Part III – Appendices

DIRECTIVE 2002/59/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 27 June 2002

establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2) thereof,

Having regard to the proposal from the Commission ([1]),

Having regard to the Opinion of the Economic and Social Committee ([2]),

Having regard to the opinion of the Committee of the Regions ([3]),

Acting in accordance with the procedure indicated in Article 251 of the Treaty ([4]),

Whereas:

(1) In its communication of 24 February 1993 on a common policy on safe seas, the Commission indicated that one objective at Community level was the introduction of a mandatory information system to give Member States rapid access to all important information relating to the movements of ships carrying dangerous or polluting materials and to the precise nature of their cargo.

(2) Council Directive 93/75/EEC of 13 September 1993 concerning minimum requirements for vessels bound for or leaving Community ports and carrying dangerous or polluting goods ([5]) introduced a system whereby the competent authorities receive information regarding ships bound for or leaving a Community port and carrying dangerous or polluting goods, and regarding incidents at sea. That Directive requires the Commission to produce new proposals for the introduction of a fuller reporting system for the Community, possibly covering ships transiting along the coasts of Member States.

(3) The Council Resolution of 8 June 1993 on a common policy on safe seas ([6]) agreed that the main objectives of Community action included the adoption of a fuller information system.

(4) Setting up a Community vessel traffic monitoring and information system should help to prevent accidents and pollution at sea and to minimise their impact on the marine and coastal environment, the economy and the health of local communities. The efficiency of maritime traffic, and in particular of the management of ships' calls into ports, also depends on ships giving sufficient advance notice of their arrival.

(5) Several mandatory ship reporting systems have been set up along Europe's coasts, in accordance with the relevant rules adopted by the International Maritime Organisation (IMO). It ought to be ensured that ships comply with the reporting requirements in force under these systems.

(6) Vessel traffic services and ships' routing systems have also been introduced and are playing an important part in the prevention of accidents and pollution in certain shipping areas which are congested or hazardous for shipping. It is necessary that ships use vessel traffic services and that they follow the rules applicable to ships' routing systems approved by the IMO.

(7) Key technological progress has been made in the area of on-board equipment allowing automatic identification of ships (AIS systems) for enhanced ship monitoring, as well as voyage data recording (VDR systems or 'black boxes') to facilitate investigations following accidents. Given its importance in the formulation of a policy to prevent shipping accidents, such equipment should be made compulsory on board ships making national or international voyages which call at Community ports. The data provided by a VDR system can be used both

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([1]) OJ C 120 E, 24.4.2001, p. 67 and
    OJ C 362 E, 18.12.2001, p. 255.
([2]) OJ C 221, 7.8.2001, p. 54.
([3]) OJ C 357, 14.12.2001, p. 1.
([4]) Opinion of the European Parliament of 14 June 2001 (OJ C 53 E, 28.2.2002, p. 304), Council Common Position of 19 December 2001 (OJ C 58 E, 5.3.2002, p. 14) and Decision of the European Parliament of 10 April 2002 (not yet published in the Official Journal). Council Decision of 25 June 2002.
([5]) OJ L 247, 5.10.1993, p. 19. Directive as last amended by Commission Directive 98/74/EC (OJ L 276, 13.10.1998, p. 7).

([6]) OJ C 271, 7.10.1993, p. 1.

DIRECTIVE 2009/17/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 23 April 2009

amending Directive 2002/59/EC establishing a Community vessel traffic monitoring and information system

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 80(2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee (¹),

Having regard to the opinion of the Committee of the Regions (²),

Acting in accordance with the procedure laid down in Article 251 of the Treaty (³), in the light of the joint text approved by the Conciliation Committee on 3 February 2009,

Whereas:

(1) With the adoption of Directive 2002/59/EC of the European Parliament and of the Council (⁴), the European Union reinforced its capacity for preventing situations posing a threat to the safety of human life at sea and to the protection of the marine environment.

(2) Since this Directive concerns the amendment of Directive 2002/59/EC, most of the obligations it contains will not be applicable to Member States without sea shores and sea ports. Consequently, the only obligations which will be applicable to Austria, the Czech Republic, Hungary, Luxembourg or Slovakia are those obligations concerning ships flying the flag of those Member States, without prejudice to Member States' duty of cooperation to ensure continuity between maritime and other modal traffic management services, in particular river information services.

(3) Under this Directive Member States that are coastal States should be able to exchange information, which they gather in the course of maritime traffic monitoring missions, which they carry out in their areas of competence. The Community maritime information exchange system 'SafeSeaNet', developed by the Commission in agreement with the Member States, comprises, on the one hand, a data exchange network and, on the other hand, a standardisation of the main information available on ships and their cargo (advance notice and reporting). It thus makes it possible to locate at source and communicate to any authority accurate and up-to-date information on ships in European waters, their movements and their dangerous or polluting cargoes, as well as marine incidents.

(4) Accordingly, in order to guarantee operational use of the information gathered in this way, it is essential that the infrastructure necessary for the data collection and exchange referred to in this Directive and implemented by the national administrations be integrated into the SafeSeaNet.

(5) Of the information notified and exchanged pursuant to Directive 2002/59/EC, that concerning the precise characteristics of dangerous or polluting goods carried by sea is particularly important. Accordingly, and in the light of recent maritime accidents, coastal authorities should be allowed easier access to the characteristics of the hydrocarbons being carried by sea, an essential factor in choosing the most suitable control techniques, and, in an emergency, provided with a direct link with those operators who have the best knowledge of the goods being carried.

(6) The automatic ship identification systems (AIS – Automatic Identification System) referred to in the International Convention for the Safety of Life at Sea of 1 November 1974 make it possible not only to improve the possibilities of monitoring these ships but above all to make them safer in close navigation situations. AIS have accordingly been integrated into the enacting terms of Directive 2002/59/EC. Considering the large number of collisions involving fishing vessels that have clearly not been seen by merchant ships or which have not seen the merchant ships around them, extension of that measure to include fishing vessels with a length of more than 15 metres is very much to be desired. In the framework of the European Fisheries Fund, financial assistance may be provided for the fitting on board of fishing vessels of safety equipment such as AIS. The International Maritime Organisation (IMO) has

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(Legislative acts)

DIRECTIVES

DIRECTIVE 2010/65/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 20 October 2010

on reporting formalities for ships arriving in and/or departing from ports of the Member States and repealing Directive 2002/6/EC

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) thereof,

Having regard to the proposal from the European Commission,

Having regard to the opinion of the European Economic and Social Committee [1],

Having regard to the opinion of the Committee of the Regions [2],

Acting in accordance with the ordinary legislative procedure [3],

Whereas:

(1) Directive 2002/6/EC of the European Parliament and of the Council of 18 February 2002 on reporting formalities for ships arriving in and/or departing from ports of the Member States of the Community [4] requires Member States to accept certain standardised forms (FAL forms) in order to facilitate traffic, as defined by the International Maritime Organisation (IMO) Convention on Facilitation of International Maritime Traffic (FAL Convention), adopted on 9 April 1965, as amended.

(2) For the facilitation of maritime transport and in order to reduce the administrative burdens for shipping companies, the reporting formalities required by legal acts of the Union and by Member States need to be simplified and harmonised to the greatest extent possible. However, this Directive should be without prejudice to the nature and content of the information required, and should not introduce any additional reporting requirements for ships not already under such obligation according to legislation applicable in Member States. It should deal solely with how the information procedures can be simplified and harmonised, and how the information could be gathered more effectively.

(3) The transmission of data required upon arrival in and/or departure from ports under Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues [5], Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system [6], Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security [7], Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control [8], and, where appropriate, the International Maritime Dangerous Goods Code adopted in 1965, with the amendments thereto adopted and having entered into force, covers the information required by FAL forms. Therefore, where that information corresponds to the requirements in the above-mentioned legal acts, FAL forms should be accepted for providing it.

(4) In view of the global dimension of maritime transport, legal acts of the Union must take account of IMO requirements if simplification is to take place.

(5) Member States should deepen the cooperation between the competent authorities, such as their customs, border control, public health and transport authorities in order to continue to simplify and harmonise reporting formalities within the Union and make the most

efficient use of electronic data transmission and information exchange systems, with a view to the, as far as possible, simultaneous elimination of barriers to maritime transport and the achievement of a European maritime transport space without barriers.

(6) Detailed statistics on maritime transport should be available to assess the efficiency of and the need for policy measures aiming at facilitating maritime traffic within the Union, taking into account the need not to create unnecessary additional requirements with regard to the collection of statistics by the Member States and to make full use of Eurostat. For the purposes of this Directive, it would be important to collect relevant data concerning ship traffic within the Union and/or ships calling at third country ports or in free zones.

(7) It should be easier for shipping companies to benefit from the status of 'authorised regular shipping service' in line with the objective of the Commission communication of 21 January 2009 entitled 'Communication and action plan with a view to establishing a European maritime transport space without barriers'.

(8) Widespread use should be made of electronic means of data transmission for all reporting formalities as soon as possible and by 1 June 2015 at the latest, building on the international standards developed by the FAL Convention, whenever practicable. In order to streamline and accelerate the transmission of potentially very large amounts of information, electronic formats for reporting formalities should be used, whenever practicable. Within the Union, the provision of information in FAL forms in paper format should be the exception and should be accepted only for a limited period of time. Member States are encouraged to use administrative means, including economic incentives, to promote the use of electronic formats. For the above-mentioned reasons exchange of information between the competent authorities of the Member States should take place electronically. In order to facilitate such a development, electronic systems need to be technically interoperable to a greater extent and as far as possible by the same deadline to ensure the smooth functioning of the European maritime transport space without barriers.

(9) Parties involved in trade and transport should be able to lodge standardised information and documents via an electronic single window to fulfil reporting formalities. Individual data elements should only be submitted once.

(10) The SafeSeaNet systems established at national and Union level should facilitate the reception, exchange and distribution of information between the information systems of Member States on maritime activity. To facilitate maritime transport and to reduce the administrative burdens for maritime transport, the SafeSeaNet system should be interoperable with other systems of the Union for reporting formalities. The SafeSeaNet system should be used for additional exchange of information for the facilitation of maritime transport. Reporting formalities regarding information for solely national purposes should not need to be introduced in the SafeSeaNet system.

(11) When adopting new Union measures, it should be ensured that Member States can maintain the electronic transmission of data and are not required to use paper formats.

(12) The full benefits of electronic data transmission can only be achieved where there is smooth and effective communication between SafeSeaNet, e-Customs and the electronic systems for entering or calling up data. To that end, in order to limit the administrative burdens, recourse should be had in the first instance to the applicable standards.

(13) FAL forms are regularly updated. This Directive should therefore refer to the version of these forms that is currently in force. Any information required by Member States' legislation which goes beyond the requirements of the FAL Convention should be communicated in a format to be developed on the basis of FAL Convention standards.

(14) This Directive should not affect Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (1), Commission Regulation (EEC) No 2454/93 of 2 July 1993 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code (2), Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) (3), or national legislation in the area of border control for those Member States which do not apply the Schengen border control *acquis*, and Regulation (EC) No 450/2008 of the European Parliament and of the Council of 23 April 2008 laying down the Community Customs Code (Modernised Customs Code) (4).

(15) In the interest of making the electronic transmission of information standard and for the facilitation of maritime transport, Member States should extend the use of electronic means of transmitting data according to an adequate timetable, and should, in cooperation with the Commission, discuss the possibility of harmonising the use of electronic means of transmitting data. To this end, consideration should be given to the work of the High Level Steering Group for the SafeSeaNet system as regards the SafeSeaNet road map, when adopted, and to the concrete funding requirements and respective allocation of Union financial means for the development of electronic transmission of data.

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(1) OJ L 302, 19.10.1992, p. 1.
(2) OJ L 253, 11.10.1993, p. 1.
(3) OJ L 105, 13.4.2006, p. 1.
(4) OJ L 145, 4.6.2008, p. 1.

(16) Ships operating between ports situated in the customs territory of the Union should be exempt from the obligation to send the information referred to in the FAL forms, where the ships do not come from, call at or are headed towards a port situated outside that territory or a free zone subject to type I controls within the meaning of customs legislation, without prejudice to the applicable legal acts of the Union and the information Member States may request in order to protect internal order and security and to enforce customs, fiscal, immigration, environmental or sanitary laws.

(17) Exemptions from administrative formalities should also be permitted on the basis of the ship's cargo, not merely on the basis of its destination and/or place of departure. This is necessary to ensure that additional formalities for ships that have called at a port in a third country or a free zone are minimised. The Commission should examine this issue within the framework of the report to the European Parliament and the Council on the functioning of this Directive.

(18) A new temporary form should be introduced in order to harmonise the information required for the prior Declaration of Security provided for by Regulation (EC) No 725/2004.

(19) National language requirements are often an obstacle to the development of the coastal shipping network. The Member States should make all possible efforts to facilitate written and oral communication in maritime traffic between Member States, in accordance with international practice, with a view to finding common means of communication.

(20) The Commission should be empowered to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union in respect of the Annex to this Directive. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level.

(21) The various legal acts of the Union requiring, for example, pre-notification formalities at the entry into ports, such as Directive 2009/16/EC, may impose different time limits for the accomplishment of these pre-notification formalities. The Commission should examine the possibility of shortening and harmonising these time-limits, taking advantage of ongoing progress in electronic data processing in the framework of the report to the European Parliament and the Council on the functioning of this Directive which should contain, if appropriate, a legislative proposal.

(22) Within the framework of the report to the European Parliament and the Council on the functioning of this Directive, the Commission should consider how far the purpose of this Directive, namely the simplification of administrative formalities for ships arriving in and/or departing from ports of the Member States, should be extended to the areas inland of those ports, particularly to river transport, with a view to the quicker and smoother movement of maritime traffic inland and a lasting solution to congestion in and around seaports.

(23) Since the objectives of this Directive, in particular to facilitate maritime transport in a harmonised way across the Union, cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale and effects of the action, be better achieved at Union level, the Union may take measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.

(24) According to the case-law of the Court of Justice of the European Union, where transposition of a directive is pointless for reasons of geography, this transposition is not mandatory. Therefore, requirements foreseen in this Directive are not relevant for Member States which do not have any ports at which ships falling under the scope of this Directive normally can call.

(25) The measures stipulated in this Directive help achieve the objectives of the Lisbon Agenda.

(26) Access to SafeSeaNet and to other electronic systems should be regulated in order to protect commercial and confidential information and without prejudice to the applicable law on the protection of commercial data and, in respect of personal data, Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data [1] and to Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data [2]. The Member States and the Union institutions and bodies should pay particular attention to the need to protect commercial and confidential information through appropriate access control systems.

(27) In accordance with point 34 of the Interinstitutional Agreement on better law-making [3], Member States are encouraged to draw up, for themselves and in the interest of the Union, their own tables, which will, as far as possible, illustrate the correlation between this Directive and the transposition measures, and to make them public.

(28) In the interest of clarity, Directive 2002/6/EC should be replaced by this Directive,

[1] OJ L 281, 23.11.1995, p. 31.
[2] OJ L 8, 12.1.2001, p. 1.
[3] OJ C 321, 31.12.2003, p. 1.

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Subject matter and scope

1.   The purpose of this Directive is to simplify and harmonise the administrative procedures applied to maritime transport by making the electronic transmission of information standard and by rationalising reporting formalities.

2.   This Directive shall apply to the reporting formalities applicable to maritime transport for ships arriving in and ships departing from ports situated in Member States.

3.   This Directive shall not apply to ships exempted from reporting formalities.

Article 2

Definitions

For the purposes of this Directive, the following definitions shall apply:

(a) 'reporting formalities' means the information set out in the Annex which, in accordance with the legislation applicable in a Member State, must be provided for administrative and procedural purposes when a ship arrives in or departs from a port in that Member State;

(b) 'FAL Convention' means the IMO Convention on Facilitation of International Maritime Traffic, adopted on 9 April 1965, as amended;

(c) 'FAL forms' means the standardised forms, as provided for in the FAL Convention;

(d) 'ship' means any seagoing vessel or craft;

(e) 'SafeSeaNet' means the Union maritime information exchange system as defined in Directive 2002/59/EC;

(f) 'electronic transmission of data' means the process of transmitting information that has been encoded digitally, using a revisable structured format which can be used directly for storage and processing by computers.

Article 3

Harmonisation and coordination of reporting formalities

1.   Each Member State shall take measures to ensure that the reporting formalities are requested in a harmonised and coordinated manner within that Member State.

2.   The Commission shall, in cooperation with the Member States, develop mechanisms for the harmonisation and coordination of reporting formalities within the Union.

Article 4

Notification prior to arrival into ports

Subject to specific provisions on notification provided for in the applicable legal acts of the Union or under international legal instruments applicable to maritime transport and binding on the Member States, including provisions on control of persons and goods, Member States shall ensure that the master or any other person duly authorised by the operator of the ship provides notification, prior to arriving in a port situated in a Member State, of the information required under the reporting formalities to the competent authority designated by that Member State:

(a) at least 24 hours in advance; or

(b) at the latest, at the time the ship leaves the previous port, if the voyage time is less than 24 hours; or

(c) if the port of call is not known or it is changed during the voyage, as soon as this information is available.

Article 5

Electronic transmission of data

1.   Member States shall accept the fulfilment of reporting formalities in electronic format and their transmission via a single window as soon as possible and in any case no later than 1 June 2015.

This single window, linking SafeSeaNet, e-Customs and other electronic systems, shall be the place where, in accordance with this Directive, all information is reported once and made available to various competent authorities and the Member States.

2.   Without prejudice to the relevant format set out in the FAL Convention, the format referred to in paragraph 1 shall comply with Article 6.

3.   Where reporting formalities are required by legal acts of the Union and to the extent necessary for the good functioning of the single window established pursuant to paragraph 1, the electronic systems referred to in paragraph 1 must be interoperable, accessible and compatible with the SafeSeaNet system established in accordance with Directive 2002/59/EC and, where applicable, with the computer systems stipulated in Decision No 70/2008/EC of the European Parliament and of the Council of 15 January 2008 on a paperless environment for customs and trade (¹).

4.   Without prejudice to specific provisions on customs and border control set out in Regulation (EEC) No 2913/92 and Regulation (EC) No 562/2006, Member States shall consult economic operators and inform the Commission of progress made using the methods stipulated in Decision No 70/2008/EC.

Article 6

Exchange of data

1.   Member States shall ensure that information received in accordance with the reporting formalities provided in a legal act of the Union is made available in their national SafeSeaNet systems and shall make relevant parts of such information available to other Member States via the SafeSeaNet system. Unless otherwise provided by a Member State, this shall not apply to information received pursuant to Regulation (EEC) No 2913/92, Regulation (EEC) No 2454/93, Regulation (EC) No 562/2006 and Regulation (EC) No 450/2008.

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(¹) OJ L 23, 26.1.2008, p. 21.

2. Member States shall ensure that the information received in accordance with paragraph 1 is accessible, upon request, to the relevant national authorities.

3. The underlying digital format of the messages to be used within national SafeSeaNet systems in accordance with paragraph 1 shall be established in accordance with Article 22a of Directive 2002/59/EC.

4. Member States may provide relevant access to the information referred to in paragraph 1 either through a national single window via an electronic data exchange system or through the national SafeSeaNet systems.

