



**2023/0165(COD)**

13.10.2023

# **AMENDMENTS**

## **15 - 117**

**Draft report**  
**Vera Tax**  
(PE752.958v01-00)

Proposal for a Directive of the European Parliament and of the Council  
amending Directive 2009/16/EC on port State control

Proposal for a directive  
(COM(2023)0271 – C9-0191/2023 – 2023/0165(COD))

AM\_Com\_LegReport

**Amendment 15**  
**Pierre Karleskind**

**Proposal for a directive**  
**Recital 1**

*Text proposed by the Commission*

(1) Directive 2009/16/EC of the European Parliament and of the Council<sup>25</sup> sets out rules on the system for port State control inspections, whereby eligible ships calling in Union ports are inspected to verify if the competency of the crew on board and the condition of the ship and its equipment comply with the requirements of international conventions on the safety of life at sea and on the protection of marine environment.

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<sup>25</sup> OJ L 131, 28.5.2009, p. 57

*Amendment*

(1) Directive 2009/16/EC of the European Parliament and of the Council<sup>25</sup> sets out rules on the system for port State control inspections, whereby eligible ships calling in Union ports are inspected to verify if the competency **and the working and living conditions** of the crew on board and the condition of the ship and its equipment comply with the requirements of international conventions on the safety of life at sea and on **board, on** the protection of marine environment **and maritime labour**.

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<sup>25</sup> OJ L 131, 28.5.2009, p. 57

Or. en

*Justification*

*The working conditions of seafarers shall be taken into account during the inspection to determine whether the vessel is operated safely.*

**Amendment 16**  
**Pierre Karleskind**

**Proposal for a directive**  
**Recital 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**(1 a) It is important to take into account the onboard working and living conditions of the crew and the training and qualifications of its members, given that health, safety, security and social considerations are closely interlinked and that it is of utmost importance to prevent any damage caused by human factors.**

*Justification*

*Working and living conditions on board shall be recognised as a key element of safety on board.*

**Amendment 17**  
**Pierre Karleskind**

**Proposal for a directive**  
**Recital 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***(4 a) Recalls the commitment of Member States to ratify the 2012 Cape Town Agreement. Therefore calls on Member States that have not yet ratified the agreement to initiate the ratification process as soon as possible. Furthermore, calls on Member States that have already ratified the agreement to implement it.***

Or. en

**Amendment 18**  
**Ignazio Corrao**  
 on behalf of the Verts/ALE Group

**Proposal for a directive**  
**Recital 5**

*Text proposed by the Commission*

*Amendment*

(5) To allow for an up to date and harmonised system of port State control it is necessary to have a swifter way to update the list of international conventions enforced by port State control without a need for amending the whole Directive. Therefore once ***an*** international Convention has entered into force – ***meaning that it has reached an agreed level of ratification - and following its adoption by the Members of the Paris MoU as a relevant instrument*** the list of Conventions in the Directive should be

(5) To allow for an up to date and harmonised system of port State control it is necessary to have a swifter way to update the list of international conventions enforced by port State control without a need for amending the whole Directive. Therefore once ***a relevant*** international Convention has entered into force the list of Conventions in the Directive should be updated by the Commission.

updated by the Commission.

Or. en

## **Amendment 19**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

### **Proposal for a directive**

#### **Recital 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***(5 a) The Hong Kong International Convention for the safe and environmentally sound recycling of ships (Hong Kong Convention), an international Convention developed at IMO, aims to ensure that ships, when being recycled after reaching the end of their operational lives, do not pose any unnecessary risk to human health and safety or to the environment. While the Convention has not yet entered into force its essential elements have been incorporated into EU law and given effect in Regulation (EU) 1257/2013<sup>3a</sup>. As regards ships calling to EU ports, enforcement of this Regulation should be provided for by this Directive, particularly as the Hong Kong Convention will now enter into force as of 26 June 2025. Being that Regulation (EU) 1257/2013 already incorporates all of the requirements of the Hong Kong Convention, and Port State Control is already mandated by Regulation (EU) 1257/2013 article 11, there are no expected additional administrative requirements for Member States and existing PSC inspections.***

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***<sup>3a</sup> REGULATION (EU) No 1257/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 20 November 2013 on ship recycling and amending Regulation (EC) No 1013/2006 and Directive 2009/16/EC***

Or. en

**Amendment 20**  
**Ignazio Corrao**  
on behalf of the Verts/ALE Group

**Proposal for a directive**  
**Recital 5 b (new)**

*Text proposed by the Commission*

*Amendment*

*(5 b) A mandatory system of port state control is also proposed in order to act in advance of the the HNS Convention entering into force. This is an international Convention that concerns compensation for spills of hazardous and noxious substance during maritime transportation. The Commission should develop a system of port state control as a matter of urgency. This is not expected to offer any significant additional burdens on Member States as the necessary paper checks would add only as much as 5 minutes to existing PSC inspections. These mandatory systems should be promoted as it will help Member States and shippers prepare for the entry into force of the instrument. The Commission should also align relevant Union legal acts accordingly, and as early as possible after the entry into force of the HNS Convention. The mandatory port state control enforcement regimes to be introduced in the Union after the entry into force of the HNS Convention should take account of, or indeed adapt as appropriate, the mandatory system for the port State control referred to in this Directive.*

Or. en

**Amendment 21**  
**Pierre Karleskind**

**Proposal for a directive**  
**Recital 6**

*Text proposed by the Commission*

(6) Due to their small size, most fishing vessels in the EU operate in territorial waters, and are not susceptible to being inspected in foreign ports. This means that in general, only larger fishing vessels above 24 meters in length (which are also the fishing vessels which are most subject to international conventions) are likely to engage in international waters and call at ports different than those in the country where they are registered and therefore be subject to PSC. As the majority of the international conventions applicable to larger fishing vessels are different to those which are currently enforced through port State control and to avoid undesirable spill over effects onto the current port state control system a parallel system of port state control for fishing vessels is being proposed.

*Amendment*

(6) Due to their small size, most fishing vessels in the EU operate in territorial waters, and are not susceptible to being inspected in foreign ports. This means that in general, only larger fishing vessels above 24 meters in length (which are also the fishing vessels which are most subject to international conventions) are likely to engage in international waters and call at ports different than those in the country where they are registered and therefore be subject to PSC. As the majority of the international conventions applicable to larger fishing vessels are different to those which are currently enforced through port State control and to avoid undesirable spill over effects onto the current port state control system a parallel system of port state control for fishing vessels is being proposed. ***Nevertheless, the inspection criteria for fishing vessels should be aligned as much as possible with the Cape Town Agreement inspection criteria, as all Member States committed to ratify it and to avoid fragmented practices across the EU ports.***

Or. en

**Amendment 22**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Recital 6 a (new)**

*Text proposed by the Commission*

*Amendment*

***(6 a) As 97% of the European Union's fishing fleet vessels are below 24m in length, and as fishing vessels in general show a relatively high incidence of serious and very serious casualties, a mandatory system of port state control for fishing vessels over 12m is being proposed. It is critical to act in advance of***

*the entry into force of the Cape Town Agreement of 2012 on the Implementation of the Provisions of the 1993 Protocol relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977 (the ‘Cape Town Agreement’), so as to avoid lives lost at sea and to improve the wider safety record of the sector. This system of port State control of fishing vessels of over 12 metres in length can therefore be developed by the Commission. This mandatory system should be promoted as it will help Member States and fishing vessels prepare for the entry into force of the Cape Town Agreement. Considering that the convention only applies to vessels over 24 metres, the EU mandatory scheme should be adapted in order to be applicable to vessels over 12m. The Commission should also align the Union legal acts accordingly, and in particular Council Directive 97/70/EC<sup>3b</sup>, as early as possible after the entry into force of the Cape Town Agreement. The mandatory port State control enforcement regime to be introduced in the Union after the entry into force of the Cape Town Agreement should take account of, or indeed adapt as appropriate, the mandatory system for the port State control of fishing vessels referred to in this Directive.*

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<sup>3b</sup> Council Directive 97/70/EC of 11 December 1997 setting up a harmonised safety regime for fishing vessels of 24 metres in length and over (OJ L 34, 9.2.1998, p. 1, ELI: <http://data.europa.eu/eli/dir/1997/70/oj>).

Or. en

**Amendment 23**  
**Pierre Karleskind**

**Proposal for a directive**  
**Recital 7**

*Text proposed by the Commission*

*Amendment*

**(7) However, due to the patterns of fishing not all EU Member States are visited by these larger fishing vessels. Therefore, a voluntary system for those EU Member States that wish to carry out these inspections and which is separate from the current port state control regime is being proposed to allow for flexibility and the way that standards are developed in port State control. This system of port State control of fishing vessel of over 24 metres in length can therefore be developed organically by Member States, the Paris MoU and the Commission.**

**deleted**

Or. en

**Amendment 24**  
**Pierre Karleskind**

**Proposal for a directive**  
**Recital 11**

*Text proposed by the Commission*

*Amendment*

(11) Over the last decade and despite increases in the number of vessels calling to EU ports including the short sea shipping transport of goods between main ports in the EU Member States and ports situated in geographical Europe or in non-European countries on the Mediterranean and the Black Sea, the safety profile of vessels calling to EU ports has improved considerably. Port State control inspections are being increasingly used to enforce environmental legislation such as in relation to sulphur emissions or the safe and environmental scrapping of ships. The “Fit for 55 package” aims to reduce the EU’s total green-house gas emissions by 55% by 2030, paving the way to climate neutrality by 2050 and maritime transport is expected to contribute to this effort. However, the ship risk profile devised prior to 2009 had different priorities and is not

(11) Over the last decade and despite increases in the number of vessels calling to EU ports including the short sea shipping transport of goods between main ports in the EU Member States and ports situated in geographical Europe or in non-European countries on the Mediterranean and the Black Sea, the safety profile of vessels calling to EU ports has improved considerably. Port State control inspections are being increasingly used to enforce environmental legislation such as in relation to sulphur emissions or the safe and environmental scrapping of ships. The “Fit for 55 package” aims to reduce the EU’s total green-house gas emissions by 55% by 2030, paving the way to climate neutrality by 2050 and maritime transport is expected to contribute to this effort. However, the ship risk profile devised prior to 2009 had different priorities and is not

fully adapted to focus the inspection effort on the least environmentally performing vessels.

fully adapted to focus the inspection effort on the least environmentally performing vessels. ***Therefore, new provisions laid down in Directive (EU) 2023/959 (ETS) and Regulation (EU) 2023/1805 (FuelEU Maritime) shall be included in the ship risk profile.***

Or. en

### *Justification*

*The provisions of Fit for 55 for decarbonizing maritime transport must be checked by port State inspectors. Vessels obtaining penalties for non-compliance must be inspected more regularly.*

### **Amendment 25**

**Ljudmila Novak, Marian-Jean Marinescu, Elissavet Vozemberg-Vrionidi, Magdalena Adamowicz**

### **Proposal for a directive Recital 12**

#### *Text proposed by the Commission*

(12) On this basis, the ship risk profile should be updated to reflect environmental issues by attaching more importance to the environmental performance, including ***the operational carbon intensity of the ships being inspected as well as to*** environmental related deficiencies and detentions.

#### *Amendment*

(12) On this basis, the ship risk profile should be updated to reflect environmental issues by attaching more importance to the environmental performance, including environmental related deficiencies and detentions.

Or. en

### **Amendment 26**

**Johan Van Overtveldt**

### **Proposal for a directive Recital 12**

#### *Text proposed by the Commission*

(12) On this basis, the ship risk profile should be updated to reflect environmental issues by attaching more importance to the environmental performance, ***including the***

#### *Amendment*

(12) On this basis, the ship risk profile should be updated to reflect environmental issues by attaching more importance to the environmental performance of the ships

**operational carbon intensity** of the ships being inspected as well as to environmental related deficiencies and detentions.

being inspected as well as to environmental related deficiencies and detentions.

