

# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) <a href="#">2004/0098(COD)</a> Directive	Procedure completed
Mutual recognition of seafarers' certificates issued by the Member States Amending Directive 2001/25/EC <a href="#">2000/0131(COD)</a> Repealed by <a href="#">2018/0162(COD)</a>	
Subject 3.20.03 Maritime transport: passengers and freight 3.20.10 Transport undertakings, transport industry employees 4.15.06 Professional qualifications, recognition of qualifications 4.40.07 Recognition of diplomas, equivalence of studies and training	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>TRAN</b> Transport and Tourism	PSE <a href="#">EVANS Robert</a>	01/09/2004
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>EMPL</b> Employment and Social Affairs	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Transport, Telecommunications and Energy</a>	<a href="#">2671</a>	27/06/2005
	<a href="#">Transport, Telecommunications and Energy</a>	<a href="#">2629</a>	09/12/2004
European Commission	Commission DG Energy and Transport	Commissioner	

Key events			
26/04/2004	Legislative proposal published	<a href="#">COM(2004)0311</a>	Summary
15/09/2004	Committee referral announced in Parliament, 1st reading		
23/11/2004	Vote in committee, 1st reading		Summary
02/12/2004	Committee report tabled for plenary, 1st reading	<a href="#">A6-0057/2004</a>	
09/12/2004	Debate in Council	<a href="#">2629</a>	
22/02/2005	Debate in Parliament		
23/02/2005	Results of vote in Parliament		

23/02/2005	Decision by Parliament, 1st reading	<a href="#">T6-0043/2005</a>	Summary
27/06/2005	Act adopted by Council after Parliament's 1st reading		
07/09/2005	Final act signed		
07/09/2005	End of procedure in Parliament		
30/09/2005	Final act published in Official Journal		

### Technical information

Procedure reference	2004/0098(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Amending Directive 2001/25/EC <a href="#">2000/0131(COD)</a> Repealed by <a href="#">2018/0162(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 080-p2
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/6/22103

### Documentation gateway

Legislative proposal	<a href="#">COM(2004)0311</a>	26/04/2004	EC	Summary
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A6-0057/2004</a>	02/12/2004	EP	
Economic and Social Committee: opinion, report	<a href="#">CES1633/2004</a> <a href="#">OJ C 157 28.06.2005, p. 0053-0056</a>	15/12/2004	ESC	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T6-0043/2005</a> <a href="#">OJ C 304 01.12.2005, p. 0139-0253 E</a>	23/02/2005	EP	Summary
Commission response to text adopted in plenary	<a href="#">SP(2005)1076/2</a>	31/03/2005	EC	
Draft final act	<a href="#">03613/3/2005</a>	07/09/2005	CSL	
Follow-up document	SWD(2018)0018	10/01/2018	EC	
Follow-up document	SWD(2018)0019	10/01/2018	EC	

### Additional information

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

[Directive 2005/45](#)  
[OJ L 255 30.09.2005, p. 0160-0163](#) Summary

**PURPOSE :** to facilitate the recognition of certificates of seafarers issued by the Member States and ensure thorough compliance with the existing training, certification and watch keeping requirements within the European Union.

**PROPOSED ACT :** Directive of the European Parliament and of the Council.

**CONTENT :** there are two main reasons for submitting this proposal: first, the need to facilitate the recognition by all Member States of certificates of seafarers issued within the Union in accordance with the minimum requirements of Directive 2001/25/EC, as amended; and second, the need to ensure further thorough and continuous compliance with the existing requirements.

In addition, in its conclusions of 5 June 2003, the Council emphasised the need to foster the mobility of seafarers within the Union<sup>6</sup>, while both the European Parliament and the Council called for the need to confirm thorough respect by the Member States of the STCW requirements.

The Commission, therefore, puts forward specific provisions aimed at ensuring further full compliance with the existing training and certification requirements. The proposal provides for:

? the obligation for Member States to adopt measures to prevent and penalise fraudulent practices associated with certificates of seafarers, and

? the regular assessment of compliance of Member States with the requirements of

Directive 2001/25/EC, as amended.

## Mutual recognition of seafarers' certificates issued by the Member States

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The committee adopted the report by Robert EVANS (PES, UK) approving the proposal under the 1st reading of the codecision procedure, subject to a number of amendments designed to tighten up and clarify parts of the directive:

- Member States should keep up their efforts in the context of the IMO to achieve strict and enforceable agreements on the worldwide combating of fraud involving seafarers' certificates, given that non-EU vessels and crews not covered by the directive also enter European ports and so constitute a risk to safety at sea in the Union;

- a new paragraph should be inserted clarifying the requirements for recognition of certificates;

- MEPs tightened up the provisions relating to confirmation of the authenticity of seafarers' certificates so as to impose a clear requirement on Member States to supply a written confirmation - or denial - to the host country if it requests one;

- after 5 years, the Commission should submit an evaluation report to Parliament and the Council analysing Member States' compliance with the directive and, where necessary, proposing additional measures.

## Mutual recognition of seafarers' certificates issued by the Member States

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In adopting this resolution by Robert EVANS (PES, UK) by 619 votes in favour, 20 against, with 3 abstentions, Parliament welcomes Commission proposals on the recognition of seafarers' certificates as an important step towards more safety at sea and less fraud involving these certificates.

A range of compromise amendments were adopted. (Please refer to the summary dated 23/11/2004).

## Mutual recognition of seafarers' certificates issued by the Member States

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**PURPOSE:** The mutual recognition of seafarers' certificates issued by the Member States.

**LEGISLATIVE ACT:** Directive 2005/45/EC of the European Parliament and of the Council.

**CONTENT:** This Directive obliges Member States to recognise the seafarers' certificates, which have been issued by another Member State in accordance with Directive 2001/25/EC. Specifically, each Member State should permit a seafarer having acquired his/her certificate of competency in another Member State, satisfying the requirement of Directive 2001/25, to take up or to pursue the maritime profession for which he/she is qualified, without any prerequisites other than those imposed on its own national. At the same time, the amending Directive is introducing a requirement that the STCW Convention on language will be introduced into Community law.

**TRANSPOSITION:** 20/10/2007

**ENTRY INTO FORCE:** 20/10/2005.