

# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2002/0310(COD) Procedure completed
Double hull or equivalent design requirements for oil tankers Amending Regulation (EC) No 417/2002 <a href="#">2000/0067(COD)</a>	
Subject 3.20.03.01 Maritime safety 3.40.04 Shipbuilding, nautical industry 3.70.05 Marine and coastal pollution, pollution from ships, oil pollution	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>RETT</b> Regional Policy, Transport and Tourism		21/01/2003
		PSE <a href="#">PIECYK Willi</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>ITRE</b> Industry, External Trade, Research, Energy		20/02/2003
		PPE-DE <a href="#">PURVIS John</a>	
	<b>ENVI</b> Environment, Public Health, Consumer Policy		28/01/2003
		ELDR <a href="#">THORS Astrid</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2524</a>	22/07/2003
	<a href="#">Transport, Telecommunications and Energy</a>	<a href="#">2499</a>	27/03/2003
European Commission	Commission DG	Commissioner	
	Energy and Transport		

Key events			
19/12/2002	Legislative proposal published	<a href="#">COM(2002)0780</a>	Summary
13/01/2003	Committee referral announced in Parliament, 1st reading		
27/03/2003	Debate in Council	<a href="#">2499</a>	
30/04/2003	Vote in committee, 1st reading		Summary
29/04/2003	Committee report tabled for plenary, 1st reading	<a href="#">A5-0144/2003</a>	
02/06/2003	Debate in Parliament		
04/06/2003	Decision by Parliament, 1st reading	<a href="#">T5-0247/2003</a>	Summary
22/07/2003	Act adopted by Council after Parliament's 1st reading		
22/07/2003	Final act signed		

22/07/2003	End of procedure in Parliament		
01/10/2003	Final act published in Official Journal		

### Technical information

Procedure reference	2002/0310(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Amending Regulation (EC) No 417/2002 <a href="#">2000/0067(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 080-p2
Stage reached in procedure	Procedure completed

### Documentation gateway

Legislative proposal		<a href="#">COM(2002)0780</a>	20/12/2002	EC	Summary
Committee draft report		PE314.765	11/03/2003	EP	
Economic and Social Committee: opinion, report		<a href="#">CES0218/2003</a> <a href="#">OJ C 133 06.06.2003, p. 0097-0101</a>	26/03/2003	ESC	
Economic and Social Committee: opinion, report		<a href="#">CES0415/2003</a>	26/03/2003	ESC	
Committee opinion	<b>ENVI</b>	PE328.756/DEF	23/04/2003	EP	
Amendments tabled in committee		PE314.765/AM	24/04/2003	EP	
Committee opinion	<b>ITRE</b>	PE322.000/DEF	28/04/2003	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0144/2003</a>	30/04/2003	EP	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0247/2003</a> OJ C 068 18.03.2004, p. 0149-0306 E	04/06/2003	EP	Summary

### Additional information

European Commission	<a href="#">EUR-Lex</a>
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### Final act

<a href="#">Regulation 2003/1726</a> <a href="#">OJ L 249 01.10.2003, p. 0001-0004</a> Summary
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## Double hull or equivalent design requirements for oil tankers

**PURPOSE** : to phase-out single hull oil tankers following the Prestige accident and amend Regulation 417/2002/EC. **CONTENT** : The Commission proposes three amendments to the existing regulation: i) a provision that heavy grades of oil will only be carried by double hull tankers. The Commission proposes prohibiting the transport of heavy grades of oil in single-hulled tankers bound for or leaving EU ports of a Member State. The choice of oil types are those with high viscosity that in the case of an oil spill either sink or float in the sea, causing the most severe forms of pollution of the marine and coastal environments. ii) a revision of the phasing out scheme to ensure, in particular, that single hull tankers of category 1 will not operate beyond 23 years and 2005, or, 28 years and 2010 for category 2 and 28 years for Category 3. The purpose of the modifications introduced in this proposal is to lower the age limits, and cut-off dates to the level as initially proposed in the ERIKA I package in order to ensure a better protection of the marine environment. The categories are defined as follows: Category 1 -

so-called "pre-MARPOL" single hull oil tankers, being crude oil tankers of 20000 tons dead-weight and above and oil product carriers of 30000 tons and above having no segregated ballast tanks in protective location. Category 2 - corresponds to "MARPOL" single hull tankers, being of the same size as category 1, but which are equipped with segregated ballast tanks in protective locations. Category 3 corresponds to single hull oil tankers below the size limits of categories 1 and 2 but above 5000 tons dead weight. Under current legislation, the maximum age limit for category 1 tankers is 26 to 30 years. The Prestige and the Erika were Category 1 tankers of 26 years at the time of their fatal accidents. The prestige would have been phased out in accordance with the current legislation in March 2005. iii) a broader application of the special inspection regime for tankers (the Condition Assessment Scheme) designed to assess the structural soundness of single hull tankers, which have passed the age of 15 years. The CAS as introduced by Regulation 417/2002/EC is an additional reinforced inspection scheme specifically developed to detect structural weaknesses of single-hulled oil tankers. It is carried out every two and a half years. Currently, single hull tankers of category 1 and 2 which have not yet reached their age limit can only continue to operate beyond 2005 or 2010 respectively if they have successfully passed the test of CAS. The Scheme does not apply to the smaller Category 3 ships. The Commission proposes that the latter also be required to comply. All remaining categories of single hull oil tankers shall comply with CAS from the age of 15 years. 2005 is an appropriate start-up date for this requirement. ?

