COMMISSION OF THE EUROPEAN COMMUNITIES

COM(94) 275 final
Brussels, 04.07.1994

94/0159 (CNS)

Proposal for a

COUNCIL DIRECTIVE

on statistical returns in respect of carriage of goods and passagers by sea

(presented by the Commission)

EXPLANATORY MEMORANDUM

Part One:

Application of the principle of subsidiarity

a) *What are the objectives of the proposed measure, and how do they relate to the Community's obligations?*

The proposed measure is aimed at the production of **harmonised** statistics on the transport of goods and passengers by sea, which are necessary for drawing up, monitoring, controlling and evaluating Community maritime policy on comparable terms with the information available for the other modes of transport.
The statistical information currently available in the Member States is incomplete, and what does exist is often not comparable from one country to another due to different national practices.

b) *Is the measure in an area where the Community has sole jurisdiction or where it shares jurisdiction with the Member States?*

Responsibility for the measure is shared with the Member States: it aims to harmonise the concepts and classifications used in data collection and to define the information necessary for the main users: Community institutions, national, regional and local governments, international organisations, economic operators and research bodies. The Member States are responsible for the actual data collection and the methods used to that end.

c) *What is the scale of the problem at Community level?*

All the Member States are concerned except Luxembourg, which has no coastal areas or river ports reachable by seagoing vessels. The Member States already collect some data on maritime transport. The measure will entail the collection of additional data (in fairly limited amounts for most of the Member States) and changes in the concepts and especially the classifications used.

d) *What would be the most effective solution among those available to the Community and the Member States?*

It is only via a Community measure of this nature that the common reference classifications and concepts can be defined and the list of the necessary data be drawn up; thereafter the Member States will collect the data within the framework laid down at Community level.

e) *What practical gains does the proposed measure offer and what would be the cost of failure to take action?*

Introducing this legal act would have the effect of improving Community statistics in the specific field of maritime transport and making them consistent. In the absence of this legal act, the drafting, monitoring, control and evaluation of Community maritime policy could only be based on incomplete, non-standard statistics, with all the risks inherent therein.

f) *What options are available to the Community?*

Legislation, and specifically a Council Directive, allows the reference framework (concepts, classifications and the list of necessary information) to be laid down without having to go into the detail of the organisation and collection methods. An initial financial contribution is provided for so as to help the Member States to bring about the necessary changes in their collection systems.

g) *Are uniform rules needed, or is the adoption of a directive setting out the general objectives and leaving implementation to the Member States sufficient?*

A Council Directive is necessary to establish the reference framework, but the Member States remain responsible for the data collection, and for adapting their collection systems.

Part Two:

1. General Statement

In its "White Paper" of December 1992 on the future development of the common transport policy, the Commission points out that, as long ago as 1985, the Court of Justice had decreed that inland goods and passenger transport should be open to all Community enterprises, without discrimination as to nationality or place of establishment.

Since then, the measures taken under the Common Transport Policy (CTP) have indeed helped to create a new, more open market, free from unnecessary red tape, while at the same time maintaining such guarantees as are necessary to ensure fair competition.

The 1 January 1993 marked a turning point in the evolution of the CTP from a policy aimed essentially at the completion of the internal market through the elimination of artificial regulatory barriers to the provision of services, towards a more comprehensive policy designed to ensure the proper functioning of the Community's transport systems within a genuinely internal market and to meet the new challenges likely to confront transport policy in the future.

With this in mind, the "White Paper" points out that it is essential that indispensable information on the functioning of the transport market be available. Much of this information exists for inland transport but is lacking at Community level for air transport, maritime transport, combined transport, passenger transport and transport safety.

The proposed text aims to fill this gap in the field of transport by sea.

In accordance with the draft Council Decision concerning the implementation of a multiannual programme for the consolidation of European statistics on transport, and within the framework laid down by the Statistical Programme of the European Communities, the draft text also reflects the desire to develop the European statistical system via an intermodal approach, making it possible to improve the comparability of the various modes of transport.

2. Current situation

The specific statistical data on maritime transport collected currently in the Member States are not harmonised and, since they usually draw on national definitions and classifications with different levels of detail, are difficult to use at Community level.

Until 1992, a certain amount of partial data, drawn up on a comparable basis, could be obtained via of the statistical system for international trade. Since 1 January 1993, these have been available only for trade between the Community and the rest of the world. For Intra-Community trade, the INTRASTAT system does not provide equivalent data.

In addition, some information, indispensable for a common policy in the maritime field, is not available.

3. Detailed objectives

The objectives of this legal act are as follows:

- the collection of reliable, regular, timely and comparable data on the carriage of goods and passengers by sea, between Member States, in national sea transport and between Member States and third countries, by drawing up quarterly and annual data on goods and passenger transport by seagoing vessels which call at ports in the territories of the Member States;

- the collection of comparable data for ship traffic in European ports, broken down by different types and sizes of vessels;

- the compilation of harmonised statistical information, comparable with the available information for other modes of transport. Such data will serve to orient discussions on measures to support transport modes offering the possibility of additional capacities under favourable environmental conditions. The justification of future initiatives in this field will depend to a large extent on the availability of relevant information on the functioning of the transport services market;

- the dissemination of the statistical data to the Commission and the national administrations, and also to enterprises and all the European socio-economic operators concerned, in order to inform their decisions, while respecting the confidentiality principles laid down in Regulation 1588/90 adopted by the Council on 11 June 1990. Among these operators, in addition to the maritime transport enterprises, mention should be made of ports, for which the provision of data on the markets which they are serving may improve their competitive performance within the Single Market. Also concerned are the European shipbuilding industries, for which the availability of harmonised statistics on ship traffic and of goods carried on these vessels is essential for a correct assessment of market trends and the forecast of future ship demand.

  The national and Community administrations involved must be encouraged to use the most appropriate telematic tools, systems and networks to process and exchange the relevant data.

4. Burden on enterprises

With a view to limiting the statistical burden on enterprises:

* the Member States are free to exempt from the scope of the act operations carried out by ships of very small size;

* only summary statistics are required for movements carried out in the smallest ports (harbours which are not commercial ports being excluded from the field anyway).

