



2022/0036(COD)

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AMENDMENTS

5 - 26

Draft report

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(PE734.092v01-00)

Amending Directive 2003/25/EC as regards the inclusion of improved stability requirements and its alignment with stability requirements defined by the International Maritime Organisation

Proposal for a directive

(COM(2022)0053 – C9-0047/2022 – 2022/0036(COD))

Amendment 5
Vera Tax

Proposal for a directive
Recital 7 a (new)

Text proposed by the Commission

Amendment

(7 a) The upskilling and reskilling of workers in the shipbuilding and maritime technology sector remains vital, in particular in relation to green and digital skills. The EUP act for Skills for the sector should ensure that stakeholders, including employers, trade unions, universities and vocational training providers, can prepare the workforce for the technological changes of the future including safety, training and protecting measures for workers using new ro-ro passengers ships.

Or. en

Amendment 6
Vera Tax

Proposal for a directive
Recital 7 b (new)

Text proposed by the Commission

Amendment

(7 b) EMSA should continue its inspection with Member States and report to the Commission to continue assess the needs of this directive.

Or. en

Amendment 7
Jutta Paulus

Proposal for a directive
Recital 7 a (new)

(7 a) In order to ensure the best possible safety design of passenger ships, future work should take into account the different specificities at least of cruise ships, ro-ro ships and ferries separately.

Or. en

Amendment 8
Jutta Paulus

Proposal for a directive
Recital 7 b (new)

Text proposed by the Commission

Amendment

(7 b) To reinforce the future enforcement of the Directive, the scope of the Port state control Directive 2013/38/EU of the European Parliament and of the Council should be adapted.

Or. en

Amendment 9
Vera Tax

Proposal for a directive
Recital 8

Text proposed by the Commission

Amendment

(8) In order to enable the Commission to evaluate and report to the European Parliament and the Council on the implementation of this Directive by [OP : Please insert a date: **ten** years from the entry into force of this amending Directive], Member States should provide data on every new ro-ro passenger ship that is certified after [OP: Please insert a date: one year from the entry into force of this amending Directive] for regular service in compliance with the stability requirements

(8) In order to enable the Commission to evaluate and report to the European Parliament and the Council on the implementation of this Directive by [OP : Please insert a date: **five** years from the entry into force of this amending Directive], Member States should provide data on every new ro-ro passenger ship that is certified after [OP: Please insert a date: one year from the entry into force of this amending Directive] for regular service in compliance with the stability requirements

contained in this Directive according to the structure set out in the Annex.

contained in this Directive according to the structure set out in the Annex.

Or. en

Amendment 10
Jutta Paulus

Proposal for a directive
Recital 7 c (new)

Text proposed by the Commission

Amendment

(7 c) In order to best be able to assess future needs or revisions to this Directive, EMSA should continue its inspection with Member States and report to the Commission.

Or. en

Amendment 11
Jutta Paulus

Proposal for a directive
Recital 8

Text proposed by the Commission

Amendment

(8) In order to enable the Commission to evaluate and report to the European Parliament and the Council on the implementation of this Directive by [OP : Please insert a date: **ten** years from the entry into force of this amending Directive], Member States should provide data on every new ro-ro passenger ship that is certified after [OP: Please insert a date: one year from the entry into force of this amending Directive] for regular service in compliance with the stability requirements contained in this Directive according to the structure set out in the Annex.

(8) In order to enable the Commission to evaluate and report to the European Parliament and the Council on the implementation of this Directive by [OP : Please insert a date: **five** years from the entry into force of this amending Directive], Member States should provide data on every new ro-ro passenger ship that is certified after [OP: Please insert a date: one year from the entry into force of this amending Directive] for regular service in compliance with the stability requirements contained in this Directive according to the structure set out in the Annex.

Or. en

Amendment 12

Jutta Paulus

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point c b (new)

Directive 2003/25/EC

Article 2 – paragraph 1 – point c b (new)

Text proposed by the Commission

Amendment

(c b) ‘persons with reduced mobility’ means persons who have a particular difficulty when using public transport, including elderly persons, persons with disabilities, persons with sensory impairments and wheelchair users, pregnant women and persons accompanying small children;

Or. en

Justification

This is the standard definition taken from Directive 2009/45 and makes sense in view of further amendments aimed at increasing passenger safety.

