



The Port formalities directive and SafeSeaNet

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Directorate-General
for Mobility
and Transport



EC - DG MOVE
Maritime transport policy: Ports & Inland waterways

Directive 2010/.../EU of the EP and of the COUNCIL

On reporting formalities for ships arriving in and/or departing from ports of the MS

- 28 introductory paragraphs, 17 Articles and
- Annexes listing the reporting formalities

Directive on Reporting formalities

- Article 1 - Subject matter and scope

The purpose: to **simplify and harmonise** the administrative procedures **by making the electronic transmission of information standard** and **by rationalising reporting procedures**.

Applies to: ships arriving in and departing from ports situated in Member States

Ships exempted from reporting formalities continue to be exempted.

Directive on Reporting formalities

- Article 1 - Subject matter and scope
- Article 2 - Definitions

“Reporting formalities” means the information set out in the Annex

“Electronic transmission of data” means the process of transmitting information that has been encoded digitally, using revisable structured format which can be used directly for storage and **processing** by computers”

Directive on reporting formalities

- Article 1 - Subject matter and scope
- Article 2 - Definitions
- Article 3 - Harmonisation and coordination of reporting formalities
 1. **Each MS shall take measures** to ensure that the reporting formalities are requested in a harmonised and coordinated manner within that MS.
 2. **The Commission shall**, in cooperation with the MSs, **develop mechanisms** for the harmonisation and coordination of reporting formalities within the Union.

Directive on Reporting formalities

Article 4 - Notification prior to arrival into ports

The master or any other person duly authorised by the ship operator provides notification, prior to arriving in a port situated in a MS, of the information required under the reporting formalities to the competent authority designated by that MS:

- (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.

Directive on Reporting formalities

Article 5 - Electronic transmission of data

- MS shall accept electronic reports and their transmission via a SW as soon ASAP and no later than 1 June 2015
- This SW, linking SSN, e-Customs and other electronic systems, shall be the place where all information is reported once and made available to various competent authorities and MSs.
- For the good functioning of the SW, the electronic systems for the reporting formalities must be interoperable, accessible and compatible with SafeSeaNet and, where applicable, with the systems on a paperless environment for customs and trade.

Directive on Reporting formalities

Article 6 - Exchange of data

- MS shall ensure that the received information is made available in their SSN system and shall make relevant parts of such information available to other MSs via SSN.
- MS shall ensure that the information is made available, upon request, to the relevant national authorities
- National SafeSeaNet systems must be compatible with SSN, in accordance with Article 22a of Directive 2002/59/EC.
- MS may provide relevant access to the information referred to reporting formalities either through a NSW or through the national SafeSeaNet system.

Directive on reporting formalities

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- Article 4 – Notification prior to arrival into ports
- Article 5 – Electronic transmission of data
- Article 6 – Exchange of data
- Article 7 – Information in FAL forms

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

Directive on reporting formalities

Article 8 - Confidentiality

- MS shall take the necessary measures to ensure the confidentiality of commercial information exchanged
- MS shall take particular care to protect commercial and personal data collected under this Directive.

Directive on reporting formalities

Article 9 - Exemptions

- No FAL forms should be asked from ships travelling between EU customs territory ports unless those are coming, calling in or heading towards a port outside of the territory.
- Except if this information is required by EU law, or possibility of a MS requesting FAL forms 1 to 6 to protect internal order and security, to enforce customs, fiscal, immigration, environmental or sanitary laws.

Directive on reporting formalities

Article 10 – 13
amendment procedure

Directive on reporting formalities

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- Article 8 – Confidentiality
- Article 9 – Exemptions
- Article 10 -13 – Amendment procedures
- Article 14 – Transposition

By April 2012 MS shall adopt and publish their respective law

Reporting formalities - Article 15 - Reporting

The Commission shall report in June 2013 on the:

- possibility of extending the simplification introduced by this Directive to inland waterway transport;
- compatibility of the River Information Services with the electronic data transmission process referred to in this Directive;
- progress towards harmonisation and coordination of reporting formalities (as per Article 3);
- feasibility of avoiding or simplifying formalities for ships that have called at a port in a third country or free zone;
- available data concerning ship traffic/movement within the Union, and/or calling at 3rd country ports or in free zones.

ANNEX - List of reporting formalities

A. resulting from EU legal acts

- **Notification for ships arriving in and departing from EU ports** - Article 4 of 2002/59/EC
- **Border checks on persons** - Article 7 of Reg. No 562/2006
- **Notification of dangerous goods carried on board** - Article 13 of 2002/59/EC
- **Notification of waste and residues** - Article 6 of 2000/59/EC
- **Notification of security information** - Article 6 of Reg. 725/2004 (Appendix – SOLAS security form used until adopt. of harmonised for on international level)
- **Entry summary declaration** - Article 36a Reg. No 2913/92

ANNEX - List of reporting formalities

B. FAL forms resulting from international legal instruments

- FAL form 1: General Declaration
- FAL form 2: Cargo Declaration
- FAL form 3: Ship's Stores Declaration
- FAL form 4: Crew's Effects Declaration
- FAL form 5: Crew List
- FAL form 6: Passenger List
- FAL form 7: Dangerous Goods
- Maritime Declaration of Health

ANNEX - List of reporting formalities

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.

Directive on Reporting formalities

To recap:

1. Each MS shall take measures to ensure that the reporting formalities are requested in a harmonised and coordinated manner within that MS.
2. The Commission shall, in cooperation with the MSs, develop mechanisms for the harmonisation and coordination of reporting formalities within the Union.
3. MS shall accept electronic reports via a single window by 6/2015
4. The SWs have to be interoperable and compatible with SSN
5. The data has to be made available to competent and relevant authorities (upon request)

Thank you for your attention

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http://ec.europa.eu/transport/maritime/index_en.htm

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