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From: General Secretariat of the Council

To: Delegations

Subject: Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2003/25/EC as regards the inclusion of improved stability requirements and its alignment with stability requirements defined by the International Maritime Organisation

- 4 column document
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In view of the Shipping Working Party meeting on 7 November 2022 and a first exchange of views on the EP amendments, delegations will find attached a four-column document.

Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2003/25/EC as regards the inclusion of improved stability requirements and its alignment with stability requirements defined by the International Maritime Organisation (Text with EEA relevance) 2022/0036(COD)

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals
Formula				
1	2022/0036 (COD)		2022/0036 (COD)	
Proposal Title				
2	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2003/25/EC as regards the inclusion of improved stability requirements and its alignment with stability requirements defined by the International Maritime Organisation (Text with EEA relevance)		Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2003/25/EC as regards the inclusion of improved stability requirements and its alignment of that Directive with the with -stability requirements defined by the International Maritime Organisation Organization (Text with EEA relevance)	
Formula				
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	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,		THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
Citation 1				
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) thereof,		Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2) thereof,	
Citation 2				
5	Having regard to the proposal from the European Commission,		Having regard to the proposal from the European Commission,	
Citation 3				
6	After transmission of the draft legislative act to the national parliaments,		After transmission of the draft legislative act to the national parliaments,	
Citation 4				
7	Having regard to the opinion of the European Economic and Social Committee ¹ , ¹ . O J C , , p . .		Having regard to the opinion of the European Economic and Social Committee ¹ , ¹ . O J C , , p . .	

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Citation 5				
8	Having regard to the opinion of the Committee of the Regions ¹ , 1. OJ C , , p . .		Having regard to the opinion of the Committee of the Regions ¹ , 1. OJ C , , p . .	
Citation 6				
9	Acting in accordance with the ordinary legislative procedure,		Acting in accordance with the ordinary legislative procedure,	
Formula				
10	Whereas:		Whereas:	
Recital 1				
11	(1) Directive 2003/25/EC of the European Parliament and of the Council ¹ establishes a uniform level of specific stability requirements for ro-ro passenger ships improving the survivability of this type of vessel in case of collision damage and providing a high level of safety for the passengers and the crew in combination with the requirements set out in the SOLAS Convention in force at the date of adoption of the Directive (SOLAS 90).		(1) Directive 2003/25/EC of the European Parliament and of the Council ¹ establishes a uniform level of specific stability requirements for ro-ro passenger ships improving the survivability of this type of vessel in case of collision damage and providing a high level of safety for the passengers and the crew in combination with the requirements set out in the International Convention for the Safety of Life at Sea (the ‘SOLAS Convention’)	

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	<p>1. Directive 2003/25/EC of the European Parliament and of the Council of 14 April 2003 on specific stability requirements for ro-ro passenger ships (OJ L 123, 17.5.2003, p. 22).</p>		<p>in force at the date of adoption of the Directive ('SOLAS 90').</p> <p>1. Directive 2003/25/EC of the European Parliament and of the Council of 14 April 2003 on specific stability requirements for ro-ro passenger ships (OJ L 123, 17.5.2003, p. 22).</p>	
Recital 2				
12	<p>(2) The International Maritime Organisation ('IMO') adopted revised specific provisions on stability standards for passenger ships in damaged conditions on 15 June 2017 by Resolution MSC.421(98) which apply also to ro-ro passenger ships. It is necessary to take into account those developments at international level and to align the Union rules and requirements with those established in the International Convention for the Safety of Life at Sea ('the SOLAS Convention') for ro-ro passenger ships engaged in international voyages.</p>		<p>(2) On 15 June 2017, the International Maritime OrganisationOrganization ('IMO') adopted Resolution MSC.421(98) setting out revised specific provisions on stability standardsrequirements for passenger ships in damaged conditions on 15 June 2017 by Resolution MSC.421(98) condition which apply also to ro-ro passenger ships. It is necessary to take into account those developments at international level and to align the Union rules and requirements with those established in the International Convention for the Safety of Life at Sea ('the SOLAS Convention')² for ro-ro passenger ships engaged in international voyages.</p> <p>Only editorial (lawyer-linguist)</p>	

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Recital 3				
13	(3) IMO Resolution 14 of the 1995 SOLAS Conference allowed IMO members to conclude regional agreements if they consider that prevailing sea conditions and other local conditions require specific stability requirements in a designated area. Deterministic damage stability requirements for ro-ro passenger ships set out in Annex I to Directive 2003/25/EC differ from the new international probabilistic requirements, where the safety of a ro-ro passenger ship is measured based on the probability of survival after a collision. The international probabilistic regime is set out in chapter II-1 of the SOLAS. The new requirements should be incorporated to Directive 2003/25.		(3) IMO Resolution 14 of the 1995 SOLAS Conference allowed IMO members to conclude regional agreements if they consider that prevailing sea conditions and other local conditions require specific stability requirements in a designated area. Deterministic damage stability requirements for ro-ro passenger ships set out in Annex I to Directive 2003/25/EC differ from the new international probabilistic requirements, where the safety of a ro-ro passenger ship is measured based on the probability of survival after a collision. The international probabilistic regime is set out in chapter II-1 of the SOLAS. The new requirements should be incorporated to Directive 2003/25.	
Recital 3a				
13a			(3a) The deterministic damage stability requirements for ro-ro passenger ships set out in Annex I to Directive 2003/25/EC differ from the new international	