Article 7

Information in FAL forms

Member States shall accept FAL forms for the fulfilment of reporting formalities. Member States may accept that information required in accordance with a legal act of the Union is provided in a paper format until 1 June 2015 only.

Article 8

Confidentiality

1. Member States shall, in accordance with the applicable legal acts of the Union or national legislation, take the necessary measures to ensure the confidentiality of commercial and other confidential information exchanged in accordance with this Directive.

2. Member States shall take particular care to protect commercial data collected under this Directive. In respect of personal data, Member States shall ensure that they comply with Directive 95/46/EC. The Union institutions and bodies shall ensure that they comply with Regulation (EC) No 45/2001.

Article 9

Exemptions

Member States shall ensure that ships falling within the scope of Directive 2002/59/EC and operating between ports situated in the customs territory of the Union, but which do not come from, call at or are headed towards a port situated outside that territory or a free zone subject to type I controls under customs legislation, are exempt from the obligation to send the information referred to in the FAL forms, without prejudice to the applicable legal acts of the Union and the possibility that Member States may request information in the FAL forms referred to in points 1 to 6 of Part B of the Annex to this Directive which is necessary to protect internal order and security and to enforce customs, fiscal, immigration, environmental or sanitary laws.

Article 10

Amendment procedure

1. The Commission may adopt delegated acts, in accordance with Article 290 of the Treaty on the Functioning of the European Union, as regards the Annex to this Directive, so as to ensure that account is taken of any relevant changes to the FAL forms introduced by the IMO. These amendments shall not have the effect of widening the scope of this Directive.

2. For the delegated acts referred to in this Article, the procedures set out in Articles 11, 12 and 13 shall apply.

Article 11

Exercise of the delegation

1. The power to adopt the delegated acts referred to in Article 10 shall be conferred on the Commission for a period of 5 years from 18 November 2010. The Commission shall make a report in respect of the delegated powers at the latest 6 months before the end of the 5-year period. The delegation of power shall be automatically extended for periods of an identical duration, unless the European Parliament or the Council revokes it in accordance with Article 12.

2. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

3. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in Articles 12 and 13.

Article 12

Revocation of the delegation

1. The delegation of powers referred to in Article 10 may be revoked by the European Parliament or by the Council at any time.

2. The institution which has commenced an internal procedure for deciding whether to revoke the delegation of powers shall endeavour to inform the other institution and the Commission within a reasonable time before the final decision is taken, indicating the delegated powers which could be subject to revocation and possible reasons for a revocation.

3. The decision of revocation shall put an end to the delegation of the powers specified in that decision. It shall take effect immediately or at a later date specified therein. It shall not affect the validity of the delegated acts already in force. It shall be published in the *Official Journal of the European Union*.

Article 13

Objections to delegated acts

1. The European Parliament or the Council may object to a delegated act within a period of 2 months from the date of notification.

At the initiative of the European Parliament or the Council that period shall be extended by 2 months.

2.   Where, on expiry of the initial 2-month period or, if applicable, the extended period, neither the European Parliament nor the Council has objected to the delegated act, it shall be published in the *Official Journal of the European Union* and enter into force on the date stated therein.

The delegated act may be published in the *Official Journal of the European Union* and enter into force before the expiry of the initial 2-month period or, if applicable, the extended period where the European Parliament and the Council have both informed the Commission of their intention not to raise objections.

3.   Where the European Parliament or the Council objects to a delegated act, it shall not enter into force. The institution which objects shall state the reasons for objecting to the delegated act.

Article 14

Transposition

1.   Member States shall adopt and publish, by 19 May 2012 the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

They shall apply those provisions from 19 May 2012.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2.   Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 15

Report

The Commission shall report to the European Parliament and the Council, by 19 November 2013, on the functioning of this Directive, including on the:

(a) possibility of extending the simplification introduced by this Directive to cover inland waterway transport;

(b) compatibility of the River Information Services with the electronic data transmission process referred to in this Directive;

(c) progress towards harmonisation and coordination of reporting formalities that has been achieved under Article 3;

(d) feasibility of avoiding or simplifying formalities for ships that have called at a port in a third country or free zone;

(e) available data concerning ship traffic/movement within the Union, and/or calling at third country ports or in free zones.

The report shall, if appropriate, be accompanied by a legislative proposal.

Article 16

Repeal of Directive 2002/6/EC

Directive 2002/6/EC shall be repealed as of 19 May 2012. Any references to the repealed Directive shall be construed as references to this Directive.

Article 17

Addressees

This Directive is addressed to the Member States.

Done at Strasbourg, 20 October 2010.

For the European Parliament	*For the Council*
The President	*The President*
J. BUZEK	O. CHASTEL

ANNEX

LIST OF REPORTING FORMALITIES REFERRED TO IN THIS DIRECTIVE

A. **Reporting formalities resulting from legal acts of the Union**

This category of reporting formalities includes the information which shall be provided in accordance with the following provisions:

1. Notification for ships arriving in and departing from ports of the Member States

   Article 4 of Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system (OJ L 208, 5.8.2002, p. 10).

2. Border checks on persons

   Article 7 of Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) (OJ L 105, 13.4.2006, p. 1).

3. Notification of dangerous or polluting goods carried on board

   Article 13 of Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system.

4. Notification of waste and residues

   Article 6 of Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues (OJ L 332, 28.12.2000, p. 81).

5. Notification of security information

   Article 6 of Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security (OJ L 129, 29.4.2004, p. 6).

   Until the adoption of a harmonised form at international level, the form set out in the Appendix to this Annex shall be used for the transmission of information required under Article 6 of Regulation (EC) No 725/2004. The form can be transmitted electronically.

6. Entry summary declaration

   Article 36a of Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code (OJ L 302, 19.10.1992, p. 1) and Article 87 of Regulation (EC) No 450/2008 of the European Parliament and of the Council of 23 April 2008 laying down the Community Customs Code (Modernised Customs Code) (OJ L 145, 4.6.2008, p. 1).

B. **FAL forms and formalities resulting from international legal instruments**

This category of reporting formalities includes the information which shall be provided in accordance with the FAL Convention and other relevant international legal instruments.

1. FAL form 1: General Declaration

2. FAL form 2: Cargo Declaration

3. FAL form 3: Ship's Stores Declaration

4. FAL form 4: Crew's Effects Declaration

5. FAL form 5: Crew List

6. FAL form 6: Passenger List

7. FAL form 7: Dangerous Goods

8. Maritime Declaration of Health

C. **Any relevant national legislation**

Member States may include in this category the information which shall be provided in accordance with their national legislation. Such information shall be transmitted by electronic means.

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Appendix

SHIP PRE-ARRIVAL SECURITY INFORMATION FORM FOR ALL SHIPS PRIOR TO ENTRY INTO THE PORT OF AN EU MEMBER STATE

(1974 International Convention for the Safety of Life at Sea (SOLAS) Regulation 9 of Chapter XI-2 and Article 6(3) of Regulation (EC) No 725/2004)

Particulars of the ship and contact details

IMO number		Name of ship	
Port of registry		Flag State	
Type of ship		Call sign	
Gross tonnage		Inmarsat call numbers (if available)	
Name of company and company identification number		CSO name and 24 hour contact details	
Port of arrival		Port facility of arrival (if known)	

Port and port facility information

Expected date and time of arrival of the ship in port (ETA)	
Primary purpose of call	

Information required by SOLAS Regulation 9.2.1 of Chapter XI-2

Does the ship have a valid International Ship Security Certificate (ISSC)?	YES	ISSC	NO — why not?		Issued by (name of Administration or RSO)	Expiry date (dd/mm/yyyy)
Does the ship have an approved SSP on board?	YES	NO	Security level at which the ship is currently operating?	Security Level 1	Security Level 2	Security Level 3
Location of ship at the time this report is made						

List the last 10 calls at port facilities in chronological order (most recent call first):

No	Date from (dd/mm/yyyy)	Date to (dd/mm/yyyy)	Port	Country	UN/LOCODE (if available)	Port facility	Security level
1							SL =
2							SL =
3							SL =
4							SL =
5							SL =
6							SL =
7							SL =
8							SL =
9							SL =
10							SL =

Did the ship take any special or additional security measures, beyond those in the approved SSP? If the answer is YES, indicate below the special or additional security measures taken by the ship.	YES	NO

No (as above)	Special or additional security measures taken by the ship
1	
2	
3	
4	
5	
6	
7	
8	
9	
10	

List the ship-to-ship activities, in chronological order (most recent first), which were carried out during the last 10 calls at port facilities listed above. Expand table below or continue on separate page if necessary — insert total number of ship-to-ship activities:

| Were the ship security procedures specified in the approved SSP maintained during each of these ship-to-ship activities?
If NO, provide details of the security measures applied in lieu in the final column below. | | | | | YES | NO |

No	Date from (dd/mm/yyyy)	Date to (dd/mm/yyyy)	Location or longitude and latitude	Ship-to-ship activity	Security measures applied in lieu
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

| General description of the cargo aboard the ship | |

| Is the ship carrying any dangerous substances as cargo covered by any of Classes 1, 2.1, 2.3, 3, 4.1, 5.1, 6.1, 6.2, 7 or 8 of the IMDG Code? | YES | NO | If YES, confirm Dangerous Goods Manifest (or relevant extract) is attached |

| Confirm a copy of the ship's crew list is attached | YES | Confirm a copy of the ship's passenger list is attached | YES |

Other security-related information

| Is there any security-related matter you wish to report? | YES | Provide details: | NO |

Agent of ship at intended port of arrival

| Name: | Contact details (Tel. No): |

Identification of person providing the information

| Title or Position (delete as appropriate):
Master/SSO/CSO/Ship's agent (as above) | Name: | Signature: |
| Date/time/place of completion of report | |

recognised that the publication for commercial purposes on the internet or elsewhere of AIS data transmitted by ships could be detrimental to the safety and security of ships and port facilities and has urged its member governments, subject to the provisions of their national laws, to discourage those who make AIS data available to others for publication on the internet or elsewhere from doing so. In addition, the confidentiality of information sent to Member States pursuant to this Directive should be ensured, and the Member States should use that information in compliance with this Directive.

(7) The obligation to fit AIS should be understood also to require that AIS be maintained in operation at all times except where international rules or standards provide for the protection of navigational information.

(8) A Member State which so requests should be entitled to seek information from another Member State regarding a ship and dangerous or polluting goods carried by it. This information should be available through SafeSeaNet and should only be requested for reasons of maritime safety or security or the protection of the marine environment. It is therefore essential that the Commission investigate possible network and information security problems.

(9) Directive 2002/59/EC provides that Member States are to adopt special measures in respect of ships posing a potential hazard due to their behaviour or condition. It therefore seems desirable to add to the list of these ships those which do not have satisfactory insurance cover or financial guarantees or which have been reported by pilots or port authorities as having apparent anomalies which may prejudice their safe navigation or create a risk for the environment.

(10) In accordance with Directive 2002/59/EC, it seems necessary, in relation to the risks posed by exceptionally bad weather, to take into account the potential danger to shipping from ice formation. Therefore, where a competent authority designated by a Member State considers, on the basis of an ice forecast provided by a qualified meteorological information service, that the sailing conditions are creating a serious threat to the safety of human life or a serious threat of pollution, it should so inform the masters of the ships present in its area of competence or intending to enter or leave the port or ports in the area concerned. The authority concerned should be able to take any appropriate steps

to ensure the safety of human life at sea and to protect the environment. Member States should also have the possibility of verifying that the necessary documentation on board provides evidence that the ship complies with strength and power requirements commensurate with the ice situation in the area concerned.

(11) Directive 2002/59/EC provides that Member States are to draw up plans to accommodate, if the situation so requires, ships in distress in their ports or in any other protected place in the best possible conditions, in order to limit the consequences of accidents at sea. However, taking into account the Guidelines on Places of Refuge for Ships in Need of Assistance annexed to Resolution A.949(23) of the International Maritime Organisation of 13 December 2003 (IMO Resolution A.949(23)), which were adopted subsequently to Directive 2002/59/EC and refer to ships in need of assistance, rather than to ships in distress, that Directive should be amended accordingly. This Directive does not affect the rules applicable to rescue operations such as those laid down by the International Convention on Maritime Search and Rescue, where the safety of human life is at stake.

(12) To make provision for ships in need of assistance as referred to in IMO Resolution A.949(23), one or more competent authorities should be designated to take decisions with a view to minimising risks to maritime safety, the safety of human life and the environment.

(13) On the basis of IMO Resolution A.949(23) and following the work carried out jointly by the Commission, the European Maritime Safety Agency (the Agency) and the Member States, it is necessary to lay down the basic provisions that plans for accommodating ships in need of assistance should contain in order to ensure a harmonised and effective implementation of this measure and clarify the scope of obligations incumbent on the Member States.

(14) IMO Resolution A.949(23) is to form the basis of any plans prepared by Member States in order to respond effectively to threats posed by ships in need of assistance. However, when assessing the risks associated with such threats, Member States may, in view of their special circumstances, take into consideration other factors, such as the use of sea water for the production of potable water as well as the generation of electricity.

(15) Seafarers are recognised as a special category of worker and, given the global nature of the shipping industry and the different jurisdictions that they may be brought into contact with, need special protection, especially in relation to contacts with public authorities. In the interests of increased maritime safety, seafarers should be able to rely on fair treatment in the event of a maritime accident. Their human rights and dignity should be preserved at all times and all safety investigations should be conducted in a fair and expeditious manner. To that end, Member States should, in accordance with their national legislation, further take into account the relevant provisions of the IMO guidelines on the fair treatment of seafarers in the event of a maritime accident.

(16) When a ship is in need of assistance, a decision may have to be taken as regards the accommodation of that ship in a place of refuge. This is particularly important in the event of a situation that could give rise to the loss of a vessel or an environmental or navigational hazard. In such a case, it is necessary to be able to call on an authority in a Member State, depending on the internal structure of that Member State, having the required expertise and the power to take independent decisions as regards the accommodation of a ship in a place of refuge. It is also important that the decision is taken after a preliminary evaluation of the situation on the basis of the information contained in the relevant plan for accommodation of ships in a place of refuge. It is desirable that the competent authorities should be permanent in nature.

(17) Plans for accommodating ships in need of assistance should describe precisely the decision-making chain with regard to alerting and dealing with the situation in question. The authorities concerned and their remits should be clearly described, as should the means of communication between the parties involved. The applicable procedures should ensure that an appropriate decision can be taken quickly on the basis of specific maritime expertise and adequate information available to the competent authority.

(18) Ports which accommodate a ship should be able to rely on prompt compensation in respect of costs and any damage arising from the operation. To that end, it is important that the relevant international conventions be applied. Member States should endeavour to put in place a legal framework under which they could, in exceptional circumstances and in accordance with Community law, compensate a port or other entity for costs and economic loss suffered as a result of accommodating a ship. Moreover, the Commission should examine existing mechanisms within Member States for the compensation of potential economic loss suffered by a port or a body and should, on the basis of this examination, put forward and evaluate different policy options.

(19) When drawing up the plans, Member States should gather information on potential places of refuge on the coast so as to allow the competent authority, in the event of an accident or incident at sea, to identify clearly and quickly the most suitable areas for accommodating ships in need of assistance. This relevant information should contain a description of certain characteristics of the sites under consideration and the equipment and installations available to make it easier to accommodate ships in need of assistance or deal with the consequences of an accident or pollution.

(20) It is important for the list of competent authorities responsible for deciding whether to accommodate a ship in a place of refuge, and the list of authorities responsible for receiving and handling alerts, to be published appropriately. It may also prove useful for the parties involved in a maritime assistance operation, including assistance and towing companies, and the authorities of neighbouring Member States likely to be affected by an emergency at sea, to have access to relevant information.

(21) The absence of financial insurance does not exonerate a Member State from its obligation to perform a preliminary assessment and to decide on the acceptance of the ship in a place of refuge. Though the competent authorities may verify whether the ship is covered by insurance or some other effective form of financial security permitting appropriate compensation for costs and damages associated with its accommodation in a place of refuge, the act of requesting this information must not delay the rescue operation.

(22) The specific function of the vessel traffic monitoring and ship's routing measures is to allow Member States to obtain a true knowledge of the ships using the waters under their jurisdiction and thus enable them to take more effective action against potential risks if necessary. Sharing the information gathered helps to improve its quality and makes it easier to process.

(23) In accordance with Directive 2002/59/EC, Member States and the Commission have made substantial progress towards harmonising electronic data exchange, in particular as regards the transport of dangerous or polluting goods. SafeSeaNet, in development since 2002, should now be established as the reference network at Community level. SafeSeaNet should aim at reducing administrative burdens and costs for industry and the Member States. It should also aim at facilitating the uniform implementation, where appropriate, of international reporting and notification rules.

(24) The progress made in the new technologies and in particular in their space applications, such as beacon-based ship monitoring systems, imaging systems or Global Navigation Satellite System (GNSS), now makes it possible to extend traffic monitoring further offshore and thereby to ensure better coverage of European waters, including by Long Range Identification and Tracking (LRIT) systems. There will have to be full co-operation within the Community on this work if these tools are to become an integral part of the vessel traffic monitoring and information system established by Directive 2002/59/EC.

(25) In order to enable cost savings and avoid unnecessary fitting of equipment on board ships sailing in maritime areas within the coverage of AIS fixed-based stations, Member States and the Commission should cooperate to determine the requirements concerning the fitting of equipment for transmitting LRIT information and should submit to the IMO any appropriate measures.

(26) Publication of AIS and LRIT data transmitted by ships should not create a risk to safety, security or the protection of the environment.

(27) In order to guarantee the best possible harmonised use at Community level of information gathered under Directive 2002/59/EC concerning maritime safety, the Commission should be able, if necessary, to process and use that information and disseminate it to the authorities designated by the Member States.

(28) In this context, the development of the 'Equasis' system has shown how important it is to encourage a 'safe seas' culture, especially in maritime transport operators. The Commission should be able to contribute to the dissemination, particularly via this system, of any information relating to maritime safety.

(29) Regulation (EC) No 2099/2002 of the European Parliament and of the Council of 5 November 2002 establishing a Committee on Safe Seas and the Prevention of Pollution from Ships (COSS) (¹) centralises the tasks of the committees set up under the relevant Community legislation on maritime safety, prevention of pollution from ships and protection of living and working conditions on board. The existing committee should therefore be replaced by the COSS.

(30) Amendments to the international instruments referred to should also be taken into account.

(31) The measures necessary for the implementation of this Directive should be adopted in accordance with Council

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(¹) OJ L 324, 29.11.2002, p. 1.

Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred to the Commission (²).

(32) In particular, the Commission should be empowered to amend Directive 2002/59/EC in order to apply subsequent amendments to the international conventions, protocols, codes and resolutions related thereto. Since those measures are of general scope and are designed to amend non-essential elements of that Directive, inter alia by supplementing it with new non-essential elements, they must be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

(33) In accordance with Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency (³), the Agency provides the Commission and Member States with the necessary support in implementing Directive 2002/59/EC.

(34) In accordance with point 34 of the Interinstitutional Agreement on better law-making (⁴), Member States are encouraged to draw up, for themselves and in the interests of the Community, their own tables illustrating, as far as possible, the correlation between this Directive and the transposition measures, and to make them public.

