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## REPORT

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From: General Secretariat of the Council  
To: Permanent Representatives Committee (Part 1)

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Subject: ***Preparation of the Council meeting (Transport, Telecommunications and Energy) on 1<sup>st</sup> December 2016***  
Proposal for a Directive of the European Parliament and of the Council amending Directive 2009/45/EC on safety rules and standards for passenger ships  
– General approach  
= *Statement by Ireland*

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Delegations will find attached a statement by Ireland to be included in the minutes of the Permanent Representatives Committee and of the Council.

**Statement by Ireland on the Proposal for a Directive of the European Parliament and of the Council amending Directive 2009/45/EC on safety rules and standards for passenger ships**

**Concerning Offshore Service Vessels**

Ireland wishes to recall that the stated aims of Directive 2009/45/EC of the European Parliament and of the Council on safety rules and standards for passenger ships is for the attainment of a high level of safety and at removing barriers to trade, by setting harmonised safety standards at an appropriate level for passenger ships and craft operating domestic services.

Currently offshore service vessels are within the scope of the EU passenger ship directive and by removing them as proposed in this refit exercise Ireland is of the view that the aims of the directive will not be achieved. That is to say there will be a reduction in the safety of personnel transported on such ships and there will be barriers to trade introduced by removing the harmonised safety standards.

We have always considered that any ship constructed of steel, or equivalent, and carrying more than twelve passengers engaged on domestic voyages is within the scope of the Directive on domestic passenger ships. This is particularly the case when the people being carried are being taken to or from their place of work. Of course we do agree that the specially trained industrial personnel being transported are not the same as members of the general public. Ireland also acknowledges that the arrangements of the ships transporting them may require special consideration to fulfil their purpose.

However, the fundamental issue is that industrial personnel being transported on offshore service vessels are passengers and anything which leads to them being treated as a new category of person on-board ships will potentially introduce considerable uncertainty in the long established maritime regulatory framework where there are only two such categories i.e. seafarers and passengers.

We also consider that the definition of an offshore service vessel in the proposed directive is so wide that it could be used by unscrupulous operators to exempt large amounts of domestic passenger ships and this would have significant adverse maritime safety consequences. We are of the view that the objective of facilitating the development of the sector is best achieved by introducing industrial personnel as a category of passenger and that such ships are passenger ships but that they can have special consideration applied to them. This will achieve the aims of the directive for a high level of maritime safety and the reduction in barriers to trade.

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