

## Measure 34: Transfer of ship register

### First page:

<p><i>Policy package:</i> 4A: Liberalisation and harmonisation</p>
<p><i>Measure 34:</i> Transfer of ship registers : encouraging the reflagging of the greatest possible number of ships to Community registers, based on the best practices developed in social and fiscal matters, by proposing in 2002 measures on tonnage based taxation and the revision of the guidelines on state aid to maritime transport</p>
<p><i>What is the problem being addressed ?</i> The aim of the measure is to replace the existing Regulation 613/91. It extends to passenger ships current rules for transfer of cargo ships, introduces a link with several new Community instruments on maritime safety and reinforces co-operation between the Member States through improved information flow and shorter delays. As such it is related to improving the competitive position of European shipping. The measure is fairly technical and specific. It has therefore only weak links with other WP-measures and is most affiliated with other liberalization and harmonization measures in maritime transport.</p>
<p><i>Measure's costs and/or benefits:</i> The measure has no cost consequences for the Community budget and it has also modest consequences for the industry.</p>
<p><i>Legislative implementation at the EU level:</i> The legislative implementation took place by means of a proposed Regulation on the transfer of cargo and passenger ships between registers within the Community. This was discussed and approved in the EP at December 2003.</p>
<p><i>What are the objectives ?</i> Since this measure primarily concerns regulatory actions, the objectives may be achieved when the measure is implemented. It will become easier for ships to change from one EU register to another. This new flexibility is aimed to improve the operating conditions and competitive positions of European shipping. It is important to note that flag state and coastal state regulation has important implications on safety measures a ship has to take when passing a certain zone. This can deal with <i>safety of life</i> (e.g. through the International Convention for the Safety of Life at Sea, the International Convention on Standards of Training, Certification and Watch-keeping for Seafarers, and the Code on International Safety Management) and <i>protection of the marine environment</i> (e.g. through the International Convention for the Prevention of Pollution from Ships, the International Convention on Oil Pollution Preparedness, Response and Co-operation, the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter). Flag states impose also different cost implications through (i) taxes, company law and financial law, (ii) compliance with maritime safety conventions, (iii) crewing and terms of employment, and (iv) naval protection.</p>
<p><i>Interactions with other WP measures:</i> The measure is (weakly) linked to only a few other WP-measures and is most affiliated with other liberalization and harmonization measures in maritime transport.</p>

### Second page:

<p><i>Output indicators:</i></p> <ul style="list-style-type: none"><li>• Better information exchange between Member States (e.g. less delay, to be assessed through surveys)</li><li>• Annual number of transfers between different EU registers (e.g. per type of ship)</li></ul>
<p><i>Outcome indicators: intermediate impacts on transport markets</i></p> <ul style="list-style-type: none"><li>• Increased competitiveness (easier market access, lower prices)</li></ul>
<p><i>Outcome indicators: final impacts on transport users and non users</i> A possible positive outcome could be an increased concentration of ships under national flags that, together</p>

with fiscal incentives, ensure a better compliance with environmental protection and safety requirements.

### **Measure 35: Training of seafarers**

#### **First page:**

*Policy package:*

**4D:** Safety, quality and the environment

*Measure 35:*

Training of seafarers: introduce a system of Community wide recognition of labour-supplying third countries.

*What is the problem being addressed ?*

This measure aims to revise current rules concerning recognition of seafarers from non-EU countries. The objective is to simplify procedures, prevent duplication, a lot of administrative work and set uniform minimum standards. Especially in the light of recent maritime disasters it is believed that this measure may reduce human errors and therefore enhance safety at sea. At present individual recognition of non-EU personnel certificates by Member States takes place. This system should be replaced by a community-wide system. The measure therefore also contributes to harmonization in the market (notice a lot of the crew on-board of EU-ships originates outside the EU) and level playing field policies. Communication between vessels and shore-based authorities must take place in English, unless those concerned speak another common language.

*Measure's costs and/or benefits:*

The measure has cost consequences for the Community budget. The involved actions shall be implemented by the Commission assisted by the EMSA assigned personnel, as well as with the possible involvement of the Member States concerned. At a first period a staff of seven is foreseen for carrying out these tasks in the Agency. Nevertheless, it should be stressed that the Measure should save Member States costs, evaluation and inspections of third countries will be centralised.

*Legislative implementation at the EU level:*

The legislative implementation took place by means of the Proposal for a Directive of the European Parliament and the Council amending European Parliament and Council Directive 2003/103/EC on the minimum level of training of seafarers. Member States implementation should take place in 2005.

*What are the objectives ?*

The Community wide recognition of third labour supplying countries is intended to ensure that Non-EU seafarers employed on board ships flying the flag of a Member State and trained and certified at least according to the minimum requirements of the STCW Convention. The new procedure should improve the overall quality of crews and enhance maritime safety.

*Interactions with other WP measures:*

This measure is positively related to other measures to improve safety in maritime transport. It is also positively related to other measures in the field of harmonization and liberalization (e.g. the (rejected) Ports Directive: Measure 29).

#### **Second page:**

*Output indicators:*

In view of the growing number of non-EU sailors being employed within the EU, the Commission proposal aims to ensure minimum skills of seafarers from countries outside the Union. Therefore, the key output indicator is:

- Total number of trained and certified sailors, with the distinction between EU and non-EU sailors

*Outcome indicators: intermediate impacts on transport markets*

Key market impacts expected for this measure are:

- Higher mobility of non-EU seafarers in the labour market
- Lower costs and price levels (less labour market frictions, higher labour market supply)
- Increased competition in the market

*Outcome indicators: final impacts on transport users and non users*

The key outcome indicator for this measure is the number of maritime accidents, which is expected to decrease. However, as far as the port is concerned, due to strict obligations to use pilots and towage services, the number of accidents on the maritime entrance is reduced to an absolute minimum. In the lock to berth area, again, pilotage and towage usage obligation causes the number of accidents to be very low. Moreover, in the lock to berth area, speed is limited severely anyway, so that damages are usually minor, even in the rare case that an accident happens. Considering port activities only, most probably the benefits in terms of more safety do not outweigh the cost of better trained (and therefore more expensive) personnel. However, it is assumed that this balance is to shift dramatically once at sea.