Or. en

#### **Amendment 27**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

#### **Proposal for a directive**

#### **Recital 12 a (new)**

*Text proposed by the Commission*

*Amendment*

***(12 a) The discharge of waste water from exhaust gas cleaning systems (EGCS), in particular open loop EGCS or otherwise known as open-loop scrubbers, can have disastrous environmental effects. The waste water discharged can be contaminated with polycyclic aromatic hydrocarbons, particulate matter, nitrates, nitrites, and heavy metals, and often the washwater is more acidic than the water into which it is dumped. These pollutants have been linked to cancer and reproductive dysfunction in marine mammals along with longer-term effects on bioaccumulation, acidification and eutrophication of pollutants. Due in part to these problems, 17 EU member States have already legislated in order to ban or restrict discharges of scrubber wastes into their waters and more are expected to do so. Member States should therefore refuse access to vessels that cannot ensure against the discharge of wastewater from exhaust gas cleaning systems within their ports or territorial waters.***

Or. en

#### **Amendment 28**

**Ljudmila Novak, Marian-Jean Marinescu, Elissavet Vozemberg-Vrionidi, Magdalena Adamowicz**

#### **Proposal for a directive**

#### **Recital 12 a (new)**

*Text proposed by the Commission*

*Amendment*

***(12 a) Once the IMO has concluded the revision of its carbon intensity indicator (CII), in order to properly reflect the environmental performance of ships, and not other unrelated parameters such as their operational profile, this revised CII should be included among the environmental performance indicators within the ship risk profile under this Directive.***

Or. en

**Amendment 29**  
**Johan Van Overtveldt**

**Proposal for a directive**  
**Recital 13**

*Text proposed by the Commission*

*Amendment*

(13) Digitalisation is an essential aspect of technological progress in the area of data collection and communication with a view to helping to bring down costs and making efficient use of human resources. The number of ships currently carrying electronic certificates is on the rise and expected to increase. Therefore the effectiveness of port State control should be enhanced by making more use of electronic certificates to allow for more ship focussed better prepared inspections. ***The uptake and use of these electronic certificates should be incentivised by their inclusion in the ship risk profile.***

(13) Digitalisation is an essential aspect of technological progress in the area of data collection and communication with a view to helping to bring down costs and making efficient use of human resources. The number of ships currently carrying electronic certificates is on the rise and expected to increase. Therefore the effectiveness of port State control should be enhanced by making more use of electronic certificates to allow for more ship focussed better prepared inspections.

Or. en

**Amendment 30**  
**Pierre Karleskind**

**Proposal for a directive**  
**Recital 14**

*Text proposed by the Commission*

(14) Port State control has been increasing in complexity as new inspection requirements are added, either by EU law or via the International Maritime Organization. There is therefore a need to ensure the upskilling and reskilling of the port State control officers and continuously develop their training.

*Amendment*

(14) Port State control has been increasing in complexity as new inspection requirements are added, either by EU law or via the International Maritime Organization **and International Labour Organization**. There is therefore a need to ensure the upskilling and reskilling of the port State control officers and continuously develop their training.

Or. en

*Justification*

*The provisions implemented by the ILO shall also be subject to inspection.*

**Amendment 31**

**Jan-Christoph Oetjen**

**Proposal for a directive**

**Recital 15**

*Text proposed by the Commission*

(15) Union Flag State administrations in line with Directive 2009/21/EC of the European Parliament and of the Council<sup>26</sup> are required to have a quality management system in order to help Member States to further improve their performance as flag States and to ensure a level playing field between administrations. A similar requirement for the port state control activities should allow Member States to certify that their organisation, its policies, processes, resources and documentation are appropriate to achieve its objectives as well as identify system problems such as resource or personnel allocation issues before these become problematic.

*Amendment*

(15) Union Flag State administrations in line with Directive 2009/21/EC of the European Parliament and of the Council<sup>26</sup> are required to have a quality management system in order to help Member States to further improve their performance as flag States and to ensure a level playing field between administrations. A similar requirement for the port state control activities should allow Member States to certify that their organisation, its policies, processes, resources and documentation are appropriate to achieve its objectives as well as identify system problems such as resource or personnel allocation issues before these become problematic. **Port states should verify compliance with applicable international conventions on maritime safety and security, protection of the marine environment and living and working conditions on board ships calling**

*at their ports. In conducting such monitoring activities, the port state should not interfere with the competences of a flag state, as recognised by international conventions such as Article 94 of UNCLOS and EU law such as Directive 2013/54/EU concerning certain flag State responsibilities for compliance with and enforcement of the Maritime Labour Convention, 2006.*

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<sup>26</sup> Directive 2009/21/EC of the European Parliament and of the Council of 23 April 2009 on compliance with flag State requirements (OJ L 131, 28.5.2009, p. 132).

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<sup>26</sup> Directive 2009/21/EC of the European Parliament and of the Council of 23 April 2009 on compliance with flag State requirements (OJ L 131, 28.5.2009, p. 132).

Or. en

## **Amendment 32**

### **Johan Van Overtveldt**

#### **Proposal for a directive**

#### **Recital 17**

##### *Text proposed by the Commission*

(17) In order to ensure uniform conditions for the implementation of the provisions of Directive 2009/16/EC concerning the list of Conventions under its scope, ***the voluntary port state control regime for fishing vessels above 24 meters length overall***, the conditions for the application of Annex VII on expanded inspection, the uniform set of safety and security guidelines and procedures, as well as the requirements for electronic certificates, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>28</sup>.

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<sup>28</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules

##### *Amendment*

(17) In order to ensure uniform conditions for the implementation of the provisions of Directive 2009/16/EC concerning the list of Conventions under its scope, the conditions for the application of Annex VII on expanded inspection, the uniform set of safety and security guidelines and procedures, as well as the requirements for electronic certificates, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>28</sup>.

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<sup>28</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules

and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Or. en

**Amendment 33**  
**Pierre Karleskind**

**Proposal for a directive**  
**Recital 17**

*Text proposed by the Commission*

(17) In order to ensure uniform conditions for the implementation of the provisions of Directive 2009/16/EC concerning the list of Conventions under its scope, the **voluntary** port state control regime for fishing vessels above 24 meters length overall, the conditions for the application of Annex VII on expanded inspection, the uniform set of safety and security guidelines and procedures, as well as the requirements for electronic certificates, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>28</sup>.

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<sup>28</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

*Amendment*

(17) In order to ensure uniform conditions for the implementation of the provisions of Directive 2009/16/EC concerning the list of Conventions under its scope, the port state control regime for fishing vessels above 24 meters length overall, the conditions for the application of Annex VII on expanded inspection, the uniform set of safety and security guidelines and procedures, as well as the requirements for electronic certificates, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>28</sup>.

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<sup>28</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Or. en

*Justification*

*In order to ensure a level playing field, fishing vessels must be controlled in the same way in all member States of the Union to avoid that these vessels prioritize certain States over others when landing fishing.*

**Amendment 34**  
**Ignazio Corrao**  
on behalf of the Verts/ALE Group

**Proposal for a directive**  
**Recital 18 a (new)**

*Text proposed by the Commission*

*Amendment*

***(18 a) EU Port state control authorities must play an important role in ensuring that the fuels used by ships are in compliance with both EU and international instruments and where relevant should impose additional checks due to critical environmental or social issues arising, in particular where international agreements lack obligatory provisions. Here, the Commission should explore the extent to which PSC could be used as a vehicle to ensure better compliance with such instruments, at both EU and international level, concerning the use of fuels both outside and inside of EU waters. For instance, Resolution MEPC.342(77) on Protecting the Arctic from Shipping Black Carbon emissions urges countries and ship operators to use clean fuels whilst operating in Arctic waters. Ensuring compliance however would rely most likely on regional entities to carry out checks and inspections and thus PSC should be further explored as a tool for the EU to use in ensuring compliance.***

Or. en

**Amendment 35**  
**Pierre Karleskind**

**Proposal for a directive**  
**Recital 18 a (new)**

*Text proposed by the Commission*

*Amendment*

***(18 a) In order to improve the quality of***

*Port State Control inspections of seafarers' working and living conditions on board, Member States are encouraged to create a Memorandum of Understanding between Member States for regular short sea shipping lines. It is important to extend the application of these standards to all vessels regardless of their flag to promote the principle of most favourable treatment.*

Or. en

*Justification*

*The creation of a MoU on the example of the Paris MoU would make it possible to create a level playing field and to fight against the distortion of competition in the EU market.*

**Amendment 36**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Recital 19**

*Text proposed by the Commission*

(19) In view of the full monitoring cycle of visits to Member States by the European Maritime Safety Agency (EMSA) to monitor the implementation of Directive 2009/16/EC, the Commission should evaluate the implementation of Directive 2009/16/EC no later than [**ten** years after its date of application referred to in Article XX]) and report to the European Parliament and the Council thereon. Member States should cooperate with the Commission to gather all information necessary for this evaluation.

*Amendment*

(19) In view of the full monitoring cycle of visits to Member States by the European Maritime Safety Agency (EMSA) to monitor the implementation of Directive 2009/16/EC, the Commission should evaluate the implementation of Directive 2009/16/EC no later than [**four** years after its date of application referred to in Article XX]) and report to the European Parliament and the Council thereon **every 4 years**. Member States should cooperate with the Commission to gather all information necessary for this evaluation.

Or. en

**Amendment 37**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point a – introductory part**

*Text proposed by the Commission*

*Amendment*

(a) in point 1 the following points (i)  
**and (m)** are added:

(a) in point 1 the following points (i),  
**(m) and (ma)** are added:

Or. en

**Amendment 38**

**Clare Daly**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point a – introductory part**

*Text proposed by the Commission*

*Amendment*

(a) in point 1 the following points (i)  
**and (m)** are added:

(a) in point 1 the following points (i),  
**(m) and (n)** are added:

Or. en

**Amendment 39**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point a**

Directive 2009/16/EC

Article 2, point ma (new)

*Text proposed by the Commission*

*Amendment*

**(m a) The Hong Kong International  
Convention for the safe and  
environmentally sound recycling of ships  
(Hong Kong Convention)**

Or. en

**Amendment 40**

**Pierre Karleskind**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point a**

Directive 2009/16

Article 2 – paragraph 1 – mb (new)

*Text proposed by the Commission*

*Amendment*

***(m a) The Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships (The Hong Kong Convention)***

Or. en

*Justification*

*This convention will enter into force in June 2025.*

**Amendment 41**

**Clare Daly**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point a**

Directive 2009/16/EC

Article 1, paragraph 1, (a)

*Text proposed by the Commission*

*Amendment*

***(m a) (n) The Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships***

Or. en

**Amendment 42**

**Pierre Karleskind**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 1 – point a a (new)**

Directive 2009/16

Article 2 – paragraph 1a (new)

*Text proposed by the Commission*

*Amendment*

***(a a) the following paragraph is inserted:***

***1a. MEPC80 (IMO standards) revised guidelines for the reduction of underwater noise from commercial shipping to address adverse impacts on marine life***

**Amendment 43**  
**Pierre Karleskind**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 1 – point a b (new)**  
Directive 2009/16  
Article 2 – paragraph 25a (new)

*Text proposed by the Commission*

*Amendment*

**(a b) the following paragraph is inserted:**

**25a ‘host State’ means a Member State to or from whose port(s) a ship or craft, flying a flag other than the flag of that Member State, is carrying out a short sea shipping voyage;**

Or. en

**Amendment 44**  
**Pierre Karleskind**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 1 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

**(b a) ‘short sea shipping’ means the maritime transport of goods and passengers over relatively short distances, between ports in the EU, between ports in the EU and ports situated in EEA maritime candidate countries, the Baltic Sea area, the Mediterranean Sea area, the Black Sea area and ports of the United Kingdom.**

Or. en

**Amendment 45**  
**Clare Daly**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 1 a (new)**

*Text proposed by the Commission*

*Amendment*

**(1 a) (1 bis) Other international IMO standards:**

**(a) MEPC80 revised Guidelines for the reduction of underwater noise from the commercial shipping to address adverse impact on marine life**

Or. en

#### **Amendment 46**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

#### **Proposal for a directive**

**Article 1 – paragraph 1 – point 2 – point a**

Directive 2009/16/EC

Article 3 – paragraph 4

*Text proposed by the Commission*

*Amendment*

4. Fishing vessels below **24** meters overall, warships, naval auxiliaries, wooden ships of a primitive build, government ships used for non-commercial purposes **and pleasure yachts not engaged in trade** shall be excluded from the scope of this Directive.