Moreover, a transition period has been proposed during which detailed statistics on the nature of transported goods will not be required. Very costly to compile today, these statistics should, in the future, be drawn up in a more economical way via electronic data interchanges (EDI) which are in preparation by operators in the field of maritime transport. Using, whenever possible, existing documents or information messages as a source of statistical data is an essential means to limit the statistical burden on firms.

5. Conclusion

The proposed legal act thus aims to fill the current gaps in statistics on the transport of goods and passengers by sea. It will serve the objectives of the Common Transport Policy aimed at the implementation of the Single Market and effective liberalisation of the transport market.

By providing on European maritime transport harmonised statistical data coordinated with what exists on the other modes of transport, it aims to contribute to the development and monitoring of free and fair competition in the provision of maritime transport services.

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community, and in particular Article 213 thereof,

Having regard to the proposal from the Commission,(1)

Having regard to the opinion of the European Parliament,(2)

Having regard to the opinion of the Economic and Social Committee,(3)

Whereas to carry out the tasks entrusted to it in the context of the Community maritime policy, the Commission must have at its disposal comparable, reliable, synchronised and regular statistical data on the scale and development of the carriage of goods and passengers by sea to and from the Community, between Member States and for domestic sea transport;

Whereas there are currently no comprehensive Community-wide statistics on the transport of goods and passengers by sea;

Whereas Council Decision 93/464/EEC on the framework programme for priority actions in the field of statistical information 1993 to 1997(4) stressed the need to compile such comprehensive statistics.

Whereas the collection of Community statistical data on a comparable or harmonised basis enables the provision of an integrated system with reliable, consistent and up-to-date information;

Whereas the data on the transport of goods and passengers by sea have to be made comparable between Member States and, after a transition period, between the different modes of transport;

Whereas, within a certain period, the Commission is to submit a report reviewing the operation of this Directive;

Whereas for the application of this Directive, including the arrangements to adapt it to economic and technical developments, the Statistical Programme Committee, which was set up pursuant to Council Decision 89/382/EEC, Euratom,(5) must be consulted;

Whereas, in accordance with the principle of subsidiarity, the creation of common statistical standards enabling the production of harmonised information can only be tackled efficiently at Community level, and that data will be collected in each Member State under the authority of the bodies and institutions in charge of compiling official statistics;

Whereas the Community should therefore, for the start-up period, make a financial contribution to Member States in respect of the work involved;

HAS ADOPTED THIS DIRECTIVE:

Article 1
General provision

Member States shall collect Community statistics on the carriage of goods and passengers by seagoing vessels calling at ports in the territories of the Member States.

Article 2
Definitions

For the purposes of this Directive, the following terms shall have the meanings hereinafter assigned to them:

1. Carriage of goods and passengers by sea: the movement of goods and passengers using seagoing vessels, on voyages which are undertaken wholly or partly at sea.

(1) OJ No.
(2) OJ No.
(3) OJ No.
(4) OJ No. L 219, 28.8.1993, p. 1
(5) OJ No. L 181, 28.6.1989, p. 47

The coverage of the data shall include goods:

a) shipped to offshore installations;
b) for dumping at sea;
c) reclaimed from the sea bed and unloaded in ports.

The coverage of the data shall exclude bunkers and stores supplied to vessels.

2. Seagoing vessels: ships which actually go to sea, that is, outside the boundary within which inland waterway technical safety regulations apply, and within that in which seagoing regulations apply.

This Directive shall not apply to fish-catching vessels, fish-processing vessels, naval vessels or vessels used by public administration and public services.

3. Port: a place having commercial trading facilities for ships to moor and to load or discharge cargo or passengers to or from seagoing vessels.

Article 3
Data collection characteristics

1. The Member States shall compile statistical data relating to the following domains:

a) Cargo and passenger information
b) Information on the vessel

Vessels of less than 100 gross tonnes may be excluded.

2. The characteristics, the statistical variables in each domain and the nomenclatures for their classification, as well as their periodicity of observation, are set out in the Annexes to this Directive.

3. The data collection shall be based, insofar as possible, on available sources, limiting the burden on respondents.

Article 4
Ports

1. A list of ports, coded and classified to countries and maritime coastal areas, shall be drawn up by the Commission in accordance with the procedure specified in Article 13.

2. Each Member State shall select from this list the ports on its territory necessary to cover at least 90% of the annual gross tonnage of all sea transport of goods and 90% of all annual movements of passengers using its ports. Any port handling annually more than 1 million tonnes of goods or recording more than 200 000 passenger movements shall systematically be selected. For each port selected, detailed data are to be provided, in conformity with Annex IX, for the domains (goods and passengers) in which they meet a selection criterion, and with summary data, if appropriate, for the other domain.

3. For the ports on the list which are not selected, summary data are to be provided in conformity with Annex IX, "Data Set A3".

Article 5
Accuracy of statistics

The methods for the collection of data will need to be refined in order to ensure that Community sea transport statistics are produced with the precision appropriate for the data sets described in Annex IX. The standards of accuracy shall be drawn up by the Commission in accordance with the procedure specified in Article 13.

Article 6
Processing of results

Member States shall process the information collected under Article 3 in order to obtain comparable statistics with

the accuracy standards required under Article 5.

Article 7
Transmission of results

1. Member States shall transmit the results referred to in Article 3 to the Statistical Office of the European Communities, including the data declared confidential by the Member States pursuant to domestic legislation or practice concerning statistical confidentiality, in accordance with the provisions of Council Regulation 1588/90 Euratom/EEC[1] on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities.

2. The results shall be transmitted in the form of a data file from which the data sets defined in Annex IX can be compiled. The data files and the media to be used for transmitting them will be specified by the Commission in accordance with the procedure specified in Article 13.

3. The transmission shall take place within 5 months of the end of the period of observation for data of quarterly periodicity and within 8 months for data of annual periodicity. The first transmission shall cover the first quarter of 1995.

Article 8
Reports

1. Member States shall provide all relevant information concerning the methods used in compiling the data. They shall also forward to the Commission details of substantial changes in the methods used to collect the data.

2. After data have been collected over a period of three years, the Commission shall submit a report to the Council on experience acquired in the work carried out pursuant to this Directive.

