

# Port reception facilities for ship-generated waste and cargo residues

1998/0249(COD) - 19/04/2000 - Commission opinion on Parliament's position at 2nd reading

The proposal aims to ensure a major reduction in marine pollution by the provision of adequate waste reception facilities in all EU ports including recreational ports and marinas. It also provides instruments to ensure that all ships, including fishing vessels and recreational craft, visiting these ports make use of the facilities provided. The Commission is of the opinion that most of the amendments by the European Parliament can be accepted, either as such or subject to redrafting. 13 out of the 15 amendments may therefore be incorporated in the re-examined proposal of the Commission. The amendments that can be accepted such as they stand relate to: - limiting the exclusion of fishing vessels and recreational craft from the prior notification obligation; - more favourable treatment of ships which produce less waste, as regards the fee system; - the limitation of the exclusion of the fishing vessels and recreational craft is again at issue in respect of the enforcement regime of the Directive. The criterion proposed by the Parliament is certification for 12 passengers or less, which corresponds to the definition of a passenger ship according to the International Convention for Safety of Life at Sea (SOLAS); - because of the vagueness of the 'sufficient number' approach in the enforcement article in the original proposal, the Commission can accept a closer link with the port State control regime and the taking over of its quantitative inspection requirement; - co-operation in establishing criteria for 'environmentally friendly' ships; - the reduction of the time for implementation of this Directive from 24 to 18 months. In addition, the Commission has accepted five other amendments in principle, but which need to be redrafted in order to clarify them or bring them into line with other provisions of the Directive and other related Community and international instruments. These amendments relate to: - sovereign immunity of ships; - a revision mechanism to ensure that the fee systems will not lead to undesired effects on the environment; - compensation if ships are delayed due to inadequacy of port reception facilities; - the specification of the envisage information and monitoring system; - the comitology procedure. On the other hand, the amendments not accepted by the Commission concern in particular the flexibility of the fee system.