4. Fishing vessels below **12** meters overall, warships, naval auxiliaries, wooden ships of a primitive build **and** government ships used for non-commercial purposes shall be excluded from the scope of this Directive.

Or. en

#### **Amendment 47**

**Johan Van Overtveldt**

#### **Proposal for a directive**

**Article 1 – paragraph 1 – point 2 – point a**

Directive 2009/16/EC

Article 3(4)

*Text proposed by the Commission*

*Amendment*

4. Fishing vessels **below 24 meters overall**, warships, naval auxiliaries, wooden ships of a primitive build, government ships used for non-commercial purposes and pleasure yachts not engaged

4. Fishing vessels, warships, naval auxiliaries, wooden ships of a primitive build, government ships used for non-commercial purposes and pleasure yachts not engaged in trade shall be excluded

in trade shall be excluded from the scope of this Directive.

from the scope of this Directive.

Or. en

#### **Amendment 48**

**Johan Van Overtveldt**

#### **Proposal for a directive**

**Article 1 – paragraph 1 – point 2 – point b**

Directive 2009/16/EC

Article 3(4a)

*Text proposed by the Commission*

*Amendment*

**4a. Member States may carry out port state control inspections of fishing vessels of above 24 metres length overall. The Commission shall adopt implementing acts establishing the modalities of such a specific port state control regime for fishing vessels above 24 meters length overall. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 31(2).**

**deleted**

Or. en

#### **Amendment 49**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

#### **Proposal for a directive**

**Article 1 – paragraph 1 – point 2 – point b**

Directive 2009/16/EC

Article 3 – paragraph 4a

*Text proposed by the Commission*

*Amendment*

**4a. Member States *may* carry out port state control inspections of fishing vessels of above 24 metres length overall. The Commission shall adopt implementing acts establishing the modalities of such a specific port state control regime for fishing vessels above 24 meters length overall. Those implementing acts shall be adopted in accordance with the**

**4a. *In advance of the entry into force of the Cape Town Agreement*, Member States *shall* carry out port state control inspections of fishing vessels of above 12 metres length overall. The Commission shall adopt implementing acts establishing the modalities of such a specific port state control regime for fishing vessels above 12 meters length overall. Those implementing**

examination procedure referred to in Article 31(2).

acts shall be adopted in accordance with the examination procedure referred to in Article 31(2).

Or. en

**Amendment 50**  
**Pierre Karleskind**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2 – point b**  
Directive 2009/16/EC  
Article 3 – paragraph 4a

*Text proposed by the Commission*

4a. Member States **may** carry out port state control inspections of fishing vessels of above 24 metres length overall. The Commission shall adopt implementing acts establishing the modalities of such a specific port state control regime for fishing vessels above 24 meters length overall. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 31(2).

*Amendment*

4a. Member States **shall** carry out port state control inspections of fishing vessels of above 24 metres length overall. The Commission shall adopt implementing acts establishing the modalities of such a specific port state control regime for fishing vessels above 24 meters length overall. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 31(2).

Or. en

**Amendment 51**  
**Ignazio Corrao**  
on behalf of the Verts/ALE Group

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2 – point b**  
Directive 2009/16/EC  
Article 3 – paragraph 4aa (new)

*Text proposed by the Commission*

*Amendment*

***4a a. In advance of the entry into force of the HNS Convention, Member States shall carry out port state control inspections of all relevant vessels. The Commission shall adopt implementing acts establishing the modalities of such a specific port state control regime for such vessels. Those implementing acts shall be***

*adopted in accordance with the  
examination procedure referred to in  
Article 31(2)*

Or. en

**Amendment 52**  
**Jan-Christoph Oetjen**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*(2 a) Article 4 is replaced by the  
following:*

*1. Member States shall take all necessary  
measures, in order to be legally entitled to  
carry out the inspections referred to in  
this Directive on board foreign ships, in  
accordance with international law. In  
particular, Member States shall verify  
compliance with applicable international  
conventions on maritime safety and  
security, protection of the marine  
environment and living and working  
conditions on board ships calling at their  
ports. In conducting such monitoring  
activities, the port state should not  
interfere with the competences of a flag  
state, as recognised by international  
conventions such as Article 94 of  
UNCLOS and EU law such as Directive  
2013/54/EU concerning certain flag State  
responsibilities for compliance with and  
enforcement of the Maritime Labour  
Convention, 2006.*

Or. en

**Amendment 53**  
**Ignazio Corrao**  
on behalf of the Verts/ALE Group

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 4**  
Directive 2009/16/EC  
Article 6, paragraph 1

*Text proposed by the Commission*

A Member State which fails to carry out the inspections required in Article 5(2)(a), complies with its commitment in accordance with that provision if such missed inspections do not exceed **10** % of the total number of Priority I ships calling at its ports and anchorages, irrespective of their risk profile.

*Amendment*

A Member State which fails to carry out the inspections required in Article 5(2)(a), complies with its commitment in accordance with that provision if such missed inspections do not exceed **5** % of the total number of Priority I ships calling at its ports and anchorages, irrespective of their risk profile.

Or. en

*Justification*

*Ensures a stricter requirement for missed inspections*

**Amendment 54**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 6**

Directive 2009/16/EC

Article 8, paragraph 1, sub paragraph a

*Text proposed by the Commission*

(a) if the inspection **may be** carried out at the next call of the ship in the same Member State, provided that the ship does not call at any other port in the Union or the Paris MOU region in between and the postponement is not more than 15 days; or

*Amendment*

(a) if the inspection **is** carried out at the next call of the ship in the same Member State, provided that the ship does not call at any other port in the Union or the Paris MOU region in between and the postponement is not more than 15 days; or

Or. en

**Amendment 55**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 6**

Directive 2009/16/EC

Article 8, paragraph 1, sub paragraph b

*Text proposed by the Commission*

(b) if the inspection **may be** carried out in another port of call within the Community or the Paris MOU region within 15 days, provided the State in which such port of call is located has agreed in advance to perform the inspection.

*Amendment*

(b) if the inspection **is** carried out in another port of call within the Community or the Paris MOU region within 15 days, provided the State in which such port of call is located has agreed in advance to perform the inspection.

Or. en

**Amendment 56**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 6**

Directive 2009/16/EC

Article 8, paragraph 1, sub paragraph ba

*Text proposed by the Commission*

*Amendment*

***(b a) if the expected inspection fails to be carried out, as detailed in sub paragraphs a or b, then the postponed inspection as specified in paragraph 1 shall be counted towards the inspection share referred to in article 5(2)***

Or. en

**Amendment 57**

**Jan-Christoph Oetjen**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 7**

Directive 2009/16/EC

Article 8a

*Text proposed by the Commission*

*Amendment*

Failure to carry out an inspection for force majeure reasons shall not be counted as a missed inspection provided that the missed inspection and the reasons for not carrying it out are documented and recorded in the inspection database.

Failure to carry out an inspection for force majeure reasons shall not be counted as a missed inspection provided that the missed inspection and the reasons for not carrying it out are documented and recorded in the inspection database. ***The impossibility to carry out an inspection for force majeure***

*reasons shall be reported to EMSA to ensure that a level playing field is maintained.*

Or. en

**Amendment 58**  
**Johan Van Overtveldt**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 8**

*Text proposed by the Commission*

(8) Article 9 *is deleted*;

*Amendment*

(8) Article 9

*Notification of arrival of ships*

*1. The operator, agent or master of a ship which, in accordance with article 14, is eligible for an expanded inspection and bound for a port or anchorage of a Member State, shall notify its arrival in accordance with the provisions laid down in Annex III.*

*2. On receipt of the notification referred to in paragraph 1 of this Article and in Article 4 of Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system, the port authority or body or the competent authority or body designated for that purpose shall forward such information to the competent authority.*

*3. Electronic means shall be used whenever possible for any communication provided for in this Article.*

*4. The procedures and formats developed by Member States for the purposes of Annex III to this directive shall comply with the relevant provisions laid down in Directive 2002/59/EC regarding ships' notifications*

Or. en

**Amendment 59**  
**Pierre Karleskind**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 9**  
Directive 2009/16/EC  
Article 10 – paragraph 2 – point c

*Text proposed by the Commission*

Environmental parameters shall be based on the Carbon Intensity Indicator of the ship and the number of deficiencies relating to MARPOL, AFS, BWM Convention, CLC 92, Bunkers Convention and Nairobi Conventions in accordance with Annex I, Part I.3 and Annex II.

*Amendment*

Environmental parameters shall be based on the Carbon Intensity Indicator of the ship and the number of deficiencies relating to MARPOL, AFS, BWM Convention, CLC 92, Bunkers Convention and Nairobi Conventions in accordance with Annex I, Part I.3 and Annex II ***and if a ship and the corresponding company has received any penalties laid down in Directive (EU) 2023/959 (ETS) and Regulation (EU) 2023/1805 (FuelEU Maritime).***

Or. en

*Justification*

*Fit for 55 penalties for maritime transport should be taken into account as it applies to all ships regardless their flag.*

**Amendment 60**  
**Ignazio Corrao**  
on behalf of the Verts/ALE Group

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 9**  
Directive 2009/16/EC  
Article 10(2), point c

*Text proposed by the Commission*

Environmental parameters shall be based on the Carbon Intensity Indicator of the ship ***and*** the number of deficiencies relating to MARPOL, AFS, BWM Convention, CLC 92, Bunkers Convention and Nairobi Conventions in accordance with Annex I, Part I.3 and Annex II.

*Amendment*

Environmental parameters shall be based on the Carbon Intensity Indicator of the ship, the number of deficiencies relating to MARPOL, AFS, BWM Convention, CLC 92, Bunkers Convention and Nairobi Conventions, ***and the provision of valid documentation relating to Regulation***

**(EU) No 1257/2013 or the Hong Kong Convention**, in accordance with Annex I, Part I.3 and Annex II.

Or. en

**Amendment 61**  
**Jan-Christoph Oetjen**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 9**  
Directive 2009/16/EC  
Article 10 – paragraph 2 – point c

*Text proposed by the Commission*

Environmental parameters shall be based on ***the Carbon Intensity Indicator of the ship and the number of deficiencies relating to MARPOL***, AFS, BWM Convention, CLC 92, Bunkers Convention and Nairobi Conventions in accordance with Annex I, Part I.3 and Annex II.

*Amendment*

Environmental parameters shall be based on AFS, BWM Convention, CLC 92, Bunkers Convention and Nairobi Conventions in accordance with Annex I, Part I.3 and Annex II.

Or. en

**Amendment 62**  
**Marco Campomenosi**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 9**  
Directive 2009/16/EC  
Article 10(2)

*Text proposed by the Commission*

Environmental parameters shall be based on ***the Carbon Intensity Indicator of the ship and*** the number of deficiencies relating to MARPOL, AFS, BWM Convention, CLC 92, Bunkers Convention and Nairobi Conventions in accordance with Annex I, Part I.3 and Annex II.

*Amendment*

Environmental parameters shall be based on the number of deficiencies relating to MARPOL, AFS, BWM Convention, CLC 92, Bunkers Convention and Nairobi Conventions in accordance with Annex I, Part I.3 and Annex II.