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## Double hull or equivalent design requirements for oil tankers

The committee adopted the report by Willy PIECYK (PES, D) broadly approving the proposal subject to a number of amendments under the 1st reading of the codecision procedure. In the light of the recent disaster with the 26 year old single-hull tanker Prestige, MEPs were eager to speed through the proposals and expressed almost unanimous support for avoiding a second reading. The main amendments were as follows: - the accelerated phase-out for Category 2 should also be extended to Category 3 tankers, which are smaller and are often operating in regional traffic. Category 3 tankers would therefore have to be phased out by 2010 instead of 2015; - the committee proposed a new definition of "heavy grades of oil" which, although not as wide-ranging as in the original Commission proposal, nevertheless covered the most dangerous types of oil. The committee hoped that the new definition would make it easier to reach an agreement with the Council; - for the sake of clarity, the committee amended the wording of Article 2 to ensure that the regulation would apply to vessels not only entering, but also leaving, ports and offshore terminals and those anchoring in areas under the jurisdiction of a Member State; - in order not to jeopardise the EU's oil supply, the committee added a new clause providing for a transitional period (until 2008) for smaller tankers with a deadweight of less than 5 000 tonnes; - to ensure that oil supplies are not endangered in the northern regions of the EU (i.e. the Baltic Sea) the committee added a new clause providing for a two-year transitional period for single hull oil tankers equipped with special ice protection equipment, which would thus be able to enter or leave ports or anchorages in ice conditions with a cargo of heavy fuel oil, provided that the oil is transported only in their central tanks.?

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## Double hull or equivalent design requirements for oil tankers

The European Parliament adopted a resolution making several amendments to the Commission's proposal, by 501 votes in favour, 5 against and 14 abstentions. The resolution was drafted by Willy PIECYK (PES, Germany). (Please refer to the summary of 30/04/03.) Parliament also added some new recitals, which include the following: - The accelerated phasing-out of single hull vessels will lead to a significant increase in the number of vessels for scrapping, and an effort should be made to ensure that scrap vessels are processed in a way which is safe for human beings and the environment. - Freight or container ships often contain heavy fuel oil as engine fuel in their bunkers, the quantity of which may considerably exceed the cargoes of smaller oil tankers. The Commission should submit a proposal to the European Parliament and the Council as soon as possible in order to ensure that for new ships bunker oil for engine fuel purposes is also stored in safe, doublewalled tanks. - European shipyards have the necessary know-how to build doublehulled tankers. The Commission and the Member States should accordingly strive to ensure, by means of the appropriate instruments and programmes, that the increased demand for safe double-hulled tankers resulting from this Regulation has positive impact on the Community's shipbuilding industry.?

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## Double hull or equivalent design requirements for oil tankers

PURPOSE : to phase-out single hull oil tankers following the Prestige accident and to amend Regulation 417/2002/EC. LEGISLATIVE ACT : Regulation 1726/2003/EC of the European Parliament and of the Council amending Regulation 417/2002/EC on the accelerated phasing-in of double-hull or equivalent design requirements for single-hull oil tankers. CONTENT : the Council adopted the Regulation banning single-hull oil tankers from European ports. From 21 October 2003, single-hull oil tankers may not be used to carry heavy grades of oil to or from EU ports. In addition, the timetable for the phasing-out of such tankers has been speeded up, and oil tankers more than 23 years old, as the Erika and the Prestige were, are banned from EU ports immediately. During the gradual phasing-out period, tankers 15 or more years old will undergo exhaustive technical inspections. The EU is now focusing on the international arena in order to have similar measures introduced by everyone concerned. The sinking of the Prestige has drawn attention to the urgent need to phase out single-hull tankers and the specific problem caused by heavy fuel oil, which is usually transported in old, single-hull oil tankers that are more accident-prone. On 20 December 2002 the Commission decided to propose amending the existing Regulation. The European Parliament and the Council adopted the amendment on 22 July 2003. The changes made to the legislation concern three points: 1) The transportation of heavy grades of oil in single-hull oil tankers is prohibited with immediate effect : The transportation of heavy oil in single-hull oil tankers to or from the ports of a Member State of the European Union is therefore now prohibited: double hull tankers must be used for this purpose. The categories of heavy grades of oil are heavy fuel oil, heavy crude, used oil and bitumen and tar. 2) The programme for the gradual phasing-out of single-hull oil tankers is being speeded up : The European Union will now be applying rules which are as strict as current US rules for the gradual phasing-out of single-hull oil tankers. - Category 1 oil tankers are the most vulnerable and the oldest vessels. The final date for the use of these oil tankers under the Regulation is therefore brought forward from 2007 to 2005 subject to an age limit of 23 years (28 years under the rules previously in force). - Category 2 oil tankers - known as Marpol tankers - provide greater protection against grounding and collision. These tankers will be withdrawn by 2010 in accordance with a stricter timetable. The same timetable now applies to small, category 3 oil tankers (with a deadweight of less than 20 000 or 30 000 tonnes). 3) The special inspection arrangements for oil tankers to assess the sound structural state of single-hull oil tankers which are more than 15 years old have been extended and will be implemented earlier. All single-hull tankers, including the smallest ones which were initially not covered by the scheme, will now be subject to the Condition Assessment Scheme (CAS) from the age of 15 years. The CAS is an enhanced additional inspection scheme specially developed to detect structural weaknesses in single-hull tankers. Oil

tankers, even those built recently, which do not meet the test requirements may be refused entry to EU ports or permission to fly the flag of an EU country. ENTRY INTO FORCE : 21 October 2003.?