

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2018/0139(COD) Procedure completed
European maritime single window environment Repealing Directive 2010/65/EU 2009/0005(COD)	
Subject 3.20.03 Maritime transport: passengers and freight 3.20.09 Ports policy	

Key players				
European Parliament	Committee responsible	Rapporteur	Appointed	
	TRAN Transport and Tourism		05/07/2018	
		 CLUNE Deirdre		
		Shadow rapporteur		
		 FLECKENSTEIN Knut		
		 FOSTER Jacqueline		
		 MEISSNER Gesine		
		 DELLI Karima		
Council of the European Union	Council configuration	Meeting	Date	
	Employment, Social Policy, Health and Consumer Affairs	3698	13/06/2019	
	Transport, Telecommunications and Energy	3658	03/12/2018	
European Commission	Commission DG Mobility and Transport	Commissioner ŠEFČOVIČ Maroš		
European Economic and Social Committee European Committee of the Regions				

Key events			
17/05/2018	Legislative proposal published	COM(2018)0278	Summary
11/06/2018	Committee referral announced in Parliament, 1st reading		

10/01/2019	Vote in committee, 1st reading		
10/01/2019	Committee decision to open interinstitutional negotiations with report adopted in committee		
14/01/2019	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71)		
16/01/2019	Committee report tabled for plenary, 1st reading	A8-0006/2019	
16/01/2019	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71)		
04/03/2019	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE636.153 GEDA/A/(2019)001439	
18/04/2019	Results of vote in Parliament		
18/04/2019	Debate in Parliament		
18/04/2019	Decision by Parliament, 1st reading	T8-0434/2019	Summary
13/06/2019	Act adopted by Council after Parliament's 1st reading		
20/06/2019	Final act signed		
20/06/2019	End of procedure in Parliament		
25/07/2019	Final act published in Official Journal		

Technical information

Procedure reference	2018/0139(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealing Directive 2010/65/EU 2009/0005(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 100-p2
Other legal basis	Rules of Procedure EP 159
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/8/13147

Documentation gateway

Legislative proposal	COM(2018)0278	17/05/2018	EC	Summary
Document attached to the procedure	SWD(2018)0181	17/05/2018	EC	
Document attached to the procedure	SWD(2018)0182	17/05/2018	EC	
Committee draft report	PE628.380	15/10/2018	EP	

Economic and Social Committee: opinion, report	CES3005/2018	17/10/2018	ESC	
Amendments tabled in committee	PE629.524	21/11/2018	EP	
Committee report tabled for plenary, 1st reading/single reading	A8-0006/2019	16/01/2019	EP	
Coreper letter confirming interinstitutional agreement	GEDA/A/(2019)001439	15/02/2019	CSL	
Text agreed during interinstitutional negotiations	PE636.153	25/02/2019	EP	
Text adopted by Parliament, 1st reading/single reading	T8-0434/2019	18/04/2019	EP	Summary
Draft final act	00038/2019/LEX	20/06/2019	CSL	
Commission response to text adopted in plenary	SP(2019)440	08/08/2019	EC	

Additional information

Research document

[Briefing](#)

Final act

[Regulation 2019/1239](#)

[OJ L 198 25.07.2019, p. 0064](#) Summary

Delegated acts

[2022/2927\(DEA\)](#)

Examination of delegated act

European maritime single window environment

PURPOSE: to facilitate maritime transport and further reduce the administrative burden on shipping companies.

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

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: maritime transport operators face a wide range of legal reporting requirements each time a ship arrives in or leaves a port (a port call). Over two million port calls are made annually in the EU. Shipping sector staff currently spend an annual total of about 4.6 million hours on reporting.

The evaluation conducted in 2016-2017 as part of the fitness check on the Maritime Transport Policy found that [Directive 2010/65/EU](#) was not sufficiently effective or efficient, although its objectives remained very relevant. The conclusion was that there was considerable scope for further simplification and for reducing the administrative burden on shipping operators.

Three problems were identified:

- a lack of harmonisation between the maritime National Single Windows for ship reporting;
- the current system for coordinating reporting via National Single Windows only brings together some of the legal reporting obligations faced by ships;
- there is an inefficient data-sharing environment in most Member States and within the EU as a whole.