Or. en

**Amendment 63**  
**Ljudmila Novak, Marian-Jean Marinescu, Elissavet Vozemberg-Vrionidi, Magdalena Adamowicz**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 9**

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/

*Text proposed by the Commission*

Environmental parameters shall be based on ***the Carbon Intensity Indicator of the ship and*** the number of deficiencies relating to MARPOL, AFS, BWM Convention, CLC 92, Bunkers Convention and Nairobi Conventions in accordance with Annex I, Part I.3 and Annex II.

*Amendment*

Environmental parameters shall be based on the number of deficiencies relating to MARPOL, AFS, BWM Convention, CLC 92, Bunkers Convention and Nairobi Conventions in accordance with Annex I, Part I.3 and Annex II.

Or. en

**Amendment 64**  
**Pierre Karleskind**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 9**  
Directive 2009/16/EC  
Article 10 – paragraph 2 – point d (new)

*Text proposed by the Commission*

*Amendment*

***(c a) (d) seafarers working and living conditions parameters***

***These parameters shall be based on Maritime labour documents in Annex III PART A from 59 to 63.***

Or. en

*Justification*

*The ship risk profile shall contain a social parameter because poor working conditions can lead to safety risks on board all ships. Social parameters shall be based on 2006 MLC convention.*

**Amendment 65**  
**Pierre Karleskind**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 9 a (new)**

Directive 2009/16/EC  
Article 13 – paragraph 1 – point (a)

*Present text*

(a) checks the certificates and documents listed in Annex IV required to be kept on board in accordance with Community maritime legislation and Conventions relating to safety **and** security.

*Amendment*

**(9 a)** "(a) checks the certificates and documents listed in Annex IV required to be kept on board in accordance with Community maritime legislation and Conventions relating to safety, security, **seafarers working and living conditions, records of ship strike between cetaceans and vessels and records of container loss.**  
"

Or. en

*(Directive 2009/16/EC)*

**Amendment 66**  
**Pierre Karleskind**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 11**  
Directive 2009/16/EC  
Article 11 – paragraph 4a (new)

*Text proposed by the Commission*

*Amendment*

**4 a.** **Member States shall carry out an inspection in accordance with Annex II of Directive (EU) 2017/2110<sup>1a</sup> each time the ro-ro passenger ship or high-speed passenger craft undergoes repairs, alterations and modifications of a major character, or when there is a change of management, a significant crew turnover or a transfer of class.**

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<sup>1a</sup> **Directive (EU) 2017/2110 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**

Or. en

### *Justification*

*It is important to control ferries safety when a major change occurs especially a significant crew turnover. Inspiration of article 5 paragraph 3 of Directive (EU) 2017/2110*

#### **Amendment 67**

**Pierre Karleskind**

#### **Proposal for a directive**

**Article 1 – paragraph 1 – point 11 a (new)**

Directive 2009/16

Article 15 – paragraph 1

#### *Present text*

Article 15

#### ***Safety and security guidelines and procedures***

1. Member States shall ensure that their inspectors follow the procedures and guidelines specified in Annex VI.

#### *Amendment*

***(11 a) paragraph 1 of Article 15 is replaced as follows:***

"1. Member States shall ensure that their inspectors follow the procedures and guidelines specified in Annex VI ***and in article 24 of Directive (EU) 2022/993<sup>1a</sup>.***

"

---

***<sup>1a</sup> Directive (EU) 2022/993 on the minimum level of training of seafarers***

Or. en

*(directive 2009/16)*

#### **Amendment 68**

**Pierre Karleskind**

#### **Proposal for a directive**

**Article 1 – paragraph 1 – point 11 b (new)**

#### *Text proposed by the Commission*

#### *Amendment*

***(11 b) The following article is inserted:***

***Article 14a***

*Inspection of ro-ro passenger ship or high-speed passenger craft carrying out of short sea shipping*

*1. The competent authority of the port State where the ship is being inspected may inspect the working conditions, including hours of rest and work and wages of seafarers, in accordance with national legislation which the Member State has established on regular short sea shipping lines with the aim of establishing a level playing field and safety rules between companies irrespective of their flag.*

*2. The provisions of paragraph 1 shall apply to all ro-ro passenger ship or high-speed passenger craft in short sea shipping lines.*

Or. en

*Justification*

*In order to fight against the numerous distortions of competition in short sea shipping and to ensure a level playing field for all shipping companies carrying out regular routes within Europe and between the EU and a State close to the EU this article should be added.*

**Amendment 69**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 12 – point a**

Directive 2009/16/EC

Article 16, paragraph 1, 3rd indent

*Text proposed by the Commission*

*Amendment*

*– attains a rating of less than ‘A’  
from the International Maritime  
Organization’s Carbon Intensity Indicator*

Or. en

**Amendment 70**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 12 – point a**

Directive 2009/16/EC

Article 16, paragraph 1, 4th indent

*Text proposed by the Commission*

*Amendment*

– ***cannot ensure that the discharge of wastewater from exhaust gas cleaning systems will be prohibited within the port of the Member State or the Member State's territorial waters.***

Or. en

**Amendment 71**

**Pierre Karleskind**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 12 – point a**

Directive 2006/16/EC

Article 16 – paragraph 1a (new)

*Text proposed by the Commission*

*Amendment*

***1a. A Member State may refuse access to ports and anchorages under its jurisdiction to any ship that fails to comply with article 14a and working conditions requirements set at national level.***

Or. en

**Amendment 72**

**Pierre Karleskind**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 12 a (new)**

Directive 2009/16/EC

Article 18

*Present text*

*Amendment*

All complaints shall be subject to a rapid initial assessment by the competent authority. This assessment shall make it possible to determine whether a complaint

***(12 a)*** "All complaints shall be subject to a rapid initial assessment by the competent authority. This assessment shall make it possible to determine whether a complaint

is justified. Should that be the case, the competent authority shall take the necessary action on the complaint, in particular, ensuring that anyone directly concerned by that complaint can make their views known. Where the competent authority deems the complaint to be manifestly unfounded, it shall inform the complainant of its decision and of the reasons therefor.

The identity of the complainant shall not be revealed to the master or the shipowner of the ship concerned. The inspector shall take appropriate steps to safeguard the confidentiality of complaints made by seafarers, including ensuring confidentiality during any interviews of seafarers.

Member States shall inform the flag State administration, with a copy to the International Labour Organisation (ILO) *if appropriate*, of complaints not manifestly unfounded and of follow-up actions taken.

is justified. Should that be the case, the competent authority shall take the necessary action on the complaint, in particular, ensuring that anyone directly concerned by that complaint can make their views known. Where the competent authority deems the complaint to be manifestly unfounded, it shall inform the complainant of its decision and of the reasons therefor.

The identity of the complainant shall not be revealed to the master or the shipowner of the ship concerned. The inspector shall take appropriate steps to safeguard the confidentiality of complaints made by seafarers, including ensuring confidentiality during any interviews of seafarers.

Member States shall inform the flag State administration, with a copy to the International Labour Organisation (ILO) *and European Maritime Safety Agency (EMSA)*, of complaints not manifestly unfounded and of follow-up actions taken.

"

Or. en

(DIRECTIVE 2009/16/EC)

### **Amendment 73** **Pierre Karleskind**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 12 b (new)**  
Directive 2009/16/EC  
Article 19 – paragraph 2a

#### *Present text*

2a. In the case of living and working conditions on board which are clearly hazardous to the safety, health or security of seafarers or deficiencies which constitute a serious or repeated breach of MLC 2006 requirements (including seafarers' rights), the competent authority of the port State where the ship is being

#### *Amendment*

**(12 b)** "2a. In the case of living and working conditions on board which are clearly hazardous to the safety, health or security of seafarers or deficiencies which constitute a serious or repeated breach of MLC 2006 requirements (including seafarers' rights) *including minimum wages, working hours and rest periods*,

inspected shall ensure that the ship is detained or that the operation in the course of which the deficiencies are revealed is stopped. The detention order or stoppage of an operation shall not be lifted until those deficiencies have been rectified or if the competent authority has accepted a plan of action to rectify those deficiencies and it is satisfied that the plan will be implemented in an expeditious manner. Prior to accepting a plan of action, the inspector may consult the flag State.

the competent authority of the port State where the ship is being inspected shall ensure that the ship is detained or that the operation in the course of which the deficiencies are revealed is stopped. The detention order or stoppage of an operation shall not be lifted until those deficiencies have been rectified or if the competent authority has accepted a plan of action to rectify those deficiencies and it is satisfied that the plan will be implemented in an expeditious manner. Prior to accepting a plan of action, the inspector may consult the flag State. ***The detention order or stoppage and all data concerning working and living conditions of seafarers mentioned in 5.1.3 MLC 2006 shall be sent to EMSA and shall be made public by the port State that ordered the detention or stoppage.***

"

Or. en

*(Directive 2009/16/EC)*

#### *Justification*

*These details are welcome to ensure full compliance with the 2006 MLC and full transparency regarding the working conditions offered to seafarers by the company.*

#### **Amendment 74**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 14**

Directive 2009/16/EC

Article 22, paragraph 7

#### *Text proposed by the Commission*

In cooperation with Member States and taking into account the expertise and the experience gained in the Union and under the Paris MOU, the Commission shall develop a professional development and training programme for port State control

#### *Amendment*

In cooperation with Member States and taking into account the expertise and the experience gained in the Union and under the Paris MOU, the Commission shall ***ensure adequate support for the harmonisation of port state control***

inspectors. This training programme shall take account of the widened scope of port State control as well as improvements in the scope and forms of training.

*practice across the Union, reporting to the European Parliament and the EU Council every 2 years on the level of harmonisation and standards of the inspections. It shall also* develop a professional development and training programme for port State control inspectors. This training programme shall take account of the widened scope of port State control as well as improvements in the scope and forms of training.

Or. en

#### **Amendment 75**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

#### **Proposal for a directive**

##### **Article 1 – paragraph 1 – point 14**

Directive 2009/16/EC

Article 22, paragraph 7, subparagraph 1

#### *Text proposed by the Commission*

In cooperation with the Member States, the Commission shall on a continuous basis identify and provide new training needs to amend the curricula, syllabi and content of the professional development and training programme for inspectors, especially as regards new technologies and in relation to the additional obligations arising from the relevant instruments.

#### *Amendment*

In cooperation with the Member States, the Commission shall on a continuous basis identify and provide new training needs to amend the curricula, syllabi and content of the professional development and training programme for inspectors, especially as regards new technologies and in relation to the additional obligations arising from the relevant instruments *in order to facilitate compliance with environmental, social, public health and labour law standards and safety onboard ships calling at Union ports for both seafarers and dock workers, with a special focus on female workers.*

Or. en

#### **Amendment 76**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

#### **Proposal for a directive**

##### **Article 1 – paragraph 1 – point 14**

*Text proposed by the Commission*

*Amendment*

***The Commission, with the involvement of EMSA, shall produce a guidance document offering advice on how to implement international Conventions, in particular the MLC 2006, with regard to port State control. EMSA shall also provide detailed information about the most frequent problems detected during port State inspections of ships under each flag.***

Or. en

**Amendment 77**  
**Pierre Karleskind**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 14 a (new)**  
Directive 2009/16/EC  
Article 23

*Present text*

*Amendment*

Reports from pilots and port authorities

**(14 a)** "Reports from pilots and port authorities

1. Member States shall take appropriate measures to ensure that their pilots engaged on the berthing or unberthing of ships or engaged on ships bound for a port or in transit within a Member State immediately inform the competent authority of the port State or the coastal State, as appropriate, whenever they learn in the course of their normal duties that there are apparent anomalies which may prejudice the safe navigation of the ship, or which may pose a threat of harm to the marine environment.

