As a consequence, Member States cannot apply the subsequent amendments to these international instruments until the Community directives or regulations have been amended. This has major disadvantages owing to the difficulty of getting the date of entry into force of the amendment at the international level to coincide with that of the regulation integrating this amendment into Community law, not least the delayed application within the Community of the most recent and most stringent international safety standards.

Moreover, the existing Community legislation on maritime safety, ***the prevention of pollution by ships, the protection of the marine environment and shipboard living and working conditions*** is based on the application of rules resulting from international conventions, codes and resolutions in force at the date of adoption of the Community act in question, or at the date specified by the latter. As a consequence, Member States cannot apply the subsequent amendments to these international instruments until the Community directives or regulations have been amended. This has major disadvantages owing to the difficulty of getting the date of entry into force of the amendment at the international level to coincide with that of the regulation integrating this amendment into Community law, not least the delayed application within the Community of the most recent and most stringent international safety standards.

Justification:

The name of the committee should include terms relating to the prevention of pollution. It should also be indicated that amendments are being made not only to Community legislation on maritime safety; laws relating to the protection of the marine environment and to shipboard living and working conditions (which are so closely related to maritime safety) are being included and amended as well.

(Amendment 5)

Recital 11

A specific conformity checking procedure should, however, be set up to enable the Commission, after consulting the Committee on Safe Seas, to take whatever measures may be necessary to exclude the risk of amendments to the international instruments being incompatible with the Community legislation or Community policy on safe seas in force. Such a procedure must also prevent international amendments from lowering the standard of

A specific conformity checking procedure should, however, be set up to enable the Commission, after consulting the Committee on Safe Seas, to take whatever measures may be necessary to exclude the risk of amendments to the international instruments being incompatible with the Community legislation, ***the objectives of Community environment policy as laid down in Article 174 of the EC Treaty*** or Community policy on safe seas in force.

maritime safety achieved in the Community.

Such a procedure must also prevent international amendments from lowering the standard of maritime safety achieved in the Community.

Justification:

It should be pointed out that the objectives of the Community's policy are laid down in Article 174 of the Treaty, which states that the Community shall endeavour to achieve the highest level of environmental protection.

(Amendment 6)
Article 1

Objective

The objective of this Regulation is to improve the implementation of the pertinent Community legislation on maritime safety, protection of the marine environment and shipboard living and working conditions:

- a) by centralising the tasks of the committees set up under the pertinent Community legislation by creating a single committee, to be known as the Committee on Safe Seas;
- b) by facilitating the process of amending the pertinent Community legislation in the light of developments in the international instruments applicable to maritime safety, protection of the marine environment and shipboard living and working conditions.

Objective

The objective of this Regulation is to improve the implementation of the pertinent Community legislation on maritime safety, ***the prevention of pollution from ships***, protection of the marine environment and shipboard living and working conditions:

- a) by centralising the tasks of the committees set up under the pertinent Community legislation by creating a single committee, to be known as the Committee on Safe Seas ***and the Prevention of Pollution by Ships***;
- b) by facilitating the process of amending the pertinent Community legislation in the light of developments in the international instruments applicable to maritime safety, ***prevention of pollution from ships***, protection of the marine environment and shipboard living and working conditions.

Justification:

The name of the committee should include terms relating to the prevention of pollution. It should also be indicated that amendments are being made not only to Community legislation on maritime safety; laws relating to the protection of the marine environment and to shipboard living and working conditions (which are so closely related to maritime safety) are being included and amended as well.

(Amendment 7)
Article 2(1)

1) “international instruments”: the conventions, protocols, resolutions, codes, compendia of rules, circulars, standards and provisions adopted by an international conference, the International Maritime Organisation (IMO), the International Labour Organisation (ILO), the parties to a memorandum of understanding or an international standards body, in the field of maritime safety, prevention of pollution from ships and shipboard living and working conditions.

1) “international instruments”: the conventions, protocols, resolutions, codes, compendia of rules, circulars, standards and provisions adopted by an international conference, the International Maritime Organisation (IMO), the International Labour Organisation (ILO), the parties to a memorandum of understanding or an international standards body, in the field of maritime safety, prevention of pollution from ships, ***protection of the marine environment*** and shipboard living and working conditions.