Article 9
Dissemination of data

The Commission shall disseminate appropiate statistical results with a periodicity comparable to that of the results transmitted.

Article 10
Period of transition

1. The statistical data on goods (as defined in Annexes III and IX, "Data set B1") shall be collected after a period of transition ending when technical developments permit.

   The end of the transition period shall be determined by the Commission in accordance with the procedure specified in Article 13.

2. During the transition period, the Commission may, in accordance with the procedure specified in Article 13, accept derogations from the provisions of the present Directive, in so far as the national statistical systems require adaptation with regard to the coding of goods in sea transport.

Article 11
Financial contribution

1. For the first three years in which the returns of statistics provided for in this Directive are made, Member States shall receive a financial contribution from the Community towards the cost of the work involved.

2. The amount of the appropriations allocated annually for this task shall be fixed as part of the annual budgetary procedures.

(1) OJ No. L 151, 15.6.1990, p. 1

3. The budgetary authority shall determine the appropriations available for each year.

Article 12
Committee

The arrangements for implementing this Directive, including measures for adaptation to economic and technical developments, in particular:

- adaptation of the data collection characteristics (Article 3) and of the contents of the Annexes of this Directive;
- a list of ports, coded, updated on a regular basis by the Commission and classified by country and maritime coastal area (Article 4);
- accuracy requirements (Article 5);
- the description of the record of a data file and codes for transmission of the results to the Commission (Article 7);
- the end of the transition period (Article 10)

shall be laid down by the Commission, in consultation with the Statistical Programme Committee set up by Council Decision 89/382/EEC, Euratom[1] and in accordance with the procedure specified in Article 13.

Article13
Procedure

The Commission representative shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft, within a time limit which the chairman may lay down according to the urgency of the matter in question, if necessary by taking a vote.

The opinion shall be recorded in the minutes; in addition, each Member State shall have the right to request that its position be recorded in the minutes.

The Commission shall take the utmost account of the opinion issued by the Committee. It shall inform the Committee of how its opinion has been taken into account.

Article 14
Implementation

1. The Member States shall adopt the legal and administrative provisions necessary to comply with this Directive by 1 January 1995 at the latest. They shall immediately inform the Commission thereof.

2. The provisions adopted by the Member States shall contain a reference to this Directive or be accompanied by such a reference when published officially. The procedure for making this reference shall be laid down by the Member States.

Article 15

This Directive shall enter into force on the twentieth day following its publication in the Official Journal of the European Communities.

Article 16

This Directive is addressed to the Member States.

Done at Brussels, ...

For the Council

(1) OJ No. L 181, 28.6.1989, p. 47

ANNEX I

VARIABLES AND DEFINITIONS

STATISTICAL VARIABLES

a) Cargo and passenger information:

- Gross weight of goods in tonnes;
- Type of cargo, according to the nomenclature shown in Annex II;
- Description of the goods, using the nomenclature shown in Annex III;
- Reporting port;
- Direction of movement, whether inwards or outwards;
- For inward cargo: the port of loading (i.e. the port in which the cargo was loaded onto the ship in which it arrived in the reporting port) using individual ports in the European Economic Area shown in the Port List, and the Maritime Coastal Areas outside the European Economic Area shown in Annex IV;
- For outward cargo: the port of unloading (i.e. the port in which the cargo is to be unloaded from the ship in which it left the reporting port) using individual ports in the European Economic Area shown in the Port List, and the Maritime Coastal Areas outside the European Economic Area, shown in Annex IV;
- Nationality of transport operator, using the Geonomenclature shown in Annex V;
- Number of passengers starting or finishing a voyage.

For goods carried in containers or roro units, the following additional particulars shall be provided:

- Number of containers with cargo;
- Number of empty containers;
- Number of mobile (roro) units with cargo;
- Number of empty mobile (roro) units.

b) Information on the vessel:

- Number of vessels;
- Deadweight of vessels;
- Country or territory of registration of vessels, using the nomenclature shown in Annex VI;
- Type of vessels, using the nomenclature shown in Annex VII;
- Size of vessels, using the nomenclature shown in Annex VIII;

DEFINITIONS

(a) Freight container: article of transport equipment

1- of a permanent character and accordingly strong enough to be suitable for repeated use;
2- specially designed to facilitate the carriage of goods by one or more modes of transport, without intermediate reloading;
3- fitted with devices permiting its ready handling, particularly its transfer from one mode of transport to another;
4- so designed as to be easy to fill and empty;
5- having a length of 20' or more.

(b) Roro unit: item of wheeled equipment for carrying cargo, such as a truck or trailer, which can be driven or towed onto a vessel. Port or ships' trailers are included in this definition. Classifications should follow ECE Recommendation 19 "Codes for modes of transport".

(c) Container cargo: goods in containers and empty containers which are lifted on or lifted off the vessels which carry them by sea.

(d) Roro cargo: goods, whether or not in containers, on roro units, and roro units which are rolled on and off the vessels which carry them by sea.

(e) Gross weight of goods: the tonnage of goods carried, including packaging but excluding the tare weight of containers or roro units.

(f) Maritime transport operator: the person responsible for the movement of cargo or passengers using the vessel. When acting as a third-party service provider, he is remunerated via the freight charges paid for the movement of the cargo or passengers carried by the vessel. Persons using the vessel for own-account movement of cargo are regarded as transport operators, irrespective of whether the vessel belongs to them or has been chartered.

(g) Nationality of the maritime transport operator: the country in which the effective centre of the transport operator's commercial activity is located.