1. Member States shall take appropriate measures to ensure that their pilots engaged on the berthing or unberthing of ships or engaged on ships bound for a port or in transit within a Member State immediately inform the competent authority of the port State or the coastal State, as appropriate, whenever they learn in the course of their normal duties that there are apparent anomalies which may prejudice the safe navigation of the ship, or **safety of seafarers on board or** which may pose a threat of harm to the marine environment.

2. If port authorities or bodies, in the course of their normal duties, learn that a ship within their port has apparent anomalies which may prejudice the safety

2. If port authorities or bodies, in the course of their normal duties, learn that a ship within their port has apparent anomalies which may prejudice the safety

of the ship or poses an unreasonable threat of harm to the marine environment, such authority or body shall immediately inform the competent authority of the port State concerned.

3. Member States shall require pilots and port authorities or bodies to report at least the following information, in electronic format whenever possible:

- ship information (name, IMO identification number, call sign and flag),
- sailing information (last port of call, port of destination),
- description of apparent anomalies found on board.

4. Member States shall ensure that proper follow-up action is taken on apparent anomalies notified by pilots and port authorities or bodies and shall record the details of action taken.

5. Implementing powers shall be conferred on the Commission to adopt measures for the implementation of this Article, including harmonised procedures for the reporting of apparent anomalies by pilots and port authorities or bodies and of follow-up actions taken by Member States. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 31(3).

of the ship *or seafarers on board* or poses an unreasonable threat of harm to the marine environment, such authority or body shall immediately inform the competent authority of the port State concerned.

3. Member States shall require pilots and port authorities or bodies to report at least the following information, in electronic format whenever possible:

- ship information (name, IMO identification number, call sign and flag),
- sailing information (last port of call, port of destination),
- description of apparent anomalies found on board.

4. Member States shall ensure that proper follow-up action is taken on apparent anomalies notified by pilots and port authorities or bodies and shall record the details of action taken.

5. Implementing powers shall be conferred on the Commission to adopt measures for the implementation of this Article, including harmonised procedures for the reporting of apparent anomalies by pilots and port authorities or bodies and of follow-up actions taken by Member States. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 31(3).

"

Or. en

*(Directive 2009/16/EC)*

*Justification*

*Pilots and port authorities should have the opportunity to report problems with working conditions on board vessels.*

**Amendment 78**  
**Johan Van Overtveldt**

## **Proposal for a directive**

### **Article 1 – paragraph 1 – point 15 – point a**

Directive 2009/16/EC

Article 24 (2)

#### *Text proposed by the Commission*

2. Member States shall take the appropriate measures to ensure that the information on the actual time of arrival and the actual time of departure of any ship calling at their ports and anchorages, together with an identifier of the port concerned, is transferred within three hours of the departure to the inspection database through the Union maritime information exchange system ‘SafeSeaNet’ referred to in Article 3 point (s) of Directive 2002/59/EC. Once they have transferred such information to the inspection database through SafeSeaNet, Member States are exempted from the provision of data in accordance with points 1.2 and 2(a) and (b) of Annex XIV to this Directive.

#### *Amendment*

2. Member States shall take the appropriate measures to ensure that the information on the actual time of arrival and the actual time of departure of any ship calling at their ports and anchorages, together with an identifier of the port concerned, is transferred within three hours of the ***arrival and the*** departure ***respectively*** to the inspection database through the Union maritime information exchange system ‘SafeSeaNet’ referred to in Article 3 point (s) of Directive 2002/59/EC. Once they have transferred such information to the inspection database through SafeSeaNet, Member States are exempted from the provision of data in accordance with points 1.2 and 2(a) and (b) of Annex XIV to this Directive.

Or. en

## **Amendment 79**

**Johan Van Overtveldt**

## **Proposal for a directive**

### **Article 1 – paragraph 1 – point 16**

Directive 2009/16/EC

Article 24a (3)

#### *Text proposed by the Commission*

3. ***Ships flying the flag of a State that issue such electronic certificates shall have this reflected in the ship risk profile (SRP) as set out in Annexes I and II.***

***deleted***

#### *Amendment*

Or. en

## **Amendment 80**

**Marco Campomenosi**

## Proposal for a directive

### Article 1 – paragraph 1 – point 17

Directive 2009/16/EC

Article 25

#### *Text proposed by the Commission*

(a) information concerning ships which have failed to notify any information according to the requirements of this Directive, Directive 2002/59/EC and to Directive (EU) 2019/883 of the European Parliament and of the **Council**<sup>30</sup>, as well as, if appropriate, with Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security,

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<sup>30</sup> Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships (OJ L 151, 7.6.2019, p. 116).’

#### *Amendment*

(a) information concerning ships which have failed to notify any information according to the requirements of this Directive, Directive 2002/59/EC and to Directive (EU) 2019/883 of the European Parliament and of the **Council**<sup>30</sup>, **and to Directive 2001/96/EC on the safe loading and unloading of bulk carriers (Annex III)** as well as, if appropriate, with Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security,

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<sup>30</sup> Directive (EU) 2019/883 of the European Parliament and of the Council of 17 April 2019 on port reception facilities for the delivery of waste from ships (OJ L 151, 7.6.2019, p. 116).’

Or. en

## Amendment 81

Pierre Karleskind

## Proposal for a directive

### Article 1 – paragraph 1 – point 17

Directive 2009/16/EC

Article 25 – paragraph 1a (new)

#### *Text proposed by the Commission*

#### *Amendment*

***Member States shall establish a system to monitor ship strikes with cetaceans. The Commission shall take measures to ensure that ship strikes to cetaceans are reported under the European Marine Casualty Information Platform.***

Or. en

**Amendment 82**  
**Pierre Karleskind**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 17**  
Directive 2009/16/EC  
Article 25 – paragraph 1b (new)

*Text proposed by the Commission*

*Amendment*

***In order to be able to tackle the problem of ocean container pollution more effectively at European level, the new reporting obligations to IMO under chapter 5 of the International Convention for the Safety of Life at Sea (SOLAS) should not remain limited to IMO level. Member States should also report on this issue to the European Commission and EMSA on a yearly basis. For each loss, the reporting should include the route of the vessel, as well as the cause and the location of the loss if they are known. Respectively EMSA shall update the data in the European Marine Casualty Information Platform.***

Or. en

*Justification*

*To enable the legislator to legislate on the loss of containers, a pollution that is currently under-reported, it is important to gather data.*

**Amendment 83**  
**Clare Daly**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 17**  
Directive 2009/16/EC  
Article 25

*Text proposed by the Commission*

*Amendment*

***Member States shall establish a system to monitor ship strikes with cetaceans and containers loss at sea, and the Commission shall take measures to***

*ensure that ship strikes to cetaceans are reported under the European Marine Casualty Information Program. In the light of the information gathered, Member States shall take further research and conservation measures as required, such as speed reduction and rerouting to reduce ship strike risk and their negative impact on cetacean conservation.*

Or. en

**Amendment 84**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 17 a (new)**

Directive 2009/16/EC

Article 27, paragraph 1

*Text proposed by the Commission*

*Amendment*

*(17 a) paragraph 1 is replaced by the following:*

*The Commission shall establish and publish yearly on a public website information relating to companies whose performance, in view of determining the ship risk profile referred to in Annex I Part I, has been considered as low and very low for a period of three months or more. This list shall include the names, company ownership and CII ratings of all ships calling at Union ports that do not attain a rating of ‘A’ in the IMO’s CII rating.*

Or. en

**Amendment 85**

**Jan-Christoph Oetjen**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 17 a (new)**

Directive 2009/16/EC

Article 26

*Text proposed by the Commission*

*Amendment*

***(17 a) Article 26 is replaced by the following:***

***Publication of information The Commission shall make available and maintain on a public website the information on inspections, detentions and refusals of access in accordance with Annex XIII, building upon the expertise and experience under the Paris MOU. Information identifying an individual ship should only be made publicly available if all legal proceedings are finalised and there is no appeal.***

Or. en

**Amendment 86**  
**Pierre Karleskind**

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 17 a (new)**  
Directive 2009/16/EC  
Article 27

*Present text*

*Amendment*

***(17 a) Article 27 is replaced by the following:***

Article 27

"Article 27

Publication of a list of companies with a low and very low performance

Publication of a list of companies with a low and very low performance

The Commission shall establish and publish regularly on a public website information relating to companies whose performance, in view of determining the ship risk profile referred to in Annex I Part I, has been considered as low and very low for a period of three months or more.

The Commission shall establish and publish regularly on a public website information relating to companies whose performance, in view of determining the ship risk profile referred to in Annex I Part I, has been considered as low and very low for a period of three months or more.

Implementing powers shall be conferred on the Commission to establish the detailed arrangements for publication of the information referred to in the first paragraph, the criteria for aggregating the relevant data and the frequency of updates.

***This list shall include the name of the company, CII ratings, FuelEU Maritime penalties, container loss, ship strike with cetaceans and general working conditions as detailed in MLC 2006.***

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 31(3).

*Implementing powers shall be conferred on the Commission to establish the detailed arrangements for publication of the information referred to in the first paragraph, the criteria for aggregating the relevant data and the frequency of updates. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 31(3).*

"

Or. en

*(Directive 2009/16/EC)*

*Justification*

*Data on the environmental and social performance of ships should be made public.*

#### **Amendment 87**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

#### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 18**

Directive 2009/16/EC

Article 30, paragraph 1

*Text proposed by the Commission*

In order to ensure the effective implementation of this Directive and to monitor the overall functioning of the Union's port State control regime in accordance with Article 2(b) point (i) of Regulation (EC) No 1406/2002, the Commission shall collect the necessary information and carry out visits to Member States.

*Amendment*

In order to ensure the effective implementation of this Directive and to monitor the overall functioning of the Union's port State control regime in accordance with Article 2(b) point (i) of Regulation (EC) No 1406/2002, the Commission shall collect the necessary information and carry out visits, **including ad-hoc and unannounced visits**, to Member States.

Or. en

## Amendment 88

**Ignazio Corrao**

on behalf of the Verts/ALE Group

### Proposal for a directive

#### Article 1 – paragraph 1 – point 19

Directive 2009/16/EC

Article 30a, paragraph 1

#### *Text proposed by the Commission*

The Commission shall be empowered to adopt delegated acts in accordance with Article 30b, to amend Article 2(1) to amend the list of Conventions set out in Article 2(1) once such Conventions ***have been adopted as a relevant instrument by the Paris MoU*** and to amend Annex VI in order to add and/or update the list of procedures and guidelines relating to port State control adopted by the Paris MOU set out in that Annex.

#### *Amendment*

The Commission shall be empowered to adopt delegated acts in accordance with Article 30b, to amend Article 2(1) to amend the list of Conventions set out in Article 2(1) once such Conventions, relevant ***to PSC, have come into force*** and to amend Annex VI in order to add and/or update the list of procedures and guidelines relating to port State control adopted by the Paris MOU set out in that Annex.

Or. en

## Amendment 89

**Ljudmila Novak, Marian-Jean Marinescu, Elissavet Vozemberg-Vrionidi, Magdalena Adamowicz**

### Proposal for a directive

#### Article 1 – paragraph 1 – point 22

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/

#### *Text proposed by the Commission*

***Implementation*** review

#### *Amendment*

Review

Or. en

## Amendment 90

**Ljudmila Novak, Marian-Jean Marinescu, Elissavet Vozemberg-Vrionidi, Magdalena Adamowicz**

### Proposal for a directive

#### Article 1 – paragraph 1 – point 22

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*Text proposed by the Commission*

The Commission shall by [OP: Please insert a date: **ten** years from the date of entry into force of this amending Directive] submit a report to the European Parliament and the Council on the implementation of, and compliance with, this Directive.

*Amendment*

The Commission shall by [OP: Please insert a date: **five** years from the date of entry into force of this amending Directive] submit a report to the European Parliament and the Council on the implementation of, and compliance with, this Directive.

