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accompanying the

Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on reporting formalities for ships arriving in or departing from ports of the Member States of the Community and repealing directive 2002/6/EC

Report on impact assessment of different options to simplify/reduce/eliminate administrative procedures for Short Sea Shipping and implementing a European Maritime Transport Space without Barriers

SUMMARY OF THE IMPACT ASSESSMENT

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SUMMARY

Fast growth of heavy road transport and related congestion, accidents and pollution are the main economic, social and environmental problems that the policy to promote Short Sea Shipping is expected to address. Europe needs an efficient co-modal transport system combining the benefits of all modes to maintain and increase its competitiveness and prosperity in line with the Lisbon agenda and the mid-term review of the White Paper on European Transport Policy.

Complex administrative procedures hinder Short Sea Shipping from developing faster. The administrative procedures involved have negative economic consequences, in particular costs that are associated with administrative delays, frequent or regular controls and the time spent preparing documentation and procedures. This complexity also decreases the attractiveness of the mode and entails that Short Sea Shipping cannot fully contribute the efficiency and sustainability of the European transport system.

While the removal of obstacles to land transport has finally become a reality, the Internal Market across the European Union is so far incomplete for Short Sea Shipping.

Under the concept of European Maritime Transport Space without Barriers, the Commission services have assessed the main administrative and documentary procedures in Short Sea Shipping with a view to simplifying, reducing or, when possible, eliminating them for transport operations between two EU ports.

In particular, the following procedures were examined:

- Customs procedures (including simplified procedures);
- Ship reporting procedures.
- Veterinary and phytosanitary procedures;
- Carriage of dangerous goods;

Further enablers were also considered:

- Electronic transmission of administrative data;
- Single window for all administrative formalities;
- One-stop shop for controls;
- Pilot Exemption Certificates;
- Alternative administrative language;
- Dedicated areas for Short Sea Shipping in ports.

The policy options that were considered were:

– Status quo as baseline scenario;

– Case-by-case simplification of individual administrative formalities;

– Act on the basis of a co-ordinated set of measures simplifying, reducing, and, wherever possible, eliminating formalities for vessels sailing between EU-ports in line with the model of the Internal Market offered by land transport.

The impact assessment of these options was based on many assumptions made under careful consideration of the contributions of all stakeholders. It showed with sufficient confidence

that administrative simplification brings clear benefits and that the maritime transport sector should not be excluded from the general free-circulation regime in place for land transport.

The initiative has received full support from the stakeholders involved, and it is one of the cornerstones of the recent Communication on an integrated maritime policy, the "Blue Book". The stakeholders considered that not only the actual delays, but the risk of delays are important disincentives to use Short Sea Shipping. Reliability and punctuality are the most important factors and will be improved by the proposed measures at a rather moderate cost for the society. The alignment of administrative formalities applied to intra-EU maritime transport with the other modes will attract more shippers to maritime transport.

It is thus suggested that the Commission adopts an action plan to simplify existing administrative procedures and eliminate some of them. The action plan comprises short term measures:

– Rationalisation of vessel-related and goods-related reporting and forms required by Directives 2002/6/EC (formalities for vessels at the arrival/departure of ports), 2000/59/EC (waste and residue reception), 2002/59/EC (vessel monitoring) and Regulation (EC) N° 725/2004 (maritime security).

– Elimination of systematic controls and documentary requests by Customs for goods carried by sea between EU ports in line with inland transport. The measure will require a modification of the implementing provision of the Community customs code[1] and should be in force by 2010.

– Concerning the legislation on veterinary and phytosanitary products, guidelines should be adopted in 2009 in order to speed up the documentary checks in Directives 89/662/EEC[2], 90/425/EEC[3] and 2000/29/EC[4].

Further enabling measures would also need to be implemented, namely:

– Enhancing the electronic transmission of administrative data;

– Setting-up an administrative single window;

– Simplification of the sea transport of dangerous goods by implementing in the EU Member States the equivalence between some IMDG (carriage of dangerous goods by sea) rules and those of ADR/RID (carriage of dangerous goods by road/rail).

The two first measures could be implemented and co-ordinated under wider proposals, in particular those to be included in the action plan for the deployment of e-maritime systems in 2009.

In addition, recommendations should be given that Member States implement further enabling measures, each time the local conditions permit to do it in an efficient manner, namely:

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1 Council Regulation (EEC) N° 2913/92 of 12 October 1992 and Council Regulation of the European Parliament and the Regulation (EC) N° 450/2008 of 23 April 2008 laying down the Community Customs Code; OJ L 145 of 4.6.2008, p. 1

2 Council Directive of 11 December 1989 concerning veterinary checks in intra-Community trade with a view to the completion of the Internal Market; OJ L 395 of 30.12.1989, p. 13

3 Council Directive 90/425/EEC of 26 June 1990 concerning veterinary and zootechnical checks applicable in intra-Community trade in certain live animals and products with a view to the completion of the internal market; OJ L 224, 18.8.1990, p. 29

4 Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community; OJ L 169, 10.7.2000, p. 1

– Coordinate the inspections carried out in the ports by the various administrative services (“one-stop administrative shop”);

– Extend the scope of Pilot Exemption Certificates;

– Introduce the use of the language most commonly used at sea as an alternative to the national language(s) in administrative communication;

– Create areas in ports dedicated to Short Sea Shipping where that can facilitate the operations for this mode.

This combination and co-ordinated implementation of the measures will allow cost savings and productivity benefits while maintaining the availability of essential information.

Information on goods under Customs and other types of supervision (animal product, veterinary and phytosanitary) would still be available and have to be presented at spot checks.

The package will allow a reduction of administrative burden estimated at € 2.4 billion and environmental benefits estimated at € 182-365 millions during the period 2009-2040. The costs for designing, developing and operating the measures are estimated at € 617 millions. They would be shared by the economic operators, essentially port authorities and shipping companies. The costs for national administrations would be negligible.

The approach would not risk lowering standards and thus preserves the fundamental objectives of Customs and safety related regulations.

It would help lowering the costs to businesses in several Member States and, subsequently, to consumers.