



Council of the  
European Union

Brussels, 8 September 2014  
(OR. en)

11973/14

MAR 117

**"I/A" ITEM NOTE**

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee (Part 1)/Council
No. Cion doc.:	11963/14 MAR 116 ENV 679 + ADD 1
Subject:	COMMISSION DIRECTIVE ../.../EU of XXX amending Directive 2002/59/EC of the European Parliament and of the Council establishing a Community vessel traffic monitoring and information system - Decision not to oppose the adoption (regulatory procedure with scrutiny)

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1. On 15 July 2014, the Council received a draft Commission Directive amending Directive 2002/59/EC of the European Parliament and of the Council<sup>1</sup> (docs. 11963/14 + ADD 1).
2. According to Article 17(2) of Directive 2002/59, Annex III may be amended in the light of experience gained with that Directive, in so far as such amendments do not broaden the scope of that Directive. Those measures, designed to amend non-essential elements of that Directive, shall be adopted in accordance with the regulatory procedure with scrutiny.

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<sup>1</sup> Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC (OJ L 208, 5.8.2002, p.10).

3. Experiences have been gained and technical advancements have been made and Annex III should therefore be adapted to reflect those experiences and technical advancements. Furthermore, Annex III of Directive 2002/59 should be made more explicit by specifying those Union acts in regard to which the Union Maritime Information and Exchange System (SafeSeaNet) is currently used.
4. Delegations were asked to submit any comments on this file by 5 September 2014. Delegations have not provided any indication that there is any reason to oppose the draft measures in question on the grounds described in Decision 1999/468, namely that they:
  - exceed the implementing powers provided for in the basic instrument;
  - are incompatible with the aim or content of the basic instrument; or
  - do not respect the principles of subsidiarity or proportionality.

Following the above, COREPER is invited to approve this position and submit the file to Council for the adoption of a decision not to oppose the measures in question as an "A" item allowing the Commission to adopt the draft Directive.

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