***The Commission shall determine on the basis of the report whether it is necessary to propose an amending Directive or further legislation in this area.***

***In any case, and as soon as the IMO has concluded the revision of its carbon intensity indicator (CII), the Commission shall propose a targeted revision to this Directive in order to include this revised CII among the environmental performance indicators within the ship risk profile under this Directive.***

Or. en

**Amendment 91**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Article 1 – paragraph 1 – point 22**

Directive 2009/16/EC

Article 35, paragraph 1

*Text proposed by the Commission*

The Commission shall by ***[OP: Please insert a date: ten*** years from the date of entry into force of this amending Directive] submit a report to the European Parliament and the Council on the implementation of, and compliance with, this Directive.

*Amendment*

The Commission shall by ***four*** years from the date of entry into force of this amending Directive ***and every four years thereafter*** submit a report to the European Parliament and the Council on the implementation of, and compliance with, this Directive.

Or. en

**Amendment 92**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 22**  
2009/16/EC  
Article 35

*Text proposed by the Commission*

*Amendment*

***The Commission shall determine on the basis of the report whether it is necessary to propose amending the Directive or further legislation in this area.***

Or. en

**Amendment 93**  
**Ignazio Corrao**  
on behalf of the Verts/ALE Group

**Proposal for a directive**  
**Article 1 – paragraph 1 – point 22**  
2009/16/EC  
Article 35, paragraph 2 (new)

*Text proposed by the Commission*

*Amendment*

***When producing the report mentioned in paragraph 1 of this Article, the Commission should explore the extent to which PSC could be used as a vehicle to ensure better compliance with both EU and International instruments where there is a pressing environmental or social issue that needs additional attention. In particular, it should assess the role of PSC in ensuring compliance with EU legislation or international agreements that set out emission reduction targets, requirements on the use of certain fuels both inside and outside of EU waters, and on social standards.***

Or. en

**Amendment 94**  
**Ignazio Corrao**  
on behalf of the Verts/ALE Group

**Proposal for a directive**  
**Article 2 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

Member States shall adopt and publish, by [OP: Please insert a date: **one year** from the date of entry into force of this amending Directive] the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

*Amendment*

Member States shall adopt and publish, by [OP: Please insert a date: **nine months** from the date of entry into force of this amending Directive] the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

Or. en

**Amendment 95**  
**Jan-Christoph Oetjen**

**Proposal for a directive**  
**Annex I**  
Directive 2009/16/EC  
Annex I

*Text proposed by the Commission*

(ii) Ships which have been delivered certificates from recognised organisations having a high performance level in relation with their detention rates within the Community and the Paris MOU region shall be considered as posing a lower risk.

*Amendment*

(ii) Ships which have been delivered certificates from recognised organisations having a high performance level in relation with their detention rates within the Community and the Paris MOU region shall be considered as posing a lower risk, ***unless these ships have been also issued with certificates, documents of compliance, exemptions, dispensations or conditions by the flag state without the involvement of the recognised organisation.***

Or. en

**Amendment 96**  
**Clare Daly**

**Proposal for a directive**  
**Annex I**  
Directive 2009/16/EC  
Annex I, paragraph I, 1, 2

*Text proposed by the Commission*

*Amendment*

***(iii a) (iv) ships which faced container losses in the past 36 months shall be considered as posing a higher risk***

Or. en

**Amendment 97**  
**Jan-Christoph Oetjen**

**Proposal for a directive**  
**Annex I**  
Directive 2009/16/EC  
Annex I

*Text proposed by the Commission*

*Amendment*

***(i) The Carbon Intensity Indicator of the ship, ships which are category D-E shall be considered as posing a higher risk.*** ***deleted***

Or. en

**Amendment 98**  
**Johan Van Overtveldt**

**Proposal for a directive**  
**Annex I**  
Directive 2009/16 EC  
Annex 1 – point g – point i

*Text proposed by the Commission*

*Amendment*

***(i) The Carbon Intensity Indicator of the ship, ships which are category D-E shall be considered as posing a higher risk.*** ***deleted***

Or. en

**Amendment 99**  
**Ljudmila Novak, Elissavet Vozemberg-Vrionidi, Magdalena Adamowicz**

**Proposal for a directive**  
**Annex I**

Directive 2009/16/EC  
Annex I – point g – point i

*Text proposed by the Commission*

*Amendment*

**(i) The Carbon Intensity Indicator of the ship, ships which are category D-E shall be considered as posing a higher risk.**

**deleted**

Or. en

#### **Amendment 100**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

#### **Proposal for a directive**

##### **Annex I**

Directive 2009/16/EC

Annex I, point I, sub paragraph g, sub point iia

*Text proposed by the Commission*

*Amendment*

**(ii a) Ships which do not have a valid inventory of hazardous substances as detailed in Regulation (EU) No 1257/2013 or in the Hong Kong Convention shall be considered a higher risk**

Or. en

#### **Amendment 101**

**Pierre Karleskind**

#### **Proposal for a directive**

##### **Annex I**

Directive 2009/16/EC

Annex I

*Text proposed by the Commission*

*Amendment*

**(ii a) FuelEU document of compliance and FuelEU penalties as detailed in article 22 and article 23 of Regulation (EU) 2023/1805 (FuelEU Maritime)**

Or. en

**Amendment 102**  
**Pierre Karleskind**

**Proposal for a directive**  
**Annex I**  
Directive 2009/16/EC  
Annex I

*Text proposed by the Commission*

*Amendment*

**(ii b) ETS penalties as detailed in  
directive (EU) 2023/959 ETS**

Or. en

*Justification*

*Adjustment of the annex concerning the modification of the risk profile of the vessel.*

**Amendment 103**  
**Pierre Karleskind**

**Proposal for a directive**  
**Annex I**  
Directive 2009/16/EC  
Annex I

*Text proposed by the Commission*

*Amendment*

**(ii c) ships that have lost containers at  
sea**

Or. en

*Justification*

*Adjustment of the annex concerning the modification of the risk profile of the vessel.*

**Amendment 104**  
**Pierre Karleskind**

**Proposal for a directive**  
**Annex I**  
Directive 2009/16/EC  
Annex I

*Text proposed by the Commission*

*Amendment*

***(g a) Seafarers living and working conditions onboard***

***(i).Records of hours of work or rest of seafarers (ILO Convention No.180 part II art. 8.1 or MLC, 2006, Standard A.2.3.12);***

***(ii).Maritime Labour Certificate (MLC, 2006, Regulation 5.1.3);***

***(iii).Declaration of Maritime Labour Certificate (MLC, 2006, Regulation 5.1.3);***

***(iv).Declaration of Maritime Labour compliance (DMLC) on board (parts I and II) (MLC, 2006, Regulation 5.1.3);***

***(v).Seafarer's employment agreements (MLC, 2006, Standard A 2.1);***

Or. en

*Justification*

*Adjustment of the annex concerning the modification of the risk profile of the vessel.*

## **Amendment 105**

**Jan-Christoph Oetjen**

### **Proposal for a directive**

#### **Annex I**

Directive 2009/16/EC

Annex I

*Text proposed by the Commission*

*Amendment*

***1 a. Annex I - part 2 - point 2B - incident 5 is added as follows:***

***— Ships carrying certificates and documents of compliance, including but not limited to exemptions, dispensations or equivalent conditions which have been issued by non-exclusive surveyors, inspectors or technical staff acting for a non-EU Flag administration especially in***

*the context of temporary subcontracting.*

Or. en

**Amendment 106**  
**Pierre Karleskind**

**Proposal for a directive**

**Annex III**

Directive 2009/16/EC

**Annex III – PART A LIST OF CERTIFICATES AND DOCUMENTS**

*Text proposed by the Commission*

*Amendment*

**54 a. 55. Certificate of Registry or other document of nationality (UNCLOS art. 9.1.2);**

**56. Certificates as to the ship's hull strength and machinery installations issued by the classification society in question (only to be required if the ship maintains its class with a classification society);**

**57. Cargo Gear Record Book (ILO Convention No.32 art. 9.2(4) and ILO Convention No.152 art. 25);**

**58. Certificates loading and unloading equipment (ILO Convention No.134 art. 4.3(e) and ILO Convention No.32 art. 9(4));**

**59. Records of hours of work or rest of seafarers (ILO Convention No.180 part II art. 8.1 or MLC, 2006, Standard A.2.3.12);**

**60. Maritime Labour Certificate (MLC, 2006, Regulation 5.1.3);**

**61. Declaration of Maritime Labour Certificate (MLC, 2006, Regulation 5.1.3);**

**62. Declaration of Maritime Labour compliance (DMLC) on board (parts I and II) (MLC, 2006, Regulation 5.1.3);**

**63. Seafarer's employment agreements (MLC, 2006, Standard A 2.1);**

**64. AIS test report (SOLAS reg. V/18.9, MSC.1/Circ.1252);**

Or. en

*Justification*

*Checking documents related to working conditions on board vessels is a top priority.*

**Amendment 107**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Annex III**

Directive 2009/16/EC

Annex IV, point 54a

*Text proposed by the Commission*

*Amendment*

**54 a. FuelEU document issued under Regulation (EU) 2023/1805 of the European Parliament and of the Council of 13 September 2023 on the use of renewable and low-carbon fuels in maritime transport, and amending Directive 2009/16/EC**

Or. en

**Amendment 108**

**Ignazio Corrao**

on behalf of the Verts/ALE Group

**Proposal for a directive**

**Annex III**

Directive 2009/16/EC

Annex IV, point 54b

*Text proposed by the Commission*

*Amendment*

**54 b. Valid inventory of hazardous substances as detailed in Regulation (EU) No 1257/2013 or in the Hong Kong Convention**

Or. en

**Amendment 109**  
**Pierre Karleskind**

**Proposal for a directive**  
**Annex III**  
Directive 2009/16/EC  
Annex IV

*Text proposed by the Commission*

*Amendment*

**47 a. Ship strikes to cetaceans, reported under the European Marine Casualty Information Platform**

Or. en

**Amendment 110**  
**Pierre Karleskind**

**Proposal for a directive**  
**Annex III**  
Directive 2009/16/EC  
Annex IV

*Text proposed by the Commission*

*Amendment*

**47 b. Container loss report as requested in article 25 of this directive and in Ship-source pollution directive under the European Marine Casualty Information Platform**

Or. en

**Amendment 111**  
**Pierre Karleskind**

**Proposal for a directive**  
**Annex V a (new)**  
Directive 2009/16/EC  
Annex XIII

*Present text*

*Amendment*

ANNEX XIII  
PUBLICATION OF INFORMATION  
RELATED TO INSPECTIONS,

***Annex XIII is replaced by the following:***

"ANNEX XIII  
PUBLICATION OF INFORMATION  
RELATED TO INSPECTIONS,

DETENTIONS AND REFUSALS OF  
ACCESS IN PORTS AND  
ANCHORAGES OF MEMBER STATES

(referred to in Article 26)

1. Information published in accordance with Article 26 must include the following:

- (a) name of the ship;
- (b) IMO identification number;
- (c) type of ship;
- (d) tonnage (gt);
- (e) year of construction as determined on the basis of the date indicated in the ship's safety certificates;
- (f) name and address of the company of the ship;
- (g) in the case of ships carrying liquid or solid cargoes in bulk, the name and address of the charterer responsible for the selection of the ship and the type of charter;
- (h) flag State;
- (i) classification and statutory certificates issued in accordance with the relevant Conventions, and the authority or organisation that issued each one of the certificates in question, including the date of issue and expiry;
- (j) port and date of the last intermediate or annual survey for the certificates in point
- (i) above and the name of the authority or organisation which carried out the survey;
- (k) date, country, port of detention.