(35) Directive 2002/59/EC should therefore be amended accordingly,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Amendments

Directive 2002/59/EC is hereby amended as follows:

1. Article 2(2) shall be amended as follows:

   (a) the introductory wording shall be replaced by the following:

   'Unless otherwise provided, this Directive shall not apply to:';

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(²) OJ L 184, 17.7.1999, p. 23.
(³) OJ L 208, 5.8.2002, p. 1.
(⁴) OJ C 321, 31.12.2003, p. 1.

(b) point (c) shall be replaced by the following:

'(c) bunkers on ships below 1 000 gross tonnage and ships' stores and equipment for use on board all ships.';

2. Article 3 shall be amended as follows:

(a) point (a) shall be amended as follows:

(i) the introductory wording shall be replaced by the following:

'Relevant international instruments' means the following instruments, in their up-to-date version:';

(ii) the following indents shall be added:

'— "IMO Resolution A.917(22)" means International Maritime Organisation Resolution 917(22) entitled "Guidelines for the onboard use of AIS", as amended by IMO Resolution A.956(23);

— "IMO Resolution A.949(23)" means International Maritime Organisation Resolution 949(23) entitled "Guidelines on places of refuge for ships in need of assistance";

— "IMO Resolution A.950(23)" means International Maritime Organisation Resolution 950(23) entitled "Maritime assistance services (MAS)";

— "IMO guidelines on the fair treatment of seafarers in the event of a maritime accident" means the guidelines as annexed to resolution LEG. 3(91) of the IMO Legal Committee of 27 April 2006 and as approved by the Governing Body of the ILO in its 296th session of 12 to 16 June 2006.';

(b) point (k) shall be replaced by the following:

'(k) "competent authorities" means the authorities and organisations designated by Member States to perform functions under this Directive.';

(c) the following points shall be added:

'(s) "SafeSeaNet" means the Community maritime information exchange system developed by the Commission in cooperation with the Member States to ensure the implementation of Community legislation;

(t) "scheduled service" means a series of ship crossings operated so as to serve traffic between the same two or more ports, either according to a published timetable or with crossings so regular or frequent that they constitute a recognisable systematic series;

(u) "fishing vessel" means any vessel equipped for commercial exploitation of living aquatic resources;

(v) "ship in need of assistance" means, without prejudice to the provisions of the SAR Convention concerning the rescue of persons, a ship in a situation that could give rise to its loss or an environmental or navigational hazard;

(w) "LRIT" means a system for the long-range identification and tracking of ships in accordance with SOLAS regulation V/19-1.';

3. the following Articles shall be inserted:

'Article 6a

Use of automatic identification systems (AIS) by fishing vessels

Any fishing vessel with an overall length of more than 15 metres and flying the flag of a Member State and registered in the Community, or operating in the internal waters or territorial sea of a Member State, or landing its catch in the port of a Member State shall, in accordance with the timetable set out in Annex II, part I(3), be fitted with an AIS (Class A) which meets the performance standards drawn up by the IMO.

Fishing vessels equipped with AIS shall maintain it in operation at all times. In exceptional circumstances, AIS may be switched off where the master considers this necessary in the interest of the safety or security of his vessel.

Article 6b

Use of systems for the long-range identification and tracking of ships (LRIT)

1. Ships to which SOLAS regulation V/19-1 and the performance standards and functional requirements adopted by the IMO apply shall carry LRIT equipment complying with that regulation, when calling at a port of a Member State.

Member States and the Commission shall cooperate to determine the requirements concerning the fitting of equipment for transmitting LRIT information on board ships sailing in waters within the coverage of AIS fixed-based stations of Member States, and shall submit to the IMO any appropriate measures.

2. The Commission shall cooperate with Member States to establish an LRIT European Data Centre in charge of processing long-range identification and tracking information.';

4. Article 12 shall be replaced by the following:

'Article 12

Information requirements concerning the transport of dangerous goods

1. No dangerous or polluting goods shall be offered for carriage or taken on board any ship, irrespective of its size, in the port of a Member State unless a declaration has been delivered to the master or operator before the goods are taken on board containing the following information:

(a) the information listed in Annex I(2);

(b) for the substances referred to in Annex I to the MARPOL Convention, the safety data sheet detailing the physico-chemical characteristics of the products, including, where applicable, their viscosity expressed in cSt at 50 °C and their density at 15 °C and the other data contained in the safety data sheet in accordance with IMO Resolution MSC.150(77);

(c) the emergency numbers of the shipper or any other person or body in possession of information on the physico-chemical characteristics of the products and on the action to be taken in an emergency.

2. Vessels coming from a port outside the Community and calling at a port of a Member State which have dangerous or polluting goods on board shall be in possession of a declaration, as provided for by the shipper, containing the information required under paragraph 1(a), (b) and (c).

3. It shall be the duty and responsibility of the shipper to deliver to the master or operator such a declaration, and to ensure that the shipment offered for carriage is indeed the one declared in accordance with paragraph 1.';

5. in the second paragraph of Article 14, point (c) shall be replaced by the following:

'(c) upon request, through SafeSeaNet, and if needed for the purpose of maritime safety or security or the protection of the maritime environment, Member States shall be able to send information on the ship and the dangerous or polluting goods on board to the national and local competent authorities of another Member State without delay.';

6. Article 15 shall be replaced by the following:

'Article 15

Exemptions

1. Member States may exempt scheduled services performed between ports located on their territory from the requirements of Articles 4 and 13 provided the following conditions are met:

(a) the company operating those scheduled services keeps and updates a list of the ships concerned and sends that list to the competent authority concerned;

(b) for each voyage performed, the information listed in Parts 1 or 3, as appropriate, of Annex I is kept available for the competent authority upon request. The company shall establish an internal system to ensure that, upon request 24 hours a day and without delay, such information can be sent to the competent authority electronically, in accordance with Article 4(1) or Article 13(4), as appropriate;

(c) any deviations from the estimated time of arrival at the port of destination or pilot station of three hours or more are notified to the port of arrival or to the competent authority in accordance with Article 4 or Article 13, as appropriate;

(d) exemptions are only granted to individual vessels as regards a specific service.

For the purposes of the first subparagraph, the service shall not be regarded as a scheduled service unless it is intended to be operated for a minimum of one month.

Exemptions from the requirements of Articles 4 and 13 shall be limited to voyages of a scheduled duration of up to 12 hours.

2. When an international scheduled service is operated between two or more States, of which at least one is a Member State, any of the Member States involved may request the other Member States to grant an exemption for that service. All Member States involved, including the coastal States concerned, shall collaborate in granting an exemption to the service concerned in accordance with the conditions set out in paragraph 1.

3. Member States shall periodically check that the conditions set out in paragraphs 1 and 2 are being met. Where at least one of these conditions is no longer being met, Member States shall immediately withdraw the benefit of the exemption from the company concerned.

4. Member States shall communicate to the Commission a list of companies and ships to which an exemption has been granted under this Article, as well as any updates to that list.';

7. the following points shall be added to Article 16(1):

'(d) ships which have failed to notify, or do not have, insurance certificates or financial guarantees pursuant to any Community legislation and international rules;

(e) ships which have been reported by pilots or port authorities as having apparent anomalies which may prejudice their safe navigation or create a risk for the environment.';

8. the following Article shall be inserted:

'*Article 18a*

Measures in the event of risks posed by the presence of ice

1. Where the competent authorities consider, in view of ice conditions, that there is a serious threat to the safety of human life at sea or to the protection of their shipping areas or coastal zones, or of the shipping areas or coastal zones of other States:

(a) they shall supply the master of a ship which is in their area of competence, or intends to enter or leave one of their ports, with appropriate information on the ice conditions, the recommended routes and the icebreaking services in their area of competence;

(b) they may, without prejudice to the duty of assistance to ships in need of assistance and other obligations flowing from relevant international rules, request that a ship which is in the area concerned and intends to enter or leave a port or terminal or to leave an anchorage area document that it satisfies the strength and power requirements commensurate with the ice situation in the area concerned.

2. The measures taken pursuant to paragraph 1 shall be based, as regards the data concerning the ice conditions, upon ice and weather forecasts provided by a qualified meteorological information service recognised by the Member State.';

9. Article 19 shall be amended as follows:

(a) the following subparagraph shall be added to paragraph 2:

'To this end they shall communicate to the competent national authorities, on request, the information referred to in Article 12.';

(b) the following paragraph shall be added:

'4. In accordance with their national law, Member States shall take into account the relevant provisions of the IMO guidelines on the fair treatment of seafarers in the event of a maritime accident in the waters under their jurisdiction.';

10. Article 20 shall be replaced by the following:

'*Article 20*

Competent authority for the accommodation of ships in need of assistance

1. Member States shall designate one or more competent authorities which have the required expertise and the power, at the time of the operation, to take independent decisions on their own initiative concerning the accommodation of ships in need of assistance.

2. The authority or authorities referred to in paragraph 1 may, as appropriate and in particular in the event of a threat to maritime safety and protection of the environment, take any of the measures included in the list set out in Annex IV, which is non-exhaustive.

3. The authority or authorities referred to in paragraph 1 shall meet regularly to exchange expertise and improve measures taken pursuant to this Article. They may meet at any time on account of specific circumstances.';

11. the following Articles shall be inserted:

'*Article 20a*

Plans for the accommodation of ships in need of assistance

1.   Member States shall draw up plans for the accommodation of ships in order to respond to threats presented by ships in need of assistance in the waters under their jurisdiction, including, where applicable, threats to human life and the environment. The authority or authorities referred to in Article 20(1) shall participate in drawing up and carrying out those plans.

2.   The plans referred to in paragraph 1 shall be prepared after consultation of the parties concerned, on the basis of IMO Resolutions A.949(23) and A.950(23), and shall contain at least the following:

(a) the identity of the authority or authorities responsible for receiving and handling alerts;

(b) the identity of the competent authority for assessing the situation and taking a decision on acceptance or refusal of a ship in need of assistance in the place of refuge selected;

(c) information on the coastline of Member States and all elements facilitating a prior assessment and rapid decision regarding the place of refuge for a ship, including a description of environmental, economic and social factors and natural conditions;

(d) the assessment procedures for acceptance or refusal of a ship in need of assistance in a place of refuge;

(e) the resources and installations suitable for assistance, rescue and combating pollution;

(f) procedures for international coordination and decision-making;

(g) the financial guarantee and liability procedures in place for ships accommodated in a place of refuge.

3.   Member States shall publish the name and contact address of the authority or authorities referred to in Article 20(1) and of the authorities appointed for receiving and handling alerts.

Member States shall communicate on request the relevant information concerning plans to neighbouring Member States.

In implementing the procedures provided for in the plans for accommodating ships in need of assistance, Member States shall ensure that relevant information is made available to the parties involved in the operations.

If requested by Member States, those receiving information in accordance with the second and third subparagraphs shall be bound by an obligation of confidentiality.

4.   Member States shall inform the Commission by 30 November 2010 of the measures taken in application of this Article.

Article 20b

Decision on the accommodation of ships

The authority or authorities referred to in Article 20(1) shall decide on the acceptance of a ship in a place of refuge following a prior assessment of the situation carried out on the basis of the plans referred to in Article 20a. The authority or authorities shall ensure that ships are admitted to a place of refuge if they consider such an accommodation the best course of action for the purposes of the protection of human life or the environment.

Article 20c

Financial security and compensation

1.   The absence of an insurance certificate within the meaning of Article 6 of Directive 2009/20/EC of the European Parliament and of the Council of 23 April 2009 on the insurance of shipowners for maritime claims (*) shall not exonerate a Member State from the preliminary assessment and decision referred to in Article 20b, and shall not in itself be considered sufficient reason for a Member State to refuse to accommodate a ship in a place of refuge.

2.   Without prejudice to paragraph 1, when accommodating a ship in a place of refuge, a Member State may request the ship's operator, agent or master to present a insurance certificate within the meaning of Article 6 of Directive 2009/20/EC. The act of requesting the certificate shall not lead to a delay in accommodating the ship.

Article 20d

Examination by the Commission

The Commission shall examine existing mechanisms within Member States for the compensation of potential economic loss suffered by a port or a body as a result of a decision taken pursuant to Article 20(1). It shall, on the basis of that examination, put forward and evaluate different policy options. By 31 December 2011, the Commission shall report to the European Parliament and to the Council on the results of the examination.

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(*) OJ L 131, 28.5.2009, p. 128';

12. the following Article shall be inserted:

'*Article 22a*

SafeSeaNet

1. Member States shall establish maritime information management systems, at national or local level, to process the information referred to in this Directive.

2. The systems set up pursuant to paragraph 1 shall allow the information gathered to be used operationally and shall satisfy, in particular, the conditions laid down in Article 14.

3. To guarantee an effective exchange of the information referred to in this Directive, Member States shall ensure that national or local systems set up to gather, process and preserve that information can be interconnected with Safe-SeaNet. The Commission shall ensure that SafeSeaNet is operational on a 24 hour-a-day basis. The description and principles of SafeSeaNet are laid down in Annex III.

4. Without prejudice to paragraph 3, where operating under intra-Community agreements or in the framework of cross-border interregional or transnational projects within the Community, Member States shall ensure that information systems or networks comply with the requirements of this Directive and are compatible with and connected to SafeSeaNet.';

13. Article 23 shall be amended as follows:

(a) point (c) shall be replaced by the following:

'(c) extending the cover of the Community vessel traffic monitoring and information system, and/or updating it, with a view to enhanced identification

and monitoring of ships, taking into account developments in information and communication technologies. To this end, Member States and the Commission shall work together to put in place, where necessary, mandatory reporting systems, mandatory maritime traffic services and appropriate ship's routing systems, with a view to submitting them to the IMO for approval. They shall also collaborate, within the regional or international bodies concerned, on developing long-range identification and tracking systems;';

(b) the following point shall be added:

'(e) ensuring the interconnection and interoperability of the national systems used for managing the information referred to in Annex I, and developing and updating SafeSeaNet.';

14. the following Article shall be inserted:

'*Article 23a*

Processing and management of maritime safety information

1. The Commission shall ensure, where necessary, the processing, use and dissemination to the authorities designated by the Member States, of the information gathered under this Directive.

2. Where appropriate, the Commission shall contribute to the development and operation of systems for collecting and disseminating data relating to maritime safety, in particular through the "Equasis" system or any other equivalent public system.';

15. Article 24 shall be replaced by the following:

'*Article 24*

Confidentiality of information

1. Member States shall, in accordance with Community or national legislation, take the necessary measures to ensure the confidentiality of information sent to them pursuant to this Directive, and shall only use such information in compliance with this Directive.

2. The Commission shall investigate possible network and information security problems and propose appropriate amendments to Annex III for improving the security of the network.';

16. Articles 27 and 28 shall be replaced by the following:

'*Article 27*

Amendments

1.   References to Community and IMO instruments in this Directive, the definitions set out in Article 3 hereof and the Annexes hereto may be amended to bring them into line with provisions of Community or international law which have been adopted or amended or which have entered into force, in so far as such amendments do not broaden the scope of this Directive.

Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 28(2).

2.   Annexes I, III and IV may be amended in the light of experience gained with this Directive, in so far as such amendments do not broaden its scope.

Those measures, designed to amend non-essential elements of this Directive, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 28(2).

Article 28

Committee procedure

1.   The Commission shall be assisted by the Committee on Safe Seas and the Prevention of Pollution from Ships (COSS) established by Regulation (EC) No 2099/2002 of the European Parliament and of the Council (*).

2.   Where reference is made to this paragraph, Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

_____
(*) OJ L 324, 29.11.2002, p. 1.';

17. in Part 4 of Annex I, indent X shall be replaced by the following:

'— X. Miscellaneous:

— characteristics and estimated quantity of bunker fuel, for ships of more than 1 000 gross tonnage,

— navigational status';

18. the following point shall be added to Part I of Annex II:

'3. F i s h i n g   v e s s e l s

Fishing vessels with a length of more than 15 metres overall are subject to the carrying requirement laid down in Article 6a according to the following timetable:

— fishing vessels of overall length 24 metres and upwards but less than 45 metres: not later than 31 May 2012,

— fishing vessels of overall length 18 metres and upwards but less than 24 metres: not later than 31 May 2013,

— fishing vessels of overall length exceeding 15 metres but less than 18 metres: not later than 31 May 2014.

New built fishing vessels of overall length exceeding 15 metres are subject to the carrying requirement laid down in Article 6a as from 30 November 2010.';

19. Annex III shall be replaced by the text appearing in the Annex to this Directive.

Article 2

Transposition

1.   Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by 30 November 2010. They shall forthwith communicate to the Commission the text of those measures.

When Member States adopt those measures, they shall contain a reference to this Directive or be accompanied by such reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2.   Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

Entry into force

This Directive shall enter into force on the third day following its publication in the *Official Journal of the European Union*.

Article 4

Addressees

This Directive is addressed to the Member States.

Done at Strasbourg, 23 April 2009.

For the European Parliament	*For the Council*
The President	*The President*
H.-G. PÖTTERING	P. NEČAS

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ANNEX

'ANNEX III

ELECTRONIC MESSAGES AND SAFESEANET

1. **General concept and architecture**

    The Community maritime information and exchange system, SafeSeaNet, shall enable the receipt, storage, retrieval and exchange of information for the purpose of maritime safety, port and maritime security, marine environment protection and the efficiency of maritime traffic and maritime transport.

    SafeSeaNet is a specialised system established to facilitate the exchange of information in an electronic format between Member States and to provide the Commission with the relevant information in accordance with Community legislation. It is composed of a network of national SafeSeaNet systems in Member States and a SafeSeaNet central system acting as a nodal point.

    The SafeSeaNet network shall link all national SafeSeaNet systems and include the SafeSeaNet central system.

2. **Management, operation, development and maintenance of SafeSeaNet**

2.1. *Responsibilities*

2.1.1. National SafeSeaNet systems

    Member States shall establish and maintain a national SafeSeaNet system allowing for the exchange of maritime information between authorised users under the responsibility of a national competent authority (NCA).

    The NCA shall be responsible for the management of the national system, which shall include the national co-ordination of data users and data providers as well as ensuring that UN LOCODES are designated and that the necessary national IT infrastructure and the procedures described in the interface and functionalities control document referred to in point 2.3 are established and maintained.

    The national SafeSeaNet system shall enable the inter-connection of users authorised under the responsibility of an NCA and may be made accessible to identified shipping actors (shipowners, agents, masters, shippers and others) when authorised by the NCA, in particular in order to facilitate the electronic submission of reports in accordance with Community legislation.

2.1.2. Central SafeSeaNet system

    The Commission is responsible for the management and development at policy level of the central SafeSeaNet system and for the oversight of the SafeSeaNet system, in cooperation with Member States, while, in accordance with Regulation (EC) No 1406/2002 of the European Parliament and of the Council [1], the Agency, in cooperation with the Member States and the Commission, is responsible for its technical implementation.

    The central SafeSeaNet system, acting as a nodal point, shall interconnect all national SafeSeaNet systems and shall establish the necessary IT infrastructure and procedures as described in the interface and functionalities control document referred to in point 2.3.