Justification:

Self-explanatory.

(Amendment 8)
Article 3 (title)

Establishment of the Committee on Safe Seas

Establishment of the Committee on Safe Seas ***and the Prevention of Pollution by Ships***

Justification:

Self-explanatory.

(Amendment 9)
Article 3(1)

1) The Commission shall be assisted by a regulatory committee, hereinafter called the Committee on Safe Seas, composed of representatives of the Member States and chaired by the representative of the Commission.

1) The Commission shall be assisted by a regulatory committee, hereinafter called the Committee on Safe Seas ***and the Prevention of Pollution by Ships***, composed of representatives of the Member States and chaired by the representative of the Commission.

Justification:

Self-explanatory.

(Amendment 10)

Article 4(1), second subparagraph

Such amendment to the Community legislation shall be possible only if there is a manifest risk that the international amendment will lower the standard of maritime safety or protection of the marine environment established by the Community legislation on maritime safety, or be incompatible with the latter, or if it is likely to compromise the achievement of the Community's objectives in the field of maritime safety.

Such amendment to the Community legislation shall be possible only if there is a manifest risk that the international amendment will lower the standard of maritime safety or protection of the marine environment established by the Community legislation on maritime safety ***and the prevention of pollution by ships***, or be incompatible with the latter, or if it is likely to compromise the achievement of the Community's objectives in the field of maritime safety ***and the protection of the marine environment***.

Justification:

Self-explanatory.

(Amendment 11)
Article 5, title

Powers of the Committee on Safe Seas

Powers of the Committee on Safe Seas ***and the Prevention of Pollution from Ships***

Justification:

Self-explanatory.

(Amendment 12)
Article 5, first subparagraph

The Committee on Safe Seas shall exercise the powers conferred on it by virtue of the Community legislation in force.

The Committee on Safe Seas ***and the Prevention of Pollution from Ships*** shall exercise the powers conferred on it by virtue of the Community legislation in force.

Justification:

Self-explanatory.

(Amendment 13)
ARTICLE 6(2)
Articles 6 and 7 (Regulation (EEC) No 613/91)

2. Articles 6 and 7 are replaced by the following:

“Article 6

The Commission shall be assisted by the Committee on Safe Seas created by Article 3 of Regulation (EC) No ... 2000.

Article 7

Where reference is made to this Article, the regulatory procedure laid down in Article 3 of Regulation (EC) No.../2000 shall apply.”.

2. Articles 6 and 7 are replaced by the following:

“Article 6

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships*** created by Article 3 of Regulation (EC) No ... 2000.

Article 7

Where reference is made to this Article, the regulatory procedure laid down in Article 3 of Regulation (EC) No.../2000 shall apply.”.

Justification:

Self-explanatory.

(Amendment 14)
ARTICLE 7(2)
Article 7 (Regulation (EEC) No 2978/94)

Article 7 is replaced by the following:

“Article 7

The Commission shall be assisted by the Committee on Safe Seas in accordance with the procedure laid down in Article 3 of Regulation (EC) No.../2000.”.

Article 7 is replaced by the following:

“Article 7

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships*** in accordance with the procedure laid down in Article 3 of Regulation (EC) No.../2000.”.

Justification:

Self-explanatory.

(Amendment 15)
ARTICLE 8(2)
Article 10 (Regulation (EEC) No 3051/95)

Article 10 is replaced by the following

“Article 10

The Commission shall be assisted by the Committee on Safe Seas in accordance with the procedure laid down in Article 3 of Regulation (EC) No.../2000 of the European Parliament and of the Council.”.

Article 10 is replaced by the following

“Article 10

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships*** in accordance with the procedure laid down in Article 3 of Regulation (EC) No.../2000 of the European Parliament and of the Council.”.

Justification:

Self-explanatory.