2. For ships which have been detained, information published in accordance with Article 26 must also include:

- (a) number of detentions during the previous 36 months;
- (b) date when the detention was lifted;

DETENTIONS AND REFUSALS OF  
ACCESS IN PORTS AND  
ANCHORAGES OF MEMBER STATES

(referred to in Article 26)

1. Information published in accordance with Article 26 must include the following:

- (a) name of the ship;
- (b) IMO identification number;
- (c) type of ship;
- (d) tonnage (gt);
- (e) year of construction as determined on the basis of the date indicated in the ship's safety certificates;
- (f) name and address of the company of the ship;
- (g) in the case of ships carrying liquid or solid cargoes in bulk, the name and address of the charterer responsible for the selection of the ship and the type of charter;
- (h) flag State;
- (i) classification and statutory certificates issued in accordance with the relevant Conventions, and the authority or organisation that issued each one of the certificates in question, including the date of issue and expiry;
- (j) port and date of the last intermediate or annual survey for the certificates in point
- (i) above and the name of the authority or organisation which carried out the survey;
- (k) date, country, port of detention.

***(l) Maritime labour certificate and declaration of maritime labour compliance***

2. For ships which have been detained, information published in accordance with Article 26 must also include:

- (a) number of detentions during the previous 36 months;

- (c) duration of detention, in days;
- (d) the reasons for detention, in clear and explicit terms;
- (e) indication, where relevant, of whether the recognised organisation that carried out the survey has a responsibility in relation to the deficiencies which, alone or in combination, led to detention;
- (f) description of the measures taken in the case of a ship which has been allowed to proceed to the nearest appropriate repair yard;
- (g) if the ship has been refused access to any port or anchorage within the **Community**, the reasons for the measure in clear and explicit terms.

- (b) date when the detention was lifted;
- (c) duration of detention, in days;
- (d) the reasons for detention, in clear and explicit terms;
- (e) indication, where relevant, of whether the recognised organisation that carried out the survey has a responsibility in relation to the deficiencies which, alone or in combination, led to detention;
- (f) description of the measures taken in the case of a ship which has been allowed to proceed to the nearest appropriate repair yard;
- (g) if the ship has been refused access to any port or anchorage within the EU, the reasons for the measure in clear and explicit terms.***

"

Or. en

*(Directive 2009/16/EC)*

*Justification*

*MLC certificates should be made public*

## Amendment 112 Pierre Karleskind

**Proposal for a directive**  
**Annex V b (new)**  
2009/16/EC  
Annex IX

*Present text*

ANNEX IX  
INSPECTION REPORT(referred to in

*Amendment*

***Annex IX is replaced by the following:***

"ANNEX IX  
INSPECTION REPORT(referred to in

## Article 17)

The inspection report must contain at least the following items.

### I. General

1. Competent authority that wrote the report
2. Date and place of inspection
3. Name of the ship inspected
4. Flag
5. Type of ship (as indicated in the Safety Management Certificate)
6. IMO identification number
7. Call sign
8. Tonnage (gt)
9. Deadweight tonnage (where relevant)
10. Year of construction as determined on the basis of the date indicated in the ship's safety certificates
11. The classification society or classification societies as well as any other organisation, where relevant, which has/have issued to this ship the classification certificates, if any
12. The recognised organisation or recognised organisations and/or any other party which has/have issued to this ship certificates in accordance with the applicable Conventions on behalf of the flag State
13. Name and address of the ship's company or the operator
14. Name and address of the charterer responsible for the selection of the ship and type of charter in the case of ships carrying liquid or solid cargoes in bulk
15. Final date of writing the inspection report
16. Indication that detailed information on an inspection or a detention may be subject to publication.

### II. Information relating to inspection

## Article 17)

The inspection report must contain at least the following items.

### I. General

1. Competent authority that wrote the report
2. Date and place of inspection
3. Name of the ship inspected
4. Flag
5. Type of ship (as indicated in the Safety Management Certificate)
6. IMO identification number
7. Call sign
8. Tonnage (gt)
9. Deadweight tonnage (where relevant)
10. Year of construction as determined on the basis of the date indicated in the ship's safety certificates
11. The classification society or classification societies as well as any other organisation, where relevant, which has/have issued to this ship the classification certificates, if any
12. The recognised organisation or recognised organisations and/or any other party which has/have issued to this ship certificates in accordance with the applicable Conventions on behalf of the flag State
13. Name and address of the ship's company or the operator
14. Name and address of the charterer responsible for the selection of the ship and type of charter in the case of ships carrying liquid or solid cargoes in bulk
15. Final date of writing the inspection report
16. Indication that detailed information on an inspection or a detention may be subject to publication.

### II. Information relating to inspection

1.Certificates issued in application of the relevant Conventions, authority or organisation that issued the certificate(s) in question, including the date of issue and expiry

2.Parts or elements of the ship that were inspected (in the case of more detailed or expanded inspection)

3.Port and date of the last intermediate or annual or renewal survey and the name of the organisation which carried out the survey

4.Type of inspection (inspection, more detailed inspection, expanded inspection)

5.Nature of the deficiencies

6.Measures taken.

III. Additional information in the event of detention

1.Date of detention order

2.Date of lifting the detention order

3.Nature of the deficiencies warranting the detention order (references to Conventions, if relevant)

4.Indication, where relevant, of whether the recognised organisation or any other private body that carried out the survey has a responsibility in relation to the deficiencies which, alone or in combination, led to detention

5.Measures taken.

1.Certificates issued in application of the relevant Conventions, authority or organisation that issued the certificate(s) in question, including the date of issue and expiry

***1a Records of rest hours and table specifying on-board work organization***

2.Parts or elements of the ship that were inspected (in the case of more detailed or expanded inspection)

3.Port and date of the last intermediate or annual or renewal survey and the name of the organisation which carried out the survey

4.Type of inspection (inspection, more detailed inspection, expanded inspection)

5.Nature of the deficiencies

6.Measures taken.

III. Additional information in the event of detention

1.Date of detention order

2.Date of lifting the detention order

3.Nature of the deficiencies warranting the detention order (references to Conventions, if relevant)

4.Indication, where relevant, of whether the recognised organisation or any other private body that carried out the survey has a responsibility in relation to the deficiencies which, alone or in combination, led to detention

***5.Measures taken.***

"

Or. en

(2009/16/EC)

*Justification*

*Hours of work and rest shall be included in the inspection report.*

**Amendment 113**  
**Ljudmila Novak**

**Proposal for a directive**  
**Annex II**  
Directive 2009/16/EC  
Annex 2– table

Text proposed by the Commission							
DESIGN OF SHIP RISK PROFILE (referred to in Article 10(2))							
				Profile			
				High Risk Ship (HRS)		Standard Risk Ship (SRS)	Low Risk Ship (LRS)
Generic parameters				Criteria a	Weighting points	Criteria	Criteria
1	Type of ship			Chemical tankship Gas carrier Oil tankship Bulk carrier Passenger ship	1	neither a high risk nor a low risk ship	All types
2	Age of ship			all types > 12 y	1		All ages
3a	Flag	Low performance			2		High performance
3b		All IMO instruments listed in Article 2 ratified		-	-		Yes
3c		E-Certificate		Statutory certificates are transmitted digitally to the information system			
4a	Recognised organisation	Performance	H	-	-		High
			M	-	-		-
			L	Low	1		-
			VL	Very Low			-
4b		EU recognised		-	-		Yes

5	Company	Performance	H	-	-		High
			M	-	-		-
			L	Low	2		-
			VL	Very low			-
Historical parameters							
6	Number of deficiencies recorded in each inspection within previous 36 months	Deficiencies	>6 in one of the inspections	-			≤ 5 in every individual inspection (and at least one inspection carried out in previous 36 months)
7	Number of detentions within previous 36 months	Detentions	≥ 2 detentions	1			No detention
Environmental parameters							
8	Carbon Intensity Indicator (CII)	Rating	D-E	1			
9	Number of deficiencies related to MARPOL, AFS, BWM, CLC 92, Bunkers and Nairobi Conventions recorded in each inspection within previous 36 months	Deficiencies	>3 in one of the inspections	1			

*Amendment*

**DESIGN OF SHIP RISK PROFILE**  
(referred to in Article 10(2))

			Profile			
			High Risk Ship (HRS)		Standard Risk Ship (SRS)	Low Risk Ship (LRS)
Generic parameters			Criteria a	Weighting points	Criteria	Criteria
1	Type of ship		Chemical tankship Gas carrier Oil tankship Bulk carrier Passenger ship	1	neither a high risk nor a	All types
2	Age of ship		all types > 12 y	1		All ages
3a	Flag	Low performance		2		High performance
3b		All IMO instruments listed in Article 2 ratified		-		-

3c		E-Certificate		Statutory certificates are transmitted digitally to the information system		
4a	Recognised organisation	Performance	H	-	-	High
			M	-	-	-
			L	Low	1	-
			VL	Very Low		-
4b		EU recognised		-	-	Yes
5	Company	Performance	H	-	-	High
			M	-	-	-
			L	Low	2	-
			VL	Very low		-
Historical parameters						
6	Number of deficiencies recorded in each inspection within previous 36 months		Deficiencies	>6 in one of the inspections	-	≤ 5 in every individual inspection (and at least one inspection carried out in previous 36 months)
7	Number of detentions within previous 36 months		Detentions	≥ 2 detentions	1	No detention
Environmental parameters						
	<i>Deleted</i>					
9	Number of deficiencies related to MARPOL, AFS, BWM, CLC 92, Bunkers and Nairobi Conventions recorded in each inspection within previous 36 months		Deficiencies	>3 in one of the inspections	1	

Or. en

## Amendment 114 Jan-Christoph Oetjen

**Proposal for a directive**  
**Annex II**  
 Directive 2009/16/EC  
 Annex 2– table

Text proposed by the Commission								
DESIGN OF SHIP RISK PROFILE (referred to in Article 10(2))								
				Profile				
				High Risk Ship (HRS)		Standard Risk Ship (SRS)	Low Risk Ship (LRS)	
Generic parameters				Criteria	Weighting points	Criteria	Criteria	
1	Type of ship			Chemical tankship Gas carrier Oil tankship Bulk carrier Passenger ship	1	neither a high risk nor a low risk ship	All types	
2	Age of ship			all types > 12 y	1		All ages	
3a	Flag	Low performance			2		High performance	
3b		All IMO instruments listed in Article 2 ratified			-		Yes	
3c		E-Certificate			Statutory certificates are transmitted digitally to the information system			
4a	Recognised organisation	Performance	H	-	-		High	
			M	-	-		-	
			L	Low	1		-	
			VL	Very Low			-	
4b	EU recognised		-	-	Yes			
5	Company	Performance	H	-	-		High	
			M	-	-		-	
			L	Low	2		-	
			VL	Very low			-	
Historical parameters								
6	Number of deficiencies recorded in each inspection within previous 36 months		Deficiencies	>6 in one of the inspections	-			≤ 5 in every individual inspection (and at least one inspection carried out in

						previous 36 months)
7	Number of detentions within previous 36 months	Detentions	≥ 2 detentions	1		No detention
Environmental parameters						
8	<b>Carbon Intensity Indicator (CII)</b>	<b>Rating</b>	<b>D-E</b>	<b>1</b>		
9	Number of deficiencies related to MARPOL, AFS, BWM, CLC 92, Bunkers and Nairobi Conventions recorded in each inspection within previous 36 months	Deficiencies	>3 in one of the inspections	1		
<b>Amendment</b>						
<b>DESIGN OF SHIP RISK PROFILE</b> (referred to in Article 10(2))						
				Profile		
				High Risk Ship (HRS)	Standard Risk Ship (SRS)	Low Risk Ship (LRS)
Generic parameters				Criteria	Weighting points	Criteria
1	Type of ship			Chemical tankship Gas carrier Oil tankship Bulk carrier Passenger ship	1	All types
2	Age of ship			all types > 12 y	1	All ages
3a	Flag	Low performance			2	High performance
3b		All IMO instruments listed in Article 2 ratified			-	Yes
3c		E-Certificate			Statutory certificates are transmitted digitally to the information system	
4a	Recognised	Performance	H	-	-	High
			M	-	-	-
			L	Low	1	-

neither a high risk nor a low risk ship

	0 1 2 3 4 5		VL	Very Low		-	
4b		EU recognised		-	-	Yes	
5	Company	Performance	H	-	-	High	
			M	-	-	-	
			L	Low	2	-	
			VL	Very low		-	
Historical parameters							
6	Number of deficiencies recorded in each inspection within previous 36 months		Deficiencies	>6 in one of the inspections	-	≤ 5 in every individual inspection (and at least one inspection carried out in previous 36 months)	
7	Number of detentions within previous 36 months		Detentions	≥ 2 detentions	1	No detention	
Environmental parameters							
	<i>Deleted</i>						
9	Number of deficiencies related to MARPOL, AFS, BWM, CLC 92, Bunkers and Nairobi Conventions recorded in each inspection within previous 36 months		Deficiencies	>3 in one of the inspections	1		