2.2. *Principles of management*

    The Commission shall establish a high-level steering group, which shall adopt its rules of procedure, composed of representatives of the Member States and of the Commission to:

    — make recommendations to improve the effectiveness and security of SafeSeaNet,

    — provide appropriate guidance for the development of SafeSeaNet,

    — assist the Commission in reviewing the performance of SafeSeaNet,

    — approve the interface and functionalities control document referred to in point 2.3, and any amendments thereto.

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[1] OJ L 208, 5.8.2002, p. 1.

2.3. *Interface and functionalities control document and SafeSeaNet technical documentation*

The Commission shall develop and maintain, in close cooperation with the Member States, an interface and functionalities control document (IFCD).

The IFCD shall describe in detail the performance requirements and procedures applicable to the national and central elements of SafeSeaNet designed to ensure compliance with the relevant Community legislation.

The IFCD shall include rules for:

— access rights guidance for data quality management,

— security specifications for data transmission and exchange, and

— the archiving of information at national and central level.

The IFCD shall indicate the means of storage and the availability of the information on dangerous or polluting goods concerning scheduled services to which an exemption has been granted in accordance with Article 15.

Technical documentation related to SafeSeaNet, such as standards for data exchange format, users' manuals and network security specifications, shall be developed and maintained by the Agency in cooperation with the Member States.

3. **Exchange of data through SafeSeaNet**

The system shall use industry standards and be able to interact with public and private systems used to create, provide or receive information within SafeSeaNet.

The Commission and the Member States shall cooperate in order to examine the feasibility and development of functionalities that as far as possible will ensure that the data providers, including masters, owners, agents, operators, shippers and relevant authorities, need to submit information only once. Member States shall ensure that the information submitted is available for use in all relevant reporting, notification and VTMIS systems.

Electronic messages exchanged in accordance with this Directive and relevant Community legislation shall be distributed through SafeSeaNet. To this end, Member States shall develop and maintain the necessary interfaces for automatic transmission of data by electronic means to the SafeSeaNet.

Where internationally-adopted rules allow routing of LRIT information concerning third country vessels, Safe-SeaNet networks shall be used to distribute amongst Member States, with an appropriate level of security, the LRIT information received in accordance with Article 6b of this Directive.

4. **Security and access rights**

The central and the national SafeSeaNet systems shall comply with the requirements of this Directive concerning confidentiality of information, as well as with the security principles and specifications described in the IFCD, in particular as regards access rights.

Member States shall identify all users to which a role and a set of access rights is attributed in compliance with the IFCD.'

after an accident to investigate its causes and preventively to learn the necessary lessons from such situations. Member States should encourage the use of such data for both purposes.

(8) Member States should ensure that the coastal stations of the competent authorities have available, in addition to appropriate technical equipment, sufficient and properly qualified staff.

(9) Accurate knowledge of dangerous or polluting goods being carried on board ships and of other relevant safety information, such as information relating to navigational incidents, is essential to the preparation and effectiveness of operations to tackle pollution or the risk of pollution at sea. Ships leaving or bound for Member States' ports must notify this information to the competent authorities or port authorities of those Member States.

(10) To streamline and accelerate the transmission and utilisation of what may be huge amounts of information on cargo, such information ought to be sent, whenever practicable, electronically to the competent authority or port authority concerned. For the same reasons, exchanges of information between the competent authorities of the Member States should take place electronically.

(11) Where the companies concerned have, to the satisfaction of the Member States, introduced internal procedures to ensure that information required by the Directive is sent to the competent authority without delay, it must be possible to exempt scheduled services between two or more States, of which at least one is a Member State, from the reporting requirement for each voyage.

(12) Because of their behaviour or condition, some ships pose potential risks to the safety of shipping and the environment. Member States should pay particular attention to the monitoring of such ships, take the appropriate measures to prevent any worsening of the risk they pose, and send any relevant information they possess on these ships to the other Member States concerned. Such appropriate measures could be measures provided for by port State control activities.

(13) Member States need to guard against the threats to maritime safety, to the safety of individuals and to the marine and coastal environment created by incidents, accidents or certain other situations at sea and by the presence of polluting slicks or packages drifting at sea. To this end, masters of ships sailing within Member States' search and rescue region/exclusive economic zone or equivalent, should report such occurrences to the coastal authorities, supplying all appropriate information. In the light of their specific situation, Member States should be given flexibility in choosing which of the abovementioned geographical areas should be covered by the reporting obligation.

(14) In the event of an incident or accident at sea, full and complete cooperation by the parties involved in the carriage contributes significantly to the effectiveness of operations by the competent authorities.

(15) Where a competent authority designated by a Member State considers, upon a sea state and weather forecast provided by a qualified meteorological information service, that exceptionally bad weather or sea conditions are creating a serious threat for the safety of human life or of pollution, it should inform the master of a ship, which intends to enter or leave the port, of the situation and may take any other appropriate measures. Without prejudice to the duty of assistance to ships in distress, these might include a prohibition to enter or to leave port, until the situation returns to normal. In the event of a possible risk to safety or of pollution and taking into account the specific situation in the port concerned, the competent authority may recommend ships not to leave the port. If the master chooses to leave the port, he/she does so in any case under his/her own responsibility and should state the reasons for his/her decision.

(16) Non-availability of a place of refuge may have serious consequences in the event of an accident at sea. Member States should therefore draw up plans whereby ships in distress may, if the situation so requires, be given refuge in their ports or any other sheltered area in the best conditions possible. Where necessary and feasible, these plans should include the provision of adequate means and facilities for assistance, salvage and pollution response. Ports accommodating a ship in distress should be able to rely on prompt compensation for any costs and damage involved in this operation. The Commission should therefore examine the possibilities for introducing an adequate system of compensation for ports in the Community accommodating a ship in distress and the feasibility of requiring a ship coming to a Community port to be adequately insured.

(17) A framework for cooperation between the Member States and the Commission needs to be established to enhance the implementation of the monitoring and information system for maritime traffic, with proper communication links being established between the competent authorities and ports of the Member States. Moreover, the coverage of the ship identification and

monitoring system needs to be supplemented in those shipping areas of the Community where it is insufficient. In addition, information management centres ought to be set up in the Community's maritime regions so as to facilitate the exchange or sharing of useful data in relation to traffic monitoring and the implementation of this Directive. The Member States and the Commission should also endeavour to cooperate with third countries to achieve these objectives.

(18) The effectiveness of this Directive depends greatly on the Member States enforcing its implementation strictly. To this end, Member States must regularly carry out appropriate inspections or any other action required to ensure that the communication links established to meet the requirements of this Directive are operating satisfactorily. A system of sanctions should also be introduced to ensure that the parties concerned comply with the reporting and equipment carrying requirements laid down by this Directive.

(19) The measures necessary for the implementation of this Directive should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (¹).

(20) Certain provisions of this Directive may be amended by that procedure so as to take account of the development of Community and international instruments and of experience gained in implementing this Directive, in so far as such amendments do not broaden the scope of the Directive. A useful tool for the Commission to evaluate the experience gained in implementing the Directive is an adequate reporting by Member States on such implementation.

(21) The provisions of Directive 93/75/EEC are significantly reinforced, extended and amended by this Directive. Accordingly, Directive 93/75/EEC should be repealed.

(22) Since the objectives of the proposed action, namely the enhancing of the safety and efficiency of maritime traffic, cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or effects of the proposed action, be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives,

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(¹) OJ L 184, 17.7.1999, p. 23.

HAVE ADOPTED THIS DIRECTIVE:

Article 1

Purpose

The purpose of this Directive is to establish in the Community a vessel traffic monitoring and information system with a view to enhancing the safety and efficiency of maritime traffic, improving the response of authorities to incidents, accidents or potentially dangerous situations at sea, including search and rescue operations, and contributing to a better prevention and detection of pollution by ships.

Member States shall monitor and take all necessary and appropriate measures to ensure that the masters, operators or agents of ships, as well as shippers or owners of dangerous or polluting goods carried on board such ships, comply with the requirements under this Directive.

Article 2

Scope

1. This Directive applies to ships of 300 gross tonnage and upwards, unless stated otherwise.

2. This Directive shall not apply to:

(a) warships, naval auxiliaries and other ships owned or operated by a Member State and used for non-commercial public service;

(b) fishing vessels, traditional ships and recreational craft with a length of less than 45 metres;

(c) bunkers below 5 000 tons, ships' stores and equipment for use on board ships.

Article 3

Definitions

For the purpose of this Directive

(a) 'Relevant international instruments' means the following instruments:

— MARPOL means the International Convention for the Prevention of Pollution from Ships, 1973 and the 1978 Protocol thereto;

— SOLAS means the International Convention for the Safety of Life at Sea, together with the protocols and amendments thereto;

— the International Convention on Tonnage Measurement of Ships, 1969;

— the International Convention relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969 and its 1973 Protocol relating to Intervention on the High Seas in Cases of Pollution by Substances other than Oil;

— SAR Convention means the International Convention on Maritime Search and Rescue, 1979;

— ISM Code means the International Safety Management Code;

— IMDG Code means the International Maritime Dangerous Goods Code;

— IBC Code means the IMO International Code for the construction and equipment of ships carrying dangerous chemicals in bulk;

— IGC Code means the IMO International Code for the construction and equipment of ships carrying liquefied gases in bulk;

— BC Code means the IMO Code of Safe Practice for Solid Bulk Cargoes;

— INF Code means the IMO Code for the Safe Carriage of Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes in Flasks on board Ships;

— IMO Resolution A.851(20) means International Maritime Organisation Resolution 851(20) entitled 'General principles for ship reporting systems and ship reporting requirements, including guidelines for reporting incidents involving dangerous goods, harmful substances and/or marine pollutants';

(b) 'operator' means the owner or manager of a ship;

(c) 'agent' means any person mandated or authorised to supply information on behalf of the operator of the ship;

(d) 'shipper' means any person by whom or in whose name or on whose behalf a contract of carriage of goods has been concluded with a carrier;

(e) 'company' means a company within the meaning of Regulation 1(2) of Chapter IX of the SOLAS Convention;

(f) 'ship' means any sea-going vessel or craft;

(g) 'dangerous goods' means:

— goods classified in the IMDG Code,

— dangerous liquid substances listed in Chapter 17 of the IBC Code,

— liquefied gases listed in Chapter 19 of the IGC Code,

— solids referred to in Appendix B of the BC Code.

Also included are goods for the carriage of which appropriate preconditions have been laid down in accordance with paragraph 1.1.3 of the IBC Code or paragraph 1.1.6 of the IGC Code;

(h) 'polluting goods' means:

— oils as defined in Annex I to the MARPOL Convention,

— noxious liquid substances as defined in Annex II to the MARPOL Convention,

— harmful substances as defined in Annex III to the MARPOL Convention;

(i) 'cargo transport unit' means a road freight vehicle, a railway freight wagon, a freight container, a road tank vehicle, a railway wagon, or portable tank;

(j) 'address' means the name and the communication links whereby contact may, where necessary, be made with the operator, agent, port authority, competent authority or any other authorised person or body in possession of detailed information regarding the ship's cargo;

(k) 'competent authorities' means the authorities and organisations designated by Member States to receive and pass on information reported pursuant to this Directive;

(l) 'port authority' means the competent authority or body designated by Member States for each port to receive and pass on information reported pursuant to this Directive;

(m) 'place of refuge' means a port, the part of a port or another protective berth or anchorage or any other sheltered area identified by a Member State for accommodating ships in distress;

(n) 'coastal station' means any of the following, designated by Member States pursuant to this Directive: a vessel traffic service; a shore-based installation responsible for a mandatory reporting system approved by the IMO; or a body responsible for coordinating search and rescue operations or operations to tackle pollution at sea;

(o) 'vessel traffic service (VTS)' means a service designed to improve the safety and efficiency of vessel traffic and to protect the environment, which has the capability to interact with the traffic and to respond to traffic situations developing in the VTS area;

(p) 'ship's routing system' means any system of one or more routes or routing measures aimed at reducing the risk of casualties; it includes traffic separation schemes, two-way routes, recommended tracks, areas to be avoided, inshore traffic zones, roundabouts, precautionary areas and deep-water routes;

(q) 'traditional ships' means all kinds of historical ships and their replicas including those designed to encourage and promote traditional skills and seamanship, that together serve as living cultural monuments, operated according to traditional principles of seamanship and technique;

(r) 'casualty' means a casualty within the meaning of the IMO Code for the investigation of marine casualties and incidents.

TITLE I

SHIP REPORTING AND MONITORING

Article 4

Notification prior to entry into ports of the Member States

1. The operator, agent or master of a ship bound for a port of a Member State shall notify the information in Annex I(1) to the port authority:

(a) at least twenty-four hours in advance; or

(b) at the latest, at the time the ship leaves the previous port, if the voyage time is less than twenty-four hours; or

(c) if the port of call is not known or it is changed during the voyage, as soon as this information is available.

2. Ships coming from a port outside the Community and bound for a port of a Member State carrying dangerous or polluting goods, shall comply with the notification obligations of Article 13.

Article 5

Monitoring of ships entering the area of mandatory ship reporting systems

1. The Member State concerned shall monitor and take all necessary and appropriate measures to ensure that all ships entering the area of a mandatory ship reporting system, adopted by the IMO according to Regulation 11 Chapter V of the SOLAS Convention and operated by one or more States, of which at least one is a Member State, in accordance with the relevant guidelines and criteria developed by the IMO, comply with that system in reporting the information required without prejudice to additional information required by a Member State in accordance with IMO Resolution A.851(20).

2. When submitting a new mandatory ship reporting system to the IMO for adoption or a proposal to amend an existing reporting system, a Member State shall include in its proposal at least the information referred to in Annex I(4).

Article 6

Use of automatic identification systems

1. Any ship calling at a port of a Member State must, in accordance with the timetable set out in Annex II(I), be fitted with an AIS which meets the performance standards drawn up by the IMO.

2. Ships fitted with an AIS, shall maintain it in operation at all times except where international agreements, rules or standards provide for the protection of navigational information.

Article 7

Use of ship's routing systems

1. Member States shall monitor and take all necessary and appropriate measures to ensure that all ships entering the area of a mandatory ships' routing system adopted by the IMO according to Regulation 10 Chapter V of the SOLAS

Convention and operated by one or more States, of which at least one is a Member State, use the system in accordance with the relevant guidelines and criteria developed by the IMO.

2. When implementing a ship's routing system, which has not been adopted by the IMO, under their responsibility, Member States shall take into account, wherever possible, the guidelines and criteria developed by the IMO and promulgate all information necessary for the safe and effective use of the ship's routing system.

Article 8

Monitoring of the compliance of ships with vessel traffic services

Member States shall monitor and take all necessary and appropriate measures to ensure that:

(a) ships entering the area of applicability of a VTS operated by one or more States, of which at least one is a Member State, within their territorial sea and based on the guidelines developed by the IMO, participate in, and comply with, the rules of that VTS;

(b) ships flying the flag of a Member State or ships bound for a port of a Member State and entering the area of applicability of such a VTS outside the territorial sea of a Member State and based on the guidelines developed by the IMO, comply with the rules of that VTS;

(c) ships flying the flag of a third State and not bound for a port in a Member State entering a VTS area outside the territorial sea of a Member State, follow the rules of that VTS wherever possible. Member States should report to the flag State concerned any apparent serious breach of those rules in such a VTS area.

Article 9

Infrastructure for ship reporting systems, ships' routing systems and vessel traffic services

1. Member States shall take all necessary and appropriate measures to provide themselves gradually, on a time-schedule compatible with the timetable set out in Annex II(I), with appropriate equipment and shore-based installations for receiving and utilising the AIS information taking into account a necessary range for transmission of the reports.

2. The process of building up all necessary equipment and shore-based installations for implementing this Directive shall

be completed by the end of 2007. Member States shall ensure that the appropriate equipment for relaying the information to, and exchanging it between, the national systems of Member States shall be operational at the latest one year thereafter.

3. Member States shall ensure that the coastal stations in charge of monitoring the compliance with vessel traffic services and ships' routing systems have sufficient and properly qualified staff available, as well as appropriate means of communication and ship monitoring and that they operate in accordance with the relevant IMO guidelines.

Article 10

Voyage data recorder systems

1. Member States shall monitor and take all necessary and appropriate measures to ensure that ships calling at a port of a Member State are fitted with a voyage data recorder (VDR) system in accordance with the rules laid down in Annex II(II). Any exemptions granted to ro-ro ferries or high-speed passenger craft under Article 4(1)(d) of Council Directive 1999/35/EC of 29 April 1999 on a system of mandatory surveys for the safe operation of regular ro-ro ferry and high-speed passenger craft services (¹) shall terminate on 5 August 2002.

2. Data which have been collected from a VDR system shall be made available to the Member State concerned in the event of an investigation following a casualty occurring within the waters under the jurisdiction of a Member State. Member States shall ensure that such data are used in the investigation and are properly analysed. Member States shall ensure that the findings of the investigation are published as soon as possible after its conclusion.

Article 11

Casualty investigation

Without prejudice to Article 12 of Directive 1999/35/EC, Member States shall comply with the provisions of the IMO Code for the investigation of marine casualties and incidents when conducting any marine casualty or incident investigation involving a ship referred to in this Directive. Member States shall cooperate in the investigation of marine casualties and incidents involving ships flying their flag.

(¹) OJ L 138, 1.6.1999, p. 1.

TITLE II

NOTIFICATION OF DANGEROUS OR POLLUTING GOODS ON BOARD SHIPS (HAZMAT)

Article 12

Obligations on the shipper

No dangerous or polluting goods may be offered for carriage or taken on board any ship, irrespective of its size, in a port of a Member State unless a declaration has been delivered to the master or operator containing the information listed in Annex I(2).

It shall be the duty of the shipper to deliver to the master or operator such declaration and to ensure that the shipment offered for carriage is indeed the one declared in compliance with the first subparagraph.

Article 13

Notification of dangerous or polluting goods carried on board

1. The operator, agent or master of a ship, irrespective of its size, carrying dangerous or polluting goods and leaving a port of a Member State shall, at the latest at the moment of departure, notify the information indicated in Annex I(3) to the competent authority designated by that Member State.

2. The operator, agent or master of a ship, irrespective of its size, carrying dangerous or polluting goods coming from a port located outside the Community and bound for a port of a Member State or an anchorage located in a Member State's territorial waters shall, at the latest upon departure from the loading port or as soon as the port of destination or the location of the anchorage is known, if this information is unavailable at the moment of departure, notify the information indicated in Annex I(3) to the competent authority of the Member State in which the first port of destination or anchorage is located.

3. Member States may put in place a procedure authorising the operator, agent or master of a ship referred to in paragraphs 1 and 2 to notify the information listed in Annex I(3) to the port authority of the port of departure or destination in the Community, as appropriate.

The procedure put in place must ensure that the competent authority has access to the information indicated in Annex I(3) at all times should it be needed. To this end, the port authority concerned shall retain the information listed in Annex I(3)

long enough for it to be usable in the event of an incident or accident at sea. The port authority shall take the necessary measures to provide this information electronically and without delay to the competent authority, 24 hours a day upon request.

4. The operator, agent or master of the ship must communicate the cargo information indicated in Annex I(3) to the port authority or the competent authority.

The information must be transferred electronically whenever practicable. The electronic message exchange must use the syntax and procedures set out in Annex III.