ANNEX II

TYPE OF CARGO CLASSIFICATION

CATEGORY(1)	CODE	DESCRIPTION	Tonnage	Number
Liquid bulk	**10**	**Liquid bulk goods (no cargo unit)**	**X**	
	11	Liquified gas	X	
	12	Crude oil	X	
	13	Oil products	X	
	19	Other liquid bulk goods	X	
Dry bulk	**20**	**Dry bulk goods (no cargo unit)**	**X**	
	21	Ores	X	
	22	Coal	X	
	23	Agricultural products (e.g. grain, soya, tapioca)	X	
	29	Other dry bulk goods	X	
Containers	**30**	**Large containers**	**X**	**X**
	31	20' freight units	X	X
	32	40' freight units	X	X
	32	Freight units >20' and< 40'	X	X
	34	Freight units >40'	X	X
Roll-on/Roll-off (self-propelled)	**50**	**Mobile self-propelled units**	**X**	**X**
	51	Road goods vehicles and accompanying trailers	X (3)	X
	52	Passenger cars and accompanying trailers/caravans		X (2)
	53	Passenger buses		X (2)
	54	Import/Export motor vehicles	X	X (2)
	55	Passengers		X (2)
	56	Live animals on the hoof	X	X (2)
Roll-on/Roll-off (non self-propelled)	**60**	**Other mobile units**	**X**	**X**
	61	Unaccompanied road goods trailers and semitrailers	X (3)	X
	62	Unaccompanied caravans and other road, agricultural and industrial trailers	X	X (2)
	63	Rail wagons, shipborne port-to-port trailers, and shipborne barges engaged in goods transport	X (3)	X
Other general cargo (including small containers)	**90**	**Other cargo, not elsewhere specified**	**X**	
	91	Forestry products	X	
	92	Iron and steel products	X	
	99	Other general cargo	X	

(1) These categories are consistent with ECE Recommendation No 21

(2) Only total number of units

(3) The quantity recorded is the gross weight of goods including packaging but excluding the tare weight of containers and roro units.

ANNEX III

GOODS NOMENCLATURE

The goods nomenclature used will conform to the NST/R until the Commission, having consulted the Member States, decided to replace it.

GROUPS OF GOODS

Groups of goods	NSTR/R[1] Chapter	NSTR/R[1] groups	Description
1	0	01	Cereals
2		02, 03	Potatoes, other vegetables, fresh or frozen, fresh fruit
3		00, 06	Live animals, sugar beet
4		05	Wood and cork
5		04, 09	Textiles, textile articles and man-made fibres, other raw animal and vegetable materials
6	1	11, 12, 13, 14, 16, 17	Foodstuff and animal fodder
7		18	Oil seeds and oleaginous fruits and fats
8	2	21, 22, 23	Solid mineral fuels
9	3	31	Crude petroleum
10		32, 33, 34	Petroleum products
11	4	41, 46	Iron ore, iron and steel waste and blast-furnace dust
12		45	Non-ferrous ores and waste
13	5	51, 52, 53, 54, 55, 56	Metal products
14	6	64, 69	Cement, lime, manufactured building materials
15		61, 62, 63, 65	Crude and manufactured minerals
16	7	71, 72	Natural and chemical fertilizers
17	8	83	Coal chemicals, tar
18		81, 82, 89	Chemicals other than coal chemicals and tar
19		84	Paper pulp and waste paper
20	9	91, 92, 93	Transport equipment, machinery, apparatus, engines, whether or not assembled, and parts thereof
21		94	Manufactures of metal
22		95	Glass, glassware, ceramic products
23		96, 97	Leather, textile, clothing, other manufactured articles
24		99	Miscellaneous articles

1 Published by the Statistical Office of the European Communities (1968 edition)

ANNEX IV

MARITIME COASTAL AREAS

The nomenclature to be used is the GEONOMENCLATURE, approved for 1993 by

COMMISSION REGULATION (EEC) No 208/93
of 1 February 1993

on the country nomenclature for the external trade statistics of the Community and statistics of trade between Member States (*)

with the following exception: codes 017 and 018 are to be used for Belgium and Luxembourg respectively whenever they are to be considered separately.

The code consists of 4 digits: the three-digit code from the above-mentioned nomenclature, followed by a zero (e.g. code 0030 for Netherlands), except for countries which are divided into two or more maritime coastal areas, which are identified by a fourth digit other than zero (from 1 to 7), as below:

MCA CODE	MARITIME COASTAL AREAS
0011	FRENCH ATLANTIC /NORTH SEA
0012	FRENCH MEDITERRANEAN
0041	GERMAN NORTH SEA
0042	GERMAN BALTIC
0043	GERMAN RHINE
0051	ITALY
0052	SAN MARINO
0061	UNITED KINGDOM
0062	ISLE OF MAN
0063	CHANNEL ISLANDS
0111	SPANISH ATLANTIC (NORTH OF PORTUGAL)
0112	SPANISH MEDITERRANEAN AND ATLANTIC (SOUTH OF PORTUGAL)
0521	TURKISH BLACK SEA
0522	TURKISH MEDITERRANEAN
0751	RUSSIAN BLACK SEA
0752	RUSSIAN BALTIC
0753	RUSSIAN ASIA
2041	MOROCCO MEDITERRANEAN
2042	MOROCCO WEST AFRICA

6241	ISRAEL MEDITERRANEAN
6242	ISRAEL RED SEA
6321	SAUDI ARABIA, RED SEA
6322	SAUDI ARABIA, GULF
4001	US NORTH ATLANTIC
4002	US SOUTH ATLANTIC
4003	US GULF
4004	US SOUTH PACIFIC
4005	US NORTH PACIFIC
4006	US GREAT LAKES
4007	PUERTO RICO
4041	CANADIAN ATLANTIC
4042	CAN. GREAT LAKES, UPPER ST LAWRENCE
4043	CANADIAN WEST COAST
4801	COLOMBIA NORTH COAST
4802	COLOMBIA WEST COAST
	with the additional codes
9991	OFFSHORE INSTALLATIONS
9992	DUMPING AT SEA AND AGGREGATES

(*) OJ No. L 25, 2.2.1993, p. 11

ANNEX V

NATIONALITY OF TRANSPORT OPERATOR

The nomenclature to be used is the GEONOMENCLATURE, approved for 1993 by

COMMISSION REGULATION (EEC) N° 208/93
of 1 February 1993

on the country nomenclature for the external trade statistics of the Community and statistics of trade between Member States (*)

with the following exception: codes 017 and 018 are to be used for Belgium and Luxembourg respectively whenever they are to be considered separately.

