



# Passenger ship safety review Consultation

**Brussels, 4 September 2012**

# Agenda

- 10.00-10.15 The Commission perspective on passenger ship safety*
- 10.15-10.30 The Stakeholder consultation: an overview*
- 10.30-11.00 Stakeholder consultation in the EU Member States; who, what, where, and how; the outcome*
- 11.00-11.30 the online consultation; the outcome*
- 11.30-12.00 Coffee break*
- 12.00-13.15 Commission considerations/conclusions (Q&A)*

# The Commission perspective on passenger ship safety

- *Work started in 2010 in close consultation with Member States*
- *The Costa Concordia accident put the whole issue of passenger ship safety firmly on the agenda*
- *Vice-president Kallas outlined the Commissions three main strands of action at the March 2012 TTE Council*

# The Commission perspective on passenger ship safety

- (i) updating and/or amending existing EU legislation and (co)-sponsoring submissions for international standards setting at the IMO,*
- (ii) continue enforcing and implementing existing rules and draw any lessons from best practices and,*
- (iii) promoting voluntary commitments of the industry.*

*The action strands dealing with the setting of rules and standards should take into account relevant results from research and technological developments.*

# The Commission perspective on passenger ship safety

- Await the outcome of the accident investigation into the Costa Concordia and if there is a need to, address, as part of our continuous safety improvement drive, issues such as orderly evacuation, communication and training.
- The prime aim with the Consultations have however been in relation to the revision of *Directive 2009/45/EC on safety rules and standards for passenger ships* engaged in domestic trade.

# The Stakeholder consultation: an overview

*There have been two consultations:*

*(1) On-line public consultation*

*(2) Study in support of the Commissions impact assessment*



# The Stakeholder consultation: an overview

*The on-line public stakeholder consultation was open between 13 April and 5 July.*

*Vice President Kallas also held a public stakeholder conference on 24 April to discuss various topics in relation to passenger ship safety*

*The Public consultation forms part of the work the Commission is doing in relation to the Impact Assessment joining any legislative proposal.*

*There have also been some bilateral meetings with various stakeholders on specific issues.*

# The Stakeholder consultation: an overview

- *The purpose has been to collect views from all interested stakeholders on a revision of the current Directive 2009/45/EC on domestic passenger ship safety.*
- *The aim has been to verify the accuracy of the problems identified, and to what extent stakeholders' opinions are in line with and support the objectives and policy measures envisaged.*



# The Stakeholder consultation: an overview

## *Respondents*

*48 contributions were received:*

- *Member State administrations organisations/associations representing ship owners, shipbuilders, equipment manufacturers and passengers.*
- *individual companies as well as concerned citizens.*

<b>Categories</b>	<b>Replies</b>
<b>Ship owner</b>	<b>7</b>
<b>Ship owner association</b>	<b>9</b>
<b>Ship builder</b>	<b>1</b>
<b>Ship building association</b>	<b>5</b>
<b>Equipment producer</b>	<b>2</b>
<b>Equipment producer association</b>	<b>1</b>
<b>Ship operators</b>	<b>2</b>
<b>Port authority</b>	<b>1</b>
<b>National government/administration</b>	<b>4</b>
<b>Tour operators</b>	<b>1</b>
<b>Passenger representative associations</b>	<b>5</b>
<b>Citizen</b>	<b>3</b>
<b>Maritime service industries (e.g. training, naval architects, consultancy, classification society)</b>	<b>7</b>

# The Stakeholder consultation: an overview

- *The ship owners and ship owner association were the largest participating group with 33% of respondents.*
- *The IA support study, has, as we shall see, addressed Member States.*
- *It should be noted that not all respondents replied to all parts of the questionnaire.*

***Stakeholder consultation in  
the EU member States:  
who, what, where, and how;  
the outcome***

# The on-line consultation: the outcome

*The first set of questions focussed on the primary objective, namely, to identify and address within the current Directive 2009/45/EC on rules and standards for passenger ship safety any provisions that may need to be reviewed or updated and which lead to inefficiencies in the EU internal market for ships or maritime passenger services.*