Article 14

Computerised exchange of data between Member States

Member States shall cooperate to ensure the interconnection and interoperability of the national systems used to manage the information indicated in Annex I.

Communication systems set up pursuant to the first subparagraph must display the following features:

(a) data exchange must be electronic and enable messages notified in accordance with Article 13 to be received and processed;

(b) the system must allow information to be transmitted 24 hours a day;

(c) each Member State must be able, upon request, to send information on the ship and the dangerous or polluting goods on board without delay to the competent authority of another Member State.

Article 15

Exemptions

1. Member States may exempt scheduled services performed between ports located on their territory from the requirement laid down in Article 13 where the following conditions are met:

(a) the company operating the scheduled services referred to above keeps and updates a list of the ships concerned and sends it to the competent authority concerned,

(b) for each voyage performed, the information listed in Annex I(3) is kept available for the competent authority upon request. The company must establish an internal system to ensure that, upon request 24 hours a day and without delay, the said information can be sent to the competent authority electronically, in accordance with Article 13(4).

2. When an international scheduled service is operated between two or more States, of which at least one is a Member State, any of the Member States involved may request of the other Member States that an exemption be granted to that service. All Member States involved, including the coastal States concerned, shall collaborate in granting an exemption to the service concerned in accordance with the conditions laid down in paragraph 1.

3. Member States shall periodically check that the conditions laid down in paragraphs 1 and 2 are being met. Where at least one of these conditions is no longer being met, Member States shall immediately withdraw the privilege of the exemption from the company concerned.

4. Member States shall communicate to the Commission a list of companies and ships granted exemption under this Article, as well as any updating of that list.

TITLE III

MONITORING OF HAZARDOUS SHIPS AND INTERVENTION IN THE EVENT OF INCIDENTS AND ACCIDENTS AT SEA

Article 16

Transmission of information concerning certain ships

1. Ships meeting the criteria set out below shall be considered to be ships posing a potential hazard to shipping or a threat to maritime safety, the safety of individuals or the environment:

(a) ships which, in the course of their voyage:

— have been involved in incidents or accidents at sea as referred to in Article 17; or

— have failed to comply with the notification and reporting requirements imposed by this Directive; or

— have failed to comply with the applicable rules in ships' routing systems and VTS placed under the responsibility of a Member State;

(b) ships in respect of which there is proof or presumptive evidence of deliberate discharges of oil or other infringements of the MARPOL Convention in waters under the jurisdiction of a Member State;

(c) ships which have been refused access to ports of the Member States or which have been the subject of a report

or notification by a Member State in accordance with Annex I-1 to Council Directive 95/21/EC of 19 June 1995 on port State control of shipping ([1]).

2. Coastal stations holding relevant information on the ships referred to in paragraph 1 shall communicate it to the coastal stations concerned in the other Member States located along the planned route of the ship.

3. Member States shall ensure that the information communicated to them under paragraph 2 is transmitted to the relevant port authorities and/or any other authority designated by the Member State. Within the limits of their available staff capacity, Member States shall carry out any appropriate inspection or verification in their ports either on their own initiative or at the request of another Member State, without prejudice to any port State control obligation. They shall inform all Member States concerned of the results of the action they take.

Article 17

Reporting of incidents and accidents at sea

1. Without prejudice to international law and with a view to preventing or mitigating any significant threat to maritime safety, the safety of individuals or the environment, Member States shall monitor and take all appropriate measures to ensure that the master of a ship sailing within their search and rescue region/exclusive economic zone or equivalent, immediately reports to the coastal station responsible for that geographical area:

(a) any incident or accident affecting the safety of the ship, such as collision, running aground, damage, malfunction or breakdown, flooding or shifting of cargo, any defects in the hull or structural failure;

(b) any incident or accident which compromises shipping safety, such as failures likely to affect the ship's manoeuvrability or seaworthiness, or any defects affecting the propulsion system or steering gear, the electrical generating system, navigation equipment or communications equipment;

(c) any situation liable to lead to pollution of the waters or shore of a Member State, such as the discharge or threat of discharge of polluting products into the sea;

(d) any slick of polluting materials and containers or packages seen drifting at sea.

([1]) OJ L 157, 7.7.1995, p. 1. Directive as last amended by Directive 2001/106/EC of the European Parliament and of the Council (OJ L 19, 22.1.2002, p. 17).

2.   The report message sent in application of paragraph 1 shall include at least the ship's identity, its position, the port of departure, the port of destination, the address from which information may be obtained on the dangerous and polluting goods carried on board, the number of persons aboard, details of the incident and any relevant information referred to in IMO Resolution A.851(20).

Article 18

Measures in the event of exceptionally bad weather

1.   Where the competent authorities designated by Member States consider, in the event of exceptionally bad weather or sea conditions, that there is a serious threat of pollution of their shipping areas or coastal zones, or of the shipping areas or coastal zones of other States, or that the safety of human life is in danger:

(a) they should, where possible, fully inform the master of a ship which is in the port area concerned, and intends to enter or leave that port, of the sea state and weather conditions and, when relevant and possible, of the danger they may present to his/her ship, the cargo, the crew and the passengers;

(b) they may take, without prejudice to the duty of assistance to ships in distress and in accordance with Article 20, any other appropriate measures, which may include a recommendation or a prohibition either for a particular ship or for ships in general to enter or leave the port in the areas affected, until it has been established that there is no longer a risk to human life and/or to the environment;

(c) they shall take appropriate measures to limit as much as possible or, if necessary, prohibit the bunkering of ships in their territorial waters.

2.   The master shall inform the company of the appropriate measures or recommendations referred to under paragraph 1. These do not however prejudice the decision of the master on the basis of his/her professional judgement corresponding to the SOLAS Convention. Where the decision taken by the master of the ship is not in accordance with the measures referred to under paragraph 1, he/she shall inform the competent authorities of the reasons for his/her decision.

3.   The appropriate measures or recommendations, referred to under paragraph 1, shall be based upon a sea state and weather forecast provided by a qualified meteorological information service recognised by the Member State.

Article 19

Measures relating to incidents or accidents at sea

1.   In the event of incidents or accidents at sea as referred to in Article 17, Member States shall take all appropriate

measures consistent with international law, where necessary to ensure the safety of shipping and of persons and to protect the marine and coastal environment.

Annex IV sets out a non-exhaustive list of measures available to Member States pursuant to this Article.

2.   The operator, the master of the ship and the owner of the dangerous or polluting goods carried on board must, in accordance with national and international law, cooperate fully with the competent national authorities, at the latter's request, with a view to minimising the consequences of an incident or accident at sea.

3.   The master of a ship to which the provisions of the ISM Code are applicable shall, in accordance with that Code, inform the company of any incident or accident, as referred to in Article 17(1), which occurs at sea. As soon as it has been informed of such a situation, the company must contact the competent coastal station and place itself at its disposal as necessary.

Article 20

Places of refuge

Member States, having consulted the parties concerned, shall draw up, taking into account relevant guidelines by IMO, plans to accommodate, in the waters under their jurisdiction, ships in distress. Such plans shall contain the necessary arrangements and procedures taking into account operational and environmental constraints, to ensure that ships in distress may immediately go to a place of refuge subject to authorisation by the competent authority. Where the Member State considers it necessary and feasible, the plans must contain arrangements for the provision of adequate means and facilities for assistance, salvage and pollution response.

Plans for accommodating ships in distress shall be made available upon demand. Member States shall inform the Commission by 5 February 2004 of the measures taken in application of the first paragraph.

Article 21

Information of the parties concerned

1.   The competent coastal station of the Member State concerned shall, as necessary, broadcast within the relevant areas any incident or accident notified under Article 17(1) and information with regard to any ship that poses a threat to maritime safety, the safety of individuals or the environment.

2. Competent authorities holding information notified in accordance with Articles 13 and 17 shall make adequate arrangements to provide such information at any time upon request for safety reasons by the competent authority of another Member State.

3. Any Member State the competent authorities of which have been informed, pursuant to this Directive or in some other way, of facts which involve or increase the risk for another Member State of a hazard being posed to certain shipping areas and coastal zones, shall take the appropriate measures to inform any interested Member State thereof as soon as possible and consult it regarding the action being envisaged. Where appropriate, Member States shall cooperate with a view to pooling the arrangements for joint action.

Each Member State shall make the necessary arrangements to use fully the reports which ships are required to transmit to them pursuant to Article 17.

TITLE IV

ACCOMPANYING MEASURES

Article 22

Designation and publication of a list of competent bodies

1. Each Member State shall designate the competent authorities, port authorities and coastal stations to which the notifications required by this Directive must be made.

2. Each Member State shall ensure that the shipping industry is properly informed and regularly updated, notably via nautical publications, regarding the authorities and stations designated pursuant to paragraph 1, including where appropriate the geographical area for which they are competent, and the procedures laid down for notifying the information required by this Directive.

3. Member States shall send the Commission a list of the authorities and stations they designate pursuant to paragraph 1, as well as any updating thereof.

Article 23

Cooperation between Member States and the Commission

Member States and the Commission shall cooperate in attaining the following objectives:

(a) making optimum use of the information notified pursuant to this Directive, notably by developing appropriate

telematic links between coastal stations and port authorities with a view to exchanging data relating to ships' movements, their estimated times of arrival in ports and their cargo;

(b) developing and enhancing the effectiveness of telematic links between the coastal stations of the Member States with a view to obtaining a clearer picture of traffic, improving the monitoring of ships in transit, and harmonising and, as far as possible, streamlining the reports required from ships en route;

(c) extending the cover of and/or updating the Community vessel traffic monitoring and information system with a view to enhanced identification and monitoring of ships. To this end, the Member States and the Commission shall work together to put in place, where necessary, mandatory reporting systems, mandatory vessel traffic services and appropriate ships' routing systems, with a view to submitting them to the IMO for approval;

(d) drawing up, if appropriate, concerted plans to accommodate ships in distress.

Article 24

Confidentiality of information

Member States shall, in accordance with their national legislation, take the necessary measures to ensure the confidentiality of information sent to them pursuant to this Directive.

Article 25

Monitoring the implementation of this Directive and sanctions

1. Member States shall carry out regular inspections and any other action required to check the functioning of the shore-based telematic systems set up to meet the requirements of this Directive, and in particular their capacity to meet the requirements of receiving or sending without delay, 24 hours a day, information notified pursuant to Articles 13 and 15.

2. Member States shall lay down a system of sanctions for the breach of national provisions adopted pursuant to this Directive and shall take all the measures necessary to ensure that those sanctions are applied. The sanctions thus provided shall be effective, proportionate and dissuasive.

3.   Member States shall, without delay, inform the flag State and any other State concerned of measures taken in respect of ships not flying their flag pursuant to Articles 16 and 19 and to paragraph 2 of this Article.

4.   Where a Member State finds, on the occasion of an incident or accident at sea referred to in Article 19, that the company has not been able to establish and maintain a link with the ship or with the coastal stations concerned, it shall so inform the State which issued the ISM document of compliance and associated safety management certificate, or on whose behalf it was issued.

Where the seriousness of the failure shows the existence of a major incidence of non-compliance in the functioning of the safety management system of a company established in a Member State, the Member State which issued the document of compliance or safety management certificate to the ship shall immediately take the necessary measures against the company concerned with the view to having the document of compliance and the associated safety management certificate withdrawn.

Article 26

Evaluation

1.   Member States must report to the Commission by 5 February 2007 on the progress in implementing this Directive and, in particular, the provisions of Articles 9, 10, 18, 20, 22, 23 and 25. Member States must report to the Commission by 31 December 2009 on the full implementation of the Directive.

2.   On the basis of the reports referred to in paragraph 1, the Commission shall report to the European Parliament and to the Council six months thereafter on the implementation of this Directive. In its reports, the Commission shall ascertain whether and to what extent the provisions of this Directive as implemented by the Member States are helping to increase the safety and efficiency of maritime transport and prevent pollution by ships.

3.   The Commission shall examine the need for, and feasibility of, measures at Community level aimed at facilitating the recovery of, or compensation for, costs and damage incurred for the accommodation of ships in distress, including appropriate requirements for insurance or other financial security

The Commission shall report to the European Parliament and to the Council by 5 February 2007 the results of such examination.

FINAL PROVISIONS

Article 27

Amendment procedure

1.   The definitions in Article 3, the references to Community and IMO instruments and the Annexes may be amended in accordance with the procedure laid down in Article 28(2) in order to bring them into line with Community or international law which have been adopted, amended or brought into force, insofar as such amendments do not broaden the scope of this Directive.

2.   Furthermore, Annexes I, III and IV may be amended in accordance with the procedure laid down in Article 28(2), in the light of experience gained with this Directive, in so far as such amendments do not broaden the scope of this Directive.

Article 28

Committee procedure

1.   The Commission shall be assisted by a Committee.

2.   Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3.   The Committee shall adopt its rules of procedure.

Article 29

1.   Member States shall adopt the laws, regulations and administrative provisions necessary to comply with this Directive by 5 February 2004 at the latest. They shall forthwith inform the Commission thereof.

When Member States adopt these measures, they shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of their official publication. The methods of making such a reference shall be laid down by Member States.

2.   Member States shall notify to the Commission the provisions of their national legislation which they adopted in the field governed by this Directive.

Article 30

Council Directive 93/75/EEC is hereby repealed as from 5 February 2004.

Article 31

This Directive shall enter into force on the day of its publication in the *Official Journal of the European Communities*.

Article 32

This Directive is addressed to the Member States.

Done at Luxembourg, 27 June 2002.

For the European Parliament	*For the Council*
The President	*The President*
P. COX	M. ARIAS CAÑETE

ANNEX I

LIST OF INFORMATION TO BE NOTIFIED

1. **Information to be notified in accordance with Article 4 — General information:**

   (a) ship identification (name, call sign, IMO identification number or MMSI number),

   (b) port of destination;

   (c) estimated time of arrival at the port of destination or pilot station, as required by the competent authority, and estimated time of departure from that port;

   (d) total number of persons on board.

2. **Information to be notified in accordance with Article 12 — Cargo information:**

   (a) the correct technical names of the dangerous or polluting goods, the United Nations (UN) numbers where they exist, the IMO hazard classes in accordance with the IMDG, IBC and IGC Codes and, where appropriate, the class of the ship needed for INF cargoes as defined in Regulation VII/14.2, the quantities of such goods and, if they are being carried in cargo transport units other than tanks, the identification number thereof;

   (b) address from which detailed information on the cargo may be obtained.

3. **Information to be notified in accordance with Article 13:**

   A. General information:

   (a) ship identification (name, call sign, IMO identification number or MMSI number);

   (b) port of destination;

   (c) for a ship leaving a port in a Member State: estimated time of departure from the port of departure or pilot station, as required by the competent authority, and estimated time of arrival at the port of destination;

   (d) for a ship coming from a port located outside the Community and bound for a port in a Member State: estimated time of arrival at the port of destination or pilot station, as required by the competent authority;

   (e) total number of persons on board.

   B. Cargo information:

   (a) the correct technical names of the dangerous or polluting goods, the United Nations (UN) numbers where they exist, the IMO hazard classes in accordance with the IMDG, IBC and IGC Codes and, where appropriate, the class of the ship as defined by the INF Code, the quantities of such goods and their location on board and, if they are being carried in cargo transport units other than tanks, the identification number thereof;

   (b) confirmation that a list or manifest or appropriate loading plan giving details of the dangerous or polluting goods carried and of their location on the ship is on board;

   (c) address from which detailed information on the cargo may be obtained.

4. **Information referred to in Article 5:**

   — A.   ship identification (name, call sign, IMO identification number or MMSI number),

   — B.   date and time,

— C or D.   position in latitude and longitude or true bearing and distance in nautical miles from a clearly identified landmark,

— E.   course,

— F.   speed,

— I.   port destination and estimated time of arrival,

— P.   cargo and, if dangerous goods present on board, quantity and IMO class,

— T.   address for the communication of cargo information,

— W.   total number of persons on board,

— X.   various information:

      — characteristics and estimated quantity of bunker fuel, for ships carrying more than 5 000 tons of bunker fuel,

      — navigational status.

5. The master of the ship must forthwith inform the competent authority or port authority concerned of any change to the information notified pursuant to this Annex.

—————

ANNEX II

PRESCRIPTIONS APPLICABLE TO ON-BOARD EQUIPMENT

I. **Automatic identification systems (AIS)**

1. Ships built on or after 1 July 2002

Passenger ships, irrespective of size, and all ships of 300 gross tonnage and upwards built on or after 1 July 2002 which call at a port of a Member State of the Community are subject to the carrying requirement laid down in Article 6.

2. Ships built prior to 1 July 2002

Passenger ships, irrespective of size, and all ships of 300 gross tonnage and upwards built prior to 1 July 2002 which call at a port of a Member State of the Community are subject to the carrying requirement laid down in Article 6 according to the following timetable:

(a) passenger ships: not later than 1 July 2003;

(b) tankers: not later than the first survey for safety equipment after 1 July 2003;

(c) ships, other than passenger ships and tankers, of 50 000 gross tonnage and upwards: not later than 1 July 2004;

(d) ships, other than passenger ships and tankers, of 10 000 gross tonnage and upwards but less than 50 000 gross tonnage: not later than 1 July 2005 or, as regards ships engaged in international voyages, any earlier date decided within the framework of the IMO;

(e) ships, other than passenger ships and tankers, of 3 000 gross tonnage and upwards but less than 10 000 gross tonnage: not later than 1 July 2006 or, as regards ships engaged in international voyages, any earlier date decided upon within the framework of the IMO;

(f) ships, other than passenger ships and tankers, of 300 gross tonnage and upwards but less than 3 000 gross tonnage: not later than 1 July 2007 or, as regards ships engaged in international voyages, any earlier date decided upon within the framework of the IMO.

Member States may exempt passenger ships below 300 gross tonnage engaged in domestic trade from the application of the requirements concerning AIS laid down in this Annex.

II. **Voyage data recorder (VDR) systems**

1. Ships in the following classes must, inasmuch as they call at a port of a Member State of the Community, be fitted with a voyage data recorder system meeting the performance standards of IMO Resolution A.861(20) and the testing standards set by Standard No 61996 of the International Electronics Commission (IEC):

(a) passenger ships built on or after 1 July 2002, not later than 1 July 2002;

(b) ro-ro passenger ships built before 1 July 2002, not later than the first survey on or after 1 July 2002;

(c) passenger ships other than ro-ro passenger ships, built before 1 July 2002, not later than 1 January 2004;

(d) Ships other than passenger ships, of 3 000 gross tonnage and upwards, built on or after 1 July 2002, not later than 5 August 2002.

2. Ships in the following classes and built before 1 July 2002 must, inasmuch as they call at a port of a Member State of the Community, be fitted with a voyage data recorder system meeting the relevant IMO standards:

(a) cargo ships of 20 000 gross tonnage and upwards, not later than the date fixed by the IMO, or, in the absence of a decision in IMO, not later than 1 January 2007;

(b) cargo ships of 3 000 gross tonnage and upwards but less than 20 000 gross tonnage, not later than the date fixed by the IMO, or, in the absence of a decision in IMO, not later than 1 January 2008.

3. Member States may exempt passenger ships engaged only in domestic voyages in sea areas other than those covered by Class A, as referred to in Article 4 of Council Directive 98/18/EC of 17 March 1998 on safety rules and standards for passenger ships (¹) from the voyage data recorder requirements laid down in this Directive.

