



Council of the
European Union

Brussels, 18 May 2018
(OR. en)

Interinstitutional File:
2018/0139 (COD)

9051/18
ADD 1

MAR 65
CODEC 788
IA 135

PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	17 May 2018
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2018) 278 final ANNEX I
Subject:	ANNEX to the Proposal for a Regulation of the European Parliament and of the Council establishing a European Maritime Single Window environment and repealing Directive 2010/65/EU

Delegations will find attached document COM(2018) 278 final ANNEX I.

Encl.: Annex 1 to COM(2018) 278 final ANNEX I



Brussels, 17.5.2018
COM(2018) 278 final

ANNEX 1

ANNEX

to the

**Proposal for a Regulation of the European Parliament and of the Council
establishing a European Maritime Single Window environment and repealing Directive
2010/65/EU**

{SEC(2018) 230 final} - {SWD(2018) 181 final} - {SWD(2018) 182 final}

ANNEX
EMSWe Data set

A. Reporting obligations resulting from legal acts of the Union

This category of reporting obligations includes the information which is to be provided in accordance with the following provisions:

1. Notification for ships arriving in and departing from ports of the Member States

Article 4 of 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 (OJ L 208, 5.8.2002, p.10).

2. Border checks on persons

Article 7 of Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code) (OJ L 105, 13.4.2006, p.1).

3. Notification of dangerous or polluting goods carried on board

Article 13 of 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 (OJ L 208, 5.8.2002, p.10).

4. Notification of waste and residues

Article 6 of Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues (OJ L 332, 28.12.2000, p.81).

[New proposal repealing 2000/59/EC:

4. Notification of waste from ships, including residues

Articles 6 and 7 of Directive 201X/XX/EU of the European Parliament and the Council]

5. Notification of security information

Article 6 of Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004 on enhancing ship and port facility security (OJ L 129, 29.4.2004, p.6).

Until the adoption of a harmonised form at international level, the form set out in the Appendix to this Annex shall be used for identifying the information required under Article 6 of Regulation (EC) No 725/2004. The form can be transmitted electronically.

6. Information on persons on board

Articles 4(2) and 5(2) of Council Directive 98/41/EC of 18 June 1998 on the registration of persons sailing on board passenger ships operating to or from ports of the Member States of the Community (OJ L 188, 2.7.1998, p. 35).

7. Customs formalities

- (a) Arrival formalities:
 - Notification of arrival (Article 133 of Regulation (EU) No 952/2013¹);
 - Presentation of goods to customs (Article 139 of Regulation (EU) No 952/2013);
 - Temporary storage declaration of goods (Article 145 of Regulation (EU) No 952/2013);
 - Customs status of goods (Articles 153 to 155 of Regulation (EU) No 952/2013);
 - Electronic transport documents used for transit (Article 233(4)(e) of Regulation (EU) No 952/2013).
- (b) Departure formalities:
 - Customs status of goods (Articles 153 to 155 of Regulation (EU) No 952/2013);
 - Electronic transport documents used for transit (Article 233(4)(e) of Regulation (EU) No 952/2013);
 - Exit notification (Article 269(2) of Regulation (EU) 952/2013);
 - Exit summary declaration (Articles 271 and 272 of Regulation (EU) No 952/2013);
 - Re-export notification (Articles 274 and 275 of Regulation (EU) No 952/2013);

8. Safe loading and unloading of bulk carriers

Articles 7 and 8 of Directive 2001/96/EC of the European Parliament and of the Council of 4 December 2001 establishing harmonised requirements and procedures for the safe loading and unloading of bulk carriers;

9. Port State Control

Article 9 of Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control.

10. Maritime Transport statistics

Article 5 of the Directive 2009/42/EC of the European Parliament and of the Council on statistical returns in respect of carriage of goods and passengers by sea.

B. FAL forms and obligations resulting from international legal instruments

This category of reporting obligations includes the information which is to be provided in accordance with the FAL Convention and other relevant international legal instruments.