# The on-line consultation: the outcome

## General overview

- *40% of respondents confirmed they have often experienced the complexity of different regulations making it difficult to comply*
- *60% rarely or never experienced the need for safety measures above and beyond what is required in the EU legislation.*
- *63% of respondents have rarely or never experienced trade barriers due to differences in regulations on safety between the Member States/EEA countries.*

# The on-line consultation: the outcome

- *Almost one fifth of respondents underlined that the process of updating/amending the directive is often cumbersome when compared with national regulation and is not easy to understand or follow.*

# The on-line consultation: the outcome

- *A group of respondents (10%) were of the opinion that there is no EU legislation regulating safety issues of traditional/historical ships. In some EU countries, traditional/historical ships are used or intended to be used as a passenger ships, and this approach may compromise safety on board if not appropriately regulated.*



# The on-line consultation: the outcome

## Safety issues

*35% of respondents considered that the limitation of coverage of the Directive to steel ships has led to stakeholders preferring ships made of other materials. Yet this limited coverage of domestic trade did not seem to present a problem in terms of passenger safety.*



# The on-line consultation: the outcome

*65% of stakeholders were not able to determine if sailing ships, tenders, and ships carrying offshore workers are covered by the Directive.*

# The on-line consultation: the outcome

- *By contrast however, 40% of the contributions were aware that small passengers' ships (below 24m) built in materials other than steel are not covered by the Directive. Members States apply their national legislation to such vessels, and there did not seem to be any safety issues to date.*
- *IMO requirements and/or current Directive 2009/45/EC technical requirements were mentioned by only 15% of respondents as inappropriate for small passenger ships (below 24m and/or built in other materials than steel) from a safety and technical point of view.*

# The on-line consultation: the outcome

*Cruise vessel tenders:*



# The on-line consultation: the outcome

*Traditional sailing vessels and historic ships:*



# The on-line consultation: the outcome

*Another key objective of Directive 2009/45/EC is to remove possible **barriers to trade** between the Member States and thereby facilitate the functioning of the internal market.*

- On the basis of the replies received, few respondents really identified any barrier to trade. Most contributions recognized that the shipbuilding market is not generally affected by incoherent regulations.*
- Paradoxically, however, the need to comply with different rules (international, EU and national) was pinpointed by the highest number of contributors as a problem which contributes to the complexity of the overall legislative picture.*

# The on-line consultation: the outcome

## Administrative costs

- *About one quarter of respondents indicated that the different layers of regulatory framework (e.g. SOLAS, Directive 2009/45/EC, national legislation) and overlapping inspection regimes (e.g. SOLAS versus Directive 2009/45/EC) create unnecessary administrative costs.*

# The on-line consultation: the outcome

- *73% of stakeholders strongly supported that surveys required by the different EU legislative instruments should be simplified in order to reduce those administrative costs.*
- *This was emphasised for smaller ships*



# The on-line consultation: the outcome

*The second set of questions, aimed at those with experience on board passenger ships, focussed primarily on issues specifically addressing larger passenger ships (e.g. Cruise Ships)*

- Evacuation*
- Passenger lists*
- Fire detection and extinguishing*
- Bridge Resource Management*

# The on-line consultation: the outcome

*Responses can be summarised in that:*

*(1) these issues were considered to be best addressed in IMO*

*(2) there was a general satisfaction with the rules and their application*

# The on-line consultation: the outcome

*Some respondents pointed to possible improvements with regard to persons with reduced mobility and the possible need to further study regarding fire detection and extinguishing arrangements on the vehicle deck of ro-ro (passenger) ships*

# The on-line consultation: the outcome

*There were also contributions received relating to:*

- *Victims of crime on board cruise ships*
- *pollutant recovery using permanent on-board equipment and procedures*

*These are considered as far as relevant to the revision of the Directive on domestic passenger ships. However, such issues are also pursued in the context of IMO.*