_____

(¹) OJ L 144, 15.5.1998, p. 1.

ANNEX III

ELECTRONIC MESSAGES

1. Member States shall develop and maintain the necessary infrastructure to enable transmission, reception and conversion of data between systems using XML or EDIFACT syntax, based on Internet or X.400 communication facilities.

2. The Commission shall develop and maintain, in consultation with the Member States, an 'Interface Control Document' which describes the system facilities in terms of the message scenario, the message functions and the relation between the messages. The message timing and performance shall be detailed, as well as data interchange protocols and parameters. The Interface Control Document shall further specify the data content of the required message functions and describe those messages.

3. These procedures and infrastructure should incorporate, whenever practicable, reporting and information exchange obligations resulting from other Directives, such as Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues ([1]).

([1]) OJ L 332, 28.12.2000, p. 81.

ANNEX IV

Measures available to Member States in the event of a threat to maritime safety and the protection of the environment

(pursuant to Article 19(1))

Where, following an incident or circumstance of the type described in Article 17 affecting a ship, the competent authority of the Member State concerned deems, within the framework of international law, that it is necessary to avert, lessen or remove a serious and imminent threat to its coastline or related interests, the safety of other ships and their crews and passengers or of persons on shore or to protect the marine environment, that authority may, *inter alia*:

(a) restrict the movement of the ship or direct it to follow a specific course. This requirement does not affect the master's responsibility for the safe handling of his ship;

(b) give official notice to the master of the ship to put an end to the threat to the environment or maritime safety;

(c) send an evaluation team aboard the ship to assess the degree of risk, help the master to remedy the situation and keep the competent coastal station informed thereof;

(d) instruct the master to put in at a place of refuge in the event of imminent peril, or cause the ship to be piloted or towed.

Changes from report 0.7:
ADD: Added
MOVED: Moved
NAME: Renamed
DELETE: Deleted
DEF: in definition
TECH: in technical definition

Changes	Group/ Element Name	Label for user interface (if different from Name)	A1 - Port	A2-Border	A3 - DPG	A4 - Waste	A5 - Security	B1 - FAL1	B3 - FAL3	B4 - FAL4	B5 - FAL5	B6 - FAL6	B7 - FAL7	B8 - MDH	C1 - PSC Arrival	C2 - PSC Departure	C2 - PSC 72h pre-arrival
	1. Ship identification																
	Ship name	Name of ship	X		X	X	X	X	X	X	X	X	X	X	X	X	X
	Call sign		X		X	X	X	X	X	X	X	X	X		X	X	X
	IMO number		X		X	X	X	X	X	X	X	X	X	X	X	X	X
	MMSI number		X		X		X								X	X	X
	Comment	Any other information related to ship												X			
	2. Ship particulars																
	Flag state of ship					X	X	X	X	X	X	X	X	X			
	Certificate of registry - Port						X	X									
	Locode																
	Location name																
	Certificate of registry - Date							X									
TECH	Certificate of registry - Number						X	X									
TECH	Inmarsat call number						X										
	Gross tonnage						X	X						X			
	Net tonnage						X	X									
	Ship type						X	X									
	Name of company						X										
	IMO company identification number						X										
	3. Port call																
	Port of call		X		A	X	X	X	X	X	X	X	X	X	X	X	
	ETA port of call	ETA	X		A	X	X	A	A	A	A	A		X	X		X
	ETD port of call	ETD	X		D	X		D	D		D	D		X		X	X
TECH	Position in port of call							X									
TECH	Port facility	Port Facility of arrival (if known)					X										X

Category / Field	Detail												
Name of agent					X	X						X	
Contact details of agent					X	X							
Phone													
Fax													
Email	(TECH)												
Purpose of call					X								
Brief description of onboard cargo	General description of the cargo				X	X							
4. Pre-arrival 72 hrs notification													
Possible anchorage	Call at anchorage											X	
Planned operations												X	
Planned works	Planned statutory survey inspections											X	
Tanker hull configuration	For tankers: Configuration											X	
Volume and nature of cargo	For tankers: Volume and nature of cargo											X	
Condition of cargo and ballast tanks	For tankers: Condition of cargo and											X	
5. Arrival													
ATA port of call	ATA										X		
Anchorage	Call at anchorage										X		
6. Departure													
ATD port of call	ATD												X
7. Voyage													
Voyage Number				X	X	X	X	X					
Next port	(TECH)		D	X	D	D	X			X			
ETA to next port			D										
Last port	(TECH)		X		A	A	X			X			
ETD from last port		X					X						
Itinerary of cruise ship													
Port		X											
Expected date and time of arrival		X											
		X											
Last calls at port facilities				X						X			
Port													
Port facility	(TECH)												
Date of arrival													
Date of departure													
Security level													
Special or additional security measures													
8. Dangerous and polluting goods													
INF ship class			X										
Confirm DPG list on board	Do you confirm that a list or manifest		X										
DPG contact details	Contact from which detailed		X										
Given name													
Family name													
Location													
Phone													
Fax													
Email	(TECH)												

9. Dangerous and polluting cargo items						
		Port of loading				X
		Port of discharge				X
		Transport document ID	Transport document / Booking /			X
NAME, DEF, TECH		Transport Unit ID		X		X
		Number of Packages				X
		Package type	Kind of packages			X
TECH		Textual reference		X		X
		DG classification		X		X
		IMO hazard class		X		X
		UN number		X		X
		Packing group				X
TECH		Subsidiary risks				X
		Flashpoint	Flashpoint (in °C.c.c.)	X		X
		MARPOL pollution code				X
		Gross quantity		X		X
		Net quantity				X
TECH		EmS				X
		Stowage position		X		X
		Additional information				X
10. Ship's Stores						
		Name of article			X	
		Quantity			X	
		Location on board			X	
		Official use			X	
11. Waste						
		Last port delivered	Last port when ship-generated waste	X		
		Last port delivered date	Date when ship-generated waste was	X		
		Waste delivery type	Are you delivering all, some or none	X		
		Accurate and correct details	Do you confirm that the above details	X		
		Sufficient onboard capacity	Do you confirm that there is sufficient	X		
12. Waste disposal information						
		Waste type		X		
		Waste type code		X		
		Waste type description		X		

Category	Field	Description	1	2	3	4	5	6
	Amount to be delivered	Waste to be delivered (m3)			X			
	Maximum dedicated storage capacity	Maximum dedicated storage capacity			X			
MOVED	Amount retained on board	Amount of waste retained on board			X			
MOVED, TECH	Port of delivery of remaining waste	Port at which remaining waste will be			X			
MOVED, TECH	Estimated amount of waste to be generated	Estimated amount of waste to be			X			
13. Security								
MOVED	CSO name			X				
MOVED, TECH	Given name							
MOVED, TECH	Family name							
MOVED	CSO contact details				X			
MOVED	Phone							
MOVED	Fax							
MOVED, TECH	Email							
	Valid ISSC	Does the ship have a valid ISSC?			X			
	Reason for no valid ISSC	If no, why not?			X			
	ISSC	ISSC			X			
TECH	ISSC Type				X			
	ISSC issuer type	Type of ISSC issuing authority			X			
	ISSC issuer	Name of ISSC issuing authority			X			
	ISSC expiry date				X			
	Approved security plan on board	Does the ship have an approved SSP			X			
	Current ship security level	Security level at which the ship is			X			
	Ship-to-ship activities	Ship-to-ship activities, in			X			
	Location				X			
	Locode				X			
	Latitude				X			
	Longitude				X			
	Location name				X			
	Date from				X			
	Date to				X			
	Activity				X			
	Security measures	Security measures applied in lieu			X			
	Security related matter to report	Any security-related matter to report			X			
14. Number of persons on board								
	Number of persons on board		X			X		
	Number of passengers					X	X	X
	Number of crew					X	X	X
	Stowaways	Have any stowaways been found on		X				X
15. Passengers								
	Number			X				
	Family name			X			X	X
	Given name			X			X	X
	Nationality			X			X	
	Date of birth			X			X	X
	Place of birth			X			X	

Field	Description					
Nature of identity document						
Number of identity document		X				
Port of embarkation		X		X		
Port of disembarkation		X		X		
Transit	Transit passenger or not	X		X		
Visa/Residence Permit number		X				
16. Crew						
Number			X			
Family name		X	X	X	X	
Given name		X	X	X	X	
Duty of crew	Rank or Rating	X	X	X		
Nationality		X	X			
Date of birth		X	X			
Place of birth		X	X			
Nature of identity document		X	X			
Number of identity document		X	X			
Visa/Residence Permit number		X				
17. Crew's Effects						
Number		X				
Crew's effects	Effects ineligible for relief from	X				
18. Health						
Valid Sanitation Control Exemption or Control	Valid Sanitation Control					X
Place of issue	Issued at					X
Date of Issue						X
Re-inspection required	Re-inspection required?					X
Visited infected area	Has the ship visited an infected area					X
Port of call in infected area						X
Date of call in infected area						X
Any person died	Has any person died on board during					X
Number of deaths	Total number of deaths					X
Disease on board	during the international voyage any					X
Ill persons greater than expected	Has the total number of ill persons					X
Number of ill persons	How many ill persons?					X
Ill persons now	Is there any sick person on board					X
Medical consulted	Was a medical practitioner consulted?					X
Infection condition on board	Are you aware of any condition on					X
Sanitary measure	Has any sanitary measure (e.g.					X
Type						X
Place						X
Date						X
Location stowaways joined ship	Where did stowaways join the ship (if					X
Sick animal	Is there a sick animal or pet on					X
19. Health - MDH Attachment						

Field	Description						
Number							X
Gender							X
Embarkation date	Date joined ship						X
Illness	Nature of Illness						X
Symptoms date	Date of onset of symptoms						X
Reported to port medical	Reported to a port medical officer?						X
State	Whether the person recovered, is still						X
Case Disposal	Whether the person is still on board,						X
Location of evacuation	Name of the port or airport where						X
Treatment	Drugs, medicines or other treatment						X
Comments							X
20. Remarks							
General remarks				X			

Definition	Supported by all NSWs as reporting formality	Arrival	Departure	Made available via SSN	Already in PortPlus message	To be provided on request	Occ	Type	Length	Code (if relevant)
							1			
Given name of the ship in the ship registry	X	A	D	X	X		0-1	Text	0-35	Upon SOLAS, chapter I, part B, regulation 15 "Form Certificates", "the
Call sign for the ship. Sequence of letters and numbers, unique to	X	A	D	X	X		0-1	Text	0-7	
Unique ship identification number assigned by Lloyd's Register –	X	A	D	X	X		0-1	Text	7	IMO number – IMO Res A.600 (15)
Identifier used by maritime digital selective calling (DSC), automatic	X	A	D	X	X		0-1	Text	9	MID according to the ITU regulation. Length of the MMSI number should
Any other information related to ship identity		A					0-1	Text	0-256	Possibility to provide information (e.g. registration number) on vessels
							0-1			
The ISO code for the country subdivision in which the means of	X	A	D	X	X		0-1	Enum	2	The Alpha-2 code (two-digits flag code) in accordance with the standard
Port where the certificate of registry was issued	X	A	D	X			0-1	Text	5	The port is identified by its 5-digit LOCODE
				X			0-1	Text	0-256	
Date of issue of certificate of registry		A	D	Optional			0-1	Date		
Number of the certification of registry		A	D	Optional			0-1	Text	1-35	
Number indicating the location of the ship by satellite services of	X	A		X			0-5	Text	1-50	
The measure of the overall size of a ship determined in accordance	X	A	D	X	X		0-1	Decimal	3	
The measure of the useful capacity of a ship determined in	X	A	D		X		0-1	Decimal	3	
Code specifying the type of means of transport.	X	A	D	X			0-1	Enum	2-3	codes the ship type according to UNECE R28.
Name of ship's operating company, as defined in the ISM code	X	A		X			0-1	Text	1-70	
IMO company identification number	X	A		X			0-1	Text	7	
							1			
When referring to a voyage leg, this is the port at the end of that leg.	X	A	D	X	X		1	Text	5	The "port of call" attribute must only be the LOCODE of the specific port
Estimated time and date of arrival at the port of call	X	A		X	X		0-1	DT		
Estimated time and date of departure from the port of call	X	A	D	X	X		0-1	DT		
Position of the ship in the port (berth or station)	X	A		X	X		0-1	Text	0-50	Any 50 character free text value will be accepted. However M.S are
Facility as defined in ISPS	X	A		X	X		0-1	Text	1-4	The port facility's code in the IMO GISIS maritime security database

Description							Card.	Type	Length	Notes
Name of the organisation representing the ship in the context of the	X	A		X			0-1	Text	1-50	
Contact details of agent at port of call	X	A		X			0-1			
	X	A		X			0-1	Text	1-20	with an international prefix code
	X	A		X			0-1	Text	1-20	with an international prefix code
	X	A		X			0-1	Text	0-50	
Primary purpose of the call	X	A		X			0-9	Enum		EDIFACT codes (8025)
This is a short text giving an overview of what cargo the ship	X	A	D	X			0-1	Text	1-256	Type of cargo
							0-1			
Whether the call is at an anchorage		A		X	X		0-1	Enum		Yes/ No status code
Planned operations at the port of call or anchorage of destination		A		X	X		0-1	Text	0-256	
Planned statutory survey inspection and substantial maintenance		A		X	X		0-1	Text	0-256	
Configuration: single hull, single hull with SBT, double hull		A		X	X		0-1	Enum		Possible values: SHT - indicating a single hull tanker; SHT-SBT -
volume and nature of the cargo on board the tanker		A		X	X		0-1	Text	0-256	
Condition of the cargo and ballast tanks: full, empty, inerted		A		X	X		0-1	Text	0-256	
							0-1			
Actual time that ship arrived at port of call or anchorage		A		X	X		1	DT		
Whether the call is at an anchorage		A		X	X		0-1	Enum		Yes/ No status code
							0-1			
Actual time that ship departed from port of call or anchorage			D	X	X		1	DT		
							0-1			
This is a carrier-assigned reference code for a voyage		A	D				0-1	Text	0-256	
When referring to a specific leg of a voyage, the next port is the next	X		D	X	X		0-1	Text	5	The port is identified by its 5-digit LOCODE
Estimated time and date of arrival at the next port	X		D	X	X		0-1	DT		
When referring to a leg of a voyage, this is the departure port for	X	A		X	X		0-1	Text	5	The port is identified by its 5-digit LOCODE
Estimated time and date of departure from the from Last port	X	A		X	X		0-1	DT		
List of ports where the ship is expected to call from the initial	X	A					0-n			
	X	A					1	Text		
	X	A					1	DT		
Last calls at port facilities						R	0-n			
	X	A		X		R	1	Text	5	The port is identified by its 5-digit LOCODE
Port facility identified by its IMO port facility number as in GISIS	X	A		X		R	0-1	Text	1-4	Port facility's code in the IMO GISIS maritime security database
Actual date of arrival	X	A		X		R	0-1	Date		
Actual date of departure	X	A		X		R	0-1	Date		
Port's security level according to ISPS provisions	X	A		X		R	0-1	Enum		The security levels according to the ISPS code: "SL1", "SL2" and "SL3"
Special or additional security measures taken by the ship during call	X	A		X		R	0-1	Text	0-256	
							0-1			
Class of the ship needed for INF cargoes as defined in Regulation	X	A	D	X	X		0-1	Enum		Code for the license of the vessel according to the INF Code. Possible
Confirmation that a list or manifest or appropriate loading plan	X	A	D				1	Enum		Yes/ No status code
Address from which detailed information on the polluting and	X	A	D	X			0-1			Cargo Information ContactDetails
	X	A	D	X	X		0-1	Text	0-50	
	X	A	D	X	X		0-1	Text	0-50	
	X	A	D	X	X		0-1	Text	5	LOCODE
	X	A	D	X	X		1	Text	1-20	with an international prefix code
	X	A	D	X	X		0-1	Text	1-20	with an international prefix code
	X	A	D	X	X		0-1	Text	0-50	

Description							Mult	Type	Length	Comment
							0-n			
Identify of the port where the cargo was loaded on board the ship	X	A	D	Optional		R	0-1	Text	5	The port is identified by its 5-digit LOCODE
Identity of the port where the cargo will be discharged from the ship		A	D	Optional		R	0-1	Text	5	The port is identified by its 5-digit LOCODE
Transport document, e.g., Bill of Lading, identity code		A	D	Optional		R	0-1	Text	1-35	The port is identified by its 5-digit LOCODE
Identification of the transport equipment. For containers, this shall	X	A	D	X		R	1	Text	1-17	
This is the total number of packages on all cargo units covered by		A	D	Optional		R	0-1	Int		
This is a description of the outer package of the cargo item		A	D	Optional		R	0-1	Enum	2	Two-letter alphabetic code of annex V or VI??? of UNECE R21
This is the proper shipping name, completed with the technical	X	A	D	X	X	R	1	Text	1-350	
Indication of the classification used (IMDG, IGC, IBC, IMSBC,	X	A	D	X	X	R	1	Enum		Values: "IMDG", "IGC", "IBC", "MARPOL_ANNEX1", "IMSBC"
UN Hazard Code for this cargo item as defined in IMDG. It specifies	X	A	D	X	X	R	0-1	Text	1-7	IMO Hazard class (IMDG-IBC-IGC codes) of DPG
United Nations Dangerous Goods Identifier (UNDG), unique serial	X	A	D	X	X	R	0-1	Text	4	UN number of DPG. Please use 'NONE' if UN number not existing.
Where applicable: Packing danger group code as appropriate and		A	D	Optional		R	0-1	Enum		Code as appropriate and as defined in IMDG: "I", "II", "III" and "None"
Any risks in addition to the class to which dangerous goods are		A	D	Optional		R	0-5	Text	1-17	
The temperature in degrees Celsius at which a liquid will give off		A	D	Optional		R	0-1	Decimal		
This code applies to noxious liquid substances as defined in		A	D	Optional		R	0-1	Enum		The code values are those defined in MARPOL, Annex II: "X", "Y", "Z"
The weight (mass) or volume of the dangerous goods contained in a	X	A	D	X	X	R	0-1	Decimal	3 (1-18)	Unit of measurement to be considered (SSN: WeightGross element
Net quantity of cargo item: value and unit		A	D	X	X	R	0-1	Decimal	3	Unit of measurement to be considered (SSN: WeightNet element
Emergency response procedures for ships carrying dangerous		A	D	Optional		R	0-2	Text	1-50	
The position or place where each DG item is stored on board the	X	A	D	X	X	R	1	Text	1-25	
Any additional information regarding dangrous and polluting goods	X	A	D	X	X	X	0-1	Text	1-256	
							0-n			
Description of the dutiable store item that the ship carries	X	A					0-1	Text	1-35	The port is identified by its 5-digit LOCODE
Quantity of the ship's store item: amount and unit		A					0-1	Decimal Enum		
This is the on board location of the ship's stores item		A					0-1	Text		
Description indicates the purpose of official usage of each article of		A					0-1	Text		
							0-1			
Last port where ship-generated waste was delivered	X	A		X		R	0-1	Text	5	The port is identified by its 5-digit LOCODE
Last date when ship-generated waste was delivered	X	A		X			0-1	Date		
If ship delivers all, some or none of its waste in the port it reports to	X	A		X			1	Enum		Possible values: "All", "Some" or "None"
Confirmation that the above details are accurate and correct. This is	X	A					1	Enum		Yes/ No status code
Confirmation that there is sufficient dedicated onboard capacity.	X	A					1	Enum		Yes/ No status code
							0-n			
Type of waste	X	A		X			1	Enum		
Code of waste type	X	A		X			1	Enum		Code as defined in Waste BR
Free text description of waste type	X	A		X			0-1	Text	1-256	

