




Basic information	
1996/0281(SYN) SYN - Cooperation procedure (historic) Maritime safety: registration of persons sailing on board passenger ships Amended by 2000/0237(COD) Amended by 2016/0171(COD) Subject 3.20.03 Maritime transport: passengers and freight 3.20.03.01 Maritime safety 3.20.15.06 Maritime or inland transport agreements and cooperation	Procedure completed






Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	TRAN Transport and Tourism	WATTS Mark Francis (PSE)	28/10/1996
	Former committee responsible	Former rapporteur	Appointed
	TRAN Transport and Tourism	WATTS Mark Francis (PSE)	28/10/1996
	Former committee for opinion	Former rapporteur for opinion	Appointed
	BUDG Budgets		
Council of the European Union	Council configuration	Meetings	Date
	Transport, Telecommunications and Energy	2059	1997-12-10
	Transport, Telecommunications and Energy	2108	1998-06-18
	Transport, Telecommunications and Energy	2016	1997-06-17

Key events			
Date	Event	Reference	Summary
26/09/1996	Additional information		Summary
25/11/1996	Legislative proposal published	COM(1996)0574 	Summary
29/01/1997	Committee referral announced in Parliament		
14/04/1997	Vote in committee		Summary

14/04/1997	Committee report tabled for plenary, 1st reading/single reading	A4-0152/1997	
29/05/1997	Decision by Parliament	T4-0271/1997	Summary
29/05/1997	Debate in Parliament	CRE link	Summary
23/07/1997	Modified legislative proposal published	COM(1997)0340 	Summary
11/12/1997	Council position published	10066/1/1997	Summary
18/12/1997	Committee referral announced in Parliament, 2nd reading		
25/02/1998	Vote in committee, 2nd reading		Summary
25/02/1998	Committee recommendation tabled for plenary, 2nd reading	A4-0068/1998	
10/03/1998	Debate in Parliament	CRE link	Summary
11/03/1998	Decision by Parliament, 2nd reading	T4-0133/1998	Summary
18/06/1998	Act adopted by Council after consultation of Parliament		
18/06/1998	End of procedure in Parliament		
02/07/1998	Final act published in Official Journal		

Technical information	
Procedure reference	1996/0281(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Nature of procedure	Legislation
	Amended by 2000/0237(COD) Amended by 2016/0171(COD)
Legal basis	EC before Amsterdam E 084-p2
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/4/09593

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0152/1997 OJ C 167 02.06.1997, p. 0003	14/04/1997	
Committee recommendation tabled for plenary, 2nd reading		A4-0068/1998 OJ C 104 06.04.1998, p. 0006	25/02/1998	
Council of the EU				
Document type	Reference	Date	Summary	
Council position	10066/1/1997 OJ C 023 23.01.1998, p. 0017	11/12/1997	Summary	
European Commission				
Document type	Reference	Date	Summary	
Legislative proposal	COM(1996)0574 	25/11/1996	Summary	

	OJ C 031 31.01.1997, p. 0005		
Modified legislative proposal	COM(1997)0340  OJ C 275 11.09.1997, p. 0007	23/07/1997	Summary
Commission communication on Council's position	SEC(1997)2285 	11/12/1997	Summary
Commission opinion on Parliament's position at 2nd reading	COM(1998)0233 	22/04/1998	Summary
Follow-up document	COM(2024)0076 	20/02/2024	
Follow-up document	COM(2024)0207 	17/05/2024	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
ESC	Economic and Social Committee: opinion, report	CES0472/1997 OJ C 206 07.07.1997, p. 0111	23/04/1997	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Directive 1998/0041 OJ L 188 02.07.1998, p. 0035	Summary
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Maritime safety: registration of persons sailing on board passenger ships

1996/0281(SYN) - 23/04/1997 - Economic and Social Committee: opinion, report

In broad terms the Committee welcomes the proposal for a Council directive. It accepts the necessity for Community legislation which is binding on the port state as well as the flag state. It welcomes the fact that the proposed directive is based on IMO decisions as contained in the SOLAS Regulation. As to the substance of the directive, it is beyond question that the number of passengers on board should be counted and that masters should be obliged to ensure that they do not exceed the number laid down in the vessel's passenger certificate. The recording of the names and other details of passengers constitutes a new requirement. There can be no doubt that the requirement to record the names of all their passengers will create considerable administrative difficulties for these ferry companies operating intensively scheduled services on routes where a significant number of passengers buy a ticket on a "turn-up-and-go" basis at the time of embarkation. The Committee suggests that the Commission should give further consideration to such a possibility, perhaps adding a clause to the proposed directive which would permit Member States to sanction an alternative recording arrangement on a particular route where they would judge the requirement to record individual names to be impracticable. Essentially such an arrangement would have to be agreed by both (or all) the port states concerned, be fully compatible with the SOLAS criteria, take full cognizance of the SAR and weather forecasting facilities in the area and not result in any distortion of competition between one scheduled service and another.