(*) OJ No. L 25, 2.2.1993, p. 11

ANNEX VI

NATIONALITY OF REGISTRATION OF VESSELS

The nomenclature to be used is the GEONOMENCLATURE, approved for 1993 by

COMMISSION REGULATION (EEC) No 208/93
of 1 February 1993

on the country nomenclature for the external trade statistics of the Community and statistics of trade between Member States (*)

with the following exception: codes 017 and 018 are to be used for Belgium and Luxembourg respectively whenever they are to be considered separately.

The code consists of 4 digits: the three-digit code from the above-mentioned nomenclature, followed by a zero (e.g. code 0010 for France), except for countries with more than one register.

Where more than one register exists, the countries are to be coded as follows:

0061 UNITED KINGDOM
0062 ISLE OF MAN
0063 CHANNEL ISLANDS

0101 PORTUGAL
0102 PORTUGAL (MAR)

0111 SPAIN
0112 SPAIN (REBECA)

4001 USA
4002 PUERTO RICO

4611 BRITISH VIRGIN ISLANDS
4612 MONTSERRAT

8141 N.Z. OCEANIA
8142 COOK ISLANDS

8901 OTHER POLAR REGIONS
8902 FRENCH ANTARCTIC TERRITORY

(*) OJ No. L 25, 2.2.1993, p. 11

ANNEX VII

Type of ship classification
(ICST-COM)

	Type	Ship categories included
01.	Liquid Bulk	Oil tanker Chemical tanker Tanker barge LG tanker Other tanker
02.	Dry Bulk	Bulk/oil carrier Bulk carrier
03.	Specialised	Barge carrier Chemical carrier Irradiated fuel Livestock carrier Vehicle carrier Other specialised
04.	Container	Full container
05.	Roro	Roro passenger Roro container Other roro cargo
06.	General cargo, non-specialised	Reefer Container-passenger General cargo/passenger Single decker Multi-decker Dry cargo barge
07.	Passenger	Cruise Other passenger only
08.	Fishing (*)	Fish catching (*) Fish processing (*)
09.	Offshore activities	Drilling (*) Offshore support
10.	Miscellaneous (*)	Tugs (*) Dredgers (*) Research/survey (*) Other vessels n.e.s.(*)

(*) Not covered by this directive.

ANNEX VIII

Vessel deadweight size classes in DWT

This classification applies only to vessels of 100 gross tonnes or more

CLASS	LOWER LIMIT Dead weight tonnes	UPPER LIMIT Dead weight tonnes
01	-	up to 499
02	500	999
03	1,000	1,999
04	2,000	2,999
05	3,000	3,999
06	4,000	4,999
07	5,000	5,999
08	6,000	6,999
09	7,000	7,999
10	8,000	8,999
11	9,000	9,999
12	10,000	19,999
13	20,000	29,999
14	30,000	39,999
15	40,000	49,999
16	50,000	79,999
17	80,000	99,999
18	100,000	149,999
19	150,000	199,999
20	200,000	249,999
21	250,000	299,999
22	300,000 and more	-

N.B.:

If vessels of less than 100 gross tonnes were to be included under this directive, they would be allocated class code "99".

ANNEX IX

Structure for statistical data sets

The Data sets specified in this Annex define the periodicity for the maritime transport statistics required by the Community. Each Data set defines a cross classification of a limited set of dimensions at different levels of the nomenclatures, aggregated across all other dimensions, for which statistics of good quality are required.

Statistics on goods, Data set B, will be transmitted after a transition period by the end of which technical developments will have enabled goods to be coded by type (see Article 10).

Summary and detailed statistics

- The Data sets to be provided for selected ports for goods and passengers are: A1, A2, B1, C1, D1, E1 and F1.
- The Data sets to be provided for selected ports for goods but not for passengers are: A1, A2, A3, B1, C1, E1 and F1.
- The Data sets to be provided for selected ports for passengers but not for goods are: A3, D1 and F1.
- The Data set to be provided for ports which are not selected is: A3

Data set A1 Seaborne transport in the main European ports, by port, type of cargo and relation
Periodicity: Quarterly

	Elements	Coding Detail	Nomenclature
Dimensions	Data set	2-digit	A1
	Reference year	4-digit	(e.g. 1995)
	Reference quarter	1-digit	(1,2,3,4)
	Reporting port	5-letter alphanumeric	Selected EEA ports in the Port List
	Direction	1-digit	Inwards, Outwards (1,2)
	Port of loading/unloading	5-letter alphanumeric	EEA-ports in the Port List
	Relation	4-digit code	Maritime Coastal Areas, Annex IV
	Type of cargo	1-digit code	Type of cargo, Annex II (Categories 1,2,3,5,6,9)
Data:	Gross weight of goods in tonnes		

Data set A2 Non-unit-load seaborne transport in the main European ports, by port, type of cargo and relation
Periodicity: Quarterly

	Elements	Coding Detail	Nomenclature
Dimensions	Data set	2-digit	A2
	Reference year	4-digit	(e.g. 1995)
	Reference quarter	1-digit	(1,2,3,4)
	Reporting port	5-letter alphanumeric	Selected EEA-ports in the Port List
	Direction	1-digit	Inwards, Outwards (1,2)
	Port of loading/unloading	5-letter alphanumeric	EEA-ports in the Port List
	Relation	4-digit code	Maritime Coastal Areas, Annex IV
	Type of cargo	2-digit code	Type of cargo (non-unit-load only), Annex II (Subcategories 11, 12, 13, 19, 21, 22, 23, 29, 91, 92 and 99)
Data:	Gross weight of goods in tonnes		

Data set A3 Data required for ports for which detailed statistics are not required (cf. Article 4 (3))
Periodicity: Annual

	Elements	Coding Detail	Nomenclature
Dimensions	Data set	2-digit	A3
	Reference year	4-digit	(e.g. 1995)
	Reference quarter	1-digit	(0)
	Reporting port	5-letter alphanumeric	All ports in the Port List
	Direction	1-digit	Inwards, Outwards (1,2)
Data:	Gross weight of goods in tonnes Number of passengers		

Data set B1 Seaborne transport in the main European ports, by port, type of cargo, goods and relation
Periodicity: Annual