Or. en

**Amendment 115**  
**Johan Van Overtveldt**

**Proposal for a directive**  
**Annex II**  
 Directive 2009/16/EC  
 Annex 2– table

<i>Text proposed by the Commission</i>
DESIGN OF SHIP RISK PROFILE

(referred to in Article 10(2))								
				Profile				
				High Risk Ship (HRS)		Standard Risk Ship (SRS)	Low Risk Ship (LRS)	
Generic parameters				Criteria	Weighting points	Criteria	Criteria	
1	Type of ship			Chemical tankship Gas carrier Oil tankship Bulk carrier Passenger ship	1	neither a high risk nor a low risk ship	All types	
2	Age of ship			all types > 12 y	1		All ages	
3a	Flag	Low performance			2		High performance	
3b		All IMO instruments listed in Article 2 ratified		-	-		Yes	
3c		E-Certificate		Statutory certificates are transmitted digitally to the information system				
4a	Recognised organisation	Performance	H	-	-		High	
			M	-	-		-	
			L	Low	1		-	
			VL	Very Low			-	
4b	EU recognised		-	-	Yes			
5	Company	Performance	H	-	-		High	
			M	-	-		-	
			L	Low	2		-	
			VL	Very low			-	
Historical parameters								
6	Number of deficiencies recorded in each inspection within previous 36 months		Deficiencies	>6 in one of the inspections	-			≤ 5 in every individual inspection (and at least one inspection carried out in previous 36 months)
7	Number of detentions within previous 36 months		Detentions	≥ 2 detentions	1			No detention
Environmental parameters								

8	Carbon Intensity Indicator (CII)		Rating	D-E	1	
9	Number of deficiencies related to MARPOL, AFS, BWM, CLC 92, Bunkers and Nairobi Conventions recorded in each inspection within previous 36 months		Deficiencies	>3 in one of the inspections	1	
Amendment						
DESIGN OF SHIP RISK PROFILE (referred to in Article 10(2))						
				Profile		
				High Risk Ship (HRS)		Standard Risk Ship (SRS)
Generic parameters				Criteria	Weighting points	Criteria
1	Type of ship			Chemical tankship Gas carrier Oil tankship Bulk carrier Passenger ship	1	All types
2	Age of ship			all types > 12 y	1	All ages
3a	Flag	Low performance			2	High performance
3b		All IMO instruments listed in Article 2 ratified		-	-	Yes
3c		E-Certificate		Statutory certificates are transmitted digitally to the information system		
4a	Recognised organisation	Performance	H	-	-	High
			M	-	-	-
			L	Low	1	-
			VL	Very Low		-
4b		EU recognised		-	-	Yes
5	Company	Performance	H	-	-	High
			M	-	-	-
			L	Low	2	-
			VL	Very low		-
Historical parameters						

neither a high risk nor a low risk ship

6	Number of deficiencies recorded in each inspection within previous 36 months	Deficiencies	>6 in one of the inspections	-		≤ 5 in every individual inspection (and at least one inspection carried out in previous 36 months)
7	Number of detentions within previous 36 months	Detentions	≥ 2 detentions	1		No detention
Environmental parameters						
	<i>Deleted</i>					
9	Number of deficiencies related to MARPOL, AFS, BWM, CLC 92, Bunkers and Nairobi Conventions recorded in each inspection within previous 36 months	Deficiencies	>3 in one of the inspections	1		

Or. en

**Amendment 116**  
**Pierre Karleskind**

**Proposal for a directive**  
**Annex II**  
Directive 2009/16/EC  
Annex 2– table

<i>Text proposed by the Commission</i>					
DESIGN OF SHIP RISK PROFILE (referred to in Article 10(2))					
		Profile			
		High Risk Ship (HRS)		Standard Risk Ship (SRS)	Low Risk Ship (LRS)
Generic parameters		Criteria	Weighting points	Criteria	Criteria
1	Type of ship	Chemical tankship Gas carrier Oil tankship Bulk carrier Passenger ship	1		All types

2	Age of ship			all types > 12 y	1	Overall	All ages
3a	Flag	Low performance			2		High performance
3b		All IMO instruments listed in Article 2 ratified		-	-		Yes
3c		E-Certificate	Statutory certificates are transmitted digitally to the information system				
4a	Recognised organisation	Performance	H	-	-		High
			M	-	-		-
			L	Low	1		-
			VL	Very Low			-
4b		EU recognised		-	-		Yes
5	Company	Performance	H	-	-		High
			M	-	-		-
			L	Low	2		-
			VL	Very low			-
Historical parameters							
6	Number of deficiencies recorded in each inspection within previous 36 months		Deficiencies	>6 in one of the inspections	-		≤ 5 in every individual inspection (and at least one inspection carried out in previous 36 months)
7	Number of detentions within previous 36 months		Detentions	≥ 2 detentions	1		No detention
Environmental parameters							
8	Carbon Intensity Indicator (CII)		Rating	D-E	1		
9	Number of deficiencies related to MARPOL, AFS, BWM, CLC 92, Bunkers and Nairobi Conventions recorded in each inspection within previous 36 months		Deficiencies	>3 in one of the inspections	1		
Amendment							
DESIGN OF SHIP RISK PROFILE							

(referred to in Article 10(2))							
				Profile			
				High Risk Ship (HRS)		Standard Risk Ship (SRS)	Low Risk Ship (LRS)
Generic parameters				Criteria	Weighting points	Criteria	Criteria
1	Type of ship			Chemical tankship Gas carrier Oil tankship Bulk carrier Passenger ship	1	neither a high risk nor a low risk ship	All types
2	Age of ship			all types > 12 y	1		All ages
3a	Flag	Low performance			2		High performance
3b		All IMO instruments listed in Article 2 ratified		-	-		Yes
3c		E-Certificate		Statutory certificates are transmitted digitally to the information system			
4a	Recognised organisation	Performance	H	-	-		High
			M	-	-		-
			L	Low	1		-
			VL	Very Low			-
4b		EU recognised		-	-		Yes
5	Company	Performance	H	-	-		High
			M	-	-		-
			L	Low	2		-
			VL	Very low		-	
Historical parameters							
6	Number of deficiencies recorded in each inspection within previous 36 months		Deficiencies	>6 in one of the inspections	-		≤ 5 in every individual inspection (and at least one inspection carried out in previous 36 months)
7	Number of detentions within previous 36 months		Detentions	≥ 2 detentions	1		No detention
Environmental parameters							

8	Carbon Intensity Indicator (CII)	Rating	D-E	1		
9	Number of deficiencies related to MARPOL, AFS, BWM, CLC 92, Bunkers and Nairobi Conventions recorded in each inspection within previous 36 months	Deficiencies	>3 in one of the inspections	1		
10	<i>penalties laid down in Directive (EU) 2023/959 (ETS) and Regulation (EU) 2023/1805 (FuelEU Maritime).</i>	<i>penalties</i>	<i>&gt;1 penalties over the three past years</i>	<i>1</i>		
11	<i>Ships that have lost containers at sea</i>	<i>loss</i>	<i>&gt; 1 container loss in the 3 past years</i>	<i>1</i>		
<i>seafarers working and living conditions parameters</i>						
12	<i>Number of deficiencies related to MLC 2006</i>	<i>deficiencies</i>	<i>&gt; 1 deficiencies</i>	<i>1</i>		

Or. en

## Amendment 117

Ignazio Corrao

## Proposal for a directive

### Annex II

Directive 2009/16/EC

Annex 2– table

<i>Text proposed by the Commission</i>					
DESIGN OF SHIP RISK PROFILE (referred to in Article 10(2))					
		Profile			
		High Risk Ship (HRS)		Standard Risk Ship (SRS)	Low Risk Ship (LRS)
Generic parameters		Criteria	Weighting points	Criteria	Criteria
1	Type of ship	Chemical tankship Gas carrier Oil tankship Bulk carrier Passenger ship	1		All types

2	Age of ship			all types > 12 y		1	Overall	All ages
3a	Flag	Low performance			2	High performance		
3b		All IMO instruments listed in Article 2 ratified		-	-	Yes		
3c		E-Certificate		Statutory certificates are transmitted digitally to the information system				
4a	Recognised organisation	Performance	H	-	-	High		
			M	-	-	-		
			L	Low	1	-		
			VL	Very Low		-		
4b		EU recognised		-	-	Yes		
5	Company	Performance	H	-	-	High		
			M	-	-	-		
			L	Low	2	-		
			VL	Very low		-		
Historical parameters								
6	Number of deficiencies recorded in each inspection within previous 36 months		Deficiencies	>6 in one of the inspections	-	≤ 5 in every individual inspection (and at least one inspection carried out in previous 36 months)		
7	Number of detentions within previous 36 months		Detentions	≥ 2 detentions	1	No detention		
Environmental parameters								
8	Carbon Intensity Indicator (CII)		Rating	D-E	1			
9	Number of deficiencies related to MARPOL, AFS, BWM, CLC 92, Bunkers and Nairobi Conventions recorded in each inspection within previous 36 months		Deficiencies	>3 in one of the inspections	1			
Amendment								
DESIGN OF SHIP RISK PROFILE								

(referred to in Article 10(2))								
				Profile				
				High Risk Ship (HRS)		Standard Risk Ship (SRS)	Low Risk Ship (LRS)	
Generic parameters				Criteria	Weighting points	Criteria	Criteria	
1	Type of ship			Chemical tankship Gas carrier Oil tankship Bulk carrier Passenger ship	1	neither a high risk nor a low risk ship	All types	
2	Age of ship			all types > 12 y	1		All ages	
3a	Flag	Low performance			2		High performance	
3b		All IMO instruments listed in Article 2 ratified		-	-		Yes	
3c		E-Certificate		Statutory certificates are transmitted digitally to the information system				
4a	Recognised organisation	Performance	H	-	-		High	
			M	-	-		-	
			L	Low	1		-	
			VL	Very Low			-	
4b		EU recognised		-	-		Yes	
5	Company	Performance	H	-	-		High	
			M	-	-		-	
			L	Low	2		-	
			VL	Very low			-	
Historical parameters								
6	Number of deficiencies recorded in each inspection within previous 36 months		Deficiencies	>6 in one of the inspections	-			≤ 5 in every individual inspection (and at least one inspection carried out in previous 36 months)
7	Number of detentions within previous 36 months		Detentions	≥ 2 detentions	1			No detention
Environmental parameters								

8	Carbon Intensity Indicator (CII)	Rating	D-E	1	
8a	<i><b>Ships which do not have a valid inventory of hazardous substances as detailed in Regulation (EU) No 1257/2013 or in the Hong Kong Convention shall be considered a higher risk</b></i>		<i><b>No valid documentaion</b></i>	<i><b>1</b></i>	
9	Number of deficiencies related to MARPOL, AFS, BWM, CLC 92, Bunkers and Nairobi Conventions recorded in each inspection within previous 36 months	Deficiencies	>3 in one of the inspections	1	

Or. en