



Notification Number: 2006/364/F

## Order of amending the Order of 23 November 1987 on vessel safety

Date received : 18/07/2006  
End of Standstill : 19/10/2006  
Issue of detailed opinion by : Commission

### Message

Message 002

Communication from the Commission - SG(2006) D/51679

Directive 98/34/EC

Translation of the message 001

Notification: 2006/0364/F

No abre el plazo - Nezhahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist.

(MSG: 200601679.EN)

#### 1. Structured Information Line

MSG 002 IND 2006 0364 F EN 19-10-2006 18-07-2006 F NOTIF 19-10-2006

#### 2. Member State

France

#### 3. Department Responsible

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#### 3. Originating Department

Ministère des Transports, de l'Équipement, du Tourisme et de la Mer (MTETM)

Direction Générale de la Mer et des Transports – Direction des Affaires Maritimes (DGMT – DAM)

3 Place de Fontenoy



75700 PARIS

**4. Notification Number**

2006/0364/F - T20T

**5. Title**

Order of amending the Order of 23 November 1987 on vessel safety

**6. Products Concerned**

T20T: Sea, river and inland water transport

T50T: Dangerous goods transport

**7. Notification Under Another Act**

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**8. Main Content**

The aforementioned order lays down the regulatory requirements applicable, in terms of safety and prevention of pollution (design, construction and equipment), to cargo vessels with a gross tonnage in excess of 500 tonnes sailing close to the national coastline (i.e. less than 5 nautical miles from the port of departure or in sheltered waters, corresponding respectively, under the current French regulations, to the 4th and 5th categories of sailing).

These requirements are based on the provisions of the main international Conventions and their Protocols in force (ICLL 66, SOLAS 74, MARPOL 73/78) and on the relevant instruments, recommendations and guidelines of the International Maritime Organisation (IMO), but moderated to a certain extent to take account of the type of sailing carried out, the corresponding sea states and the short time at sea.

**9. Brief Statement of Grounds**

The proposed text solves the problem of the regulations applicable to average-sized and large vessels sailing in a combination of rivers and seas (estuary waters or at a very limited distance from the coastline) which was not permitted by the pre-existing texts because:

- Either the texts were inappropriate (river regulations) due to not taking into account the major safety considerations, such as freeboard;
- Or the texts were too restrictive (SOLAS Convention and Division 221 of the Regulation appended to the Order of 23 November 1987) given that they were designed for vessels sailing on the high seas.

Furthermore, the proposed text is not governed by any Community and/or international regulations.

**10. Reference Documents - Basic Texts**

e) There are no basic texts properly speaking as the Order is only inspired by the international provisions in force (see point 8 above).

**11. Invocation of the Emergency Procedure**

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## 12. Grounds for the Emergency

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## 13. Confidentiality

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## 14. Fiscal measures

b) NO

## 15. Impact assessment

b) The report of the Commission centrale de sécurité [Central safety commission], approved by the Minister (Ref. PV CCS 793/REG.02), provides the result of the impact study. This report was preceded by presentations to and discussions with those potentially affected (river vessel owners and sea vessel owners).

## 16. TBT and SPS aspects

TBT and SPS aspects (Agreements concluded within the WTO)

TBT aspects (Agreement on Technical Barriers to Trade)

b) NO:

iii) The draft will not have a notable impact on international trade.

SPS aspect (Agreement on Sanitary and Phytosanitary Measures)

b) NO:

iii) The draft will not have a notable impact on international trade.

Catherine Day  
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European Commission

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