Maritime safety: registration of persons sailing on board passenger ships

1996/0281(SYN) - 18/06/1998 - Final act

OBJECTIVE: To enhance the safety and possibilities of rescue of passengers and crew on board passenger ships and to ensure that search and rescue and the aftermath of any accident can be dealt with more effectively. COMMUNITY MEASURE: Council Directive 98/41/EC on the registration

of persons sailing on board passenger ships operating to or from a port of the Member States to the Community. SUBSTANCE: The directive applies to all passenger ships and high speed craft carrying more than 12 passengers departing from a port located in a Member State or travelling from a third country to a Community port. It requires that all persons on board be counted before the ship departs. Before departure, the number of persons on board must be communicated to the master of the ship and to the company's passenger registrar or to a shore-based company performing the same function. The master must ensure that the number of persons on board a ship departing from a port located in a Member State does not exceed the number that the ship is permitted to carry. If the ship is undertaking a voyage of more than 20 miles, information must be recorded regarding the name, sex and age of all persons on board and any requests for special care in emergency situations. Personal information on passengers must be communicated not later than 30 minutes after departure to the passenger registrar. The number of passengers and personal information must at all times be readily available for transmission to the designated authority for search and rescue purposes. Member States may however lower the 20-mile threshold. They may also exempt ships sailing exclusively in protected sea areas from their requirement to record passengers, or request authorisation from the Commission to exempt regular services where the voyage does not exceed about 30 miles or regular services to isolated communities in areas where waves have a low average height and which have shore based navigational systems, reliable weather forecasts and adequate search and rescue facilities. The Member States may also exempt passenger ships providing regular services of less than one hour in protected sea areas from the requirement to communicate the number of persons on board to the passenger registrar. Registration systems must meet the functional criteria of readability, availability, facilitation and security. ENTRY INTO FORCE: The counting system is to come into a force by 01/01/1999 at the latest. The passenger registration system is applicable by 01/01/2000 at the latest.

Maritime safety: registration of persons sailing on board passenger ships

1996/0281(SYN) - 29/05/1997 - Text adopted by Parliament, 1st reading/single reading

In adopting the report by Mr Mark Watts (PES; UK), the European Parliament amended the proposal for a directive on the registration of persons sailing on board of passenger ships. His amendments call for: - the directive to apply also to all 'under sea' rail tunnels involving car shuttle journeys in excess of twenty miles; - the passenger's age to be included in the information recorded in the passenger list; - passenger information to be recorded where the normal journey time is estimated to be at least two hours or if the distance between the two ports is at least 20 miles; - this information, together with the number of persons on board prior to departure, to be communicated to the person designated by the company; - where the ship's normal journey time is estimated to be less than two hours or the distance is less than 20 miles, the number of persons on board to be communicated to the person designated by the company. Parliament also stressed that safety standards for the design and building of Ro-Ro passenger vessels, including watertight bulkheads and sponsons, are urgently required and must be included among future measures to improve safety at sea.

Maritime safety: registration of persons sailing on board passenger ships

1996/0281(SYN) - 11/12/1997 - Council position

The Council adopted a common position on a text containing the substance of two amendments proposed by the European Parliament and a certain number of additional provisions. The common position applies to all seagoing passenger ships and high speed craft which carry more than 12 passengers and which depart from a port located in a Member State or undertake a journey from a third country to a Community port. It requires all persons on board to be counted prior to departure. However, passengers on board ships crossing the Strait of Messina may be counted under a simplified system subject to review. Moreover, if the ship undertakes voyages of more than 20 miles, the names, the sex, the age and the possible wishes for special care in emergency situations of all persons on board shall be recorded as well. Member States may nevertheless lower the 20-miles threshold. They may also exempt ships sailing exclusively in protected sea areas from the obligation to record passengers or request the Commission for an authorization to derogate from this obligation for regular services of not more than about 30 miles or for regular services to isolated communities in areas with low average wave heights where adequate navigational guidance, weather forecasts and search and rescue facilities are available. Before departure, the number of persons on board shall be communicated to the master and to the company's registrar or to a shore-based system that performs the same functions. The master shall also receive, before departure, information about possible wishes for special care in case of an emergency. However, Member States may exempt passenger ships operating regular services of less than one hour in protected sea areas from the obligation to communicate the number of persons on board to the passenger registrar. Before the ship sets sail, the Master shall ensure that the number of persons on board does not exceed the number the ship is permitted to carry. Within 30 minutes after departure, the passengers' personal data will be transmitted to the registrar. The number of passengers and the personal data so collected shall be at all times readily available for transmission to the designated authority for search and rescue purposes. The counting system must be in place by 1.1.1999. The system of registration of passengers must be applied no later than 1.1.2000.