The Commission therefore proposes to facilitate reporting formalities in the maritime sector. This initiative is part of the Third Europe on the Move Package, which delivers on the new industrial policy strategy of September 2017 and is designed to complete the process of enabling Europe to reap the full benefits of the modernisation of mobility.

IMPACT ASSESSMENT: the preferred option (ensuring a harmonised reporting system, while respecting the National Single Windows) is expected to result in a total additional cost of EUR 29.4 million between 2020 and 2030 and a saving of 22-25 million working hours over the same period. This option offers the greatest benefit at an acceptable cost.

CONTENT: the proposal for a Regulation repealing Directive 2010/65/EU establishes a framework for a harmonised and interoperable European Maritime Single Window environment (EMSWe), based on National Single Windows, in order to facilitate electronic transmission of information in relation to reporting obligations for ships arriving and staying in and departing from a Union port.

By developing binding technical interface specifications, adopting common data requirements and processes, and establishing clear rules and rights for submission and sharing of information, a simplified reporting environment will be achieved. The result is that the shipping operators

will be able to report the same data set in the same way regardless of where they go, if they choose to use the harmonised reporting entry point.

This proposal will also improve interoperability and interconnection between the relevant systems, thus enabling data to be shared and reused more efficiently, as appropriate and contribute to increased efficiency of digital reporting for maritime operators by facilitating data sharing/reuse for the application of the reporting only once principle.

BUDGET IMPLICATIONS: the expected costs of IT services and IT system development are up to EUR 13.5 million over the 11 years from 2020 to 2030. The Commission proposes that its costs be covered by the budget line Support activities to the European transport policy and passenger rights including communication activities (budget reference 06.02.05).

European maritime single window environment

The European Parliament adopted by 508 votes to 24, with 19 abstentions, a legislative resolution on the proposal for a Regulation of the European Parliament and of the Council establishing a European Maritime Single Window environment and repealing Directive 2010/65/EU.

The European Parliaments position adopted at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

Objective of the Regulation

This Regulation establishes a framework for a technologically neutral and interoperable European Maritime Single Window environment (EMSWe) with harmonised interfaces, in order to facilitate the electronic transmission of information in relation to reporting obligations for ships arriving at, staying in and departing from a Union port.

The main aim of this Regulation is to:

- lay down harmonised rules for the provision of the information that is required for port calls, in particular by ensuring that the same data sets can be reported to each maritime National Single Window in the same way;
- facilitate the transmission of information between declarants, relevant authorities and the providers of port services in the port of call, and other Member States.

The Commission may adopt delegated acts to amend the Annex to the Regulation to introduce, delete or adapt references to national legislation or requirements, international or Union legal acts and to establish and amend the EMSWe data set.

Adding new obligations

A Member State may only introduce new reporting obligations if the Commission has given its agreement and the corresponding information has been integrated into the EMSWe data set and applied in the harmonised reporting interfaces. Amendments to the EMSWe data set shall only be introduced once a year, except in duly justified cases.

In exceptional circumstances, a Member State may ask declarants to provide additional data elements without the approval of the Commission during a period of less than three months. The Member State shall notify those data elements to the Commission without delay. The Commission may allow the Member State to continue to request the additional data elements for two further periods of three months if the exceptional circumstances persist.

Maritime National Single Window

Member States may jointly establish a maritime single window with one or more other Member States. Those Member States shall designate that maritime single window as their maritime National Single Window, and shall remain responsible for its operation in accordance with this Regulation.

Member States which do not have maritime ports shall be exempted from the obligation to develop, establish, operate and make available a maritime National Single Window.

The Member States shall ensure:

- the compatibility of the maritime National Single Window with the harmonised reporting interface module and adherence of the graphical user interface of their maritime National Single Window to the common functionalities;
- the timely integration of the harmonised reporting interfaces;
- a connection with the relevant systems of competent authorities, to enable the transfer of data to be reported to those authorities, through the maritime National Single Window;
- the provision of a helpdesk during the first 12 months from the date of application of this Regulation, and an online support website for their maritime National Single Window with clear instructions in the official language(s) of that Member State and, where relevant, in a language that is internationally used;
- the provision of adequate and necessary training for staff who are directly involved in the operation of the maritime National Single Window;
- make available to the public the estimated and actual arrival and departure times of ships in an electronic format harmonised at EU level on the basis of data provided by declarants to the national maritime one-stop shop.