Description							Type	Card.	Length	Comments
Quantity in cubic metres (m3) of waste to be delivered in port. This	X	A		X			Decimal	1		
Maximum dedicated storage capacity for this type of waste in cubic	X	A		X			Decimal	0-1		
Quantity in cubic metres (m3) of waste to be retained on board	X	A		X			Decimal	0-1		
Name of port where remaining waste will be disposed of	X	A		X			Text	0-1	5	The port is identified by its 5-digit LOCODE
Estimate amount of waste to be generated between notification and	X	A		X			Decimal	0-1		
								0-1		
Full name of the Company Security Officer	X	A		X		R	Text	1		
	X	A		X		R	Text	0-1	0-50	
	X	A		X		R	Text	1	0-50	
Company Security Officer's 24 hour contact details: phone, fax, e-	X	A		X		R	Text	0-1		
	X	A		X		R	Text	0-1	1-20	with an international prefix code
	X	A		X		R	Text	0-1	1-20	with an international prefix code
	X	A		X		R	Text	0-1	0-50	
Does the ship have a valid International Ship Security Certificate	X	A		X		R	Enum	1		Yes/ No status code
The reasons why the ship has no valid ISSC	X	A		X		R	Text	0-1	1-256	
	X	A		X			Enum	0-1		
To indicate if the ship is provided with an International Ship Security	X	A		X			Enum	1		Possible values: "Full" or "Interim"
Type of organization (Administration or Recognized Security	X	A		X		R	Enum	0-1		Possible values: "Administration" or "RSO"
Name of the issuing body.	X	A		X		R	Text	1	1-256	
Date indicating when the ISSC will be expired	X	A		X		R	Date	1		
This is a yes/no data element. Indicates if the ship has an approved	X	A		X		R	Enum	1		Yes/ No status code
Ship's current security level according to the ISPS provisions	X	A		X			Enum	1		The security levels according to the ISPS code: "SL0", "SL1", "SL2" and
Ship-to-ship activities, in chronological order (most recent first),	X	A		X		R		0-n		
Location as a port, a geographic position and/or a named location	X	A		X				1		
	X	A		X		R	Text	0-1	5	LOCODE
	X	A		X		R	Decimal	0-1		minInclusive value="-90" and maxInclusive value="90"
	X	A		X		R	Decimal	0-1		minInclusive value="-180" and maxInclusive value="180"
	X	A		X		R	Text	0-1	0-256	
	X	A		X		R	Date	1		
	X	A		X		R	Date	1		
Description of ship-to-ship activity performed	X	A		X		R	Text	1	1-256	
Security measures applied in lieu	X	A		X		R	Text	0-1	0-256	
Security related matter to report, if any	X	A		X		R	Text	0-1	0-256	
								0-1		
Total number of persons on board the ship	X	A	D	X	X		Int	1		The value 0 (Zero) is not allowed. Note that the type "INT" prohibits the
Total number of passengers on board the ship		A	D				Int	0-1		
Total number of crew on board the ship		A	D				Int	0-1		
Have any stowaways been found on board? This is yes/no data	X	A		X			Enum	0-1		Yes/ No status code
								0-n		
Sequence number of passenger	X	A					Text	1		
Family name or surname as in passport or valid ID Document	X	A					Text	1	70	
Given name or first name as in passport or valid ID Document	X	A					Text	1	70	
The stated or factual country of citizenship shown on the crew's	X	A		X			Enum	1		The Alpha-2 code (two-digits flag code) in accordance with the standard
Date of birth	X	A		X			Date	1		
Place of birth, city name or similar	X	A		X			Text	1	35	

Description	X	A	Card.	Type	Len	Remarks
The types of documents are muster book, passport or other legal	X	A	1	Enum	??	?? Issue of coding: no match between ISO28005 and WCO
Registration number of the specified document	X	A	1	Text	35	
Port where the passenger embarked the ship	X	A	1	Text	5	The port is identified by its 5-digit LOCODE
Port where the passenger disembarked the ship	X	A	1	Text	5	The port is identified by its 5-digit LOCODE
If the passenger is a transit passenger in this port call, i.e., if the	X	A	1	Enum		Yes/ No status code
Visa number or Residence Permit number, as applicable	X	A	0-1	Text	35	
			0-n			
Sequence number of crew	X	A	1	Text		
Family name, name	X	A	1	Text	70	
Given name, first name, surname	X	A	1	Text	70	
Crew duty or rank	X	A	1	Enum	??	?? Issue of coding: no standard list
The stated or factual country of citizenship shown on the crew's	X	A	1	Enum		The Alpha-2 code (two-digits flag code) in accordance with the standard
Date of birth	X	A	1	Date		
Place of birth, city name or similar	X	A	1	Text	35	
The types of documents are muster book, passport or other legal	X	A	1	Enum	??	?? Issue of coding: no match between ISO28005 and WCO
Registration number of the specified document	X	A	1	Text	35	
Visa number or Residence Permit number, as applicable	X	A	0-1	Text	35	
			0-n			
Sequence number of crew		A	1	Text		
Effects ineligible for relief from customs duties and taxes or subject to prohibitions or restrictions (e.g. wines, spirits, cigarettes, tobacco, etc.).		A	0-1	Text	??	
			0-1			
Valid Sanitation Control Exemption or Control Certificate carried on	X	A	0-1	Enum		Yes/ No status code
Location where the Sanitation Control Exemption or Control	X	A	0-1	Text		
Date when the Sanitation Control Exemption or Control Certificate	X	A	0-1	Date		
It is a yes/no data element	X	A	0-1	Enum		Yes/ No status code
Has ship/vessel visited an infected area identified by the World	X	A	0-1	Enum		Yes/ No status code
If ship visited an infected area identified by WHO, this is the port of	X	A	0-1	Text	5	If No to previous question, provide details
If ship visited an infected area identified by WHO, this is the date of	X	A	0-1	Date		
Has any person died on board during the voyage otherwise than as	X	A	0-1	Enum		Yes/ No status code
Total number of deaths	X	A	0-1	Int		If Yes to previous question, provide number
Is there on board or has there been during the international voyage	X	A	0-1	Enum		Yes/ No status code
Has the total number of ill passengers during the voyage been	X	A	0-1	Enum		Yes/ No status code
Number of ill persons during the voyage	X	A	0-1	Int		
Is there any ill person on board now? This is a yes/no data element	X	A	0-1	Enum		Yes/ No status code
Was a medical practitioner consulted? This is a yes/no data	X	A	0-1	Enum		Yes/ No status code
Are you aware of any condition on board which may lead to infection	X	A	0-1	Enum		Yes/ No status code
Has any sanitary measure (e.g. quarantine, isolation, disinfection or	X	A	0-1	Enum		
Type of sanitary measure	X	A	0-1	Text		
Place of sanitary measure	X	A	0-1	Text		
Date of sanitary measure	X	A	0-1	Date		
Location where the stowaways is assumed to have joined the ship,	X	A	0-1	Text		
Is there a sick animal or pet on board? This is yes/no data element	X	A	0-1	Enum		Yes/ No status code
			0-n			

Description			Occurrence	Type
Sequence number of crew or passenger	A		1	Text
Gender	A		0-1	Enum
Date when the person embarked the ship	A		0-1	Date
Nature of illness	A		0-1	Text
Date of onset of symptoms	A		0-1	Date
Reported to a port medical officer? This is a yes/no data element	A		0-1	Text
Whether the person recovered, is still ill or died	A		0-1	Text
Whether the person is still on board, was evacuated, or was buried	A		0-1	Text
Name of the port or airport where person was evacuated	A		0-1	Text
Drugs, medicines or other treatment given to patient	A		0-1	Text
Comments on the specific case in the MDH attachment	A		0-1	Text
			0-1	
This is a human-readable general remark to be optionally made by	A	D	0-1	Text

IMP Demonstration Project		ISO 28005		
Corresponding element of EPCRequestBody of IMP Demonstration Project	**In ISO 28005**	**Corresponding element of EPCRequestBody from ISO/PAS 28005-1**	**Comments**	**Type**
ShipID.ShipName	X	ShipID.ShipName		string
ShipID.CallSign	X	ShipID.CallSign		token
ShipID.IMONumber	X	ShipID.IMONumber		token
ShipID.MMSINumber	X	ShipID.MMSINumber		token
ShipID.Comment	X	ShipID.Comment		string
FlagState	X	-		token
CertificateOfRegistry.Port	-			
CertificateOfRegistry.Port.CountryCode+CertificateOfRegistry.Port.UNLoCode	-		CountryCode + UNLoCode	token
CertificateOfRegistry.Port.CountryCode.Name	-			
CertificateOfRegistry.Date	X	CertificateType.IssueDate		date
CertificateOfRegistry.Number	-	-		-
inmarsatCallNumber.Inmarsat	X	inmarsatCallNumber.Inmarsat		string
GrossTonnage	X	GrossTonnage		decimal
NetTonnage	X	NetTonnage		decimal
ShipTypeContent	X	ShipTypeContent		token
Company.Contact.Company	X	Company.Contact.Company		string
Company.IMOCompanyId	X	Company.IMOCompanyId		token
PortOfArrival, PortOfDeparture	X	PortOfArrival, PortOfDeparture	CountryCode + UNLoCode	token
ETA	X	ETA		dateTime
ETD	X	ETD		dateTime
PositionInPortOfCall	-			
PortOfArrival.GISISCode	X	PortOfArrival.GISISCode		token

Field		Field		Type
Agent.Company	X	Agent.Company		string
Agent.contactNumbers	X	Agent.contactNumbers		string
Agent.contactNumbers.BusinessTelephone	X	Agent.contactNumbers.BusinessTelephone		string
CSO.Contact.contactNumbers.Telefax	X	CSO.Contact.contactNumbers.Telefax		
CSO.Contact.contactNumbers.Email	X	CSO.Contact.contactNumbers.Email		anyURI
CallPurpose	X	CallPurpose		token
CargoOverview	X	CargoOverview		string
PossibleAnchorage	-	-		
PlannedOperations	-	-		
PlannedWorks	-	-		
TankerHullConfiguration	-	-		
VolumeAndNatureOfCargo	-	-		
ConditionOfCargoAndBallastTanks	-	-		
ATA	X	ATA		dateTime
Anchorage	-			
ATD	X	ATD		dateTime
VoyageNumber	X	VoyageNumber		
NextPortOfCall	X	NextPortOfCall	CountryCode + UNLoCode	token
ETAToNextPort	-			dateTime
LastPortOfCall	X	LastPortOfCall	CountryCode + UNLoCode	token
ETDFromLastPort	-			
CruiseShipItinerary (note, corresponding type: CruiseShipItineraryType)	-			-
CruiseShipItinerary.Port	-			-
CruiseShipItinerary.ExpectedDateTimeOfArrival	-			-
PortCalls	X	PortCalls		
PortCalls.PortCall.Port	X	PortCalls.PortCall.Port	CountryCode + UNLoCode	token
PortCalls.PortCall.Port.GISISCode	X	PortCalls.PortCall.Port.GISISCode		token
PortCalls.PortCall.ToDateTime	X	PortCalls.PortCall.ToDateTime		dateTime
PortCalls.PortCall.FromDateTime	X	PortCalls.PortCall.FromDateTime		dateTime
PortCalls.PortCall.PortSecurityLevel	X	PortCalls.PortCall.PortSecurityLevel		token
PortCalls.PortCall.AdditionalSecurityMeasures	X	PortCalls.PortCall.AdditionalSecurityMeasures		string
INFClassContent	X	INFClassContent		token
ConfirmDPGListOnBoard	-			-
CargoManifest	-			string
CargoManifest.contact.Person.GivenName	-			string
CargoManifest.Contact.Person.FamilyName	-			
CargoManifest.Location	-			
CargoManifest.Contact.contactNumbers.BusinesPhone	-			
CargoManifest.Contact.contactNumbers.Telefax	-			string
CargoManifest.Contact.contactNumbers.Email	-			anyURI

Field	X	Field (short)	Note	Type
CargoData.Cargoitem.SpecialCargoDetails.PortOfLoading	X	CargoData.Cargoitem.SpecialCargoDetails.PortOfL	CountryCode + UNLoCode	token
CargoData.Cargoitem.PortOfDischarge	X	CargoData.Cargoitem.PortOfDischarge	CountryCode + UNLoCode	token
CargoData.Cargoitem.TransportDocumentId	X	CargoData.Cargoitem.TransportDocumentId		string
CargoData.Cargoitem.MarksAndNumber	X	CargoData.Cargoitem.MarksAndNumber		string
CargoData.Cargoitem.NoOfPackages	X	CargoData.Cargoitem.NoOfPackages		int
CargoData.Cargoitem.PackageType	X	CargoData.Cargoitem.PackageType		token
CargoData.Cargoitem.SpecialCargoDetails.DGSafetyDataSheet.ProperShipping	X	CargoData.Cargoitem.SpecialCargoDetails.DGSafet		string
CargoData.Cargoitem.SpecialCargoDetails.DGSafetyDataSheet.DGClassificatio	-	CargoData.Cargoitem.SpecialCargoDetails.DGSafet		-
CargoData.Cargoitem.SpecialCargoDetails.DGSafetyDataSheet.UNClass	X	CargoData.Cargoitem.SpecialCargoDetails.DGSafet		token
CargoData.Cargoitem.SpecialCargoDetails.DGSafetyDataSheet.UNNumber	X	CargoData.Cargoitem.SpecialCargoDetails.DGSafet		token
CargoData.Cargoitem.SpecialCargoDetails.DGSafetyDataSheet.PackingGroup	X	CargoData.Cargoitem.SpecialCargoDetails.DGSafet		token
CargoData.Cargoitem.SpecialCargoDetails.DGSafetyDataSheet.SubsidiaryRisk	X	CargoData.Cargoitem.SpecialCargoDetails.DGSafet		
CargoData.Cargoitem.SpecialCargoDetails.DGSafetyDataSheet.FlashPoint	X	CargoData.Cargoitem.SpecialCargoDetails.DGSafet		decimal
CargoData.Cargoitem.SpecialCargoDetails.DGSafetyDataSheet.MARPOLPolluti	X	CargoData.Cargoitem.SpecialCargoDetails.DGSafet		token
CargoData.Cargoitem.GrossQuantity	X	CargoData.Cargoitem.GrossQuantity	MeasureType / Content	decimal
			MeasureType / UnitCode	token
CargoData.Cargoitem.NetQuantity	X	CargoData.Cargoitem.NetQuantity	MeasureType / Content	decimal
			MeasureType / UnitCode	token
CargoData.Cargoitem.SpecialCargoDetails.DGSafetyDataSheet.EmergencyInstr	X	CargoData.Cargoitem.SpecialCargoDetails.DGSafet		string
CargoData.Cargoitem.SpecialCargoDetails.OnBoardLocation	X	CargoData.Cargoitem.SpecialCargoDetails.OnBoar		string
CargoData.Cargoitem.SpecialCargoDetails.Comment	X	CargoData.Cargoitem.SpecialCargoDetails.Comme		
ShipStore.Storeitem.Description	X	ShipStore.Storeitem.Description		string
ShipStore.Storeitem.Measurement	X	ShipStore.Storeitem.Measurement	MeasureType / Content	decimal
			MeasureType / UnitCode	token
ShipStore.Storeitem.LocationOfStorage	X	ShipStore.Storeitem.LocationOfStorage		string
ShipStore.Storeitem.OfficialUse	-	-		-
WasteInformation.LastPortDelivered	X	WasteInformation.LastPortDelivered	CountryCode + UNLoCode	token
WasteInformation.LastPortDeliveredDate	X	WasteInformation.LastPortDeliveredDate		date
WasteInformation.WasteDeliveryStatus	X	WasteInformation.WasteDeliveryStatus		token
WasteInformation.AccurateAndCorrectDetails	-	-		-
WasteInformation.SufficientOnboardCapacity	-	-		-
WasteInformation.wasteDisposallInformation.WasteType	X	WasteInformation.wasteDisposallInformation.Waste		token
WasteInformation.wasteDisposallInformation.WasteType.Code	X	WasteInformation.wasteDisposallInformation.Waste		token
WasteInformation.wasteDisposallInformation.WasteType.Description		WasteInformation.wasteDisposallInformation.Waste		string

Field	Flag	Path	Description	Type
WasteInformation.wasteDisposalInformation.ToBeDelivered	X	WasteInformation.wasteDisposalInformation.ToBeD		decimal
WasteInformation.wasteDisposalInformation.MaxStorage	X	WasteInformation.wasteDisposalInformation.MaxSt		decimal
WasteInformation.wasteDisposalInformation.RetainedOnBoard	X	WasteInformation.wasteDisposalInformation.Retain		decimal
WasteInformation.wasteDisposalInformation.DisposedOfInPort	X	WasteInformation.wasteDisposalInformation.Dispos	CountryCode + UNLoCode	token
WasteInformation.wasteDisposalInformation.EstimateGenerated	X	WasteInformation.wasteDisposalInformation.Estimat		decimal
CSO.Name	-	-		-
CSO.Name.GivenName	-	-		
CSO.Name.FamilyName	-	-		
CSO.HourContactDetails	-	-		-
CSO.HourContactDetails.ContactNumbers.BusinessTelephone	-	-		
CSO.HourContactDetails.ContactNumbers.Telefax	-	-		
CSO.HourContactDetails.ContactNumbers.Email	-	-		
ValidISSC	-	-		-
ReasonForNoValidISSC	-	-		-
Certificate.Code = "ISSC"	X	Certificate.Code = "ISSC"		token
Certificate.CertificateStatus	X	Certificate.CertificateStatus	Issue: no "Full" or "Iterim" values	token
Certificate.IssuerType	X	Certificate.IssuerType		token
Certificate.Issuer	X	Certificate.Issuer		string
Certificate.ExpiryDate	X	Certificate.ExpiryDate		date
HasSecurityPlan	X	HasSecurityPlan		boolean
CurrentShipSecurityLevel	X	CurrentShipSecurityLevel		token
ShipToShipActivityList	X	ShipToShipActivityList		
ShipToShipActivityList.ShipToShipShipActivity.Location	X	ShipToShipActivityList.ShipToShipShipActivity.Location		
ShipToShipActivityList.ShipToShipShipActivity.Location.Position.Port	X	ShipToShipActivityList.ShipToShipShipActivity.Location.Position.Port	CountryCode + UNLoCode	token
ShipToShipActivityList.ShipToShipShipActivity.Location.Position.Latitude	X	ShipToShipActivityList.ShipToShipShipActivity.Location.Position.Latitude		decimal
ShipToShipActivityList.ShipToShipShipActivity.Location.Position.Longitude	X	ShipToShipActivityList.ShipToShipShipActivity.Location.Position.Longitude		decimal
ShipToShipActivityList.ShipToShipShipActivity.Location.Port.Name	X	ShipToShipActivityList.ShipToShipShipActivity.Location.Port.Name		
ShipToShipActivityList.ShipToShipShipActivity.FromDateTime	X	ShipToShipActivityList.ShipToShipShipActivity.FromDat		dateTime
ShipToShipActivityList.ShipToShipShipActivity.ToDateTime	X	ShipToShipActivityList.ShipToShipShipActivity.ToDateTi		dateTime
ShipToShipActivityList.ShipToShipShipActivity.Activity	X	ShipToShipActivityList.ShipToShipShipActivity.Activity		string
ShipToShipActivityList.ShipToShipShipActivity.AdditionalSecurityMeasures	X	ShipToShipActivityList.ShipToShipShipActivity.Additiona		string
SecurityRelatedMatterToReport	-	-		-
PersonsOnBoard.NumberOfPersonsOnBoard	-	-		
PersonsOnBoard.Passengers	X	PersonsOnBoard.Passengers		
PersonsOnBoard.Crew	X	PersonsOnBoard.Crew		
Stowaways	-	-		-
PassengerList.PassengerData.PassengerReference	X	PassengerList.PassengerData.PassengerReference		string
PassengerList.PassengerData.Name.FamilyName	X	PassengerList.PassengerData.Name.FamilyName		string
PassengerList.PassengerData.Name.GivenName	X	PassengerList.PassengerData.Name.GivenName		string
PassengerList.PassengerData.Nationality	X	PassengerList.PassengerData.Nationality		token
PassengerList.PassengerData.DateOfBirth	X	PassengerList.PassengerData.DateOfBirth		date
PassengerList.PassengerData.PlaceOfBirth	X	PassengerList.PassengerData.PlaceOfBirth		string