Amendment 13

Jutta Paulus

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point g

Directive 2003/25/EC

Article 2 – paragraph 1 – point n

Text proposed by the Commission

Amendment

(n) ‘operator’ means the legal entity or physical person who has assumed the responsibility for the operation of the ship;

(n) ‘operator’ means the legal entity or physical person who has assumed the responsibility for the operation of the ship ***and for remuneration, provides scheduled or non-scheduled sea transport services for the carriage of passengers and is entitled to decide on the commercial operations of the ship;***

Or. en

Justification

alignment with other Union legislation

Amendment 14

Jutta Paulus

Proposal for a directive

Article 1 – paragraph 1 – point 1 – point g

Directive 2003/25/EC

Article 2 – paragraph 1 – point n a (new)

Text proposed by the Commission

Amendment

(n a) ‘company’ means the shipowner or any other organisation or person such as the manager; the time charterer or the bareboat charterer, which has assumed the responsibility for the commercial operation of the ship from the shipowner and is responsible for paying for fuel consumed by the ship;

Or. en

Justification

Alignment with other EU legislation

Amendment 15

Vera Tax

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 2003/25/EC

Article 3 – paragraph 2

Text proposed by the Commission

Amendment

2. Each Member State, in its capacity as Port State, shall ensure that ro-ro passenger ships ***flying the flag of a State which is not a Member State*** comply fully with the requirements of this Directive before they may be engaged on voyages in regular service from or to ports of that Member State in accordance with Directive

2. Each Member State, in its capacity as Port State, shall ensure that ***all*** ro-ro passenger ships comply fully with the requirements of this Directive before they may be engaged on voyages in regular service from or to ports of that Member State in accordance with Directive 2017/2110/EC of the European Parliament

2017/2110/EC of the European Parliament and of the Council²⁰ .;

and of the Council²⁰.

Member States authorities, under the supervision of EMSA, shall regularly check the overall safety of ro-ro passenger ships. If safety insufficiency is established, the ship shall not leave the port, until the appropriate maintenance repairs have been performed.

²⁰ Directive (EU) 2017/2110 of the European Parliament and of the Council of 15 November 2017 on a system of inspections for the safe operation of ro-ro passenger ships and high-speed passenger craft in regular service and amending Directive 2009/16/EC and repealing Council Directive 1999/35/EC (OJ L 315, 30.11.2017, p. 61).

²⁰ Directive (EU) 2017/2110 of the European Parliament and of the Council of 15 November 2017 on a system of inspections for the safe operation of ro-ro passenger ships and high-speed passenger craft in regular service and amending Directive 2009/16/EC and repealing Council Directive 1999/35/EC (OJ L 315, 30.11.2017, p. 61).

Or. en

Amendment 16

Jutta Paulus

Proposal for a directive

Article 1 – paragraph 1 – point 2

Directive 2003/25/EC

Article 3 – paragraph 2

Text proposed by the Commission

2. Each Member State, in its capacity as Port State, shall ensure that ro-ro passenger ships ***flying the flag of a State which is not a Member State*** comply fully with the requirements of this Directive before they may be engaged on voyages in regular service from or to ports of that Member State in accordance with Directive 2017/2110/EC of the European Parliament and of the Council²⁰ .;

Amendment

2. Each Member State, in its capacity as Port State, shall ensure that ***all*** ro-ro passenger ships comply fully with the requirements of this Directive before they may be engaged on voyages in regular service from or to ports of that Member State in accordance with Directive 2017/2110/EC of the European Parliament and of the Council²⁰

Member States authorities, under the supervision of EMSA, shall regularly check the overall safety of ro-ro passenger ships. If safety insufficiency is

established, the ship shall not leave the port, until the appropriate maintenance repairs have been performed.

If a ship company is seen to operate unsafe ships repeatedly, a blacklist of these companies shall be published on the Commission website.

²⁰ Directive (EU) 2017/2110 of the European Parliament and of the Council of 15 November 2017 on a system of inspections for the safe operation of ro-ro passenger ships and high-speed passenger craft in regular service and amending Directive 2009/16/EC and repealing Council Directive 1999/35/EC (OJ L 315, 30.11.2017, p. 61).

²⁰ Directive (EU) 2017/2110 of the European Parliament and of the Council of 15 November 2017 on a system of inspections for the safe operation of ro-ro passenger ships and high-speed passenger craft in regular service and amending Directive 2009/16/EC and repealing Council Directive 1999/35/EC (OJ L 315, 30.11.2017, p. 61).

Or. en

Amendment 17 **Jutta Paulus**

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive 2003/25/EC
Article 6 – Title

Text proposed by the Commission

Specific stability requirements

Amendment

Specific stability ***and safety*** requirements

Or. en

Amendment 18 **Vera Tax**

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive 2003/25/EC
Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. New ro-ro passenger ships shall also comply with specific safety requirements for the safe loading, unloading as well as safe and secure storage of bicycles carried by passengers. The Commission shall adopt delegated act on these requirements in accordance with Article 11 no later than 3 years after the entry into force of this Directive.