Harmonised Reporting Interfaces

The Commission shall, in close cooperation with the Member States, adopt implementing acts laying down the functional and technical specifications for the harmonised reporting interface module for the maritime National Single Windows.

No later than three years after the entry into force of the Regulation, the Commission should develop and subsequently update the harmonised reporting interface module for the maritime National Single Windows.

Databases

The Commission shall also establish:

- a EMSWe ship database containing a list of ship identification information and particulars, as well as records on ship reporting exemptions;
- a common location database that contains a reference list of location codes and port facility codes, as registered in the IMO database GISIS;
- a common Hazmat database containing a list of dangerous and polluting goods that must be notified;
- a common ship sanitation database that is able to receive and store data related to the Maritime Declarations of Health under Article 37 of the International Health Regulations 2005 (IHR). Personal data relating to ill persons on board ships shall not be stored on that database.

Once-only principle

Member States shall ensure that the declarant is requested to provide the information pursuant to this Regulation only once per port call, and that the relevant data elements of the EMSWe data set are made available and reused.

European maritime single window environment

PURPOSE: to reduce administrative formalities for ships by creating a European maritime single window.

LEGISLATIVE ACT: Regulation (EU) 2019/1239 of the European Parliament and of the Council establishing a European Maritime Single Window environment and repealing Directive 2010/65/EU.

CONTENT: the Regulation establishes a framework for a technologically neutral and interoperable European Maritime Single Window environment (EMSWe) with harmonised interfaces, in order to facilitate the electronic transmission of information in relation to reporting obligations for ships arriving at, staying in and departing from a Union port.

Both the European Parliament and the Council have frequently called for more interoperability and more comprehensive and user-friendly communication and information flows to improve the functioning of the internal market and to meet the needs of citizens and businesses.

Consolidation of all reporting formalities associated with a port call

The main aim of this Regulation is to lay down harmonised rules for the provision of the information that is required for port calls, in particular by ensuring that the same data sets can be reported to each maritime National Single Window in the same way. This Regulation also aims to facilitate the transmission of information between declarants, relevant authorities and the providers of port services in the port of call, and other Member States.

Modification of the EMSWe data set

The application of this Regulation should not alter the time frames for, or the substance of, reporting obligations, and should not affect the subsequent storage and processing of information at Union level or at national level.

A Member State may only introduce new reporting obligations if the Commission has given its agreement and the corresponding information has been integrated into the EMSWe data set and applied in the harmonised reporting interfaces. Changes to the EMSWe data set may only be introduced once a year, except in duly justified cases.

Maritime National Single Window

The new Regulation maintains the existing maritime National Single Window in each Member State shall be maintained as the basis for a technologically neutral and interoperable European Maritime Single Window environment (EMSWe). The maritime National Single Window shall constitute a comprehensive reporting entry point for maritime transport operators, performing the functionalities of data collection from the declarants and data distribution to all relevant competent authorities and providers of port services.

The Commission shall adopt implementing acts establishing the technical and functional specifications of the harmonised reporting interface module of the national single maritime counters. This shall improve interoperability between the different systems.

Once-only principle

Member States shall ensure that the declarant is requested to provide the information pursuant to this Regulation only once per port call, and that the relevant data elements of the EMSWe data set are made available and reused.

Common services

The Commission shall establish:

- a common access management and user registry system for declarants and data service providers that use the maritime National Single Window, as well as for national authorities that access the maritime National Single Window in cases where authentication is required;
- an additional and optional common addressing service, provided that the harmonised reporting interface module has been fully implemented;
- an EMSWe vessel database containing a list of vessel identification information and characteristics as well as records on ship reporting exemptions;
- a common location database containing a reference list of location codes and port facility codes listed in the IMO database GISIS;
- a common Hazmat database containing a list of dangerous and polluting goods that must be notified;
- a common ship sanitation database that is able to receive and store data on maritime declarations of health. Personal data relating to sick people on board ships shall not be stored on that database.

ENTRY INTO FORCE: 14.8.2019.