	Elements	Coding Detail	Nomenclature
Dimensions	Data set	2-digit	B1
	Reference year	4-digit	(e.g. 1995)
	Reference quarter	1-digit	(0)
	Reporting port	5 letter alphanumeric	Selected EEA-ports in the Port List
	Direction	1-digit	Inwards, Outwards (1,2)
	Port of loading/unloading	5 letter alphanumeric	EEA-ports in the Port List
	Relation	4-digit code	Maritime Coastal Areas, Annex IV
	Type of cargo	1-digit code	Type of cargo, Annex II (Categories 1,2,3,5,6 and 9)
	Commodity	2-digit code	Goods Nomenclature, Annex III
Data:	Gross weight of goods in tonnes		

Data set C1 Unit-load seaborne transport in the main European ports, by port, type of cargo, relation and loaded status
Periodicity: Quarterly

	Elements	Coding Detail	Nomenclature
Dimensions	Data set	2-digit	C1
	Reference year	4-digit	(e.g. 1995)
	Reference quarter	1-digit	(1,2,3,4)
	Reporting port	5 letter alphanumeric	Selected EEA-ports in the Port List
	Direction	1-digit	Inwards, Outwards (1,2)
	Port of loading/unloading	5 letter alphanumeric	EEA ports in the Port List
	Relation	4-digit code	Maritime Coastal Areas, Annex IV
	Type of cargo	2-digit code	Type of cargo, (Container, RoRo only), Annex II (Subcategories 31,32,33,34,51,52,53,54,56,61,62 and 63)
Data:	Gross weight of goods in tonnes (Type of cargo: subcategories 31,32,33,34,51,54,56,61,62 and 63) No. of units (Type of cargo: subcategories 31,32,33,34,51,52,53,54,56,61,62 and 63) No. of units with cargo (Type of cargo: subcategories 31,32,33,34,51,61 and 63) No. of empty units (Type of cargo: subcategories 31,32,33,34,51,61 and 63)		

Data set D1 Passenger transport in the main European ports, by relation
Periodicity: Quarterly

	Elements	Coding Detail	Nomenclature
Dimensions	Data set	2-digit	D1
	Reference year	4-digit	(e.g. 1995)
	Reference quarter	1-digit	(1,2,3,4)
	Reporting port	5 letter alphanumeric	Selected EEA-ports in the Port List
	Direction	1-digit	Inwards, Outwards (1,2)
	Port of loading/unloading	5 letter alphanumeric	EEA-ports in the Port List
	Relation	4-digit code	Maritime Coastal Areas, Annex IV
	Nationality of operator	3-digit code	Geonomenclature, Annex V
	Nationality of registration of vessels	4-digit code	Nationality of registration of vessels, Annex VI
Data:	Number of passengers		

Data set E1 Seaborne transport in the main European ports, by port, type of cargo, relation, nationality of operator and nationality of registration of vessels
Periodicity: Annual

	Elements	Coding Detail	Nomenclature
Dimensions	Data set	2-digit	E1
	Reference year	4-digit	(e.g. 1995)
	Reference quarter	1-digit	(0)
	Reporting port	5 letter alphanumeric	Selected EEA ports in the Port List
	Direction	1-digit	Inwards, Outwards (1,2)
	Port of loading/unloading	5 letter alphanumeric	EEA ports in the Port List
	Relation	4-digit code	Maritime Coastal Areas, Annex IV
	Type of cargo	1-digit code	Type of cargo, Annex II (Categories 1,2,3,5,6 and 9)
	Nationality of operator	3-digit code	Geonomenclature, Annex V
	Nationality of registration of vessels	4-digit code	Nationality of registration of vessels, Annex VI
Data:	Gross weight of goods in tonnes		

Data set F1 European Port ship traffic in the main European ports, by port, type and size of vessels loading or discharging cargo
Periodicity: Quarterly

	Elements	Coding Detail	Nomenclature
Dimensions	Data set	2-digit	F1
	Reference year	4-digit	(e.g. 1995)
	Reference quarter	1-digit	(1,2,3,4)
	Reporting port	5 letter alphanumeric	Selected EEA-ports in the Port List
	Direction	1-digit	Inwards, Outwards (1,2)
	Type of vessel	1-digit code	Type of Ship, Annex VII
	Size of vessel	2-digit code	Deadweight size classes, Annex VIII
Data:	Number of ships Deadweight of ships in tonnes		

FINANCIAL STATEMENT

SECTION 1: FINANCIAL IMPLICATIONS

1 TITLE OF OPERATION

Proposal for a Council Directive on statistical returns in respect of carriage of goods and passengers by sea.

2 BUDGET HEADING INVOLVED

Chapter B5-600

ECU million

Appropriations authorised in 1994		Appropriations requested for 1995		Change in %	
commitments	payments	commitments	payments	commitments	payments
1	2	3	4	5=3/1	6=4/2
-	-	0.800	0.733	-	-

3 LEGAL BASIS

- Article 213 of the Treaty;
- Commission Communication ("White Paper") of 2 December 1992, entitled "The future development of the common transport policy - an overall approach for the determination of a Community framework guaranteeing lasting mobility",
- Council Decision 93/464/EEC of 22 July 1993 on the framework programme for priority actions in the field of statistical information 1993 to 1997 (OJ No L 219 of 28 August 1993.
- Council Decision 89/382/EEC of 19 June 1989 establishing a Committee on the Statistical Programmes of the European Communities (OJ No L 181 of 28 June 1989).

4 DESCRIPTION OF OPERATION

4.1 General objective

This Council Directive aims to make available to the Institutions and national governments the harmonised statistical information necessary for devising, following up, monitoring and evaluating Community maritime policy. These results are also intended for the Community's socio-economic operators in the context of the completion of the internal market. They may also contribute towards enhancing the competitive position of the European economy at international level. Lastly, they are an integral part of the information needed by research institutes and universities.

4.2 Period covered and arrangements for renewal or extension

Multiannual (ongoing collection of statistical data).

5 CLASSIFICATION OF EXPENDITURE OR REVENUE

5.1 Non-compulsory expenditure

5.2 Differentiated appropriations

5.3 Type of revenue involved

The sale of statistical results (database, publications) partially covering production costs.

