

Procedure file

| Basic information | |
|---|---------------------------------------|
| COD - Ordinary legislative procedure (ex-codecision procedure) Directive | Procedure completed 2007/0257(COD) |
| Passenger ships: safety rules and standards. Recast Repealing Directive 98/18/EC 1996/0041(SYN) Amended by 2016/0170(COD) | |
| Subject 3.20.03 Maritime transport: passengers and freight 3.20.03.01 Maritime safety | |

| Key players | | | |
|-------------------------------|--|---|-------------------------|
| European Parliament | Committee responsible JURI Legal Affairs | Rapporteur PPE-DE SZÁJER József | Appointed 19/12/2007 |
| | Committee for opinion TRAN Transport and Tourism | Rapporteur for opinion The committee decided not to give an opinion. | Appointed |
| Council of the European Union | Council configuration Agriculture and Fisheries | Meeting 2937 | Date 23/04/2009 |
| European Commission | Commission DG Legal Service | Commissioner BARROSO José Manuel | |

| Key events | | | |
|------------|---|---|---------|
| 29/11/2007 | Legislative proposal published | COM(2007)0737 | Summary |
| 19/02/2008 | Committee referral announced in Parliament, 1st reading | | |
| 26/06/2008 | Vote in committee, 1st reading | | Summary |
| 08/07/2008 | Committee report tabled for plenary, 1st reading | A6-0300/2008 | |
| 21/10/2008 | Results of vote in Parliament |  | |
| 21/10/2008 | Decision by Parliament, 1st reading | T6-0498/2008 | Summary |
| 23/04/2009 | Act adopted by Council after Parliament's 1st reading | | |
| 06/05/2009 | Final act signed | | |
| 06/05/2009 | End of procedure in Parliament | | |

25/06/2009

Final act published in Official Journal

Technical information

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| Procedure reference | 2007/0257(COD) |
| Procedure type | COD - Ordinary legislative procedure (ex-codecision procedure) |
| Procedure subtype | Recast |
| Legislative instrument | Directive |
| | Repealing Directive 98/18/EC 1996/0041(SYN) Amended by 2016/0170(COD) |
| Legal basis | EC Treaty (after Amsterdam) EC 080-p2 |
| Stage reached in procedure | Procedure completed |
| Committee dossier | JURI/6/57063 |

Documentation gateway

| | | | | |
|---|--------------------------------|------------|-----|---------|
| For information | COM(2007)0740 | 23/11/2007 | EC | |
| Legislative proposal | COM(2007)0737 | 29/11/2007 | EC | Summary |
| Economic and Social Committee: opinion, report | CES0073/2008 | 16/01/2008 | ESC | |
| Committee draft report | PE407.768 | 06/06/2008 | EP | |
| Committee report tabled for plenary, 1st reading/single reading | A6-0300/2008 | 08/07/2008 | EP | |
| Text adopted by Parliament, 1st reading/single reading | T6-0498/2008 | 21/10/2008 | EP | Summary |
| Commission response to text adopted in plenary | SP(2008)6664 | 12/11/2008 | EC | |
| Draft final act | 03710/2008/LEX | 06/05/2009 | CSL | |

Additional information

| | |
|----------------------|-------------------------|
| National parliaments | IPEX |
| European Commission | EUR-Lex |

Final act

[Directive 2009/45](#)
[OJ L 163 25.06.2009, p. 0001](#) Summary

Delegated acts

| | |
|--------------------------------|------------------------------|
| 2019/2926(DEA) | Examination of delegated act |
| 2022/2501(DEA) | Examination of delegated act |

Passenger ships: safety rules and standards. Recast

PURPOSE: recast of Council Directive 98/18/EC on safety rules and standards for passenger ships.

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

CONTENT: the codification of Council Directive 98/18/EC has been initiated by the Commission. The new Directive was to have superseded the various acts incorporated in it.