Field		Path	Note	Type
PassengerList.PassengerData.PassengerIdDocument.IdDocument	X	PassengerList.PassengerData.PassengerIdDocume		token
PassengerList.PassengerData.PassengerIdDocument.Number	X	PassengerList.PassengerData.PassengerIdDocume		string
PassengerList.PassengerData.EmbarkationPort	X	PassengerList.PassengerData.EmbarkationPort	CountryCode + UNLoCode	token
PassengerList.PassengerData.DebarkationPort	X	PassengerList.PassengerData.DebarkationPort	CountryCode + UNLoCode	token
PassengerList.PassengerData.Transit	X	PassengerList.PassengerData.Transit		boolean
PassengerList.PassengerData.VisaNumber	-	-		-
CrewList.CrewMemberData.CrewReference	X	CrewList.CrewMemberData.CrewReference		token
CrewList.CrewMemberData.Name.FamilyName	X	CrewList.CrewMemberData.Name.FamilyName		string
CrewList.CrewMemberData.Name.GivenName	X	CrewList.CrewMemberData.Name.GivenName		string
CrewList.CrewMemberData.Duty	X	CrewList.CrewMemberData.Duty		token
CrewList.CrewMemberData.Nationality	X	CrewList.CrewMemberData.Nationality		token
CrewList.CrewMemberData.DateOfBirth	X	CrewList.CrewMemberData.DateOfBirth		date
CrewList.CrewMemberData.PlaceOfBirth	X	CrewList.CrewMemberData.PlaceOfBirth		string
CrewList.CrewMemberData.CrewIdDocument.IdDocument	X	CrewList.CrewMemberData.CrewIdDocument.IdDoc		token
CrewList.CrewMemberData.CrewIdDocument.Number	X	CrewList.CrewMemberData.CrewIdDocument.Numb		string
CrewList.CrewMemberData.VisaNumber	-	-		-
DutiableCrewEffects.CrewEffectItem.CrewReference	X	DutiableCrewEffects.CrewEffectItem.CrewReferenc		token
DutiableCrewEffects.CrewEffectItem.EffectDescription	X	DutiableCrewEffects.CrewEffectItem.EffectDescripti		string
			Not included	
Health.ValidSanitationControlExemptionOrControlCertificate	-			-
Health.IssueLocation	-			-
Health.IssueDate	-			-
Health.ReInspectionRequired	-			-
Health.VisitedInfectedArea	-			-
Health.PortOfCallInfectedArea	-			-
Health.DateOfCallInInfectedArea	-			-
Health.AnyPersonDied	-			-
Health.NumberOfDeaths	-			-
Health.DiseaseOnBoard	-			-
Health.IllPersonsGreaterThanExpected	-			-
Health.NumberOfIllPersons	-			-
Health.IllPersonsNow	-			-
Health.MedicalConsulted	-			-
Health.InfectionConditionOnBoard	-			-
Health.SanitaryMeasure.Measure	-			-
Health.SanitaryMeasure.TypeOfSanitaryMeasure	-			-
Health.SanitaryMeasure.PlaceOfSanitaryMeasure	-			-
Health.SanitaryMeasure.DateOfSanitaryMeasure	-			-
Health.LocationStowawaysJoinedSHip	-			-
Health.SickAnimal	-			-

Health.MDHAttachment.Number	-
Health.MDHAttachment.Gender	-
Health.MDHAttachment.EmbarkationDate	-
Health.MDHAttachment.Illness	-
Health.MDHAttachment.SumptomsDate	-
Health.MDHAttachment.ReportedToPortMedical	-
Health.MDHAttachment.State	-
Health.MDHAttachment.CaseDisposal	-
Health.MDHAttachment.LocationOfEvacuation	-
Health.MDHAttachment.Treatment	-
Health.MDHAttachment.Comments	-

Remarks	-

WCO Data Model

Length	Code (if relevant)	WCO Data Model	WCO ID or CLASS (Netherlands)	WCO ID (FAL 38/INF3 when different from NL)	Type	Length	Code (if relevant)	Type	Length
		X	T005		an	1-35		Text	0-35
4-7	at least four characters long and can consist of both letters and numbers	X	Type (253)		an	1-3	EDIFACT codes	Text	0-7
		X	Identification (240)		an	1-50			
9	string "IMO" followed by the seven-digit IMO	X	T006		an	1-25	ITU Standard or Lloyd's number	Text	7
9	nine-digit MMSI number without any separator character	X	Type (253)		an	1-3	EDIFACT codes	Text	9
			Identification (240)		an	1-50			
		-	Not included		-	-	-		
2	two-letter country code as defined in ISO 3166-	X	T014		a	2	EDIFACT codes (3207) = ISO 3166-1 2-alpha	Enum	
2+3	two-letter country code as defined in ISO 3166-	X	D004		an	1-5	UN/LOCODE		
		X	D002		an	1-17	UNTDID 2379 = 304		
		X	D005		an	1-35			
	Note that one normally needs the extension code related to the area that the ship operates	X	Type (253)		an	1-3	EDIFACT codes		
		X	Identification (240)		an	1-50			
		X	132		n	1-14,3			
		X	133		n	1-14,3			
2-3	codes the ship type according to UNECE R28.	X	T010		an	1-4	EDIFACT codes (8179) /		
		X	Carrier(18A) All relevant data	R011	an	1-70	UNTDID 3035 = CA		
		X	Carrier(18A) All relevant data	R012	an	1-17	International codes (e.g. DUNS, EAN) or user		
2+3	two-letter country code as defined in ISO 3166-	X	L006		an	1-17	UN/LOCODE	Text	5
		X	208		an	1-17	UNTDID 2379 = 304	DT	
		X	209		an	1-17	UNTDID 2379 = 304	DT	
4	a four-digit token corresponding to the port	X	L054		an	1-17	UN/LOCODE (an..5) + user codes (an..12)	Text	1-15
		X	L054		an	1-70	IMO ISPS Code for Facility Number (as		

	X	Agent(05A) All relevant data						
	X	Agent(05A) All relevant data						
1-2	X	The coded value shall be according to the	148	an	1-3	EDIFACT codes (8025)		
	X		138	an	1-256		Text	0-255
							Enum	
							Text	0-256
							Text	0-256
							Enum	
							Text	0-256
							Text	0-256
	X		208	an	1-17	Same as ETA but for different Declaration		
2+3	X		209	an	1-17	Same as ETD but for different Declaration		
2+3	X	two-letter country code as defined in ISO 3166-	Itinerary(81A) All relevant data				Text	0-5
	X		Itinerary(81A) All relevant data				DT	
2+3	X	two-letter country code as defined in ISO 3166-	Itinerary(81A) All relevant data				Text	0-5
	X		Itinerary(81A) All relevant data					
	X		Itinerary(81A) All relevant data					
	X		Itinerary(81A) All relevant data					
	X		Itinerary(81A) All relevant data					
2+3	?	two-letter country code as defined in ISO 3166-						
4	?	a four-digit token corresponding to the port						
	X		208	an	1-17	UNTDID 2379 = 304		
	X		209	an	1-17	UNTDID 2379 = 304		
	X	the security levels according to the ISPS code:	302	an	1-3	Authorized codes		
	-	If none, this field should be left out or be	DMR needed					
	-	The codes correspond to the INF	DMR needed	-	-	-	Enum	
	-	Not included		-	-	-		
	X		R047 ?	an	1-70	UNTDID 3035 = PK, Contact party	***	

	Description		Field	Code	Type	Length	Reference	Format	Format Length
2+3	two-letter country code as defined in ISO 3166-	X	L010		an	1-17	UN/LOCODE (an..5) + user codes (an..12)		
2+3	two-letter country code as defined in ISO 3166-	X	L013		an	1-17	UN/LOCODE (an..5) + user codes (an..12)		
		X	Identification (D023)		an	1-35			
	For containers, this shall be the identification		Type (D024)		an	1-3	EDIFACT codes (1001) or National code		
		X	142		an	1-512	UN/ECE Recommendation 15		
		X	144		n	1-8			
2	two-letter alphabetic code of annex V of	X	141		an	1-2	EDIFACT codes (7065) = UN/ECE		
		X	138		an	1-256		Text	1-35
		X	337		an	1-3	EDIFACT codes (7143)	Enum	
	The enumeration contains the UN Hazard	X	Identification Type (337) + 145		an	1-3	EDIFACT codes (7143)	Text	1-7
	classes as defined in IMDG. The format of the		Identification (145)		an	1-18	First 6 digits must be the HS code		
6	four-digit number prefixed with "UN", e.g.,	X	Identification Type (337)		an	1-3	EDIFACT codes (7143)	Text	4
	"UN1163". The leading UN shall be included in		Identification (145)		an	1-18	First 6 digits must be the HS code		
	code as appropriate and as defined in IMDG:	X	Identification Type (337) +	341	an	1-3	EDIFACT codes (7233)		
		X	Identification Type (337)		an	1-3	EDIFACT codes (7143)		
			Identification (145)		an	1-18	First 6 digits must be the HS code		
		X	388		an	1-8			
	The code values are those defined in	X	Identification Type (337)		an	1-3	EDIFACT codes (7143)		
	MARPOL, Annex II: "X", "Y", "Z" and "OS"		Identification (145)		an	1-18	First 6 digits must be the HS code	Text	1-18
	the unit code as defined in UNECE R20	X	126		n	1-16,6			
	the unit code as defined in UNECE R20	X	128		n	1-16,6		Text	1-18
		X	Identification Type (337)		an	1-3	EDIFACT codes (7143)		
			Identification (145)		an	1-18	First 6 digits must be the HS code		
	string with one upper case letter specifying the	X	Stowposition (15B)	L016	an	1..25		Text	1-25
		X		258	an	1-35			
				335	an	1-3	EDIFACT codes (7081)		
	the unit code as defined in UNECE R20	X		130	n	1-16,6			
		X	Not included	L016	-	-	-		
	Waste declaration not included	-	Waste declaration not included						
2+3	two-letter country code as defined in ISO 3166-	-			-	-	-		
	Possible values: "All", "Some" or "None"	X	WCO 028		-	-	-		
	the unit code as defined in UNECE R20	-			-	-	-		
		-			-	-	-		
		-			-	-	-		
	Waste declaration not included		Waste declaration not included						
	The code shall be the one defined in Annex D.	-			-	-			
	The code shall be the one defined in Annex D.	-			-	-			
	In addition, the proper shipping name is								

	Description		Ref		Format	Length	Notes
2+3	two-letter country code as defined in ISO 3166-	-		-	-	-	-
				-	-	-	-
		-	CompanySecurityOfficer(26A) All	X			
		-	CompanySecurityOfficer(26A) All	X			
			Not included	-	-	-	-
			Not included	-	-	-	-
	Possible values: "Approved",		Not included	-	-	-	-
	Possible values: "Flag", "Class", "RO", "RSO",		Not included	-	-	-	-
			WCO 246	X	an	1..70	
			WCO 028	X			General format for the date of WCO
	True if the ship has a security plan, False if		Not included	-	-	-	-
	the security levels according to the ISPS code:		302	X	an	1-3	Authorized codes
				X			
			Not included	-	-	-	-
2+3	two-letter country code as defined in ISO 3166-						
	minInclusive value="-90" and maxInclusive						
	minInclusive value="-180" and maxInclusive						
			434	X	?		
			435	X	?		
			364	X	?		
	shall be omitted or be empty if no special		Not included	-	-	-	-
			Not included	-	-	-	-
			WCO 140	X	n	1-4	In combination with WCO 458 which is	Int
			WCO 458+489 or	140	X	n	1-4	
			WCO 458+489 or	119	X	n	1-4	
				-	-	-	-
			421	X	?	1..70	
			421	X	an	1..70	
			422	X	an	1..70	
2	two-letter country code as defined in ISO 3166-		424	X	an	1..3	
			425	X	an	1..17	
			426	X	an	an..35	

		Code	Ref	Type	Length	Format / Description		Comment
	X	D037		an	1..3	EDIFACT code (1001) or User Codes		Possible values: "MusterBook", "Passport",
	X	D035		an	1..35			
2+3	X	L093		an	1..17	UNLOCODE (an..5) + User code (an..12)		two-letter country code as defined in ISO 3166-
2+3	X	L091		an	1..17	UNLOCODE (an..5) + User code (an..12)		two-letter country code as defined in ISO 3166-
	X		431	?				Shall be true if the passenger is a transit
	X	D035		an	1..35			
	X	006		n	1-5			
	X	421		an	1..70			
	X	422		an	1..70			A list of onboard duty codes is defined in
	X	423		an	1..70			
2	X	424		an	1..3			two-letter country code as defined in ISO 3166-
	X	425		an	1..17			
	X	426		an	an..35			
	X	D037		an	1..3	EDIFACT code (1001) or User Codes	0	Possible values: "MusterBook", "Passport",
	X	D035		an	1..35			
	X	D035		an	1..35			
	X	006		n	1-5			The reference code is an arbitrary, but unique,
	X		418	?				
			419	?				
			420	?				
		Not included						
	-			-	-			
	-			-	-			
	-			-	-			
	-			-	-			
	-			-	-			
	-			-	-			
	-			-	-			
	-			-	-			
	-			-	-			
	-			-	-			
	-			-	-			
	-			-	-			
	-			-	-			
	-			-	-			
	-			-	-			
	-			-	-			
	-			-	-			
		Not included						

-	X	427			-	-	-	-	-	-
-	an				-	-	-	-	-	-
-	1..3				-	-	-	-	-	-
-	X	225								
	an									
	1-512									

SafeSeaNet

Code (if relevant)	Business rules	Notes
Upon SOLAS, chapter I, part B, regulation 15 "Form Certificates", "the		
IMO number – IMO Res A.600 (15)		
MID according to the ITU regulation. Length of the MMSI number	Data cannot be exchanged through SSN if ship does not have	
	Data cannot be exchanged through SSN if ship does not have	
	Ship particulars may not be required if relevant reference	
The Alpha-2 code (two-digits flag code) in accordance with the standard	If the MMSI is included in the notification and the MID digits	
	May be either locode or location name	
The "port of call" attribute must only be the LOCODE of the specific port		
	In case time is not reported, use 00:00 (early submissions)	
	In case time is not reported, use 00:00 (early submissions)	
Any 15 character free text value will be accepted. However M.S are		
		Issue with length of WCO element.

Description	Notes
Indicates whether a ship is expected to stay at an anchorage upon	
Possible values: SHT - indicating a single hull tanker; SHT-SBT -	
Should be provided in the case of tankers	
Should be provided in the case of tankers	
Should be provided in the case of tankers	
ATA cannot be older than 1 year from the moment when the	
May be used to link notifications provided by the ship data	Inclusion is left to the discretion of each MS
Mandatory when ship reports dangerous and polluting goods on	
Mandatory when ship reports dangerous and polluting goods on	
Retrieved from "Last calls at port facilities" element if provided	
Mandatory when ship reports dangerous and polluting goods on	Used with SSN
Mandatory only in the case of cruise ships with passengers on	
10 port calls to be provided as required for security. MS may, in	
The port is identified by its 5-digit LOCODE	
The port is identified by its 5-digit LOCODE	
To be provided along with group 9	
Code for the license of the vessel according to the INF Code. Possible	
This is to be provided only if ship carries class 7 cargo (eMS sub-	
Cargo Information ContactDetails	

To be provided along with group 8	
	Issue Group of MS: It has to be clarified which transport document ID is
	Issue with the length in the WCO data model
Values: "IMDG", "IGC", "IBC", "MARPOL_ANNEX1", "IMSBC"	
Applicable for IMDG and IGC goods and some IBC and IMSB	
May be applicable for some IMDG goods. There are IMDG	
May be applicable for some IMDG, IGC and IMSB goods. Not	Issue with the WCO data model
To be provided in degrees Celsius	Issue with Group of MS: Multiple values are allowed.
May be applicable for some IMDG, IGC and IMSB goods. Not	Issue with the WCO data model
If containerised, it has to be reported on the transport equipment	
To be provided along with group 12	
To be provided along with group 11	
To be provided depending on Waste type code value	

	Comments
	To be provided un cubic meters
	To be provided un cubic meters. Has to be provided if delivering
	To be provided un cubic meters. Has to be provided if delivering
	Has to be provided if delivering some or no waste.
	To be provided un cubic meters. Has to be provided if delivering
	Moved from group "Ship particulars" because only required for security
	Moved from group "Ship particulars" because only required for security
	To be provided if "Valid ISSC" is "No"
	May be either locode, latitude and longitude, or location name
	In the MS Working Group, this is divided into Shortname and Details
The value 0 (Zero) is not allowed. Note that the type "INT" prohibits the	
	No to be reported if passenger list is reported
	No to be reported if crew list is reported
	Used to identify person within Passengers list

Comments
Coding issue: values of ISO28005 not all supported by EDIFACT 1001.
Used to identify person within Crew list
To be also used to report the name of Master
To be also used to report the name of Master
Issue of coding: no existing standard.
Coding issue: values of ISO28005 not all supported by EDIFACT 1001.
Use number as in Crew list
To be used if "Visited infected are" is Yes
To be used if "Visited infected are" is Yes
To be used if "Any person died" is Yes
To be used if "Sanitary measure" is Yes
To be used if "Sanitary measure" is Yes
To be used if "Sanitary measure" is Yes
To be used if "Stowaways" in group "Persons of board" is Yes
To be provided along with group 18. To be appended to

Use number as in Passengers and Crew lists.	Need to precise if this is a crew of a passenger