2. Amendments to the proposal for a Directive of the European Parliament and of the Council amending the Directives on maritime safety and the prevention of pollution from ships
(COM(2000) 489 – C5-0476/2000 – 2000/0237 ((COD))

Text proposed by the Commission¹

Amendments by Parliament

(Amendment 16)
Recital 1

The Directives in force in the field of maritime safety make reference to the committee set up by Council Directive 93/75/EEC and, in certain cases, to an *ad hoc* committee set up by the pertinent directive. The existing directives provide that the committees thereby established are governed by the rules of Council Decision 87/373/EEC of 13 July 1987 laying down the procedures for the exercise of implementing powers conferred on the Commission.

The Directives in force in the field of maritime safety ***and the prevention of pollution from ships*** make reference to the committee set up by Council Directive 93/75/EEC and, in certain cases, to an *ad hoc* committee set up by the pertinent directive. The existing directives provide that the committees thereby established are governed by the rules of Council Decision 87/373/EEC of 13 July 1987 laying down the procedures for the exercise of implementing powers conferred on the Commission.

¹ OJ C xxx.

Justification:

Self-explanatory.

(Amendment 17)
Recital 2

Decision 87/373/EEC was replaced by Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission. As the measures necessary to implement the Directives in force in the field of maritime safety are measures of a general scope within the meaning of Article 2 of Decision 1999/468/EC, they should be adopted by the regulatory procedure laid down in Article 5 of the Decision.

Decision 87/373/EEC was replaced by Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission. As the measures necessary to implement the Directives in force in the field of maritime safety ***and the prevention of pollution from ships*** are measures of a general scope within the meaning of Article 2 of Decision 1999/468/EC, they should be adopted by the regulatory procedure laid down in Article 5 of the Decision.

Justification:

Self-explanatory.

(Amendment 18)
Recital 3

Regulation (EC) No .../2000 of the European Parliament and of the Council has set up a committee, the Committee on Safe Seas, to centralise the tasks of the committees established under the pertinent Community legislation on maritime safety, and stipulates the use of the regulatory procedure described in Article 5 of Decision 1999/468/EC for the purposes of implementing this legislation.

the use of the regulatory procedure Regulation (EC) No .../2000 of the European Parliament and of the Council has set up a committee, the Committee on Safe Seas ***and the Prevention of Pollution from Ships***, to centralise the tasks of the committees established under the pertinent Community legislation on maritime safety ***and the prevention of pollution from ships***, and stipulates described in Article 5 of Decision 1999/468/EC for the purposes of implementing this legislation.

Justification:

Self-explanatory.

(Amendment 19)
Recital 4

The Directives in force in the field of maritime safety should therefore be amended in order to replace the existing committees by the Committee on Safe Seas.

The Directives in force in the field of maritime safety ***and the prevention of pollution from ships*** should therefore be amended in order to replace the existing committees by the Committee on Safe Seas ***and the Prevention of Pollution from Ships***.

Justification:

Self-explanatory.

(Amendment 20)
Recital 5

These Directives should also be amended in order to apply to them the amendment procedures laid down by Regulation (EC) No .../2000 and the relevant provisions of that Regulation designed to facilitate their adaptation to take account of changes to the international instruments applicable in the field of maritime safety,

These Directives should also be amended in order to apply to them the amendment procedures laid down by Regulation (EC) No .../2000 and the relevant provisions of that Regulation designed to facilitate their adaptation to take account of changes to the international instruments applicable in the field of maritime safety ***and the prevention of pollution from ships***.

Justification:

Self-explanatory.

(Amendment 21)
Article 1

Objective

The objective of this Directive is to amend the Council Directives in force governing maritime safety, protection of the marine environment and shipboard living and working conditions:

Objective

The objective of this Directive is to amend the Council Directives in force governing maritime safety ***and the prevention of pollution from ships***, protection of the marine environment and shipboard living and working conditions:

- a) by making reference to the Committee on Safe Seas set up by Regulation (EC) No/2000;
- b) by facilitating their adaptation to take account of changes to the international instruments applicable in the field of maritime safety, prevention of pollution from ships and shipboard living and working conditions, in the manner laid down by Regulation (EC) No /2000.