In the meantime Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission has been amended by Decision 2006/512/EC, which introduced a regulatory procedure with scrutiny for measures of general scope designed to amend non-essential elements of a basic instrument adopted in accordance with the procedure referred to in Article 251 of the Treaty (co-decision procedure), including by deleting some of those elements or by supplementing the instrument by the addition of new non-essential elements.

In accordance with the joint statement of the European Parliament, the Council and the Commission on Decision 2006/512/EC, for this new procedure to be applicable to instruments adopted in accordance with the co-decision procedure which are already in force, those instruments must be adjusted in accordance with the applicable procedures.

The Commission feels that it is therefore appropriate to transform the codification of Directive 98/18/EC into a recast in order to incorporate the amendments necessary for the adjustment to the regulatory procedure with scrutiny.

On comitology, the new text states the following:

-power should be conferred on the Commission to adapt certain provisions of the Directive, as well as Annex I, to take account of developments at international level and specifically amendments to International Conventions. Since those measures are of general scope and are designed to amend non-essential elements of this Directive, they should be adopted in accordance with the regulatory procedure with scrutiny;

-the new elements introduced into the Directive only concern the committee procedures. They therefore do not need to be transposed by the Member States.

Passenger ships: safety rules and standards. Recast

The Committee on Legal Affairs adopted a report drafted by József SZÁJER (EPP-ED, HU), and approved, in 1st reading of the codecision procedure, the proposal for a directive of the European Parliament and of the Council on safety rules and standards for passenger ships (recast). Having consulted the sectoral committee responsible for this dossier, the Committee on Legal Affairs accepts the alignment to new provisions on comitology as proposed and does not propose any amendments, apart from the technical adaptations suggested by the Consultative Working Party of the Legal Services.

Passenger ships: safety rules and standards. Recast

The European Parliament adopted, by 662 votes to 12 with 11 abstentions, under 1st reading of the codecision procedure, a legislative resolution approving the proposal for a directive of the European Parliament and of the Council on safety rules and standards for passenger ships (recast). The report had been tabled for consideration in plenary by József SZÁJER (EPP-ED, HU), on behalf of the Legal Affairs Committee. The Commission proposal was approved as adapted to the recommendations of the Consultative Working Party of the Legal Services of the European Parliament, the Council and the Commission. According to the Consultative Working Party, the proposal in question does not include any substantive amendments other than those identified as such in the proposal and, as regards the codification of the unchanged provisions of the earlier acts together with those amendments, the proposal contains a straightforward codification of the existing texts, without any change in their substance.

Passenger ships: safety rules and standards. Recast

PURPOSE: to recast Council Directive 98/18/EC on safety rules and standards for passenger ships.

LEGISLATIVE ACT: Directive 2009/45/EC of the European Parliament and of the Council on safety rules and standards for passenger ships (Recast).

CONTENT: the codification of Council Directive 98/18/EC of 17 March 1998 was initiated by the Commission. The new Directive was to have superseded the various acts incorporated in it.

In the meantime Decision 1999/468/EC laying down the procedures for the exercise of implementing powers conferred on the Commission was amended by Decision 2006/512/EC, which introduced a regulatory procedure with scrutiny for measures of general scope designed to amend non-essential elements of a basic instrument adopted in accordance with the procedure referred to in Article 251 of the Treaty (co-decision procedure), including by deleting some of those elements or by supplementing the instrument by the addition of new non-essential elements.

In accordance with the joint statement of the European Parliament, the Council and the Commission on Decision 2006/512/EC, for this new procedure to be applicable to instruments adopted in accordance with the co-decision procedure which are already in force, those instruments must be adjusted in accordance with the applicable procedures.

In particular, the Commission should be empowered to adapt certain provisions of this Directive, including its Annexes, to take account of developments at international level and specifically amendments to International Conventions. Since those measures are of general scope and are designed to amend non-essential elements of this Directive, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Therefore, the aim of this Directive is to transform the codification of Directive 98/18/EC into a recast in order to incorporate the amendments necessary for the adjustment to the regulatory procedure with scrutiny.