6 TYPE OF EXPENDITURE OR REVENUE

For the operation concerned, which is an integral part of the statistical programme, the contribution from the Community budget represents a fraction of the real data collection costs (of the order of 1 to 5%). Statistical activities generally and data collection in particular draw extensively on the principle of subsidiarity, and the operating and administration costs are almost exclusively met by the national governments.
Nevertheless, the expenditure is essential to encourage the standardisation of the data collected, their processing and their dissemination to all the populations concerned by the measure.

The expenditure is thus co-financed by the public sector (national statistical services' budgets) and the private sector (revenue from sales of statistical products).

7 FINANCIAL IMPACT

7.1 Method of calculating total cost of operation (definition of unit costs)

In so far as existing data collection systems have to be extended or new statistical collection systems developed, the contribution from the Community budget is calculated on the basis of the following hypotheses (amounts in constant ecus 000 at 1993 value):

- 50% contribution to initial investment;

- 6.66% contribution to the administration costs solely for the first three years of operation.

OPERATING APPROPRIATIONS B5-600: **2 400**
(constant ecus 000 at 1993 value)

corresponding to contributions to the official public statistical institutes of the Member States.

7.2 Itemised breakdown of cost

The total expenditure, ECU 2 400 000, *in constant ecus at 1993 value*, can be assigned to the policy of operating the single market, under Chapter B5-600 of the budget.

This expenditure corresponds to that which the official public statistical institutes of the Member States have to incur to define and implement the changes needed in their systems of collecting and processing their statistics on transport by sea (studying the changes to be made to the existing collection systems, writing the new computer programs needed, additional collection costs and additional IT operating costs entailed by the Directive, in varying relative amounts according to the Member States concerned).

7.3 Indicative schedule of appropriations

7.3.1

	1995	1996	1997	1998	1999 and subs. yrs	TOTAL
Commitment appropriations	800	720	540	340	/	2 400
Payment appropriations						
1995	733					733
1996	67	607				674
1997		113	427			540
1998			113	340		453
1999 and subs. yrs						
TOTAL	800	720	540	340	/	2 400

7.3.2

8 FRAUD PREVENTION MEASURES

- Statistical information is considered an objective instrument for the evaluation of Community action programmes, and thus contributes to consolidating fraud prevention measures.

- The data provided is verified by the Commission before payment, bearing in mind the contractual obligations and principles of economy and sound financial or overall management. Fraud prevention measures (control, submission of reports, etc.) are included in all agreements or contracts entered into between the Commission and beneficiaries.

9 ELEMENTS OF COST-EFFECTIVENESS ANALYSIS

9.1 Specific and quantified objectives; target population

- The specific objectives mentioned at 4.1 are linked to the provisions of the Single European Act and the Treaty of Maastricht on achieving the internal market. This is a matter of making available to the Institutions and national governments the **harmonised statistical** information necessary for devising, following up, monitoring and evaluating Community maritime policy. These results are also intended for the Community's socio-economic operators in the context of the completion of the internal market. They may also contribute towards enhancing the competitive position of

the European economy at international level. Lastly, they are an integral part of the information needed by research institutes and universities.

- Target population: The Commission; the Member States; socio-economic operators; research institutes and universities.

9.2 Grounds for the operation

This operation has the following objectives:

- to provide the Community institutions with the quantitative data for drawing up, monitoring and evaluating any programme of action pursuant to Article 3 (2) of the Financial Regulation: **"it therefore contributes to more effective and relevant use of the Community budget"**;

- to provide the national governments with comparable statistics on all the Member States for evaluating and monitoring the progress of Community policies;

- to provide political, economic and social operators in the Community with the data necessary to take and assess decisions in their respective fields of action: it is therefore a key component of the European information market;

- to provide the scientific community with the information necessary to further analysis and knowledge of economic and social life in the Community.

- Need for intervention from the Community budget

This operation is essentially financed by the Member States, which already have systems for collecting data in the field of maritime transport. However, in certain Member States, these systems are incomplete (or unsuitable) and the results, in particular, are not harmonised from one Member State to another.

The contribution from the Community budget should allow the necessary changes in the various countries to be accelerated.

- Choice of intervention procedure

. advantage over other potential measures

If it fell to the Commission to finance this programme in its entirety, the costs would be extremely high and the results certainly less reliable, and such an approach would run counter to the principle of subsidiarity.

. analysis of any similar operations carried out at Community or national level

Similar operations have been carried out in the past for statistics on domestic freight transport (by rail, by road, by inland waterway). They have led to the regular - albeit slow - progress of harmonisation of the methodologies used in the different Member States.

. secondary and multiplier effects expected:

- the results of the operation contribute to an improvement in the statistical information used in the context of work in relation to transport policy and convergence in the internal market.

- the collection of the statistics upholds the principle of subsidiarity, as the national systems collect the data in each Member State. The Community statistical programme thus becomes an integral part of the national statistical programmes, thus contributing to the creation of a European statistical area.

. multiplier effects:

- spill-over effect towards a European statistical area and thus towards greater integration of the national statistical systems within the Community.

- Main factors of uncertainty which might affect the specific results of the operation:

. Difficulties may arise if certain Member States - or the Commission - do not manage to release the resources necessary for the success of the operation.

9.3 Monitoring and evaluation of the operation

As part of the Community statistical programme, the operation is monitored in that context.

The progress of the statistical programme is continuously monitored against a control chart which sets out the operating targets and the resources necessary for each project in target/performance terms. At the start of every year, Eurostat prepares a report on the progress of the programme in the previous year. This is in three parts:

- the first summarises the main goals achieved during the year in terms of each policy;

- the second describes the objective laid down for each project and the results obtained;

- the third provides statistics on the use of human, budgetary, IT and administrative resources during the previous year.

It is also stipulated that, after three years' operation, the Commission will report to the Parliament, the Council and the Economic and Social Committee on the experience acquired in applying this Directive (i.e. in 1998 if the first collection year is 1995).

9.4 Coherence with financial programming

- Is the operation provided for in the DG's financial programming for the years concerned?

