

Registration of persons sailing on board passenger ships operating to or from ports of the Member States: simplification

2016/0171(COD) - 21/04/2017 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Transport and Tourism adopted the report by Izaskun BILBAO BARANDICA (ADLE, ES) on the proposal for a directive of the European Parliament and of the Council amending Council Directive 98/41/EC on the registration of persons sailing on board passenger ships operating to or from ports of the Member States of the Community and amending Directive 2010/65/EU of the European Parliament and of the Council on reporting formalities for ships arriving in and/or departing from ports of the Member States.

As a reminder, the proposal to amend Directive 98/41/EC introduces a requirement for the digital registration and notification of passenger data by means of harmonised administrative procedures (the National Single Window) established under Directive 2010/65/EU) in order to facilitate emergency search and rescue operations.

The committee recommended that the European Parliaments position adopted at first reading, following the ordinary legislative procedure, should amend the Commission proposal as follows:

Digital notification of the number of passengers on board: Members supported the digital notification that the Commission suggests should be made via the National Single Window where the journey concerned exceeds 20 miles. However, a certain amount of flexibility needs to be provided for operators of shorter routes. In this respect, Members proposed that until two years after the entry into force of this Amending Directive, the number of persons on board may be made available to the designated authority by means of another electronic system, provided that that system is approved by the Member State.

Information recorded by every passenger ship: in order to properly identify people on a large passenger ship, the following information shall also be recorded:

- date of birth;
- a contact number in case of an emergency, when the passenger so requests;
- information concerning special care or assistance that might be needed in an emergency.

That information shall be collected before departure and recorded in the single window upon the passenger ships departure but in no case later than 10 minutes after its departure (and not 30 minutes as proposed by the Commission).

Once the registration procedures have been completed, passengers should always be supplied with information on safety measures on the vessels and on action to be taken in the event of an emergency.

Exemption: Member States from whose ports ships depart may exempt passenger ships operating, exclusively in protected sea areas, regular services of less than one hour between port calls.

Data protection: personal data collected to facilitate search and rescue operations and the efficient handling of the aftermath of an accident should not be further processed or used for any other purpose and should not be retained longer than necessary and shall be without prejudice to other specific reporting obligations under Union or national law. Personal data should therefore be destroyed automatically and without undue delay once a ship's voyage has been safely completed or, as applicable, when an investigation or a judicial proceeding taking place during the aftermath of an accident or emergency has been concluded.

Each company shall implement appropriate technical and organisational measures to protect personal data processed against accidental or unlawful destruction or accidental loss, alteration, unauthorised disclosure of, or access to personal data stored, transmitted or otherwise processed.

Delegated acts: Members proposed that the power to adopt delegated acts shall be conferred on the Commission for a period of five years, which may be extended, from the date of entry into force of the Directive.

Evaluation: the Commission shall evaluate the implementation of this Directive and submit the results of the evaluation to the European Parliament and the Council no later than two years (instead of seven) after the date referred to in the second subparagraph of Article 3(1).