

Measure 40: Port state controls

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<p><i>Policy package:</i> 4D: Sea and inland waterway Safety, quality and environment</p>
<p><i>Measure 40:</i> Reinforce port state controls</p>
<p><i>What is the problem being addressed ?</i> The reinforcement of port state controls involves amendments of Council Directive 95/21/EC of 1995 June. This reinforcement of controls was widely felt to be necessary after the ERIKA-accident in 1999. These amendments in 2001 are part of the so called ERIKA-I package, a sizeable package of legislation aiming to tighten rules governing safety at sea at Community level. The aim is to improve safety at sea by identifying, by means of a tight control system in ports, ships that do not meet the elementary safety requirements. Amendments involved banning manifestly sub-standard ships from European waters, obligation to inspect ships posing a high risk to maritime safety and the marine environment, follow-up to the results of inspections, informing the flag state and the classification societies, verification of the financial guarantee covering pollution risk, transparency of information on the ships inspected or detained in accordance with the Directive and monitoring the application of the Directive and assessing the performance of Member States.</p>
<p><i>Measure's costs and/or benefits:</i> The social cost of this measure can be divided in two broad categories: they are costs of adaptation of 1) the inspection authorities to the new enforcement concept. 2) the shipping industry to the reinforcement of ports control. The investments necessary to adapt are not known in total and will differ depending on the size of ports and ships. These costs however will have to be balanced by the social benefits of a reduction of accident risk because of the improvements and strengthening of the inspection regime.</p>
<p><i>Legislative implementation at the EU level:</i> Legislative implementation took place by adopting Directive 2001/106/EC of the European Parliament and of the Council of 19 December 2001. This Directive was amending Council Directive 95/21/EC concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control). Entry into force of national legislation had to take place before 22 July 2003.</p>
<p><i>What are the objectives ?</i> Given the nature of this measure, and the sanction possibilities it will very likely achieve a significant improvement of fleet safety standards. This will have a positive impact on the society by reducing accident risk. Unfortunately reinforcing the inspection regime will also raise the costs of maritime shipping and therefore possibly negatively affect modal share of sea transport.</p>
<p><i>Interactions with other WP measures:</i> This measure is positively related to most of the other measures aiming to improve maritime safety and security and the environmental impacts of maritime transport. The measure of course negatively affects modal shift policies because of its cost raising impact.</p>

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Output indicators:

- Number of port state controls carried out based on the new, tightened rules and requirements.
 - Annual number of ships that either do or do not meet the requirements (results of inspections);
- Most of the inspection data are available at port level (notice that the Directive itself also addresses the provision of inspection information to the general public and decision makers) .

Outcome indicators: intermediate impacts on transport markets

- Adaptation cost of the industry per vessel type in equipment and personnel (not standard available).
- Modal share of maritime transport: the measure has a negative effect on this variable by raising the costs of port operations

Outcome indicators: final impacts on transport users and non users

- Number of accidents caused by deficient ships (this should be reduced due to less unsafe ships traffic)