Procedure file

Basic information

COD - Ordinary legislative procedure (ex-codecision procedure) Directive	2003/0001(COD)	Procedure completed
Minimum level of training for seafarers: recognition of certificates issued by third countries Amending Directive 2001/25/EC 2000/0131(COD) Subject 3.20.03.01 Maritime safety 3.20.10 Transport undertakings, transport industry employees 3.20.15.06 Maritime or inland transport agreements and cooperation 4.15.06 Professional qualifications, recognition of qualifications 4.40.07 Recognition of diplomas, equivalence of studies and training 4.40.15 Vocational education and training		

Key players

European Parliament	Committee responsible	Rapporteur	Appointed
	RETT Regional Policy, Transport and Tourism	PSE POIGNANT Bernard	21/01/2003
	Committee for opinion	Rapporteur for opinion	Appointed
	EMPL Employment and Social Affairs (Associated committee)	PPE-DE PÉREZ ÁLVAREZ Manuel	12/02/2003
Council of the European Union	Council configuration	Meeting	Date
	Justice and Home Affairs (JHA)	2538	06/11/2003
	Transport, Telecommunications and Energy	2531	09/10/2003
	Transport, Telecommunications and Energy	2499	27/03/2003
European Commission	Commission DG	Commissioner	
	Energy and Transport		

Key events

13/01/2003	Legislative proposal published	COM(2003)0001	Summary
16/01/2003	Committee referral announced in Parliament, 1st reading		
27/03/2003	Debate in Council	2499	
30/04/2003	Vote in committee, 1st reading		Summary

30/04/2003	Committee report tabled for plenary, 1st reading	A5-0152/2003	
02/09/2003	Debate in Parliament		
03/09/2003	Decision by Parliament, 1st reading	T5-0364/2003	Summary
06/11/2003	Act adopted by Council after Parliament's 1st reading		
17/11/2003	Final act signed		
17/11/2003	End of procedure in Parliament		
13/12/2003	Final act published in Official Journal		

Technical information

Procedure reference	2003/0001(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Amending Directive 2001/25/EC 2000/0131(COD)
Legal basis	Rules of Procedure EP 57_o; EC Treaty (after Amsterdam) EC 080-p2
Stage reached in procedure	Procedure completed

Documentation gateway

Legislative proposal		COM(2003)0001	13/01/2003	EC	Summary
Economic and Social Committee: opinion, report		CES0229/2003 OJ C 133 06.06.2003, p. 0023-0025	26/03/2003	ESC	
Economic and Social Committee: opinion, report		CES0401/2003	26/03/2003	ESC	
Committee report tabled for plenary, 1st reading/single reading		A5-0152/2003	30/04/2003	EP	
Text adopted by Parliament, 1st reading/single reading		T5-0364/2003 OJ C 076 25.03.2004, p. 0119-0172 E	03/09/2003	EP	Summary

Additional information

European Commission	EUR-Lex

Final act

Directive 2003/103
OJ L 326 13.12.2003, p. 0028-0031

Minimum level of training for seafarers: recognition of certificates issued by third countries

PURPOSE : to present a proposal for a Directive amending European Parliament and Council Directive 2001/25/EC on the minimum level of training of seafarers. CONTENT : the Commission proposes the improvement of the current procedure for the recognition of mariners' certificates of competency issued outside the Union through a system of Community-wide recognition of certificates from labour-supplying third countries. In addition, the Commission proposes to bring the provisions of the existing Directive on seafarers' training concerning language

requirements for certificates of competency and safety communications between the ship and the land-based authorities in line with the relevant international requirements. The main aim of the proposal is to amend an existing Directive, in order to strengthen and simplify certain aspects its provisions. Since the proposal is to revise an existing Directive, a Directive is the only possible form of Community measure. This proposal for a Directive puts forward an amendment to Directive 2001/25/EC in the following way, to: - improve, strengthen and simplify the current procedure for the recognition of certificates issued by third countries, by introducing a system of Community-wide recognition of third countries complying with the minimum requirements of the STCW Convention: The new procedure proposed by the Commission is based on the recognition of a third country, following the evaluation of maritime training and certification systems, rather than the recognition of an individual certificate, as is the case under the current procedure. According to the proposed procedure, the evaluation of the Member States' requests for recognition shall be carried out by the Commission, with the assistance of the European Maritime Safety Agency (the Agency). The decision on the recognition of a third country shall be taken by the Commission within three months from the date of the request for recognition. If granted, the recognition shall be valid for a period of five years. The Member State that submitted the request shall take appropriate measures to implement the decision. According to the Community approach, the decision, which will be taken at Community level, will then form the basis for the Member States' to recognise by endorsement certificates from this country without further evaluation. An annex details the criteria for the recognition of third countries that have issued a certificate or under the authority of which was issued a certificate. - introduce specific procedures for the extension and withdrawal of the Community-wide recognition of third countries, as well as the continuous monitoring of compliance of the third countries with the relevant requirements of the STCW Convention; - update the Directive as regards language requirements for certification of seafarers and communication between the ship and the shore-based authorities, in line with the relevant requirements of the STCW Convention and the International Convention for the safety of life at sea, 1974, as amended (SOLAS Convention); - provide for specific amendment procedures for adapting the Directive to future changes in Community law.?

Minimum level of training for seafarers: recognition of certificates issued by third countries

The committee adopted the report by Bernard POIGNANT (PES, F) broadly approving the proposal (under the 1st reading of the codecision procedure), subject to a number of mainly technical amendments aimed at clarifying and improving the text. The purpose of the amendments was as follows: - to simplify and clarify the procedure for issuing and extending recognitions; - to indicate clearly that certificates of competency issued before the directive enters into force remain valid; - to indicate clearly that certificates of competency issued before the withdrawal of any recognition will likewise remain valid; - to propose, with a view to increasing transparency, that a fraud-proof multilingual European certificate of conformity be established which would be issued by the European Maritime Safety Agency; - to propose a clear period (12 months after the directive's entry into force) for the Member States to implement the legislative proposals; - to ensure that, in order to avoid inequality of treatment and at the same time to satisfy the highest safety standards, non-EU nationals employed on ships flying the flag of a Member State have the same access to continuing training as EU crew members. Lastly, the committee called for the directive to be reviewed after five years in the light of new insights gained concerning the correlation between safety and the level of training of ships' crews.?

Minimum level of training for seafarers: recognition of certificates issued by third countries

The European Parliament adopted a resolution drafted by Bernard POIGNANT (PES, F) making some amendments to the Commission's proposal. (Please refer to the document dated 30/04/03.) The date of transposition, however, is changed to 18 months after entry into force of the legislation. Other amendments include: - if no decision is taken on recognition of the third country concerned within the prescribed period, the Member State submitting the request may decide to recognise the third country unilaterally until a decision is taken; - where there are indications that a particular maritime training establishment no longer complies with the requirements of the STCW Convention, the Commission will notify the country concerned that recognition of that country's certificates will be withdrawn in two months time unless measures are taken to ensure compliance with all the requirements of the Convention.?