Yes

10 ADMINISTRATIVE EXPENDITURE (PART A OF THE BUDGET)

10.1 Will the proposed operation involve an increase in the number of Commission staff? If so, how many?

YES, with the following annual growth:

Officials

	New posts
1995	2
1996	2
1997	2
1998	2
1999 and following years	2
Total	10

The staff needed to carry out the operation will be obtained either within the allocation of resources decided by the Commission on the basis of future budgets, subject to the decisions of the budgetary authority on new posts, or by internal redeployment.

10.2 Indicate the amount of staff and administrative expenditure involved in the proposed operation. Explain the method of calculation.

Indicators: 1994: annual employment costs (estimate)

Basis: average cost of a post at B2 level.

ECU 91 095, of which ECU 72 968 staff expenditure
ECU 18 127 administrative expenditure

Staff:	Officials	
Expenditure:	Title A1 Staff	Title A2 Admin.
1995(1)	109 452	27 191
1996	145 936	36 254
1997	145 936	36 254
1998	145 936	36 254
1999	145 936	36 254
Total	693 196	172 207

Costs expressed in constant ecus at 1994 value.

(1) The first official (grade A) is assumed to be assigned as of the beginning of 1995, while the second official (grade B) is only assigned in the middle of the year

IMPACT ASSESSMENT FORM

THE IMPACT OF THE PROPOSAL ON BUSINESS with special reference to small and medium-sized enterprises (SMEs)

TITLE OF PROPOSAL:

Proposal for a Council Directive on statistical returns in respect of carriage of goods and passengers by sea.

REFERENCE NO:

THE PROPOSAL:

1 **Taking account of the principle of subsidiarity, why is Community legislation necessary in this area and what are its main aims?**

The proposed operation is aimed at the production of **harmonised** statistics on the transport of goods and passengers by sea, which are necessary for drawing up, monitoring, controlling and evaluating Community maritime policy on comparable terms with the information available for the other modes of transport. The statistical information currently available in the Member States is incomplete, and what does exist is often not comparable from one country to another due to different national practices.

THE IMPACT ON BUSINESS:

2 **Who will be affected by the proposal?**

- *which sectors of business*

The enterprises concerned are mainly class 61.10 (Sea and coastal water transport) in the statistical classification of economic activities in the European Community (NACE, Rev.1), in addition to a few enterprises in other sectors which carry on maritime transport on their own account. Also concerned are enterprises in class 63.40 (cargo transport organisation), when acting as representatives of the Community enterprises concerned or on behalf of third-country enterprises whose vessels call in Community ports to load or unload goods or to take on or land passengers.

Lastly, since certain Member States organise their data collection via sea ports, enterprises from class 63.22 (port, maritime and river services).

- *which sizes of business (what is the concentration of small and medium-sized firms)*

In principle, all sizes of businesses are concerned, but indirect provisions are planned to limit the burden on small and medium-sized enterprises entailed in providing statistics.
The Member States are therefore free to exempt from the scope of the Directive operations carried out by vessels of very small size (generally belonging to small or medium-sized enterprises). Likewise, only very summary statistics are required for movements carried out in the smallest ports, while harbours which are not commercial ports are excluded from the scope of the directive anyway.

- *are there particular geographical areas of the Community where these businesses are found*

Other than Luxembourg, all the countries of the Community are concerned.

3 What will business have to do to comply with the proposal?

Businesses owning or operating vessels calling in the ports of the Community to load or unload goods or to take on or set down passengers will have to provide the data necessary to meet the requirements of the Directive either directly or via their agent in the ports.

This will entail the provision of information additional to that which businesses already provide to the Member States, with changes in concepts and in particular to the nomenclatures used in declarations.

4 What economic effects is the proposal likely to have?

- *on employment*

- *on investment and the creation of new businesses*

- *on the competitive position of businesses*

An indirect effect, in so far as knowledge of the market may produce an improvement in competitive position.

5 **Does the proposal contain measures to take account of the specific situation of small and medium-sized firms (reduced or different requirements, etc.)?**

Yes, indirectly (cf. 2 above)

The possible exemption from the scope of the Directive of operations carried out by vessels of very small size (less than 100 gross tonnes) will doubtless ease the burden on very small firms.

Furthermore, movements carried out in the smallest ports (non-commercial harbours being excluded from the scope of the Directive anyway) entail the provision of only very summary statistics, so that the burden imposed on small and medium-sized firms, often solely involved in local transport between such small ports, will be minimal.

CONSULTATION

6 **List the organisations which have been consulted about the proposal and outline their main views.**

The successive versions of the draft Directive were discussed at three meetings (7-8/10/1992; 9-10/12/1992; 20-22/1/1993) of an ad-hoc task force which it was decided to set up at the meeting of the Coordinating Committee on Transport Statistics on 9-10/3/1992. The draft thus arrived at was then discussed at the meetings of the Coordinating Committee on Transport Statistics on 9-10/3/1993 and 12-13/5/1993. A final meeting of the task force was held on 26-27/5/1993.

The representative of the European Community Shipowners' Association (ECSA) and the chairman of the sub-group of statistical experts of the Community ports group were invited to all these meetings and took part in some. They gave their overall support to the draft, since they had been consulted on its contents from the outset.

In 1990, at the stage when users were being consulted on their statistical requirements, the ECSA (then the CAACE) and the European Shippers Council (ESC) stated their needs in terms of statistics describing the chain of transport in international trade as a whole and the maritime transport component in particular.

For its part, the Community ports group defined its requirements at a series of meetings beginning in 1990 in which Eurostat participated. The ports' requests, including the level of detail of the information to be collected, were an important factor in defining the content of this Directive.

The Directive will satisfy the essential requirements expressed regarding maritime transport statistics.

ADDITIONAL FORM CONCERNING THE EFTA COUNTRIES OF THE EEA

Title of proposal:

Proposal for a Council Directive on statistical returns in respect of carriage of goods and passengers by sea.

The impact on the EFTA countries of the EEA

The EFTA countries of the EEA are concerned by the draft Directive, and were involved in the discussions on it.

Some took part in the meetings of the Task Force at which the draft was discussed.

The meetings of the Coordinating Committee on Transport Statistics in March 1992 and March and May 1993 were joint EC/EFTA meetings.

Financial Statement

The financial statement enclosed with this dossier solely concerns the Member States of the European Union, and does not therefore cover the financial contributions to the EFTA countries of the EEA.

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