1. FAL form 1: General Declaration
2. FAL form 2: Cargo Declaration
3. FAL form 3: Ship's Stores Declaration

¹ Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October laying down the Union Customs Code (OJ L 269, 10.10.2013, p.1).

4. FAL form 4: Crew's Effects Declaration
5. FAL form 5: Crew List
6. FAL form 6: Passenger List
7. FAL form 7: Dangerous Goods
8. Maritime Declaration of Health

C. National legal provisions

This category of reporting obligations includes data elements in the following categories:

1. Maritime transport
2. Maritime transport safety
3. Environment
4. Border control
5. Security
6. Customs
7. Health
8. Military
9. Port services
10. Statistics
11. Fiscal information

APPENDIX

SHIP PRE-ARRIVAL SECURITY INFORMATION FORM
 FOR ALL SHIPS PRIOR TO ENTRY INTO THE PORT OF AN EU MEMBER STATE
 (1974 International Convention for the Safety of Life at Sea (SOLAS) REGULATION 9 of
 Chapter XI-2 AND ARTICLE 6(3) OF REGULATION (EC) No 725/2004)

Particulars of the ship and contact details			
IMO number		Name of ship	
Port of registry		Flag State	
Type of ship		Call Sign	
Gross Tonnage		Inmarsat call numbers (if available)	
Name of Company and company identification number		CSO name & 24 hour contact details	
Port of arrival		Port facility of arrival (if known)	
Port and port facility information			
Expected date and time of arrival of the ship in port (ETA)			
Primary purpose of call			

Information required by SOLAS Regulation 9.2.1 of Chapter XI-2							
Does the ship have a valid International Ship Security Certificate (ISSC)?		YES	ISSC	NO - why not?		Issued by (name of Administration or RSO)	Expiry date (dd/mm/yyyy)
Does the ship have an approved SSP on board?		YES	NO	Security Level at which the ship is currently operating?	Security Level 1	Security Level 2	Security Level 3
Location of ship at the time this report is made							
List the last ten calls at port facilities in chronological order (most recent call first):							
No.	Date from (dd/mm/yyyy)	Date to (dd/mm/yyyy)	Port	Country	UN/LOCODE (if available)	Port facility	Security Level
1							SL =
2							SL =
3							SL =
4							SL =
5							SL =
6							SL =
7							SL =
8							SL =
9							SL =
10							SL =

Did the ship take any special or additional security measures, beyond those in the approved SSP? If the answer is YES, indicate below the special or additional security measures taken by the ship.		YES	NO
No. (as above)	Special or additional security measures taken by the ship		
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
List the ship-to-ship activities, in chronological order (most recent first), which were carried out during the last ten calls at port facilities listed above. Expand table below or continue on separate page if necessary – insert total number of ship-to-ship activities:			

Were the ship security procedures specified in the approved SSP maintained during each of these ship-to-ship activities?					YES	NO
If NO, provide details of the security measures applied in lieu in the final column below.						
No.	Date from (dd/mm/yyyy)	Date to (dd/mm/yyyy)	Location or Longitude and Latitude	Ship-to-ship activity	Security measures applied in lieu	
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						
General description of the cargo aboard the ship						
Is the ship carrying any dangerous substances as cargo covered by any of Classes 1, 2.1, 2.3, 3, 4.1, 5.1, 6.1, 6.2, 7 or 8 of the IMDG Code?				YES	NO	If YES, confirm Dangerous Goods Manifest (or relevant extract) is attached
Confirm a copy of ship's crew list is attached				YES	Confirm a copy of the ship's passenger list is attached	YES

Other security related information			
Is there any security-related matter you wish to report?	YES	Provide details:	NO
Agent of ship at intended port of arrival			
Name:		Contact details (Tel. no.):	
Identification of person providing the information			
Title or Position (delete as appropriate): Master / SSO / CSO / Ship's agent (as above)	Name:	Signature:	
Date/Time/Place of completion of report			