Maritime safety: registration of persons sailing on board passenger ships

1996/0281(SYN) - 23/07/1997 - Modified legislative proposal

The Commission's amended proposal took account of the European Parliament's amendments aimed at introducing more flexibility in the directive as long as it did not present any obstacles to the registration of persons sailing on board passenger ships operating in areas characterised by dense traffic and weather and sailing conditions that were often hostile. To achieve this increased flexibility, the Commission made provision for exemptions and derogations which it would grant itself with the support of the advisory committee. As a result, it proposed replacing the definition of 'sheltered waters' with a definition of 'protected sea area', also adding the definition of 'regular service'. Moreover, the Commission agreed to include a reference to the exact age of passengers in addition to the requirement to indicate the age category, whilst retaining the possibility of providing first names or initials (rather than first names alone). The Commission could not accept the amendments aimed at: - inserting new recitals; - including a definition of 'seagoing passenger ship'; - ensuring that, in general, the master of the ship informed the company of the number of passengers on board and, for trips exceeding 20 miles, the passengers' personal details.

Maritime safety: registration of persons sailing on board passenger ships

1996/0281(SYN) - 22/04/1998 - Commission opinion on Parliament's position at 2nd reading

In its opinion following Parliament's second reading, the Commission states that it has decided not to incorporate any of the amendments adopted by Parliament. The Commission considers that the amendments are either inappropriate (reference to the lack of progress made in the safety of passenger transport): irrelevant (extension of the directive to under sea rail tunnels for the transport of cars by rail) or redundant (amendment concerning the length of journeys). Consequently, the Commission recommends rapid adoption of this proposal in line with the text of the Council common position.

Maritime safety: registration of persons sailing on board passenger ships

1996/0281(SYN) - 25/11/1996 - Legislative proposal

OBJECTIVE: the introduction of common and harmonized procedures on the registration of persons sailing on board of passenger ships.
SUBSTANCE: the proposal for a Council Directive provides for the establishment of a harmonized system intended to ensure that no passenger ship sailing to or from a Community port is carrying more than the number of passengers authorized by the relevant safety certificates and to gather information about the passengers on board in order to facilitate search and rescue operations after an accident. In practical terms there is provision that the total number of persons on board a passenger ship departing from a port inside the Community must be counted prior to departure and the number must be communicated to the master of the ship, a designated person on shore and, if applicable to the competent authority. This provision shall apply to all passenger ships, whatever the type of voyage. With regard to the collection of additional information on passengers for search and rescue operations, this obligation shall apply to all passenger ships operating out of and into a port in a Member State and undertaking voyages of more than 20 nautical miles between two ports. Under certain conditions the Member States may decide to reduce the limit of 20 nautical miles. The proposal also provides for derogations for very short voyages.

Maritime safety: registration of persons sailing on board passenger ships

1996/0281(SYN) - 11/03/1998 - Text adopted by Parliament, 2nd reading

In adopting the recommendation for second reading by Mr Mark WATTS (PSE, UK), Parliament called for the Directive on the registration of persons sailing on board passenger ships to apply to all under-sea rail tunnels, including those involving car shuttle journeys by rail in excess of 20 miles (thus applying to the Channel Tunnel). It called for information on passengers to be recorded for all vessels departing from Community ports if the normal journey time was estimated to be at least 2 hours or if the distance between the two ports was at least 20 miles. This information should be communicated to shore before departure and not up to 30 minutes after departure, as initially proposed by the Commission.

Maritime safety: registration of persons sailing on board passenger ships

1996/0281(SYN) - 11/12/1997 - Commission communication on Council's position

The Commission is of the opinion that the text of the common position is acceptable since it respects the basic principles of the original proposal and provides added value by its clarifications. Its provisions introduce more flexibility without affecting the safety concern and the need for an efficient handling of the aftermath of any accident that might occur in non-protected sea areas.