Or. en

Amendment 19

Jutta Paulus

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive 2003/25/EC

Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. New ro-ro passenger ships shall also comply with specific safety requirements for the safe loading, unloading as well as safe and secure storage of bicycles carried by passengers. The Commission shall adopt delegated act on these requirements in accordance with Article 11 no later than 3 years after the entry into force of this Directive.

Or. en

Amendment 20

Jutta Paulus

Proposal for a directive

Article 1 – paragraph 1 – point 5

Directive 2003/25/EC

Article 6 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1 b. New ro-ro passenger ships shall comply with the PRM provisions for

safety and accessibility, as required under the UN Convention on the Rights of Persons with Disabilities and the European Accessibility Act.

Or. en

Amendment 21
Jutta Paulus

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive 2003/25/EC
Article 6 a (new)

Text proposed by the Commission

Amendment

5 a. Article 6a new

Safety requirements for persons with reduced mobility

1. Member States shall ensure that appropriate measures are taken, based, where practicable, on the guidelines in Annex III of Directive 2009/45/EC, to enable persons with reduced mobility to have safe access to all ro-ro passenger ships

2. Member States shall cooperate with and consult organisations representing persons with reduced mobility on the implementation of the guidelines included in Annex III of Directive 2009/45/EC.

3. For the purpose of modification of ro-ro passenger ships, Member States shall apply the guidelines in Annex III of Directive 2009/45/EC as far as reasonable and practicable in economic terms.

4. For the application of Article 6a the following derogation periods apply:

- 8 years for existing ro-ro passenger ships certified to carry 1350 or fewer persons on board

- 5 years for existing ro-ro passenger ships certified to carry more than 1350

persons on board

Or. en

Amendment 22
Jutta Paulus

Proposal for a directive
Article 1 – paragraph 1 – point 5
Directive 2003/25/EC
Article 6 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6 a. For Article 6, paragraphs 1a(new) and 1b(new) the following derogation periods apply:

- 8 years for existing ro-ro passenger ships certified to carry 1350 or fewer persons on board

- 5 years for existing ro-ro passenger ships certified to carry more than 1350 persons on board

Or. en

Amendment 23
Jutta Paulus

Proposal for a directive
Article 1 – paragraph 1 – point 7
Directive 2003/25/EC
Article 8 – paragraph 2

Text proposed by the Commission

Amendment

2. Each Member State acting in its capacity as Port State shall recognise certificates issued by another Member State in compliance with this Directive.

2. Each Member State acting in its capacity as Port State shall recognise certificates issued by another Member State in compliance with this Directive **and as long as SOLAS compliance is documented.**

Or. en

Amendment 24

Vera Tax

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive 2003/25/EC

Article 13a – paragraph 1

Text proposed by the Commission

The Commission shall evaluate the implementation of this Directive and submit the results of the evaluation to the European Parliament and the Council by [OP: Please insert a date: **ten** years from the date of entry into force of this amending Directive]. Information based on the notifications referred to in Article 6(2) shall be made available in anonymised form. ;

Amendment

The Commission shall evaluate the implementation of this Directive and submit the results of the evaluation to the European Parliament and the Council by [OP: Please insert a date: **five** years from the date of entry into force of this amending Directive]. Information based on the notifications referred to in Article 6(2) shall be made available in anonymised form. ;

Or. en

Amendment 25

Jutta Paulus

Proposal for a directive

Article 1 – paragraph 1 – point 9

Directive 2003/25/EC

Article 13 b (new)

Text proposed by the Commission

Amendment

Article 13 b new

Derogation

Member States which do not have seaports and which have no ro-ro passenger ships or craft flying their flag that fall within the scope of this Directive may derogate from the provisions of this Directive.

Those Member States which intend to avail themselves of such derogation shall communicate to the Commission by the end of [... insert 6 months after the

application...] and annually thereafter of any subsequent change.

Such Member States may not allow ro-ro passenger ships to fly their flag until they have transposed and implemented this Directive.

Or. en

Amendment 26
Jutta Paulus

Proposal for a directive
Article 1 – paragraph 1 – point 9
Directive 2003/25/EC
Article 13a – paragraph 1

Text proposed by the Commission

The Commission shall evaluate the implementation of this Directive and submit the results of the evaluation to the European Parliament and the Council by [OP: Please insert a date: **ten** years from the date of entry into force of this amending Directive]. Information based on the notifications referred to in Article 6(2) shall be made available in anonymised form. ;

Amendment

The Commission shall evaluate the implementation of this Directive and submit the results of the evaluation to the European Parliament and the Council by [OP: Please insert a date: **five** years from the date of entry into force of this amending Directive]. Information based on the notifications referred to in Article 6(2) shall be made available in anonymised form. ;

Or. en