- a) by making reference to the Committee on Safe Seas set up by Regulation (EC) No/2000;
- b) by facilitating their adaptation to take account of changes to the international instruments applicable in the field of maritime safety, prevention of pollution from ships, ***protection of the marine environment*** and shipboard living and working conditions, in the manner laid down by Regulation (EC) No /2000.

Justification:

Self-explanatory.

(Amendment 22)
ARTICLE 2(2)
Article 12 (Directive 93/75/EEC)

2) Article 12 is replaced by the following:

“Article 12

The Commission shall be assisted by the Committee on Safe Seas, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.”.

2) Article 12 is replaced by the following:

“Article 12

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships***, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.”.

Justification:

Self-explanatory.

(Amendment 23)
ARTICLE 3(2)
Article 7 (Directive 94/57/EC)

In Article 7, the first sentence is replaced by the sentence “The Commission shall be assisted by the Committee on Safe Seas, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.”.

In Article 7, the first sentence is replaced by the sentence “The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships*** in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.”.

Justification:

Self-explanatory.

(Amendment 24)
ARTICLE 4(2)
Article 13 (Directive 94/58/EC)

Article 13 is replaced by the following:

“Article 13

The Commission shall be assisted by the Committee on Safe Seas, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.”.

Article 13 is replaced by the following:

“Article 13

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships***, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.”.

Justification:

Self-explanatory.

(Amendment 25)
ARTICLE 5(2)
Article 18 (Directive 95/21/EC)

Article 18 is replaced by the following:

“Article 18

Committee on Safe Seas

The Commission shall be assisted by the Committee on Safe Seas, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.”.

Article 18 is replaced by the following:

“Article 18

Committee on Safe Seas ***and the Prevention of Pollution from Ships***

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships***, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.”.

Justification:

Self-explanatory.

(Amendment 26)
ARTICLE 6(2)
Article 18 (Directive 96/98/EC)

Article 18 is replaced by the following:

“Article 18

The Commission shall be assisted by the Committee on Safe Seas, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.”.

Article 18 is replaced by the following:

“Article 18

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships***, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.”.

Justification:

Self-explanatory.

(Amendment 27)
ARTICLE 7(2)
Article 9 (Directive 97/70/EC)

“Article 9

Committee on Safe Seas

The Commission shall be assisted by the Committee on Safe Seas, in accordance with the procedure laid down in Article 3 of Regulation (EC) No.../2000 of the European Parliament and of the Council.”.

“Article 9

Committee on Safe Seas ***and the Prevention of Pollution from Ships***

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships***, in accordance with the procedure laid down in Article 3 of Regulation (EC) No.../2000 of the European Parliament and of the Council.”.

Justification:

Self-explanatory.

(Amendment 28)
ARTICLE 8(4)
Article 9 (Directive 98/18/EC)

Article 9 is replaced by the following:

“Article 9

Committee on Safe Seas

The Commission shall be assisted by the Committee on Safe Seas, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.”.

Article 9 is replaced by the following:

“Article 9

Committee on Safe Seas ***and the Prevention of Pollution from Ships***

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships***, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.”.

Justification:

Self-explanatory.

(Amendment 29)
ARTICLE 9(2)
Article 13 (Directive 98/41/EC)

Article 13 is replaced by the following:

“Article 13

The Commission shall be assisted by the Committee on Safe Seas, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.”.

Article 13 is replaced by the following:

“Article 13

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships***, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.”.

Justification:

Self-explanatory.

(Amendment 30)
ARTICLE 10(2)
Article 16 (Directive 1999/35/EC)

Article 16 is replaced by the following:

“Article 16

Committee on Safe Seas

The Commission shall be assisted by the Committee on Safe Seas, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.”.

Article 16 is replaced by the following:

“Article 16

Committee on Safe Seas ***and the Prevention of Pollution from Ships***

The Commission shall be assisted by the Committee on Safe Seas ***and the Prevention of Pollution from Ships***, in accordance with the procedure laid down in Article 3 of Regulation (EC) No .../2000.”.

Justification:

Self-explanatory.