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			<p>probabilistic requirements, where the safety of a ro-ro passenger ship is measured based on the probability of survival after a collision. The international probabilistic regime is set out in chapter II-1 of the SOLAS Convention. The new requirements should be incorporated in Directive 2003/25.</p> <p>Moved here from recital 3 with only editorial (lawyer-linguist) modifications</p>	
Recital 4				
14	<p>(4) Requirements laid down in Directive 2009/45/EC of the European Parliament and of the Council¹ remain applicable to ro-ro passenger ships. The assessment for different sizes of ro-ro passenger ships of the safety level ensured by the SOLAS 2020 requirements led to the conclusion that the application of stability requirements according to SOLAS 2020 represents a significant risk reduction for ro-ro passenger ships certified to carry more than 1350 persons on board, compared with the requirements included in Directive 2003/25/EC in</p>		<p>(4) Requirements laid down in Directive 2009/45/EC of the European Parliament and of the Council¹ remain applicable to ro-ro passenger ships. The assessment for different sizes of ro-ro passenger ships of the safety level ensured by the SOLAS 2020 requirements led to the conclusion that the application of these stability requirements according to SOLAS 2020 represents would result in a significant risk reduction for ro-ro passenger ships certified to carry more than 1350 persons on board, compared with to the safety level ensured by the requirements</p>	

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	<p>combination with the SOLAS Convention as amended by the relevant IMO instruments applicable at the time of its adoption ('SOLAS 90').</p> <p>1. Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships (OJ L 163, 25.6.2009, p. 1).</p>		<p>included set out in Directive 2003/25/EC in combination with the SOLAS Convention as amended by the relevant IMO instruments applicable at the time of its adoption ('SOLAS 90').</p> <p>1. Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships (OJ L 163, 25.6.2009, p. 1).</p>	
Recital 5				
15	<p>(5) Stability requirements laid down in this Directive for ro-ro passenger ships certified to carry 1350 or fewer persons on board would be difficult to implement for certain designs of those ships. Therefore, economic operators owning or using those ships in a regular service in the Union should have the option to apply the stability requirements applicable before the entry into force of this Directive. The use of such option should be notified by Member States to the Commission together with a set of data related to the ships concerned. Ten years after the date of entry into force of this Directive, the Commission should assess the use of the option in order</p>		<p>(5) Stability requirements laid down in this Directive for ro-ro passenger ships certified to carry 1350 or fewer persons on board would be difficult to implement for certain designs of those ships. Therefore, economic operators owning or using those ships in a regular service in the Union should have the option to apply the stability requirements applicable before the entry into force of this Directive. The use of such option should be notified by Member States to the Commission together with a set of data related to the ships concerned. Ten years after the date of entry into force of this Directive, the Commission should assess the use of the option in order</p>	

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	to decide about a further revision of this Directive.		to decide about a further revision of this Directive.	
Recital 6				
16	(6) For ro-ro passenger ships certified to carry 1350 or fewer persons on board, the optional application of the SOLAS 2020 requirements should be conditional to a higher level of the R-index than the one defined in SOLAS 2020 to achieve the appropriate level of safety.		(6) For ro-ro passenger ships certified to carry 1350 or fewer persons on board, the optional application of the SOLAS 2020 requirements should be conditional to a higher level of the R-index than the one defined in SOLAS 2020 to achieve the appropriate level of safety.	
Recital 7				
17	(7) In order to ensure the necessary level of safety, specific damage stability requirements should apply also to existing ro-ro passenger ships that have never been certified according to Directive 2003/25/EC and are entering into regular service in the Union.		(7) In order to ensure the necessary level of safety, specific damage stability requirements should apply also to existing ro-ro passenger ships that have never been certified according to Directive 2003/25/EC and are entering into regular service in the Union.	
Recital 7a				
17a			(7a) Port States should cooperate to the fullest extent possible in order to establish the list of sea	

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			areas referred to in this Directive, taking into account the sovereignty of States over sea areas under their jurisdiction and general principles of the law of the sea.	
Amendment 1, Recital 7a (new)				
17b		<p><u>(7a) European Maritime Safety Agency (EMSA) should assess the requirements laid down by this Directive in line with Regulation (EC) No 1406/2002 of the European Parliament and of the Council^{1a}.</u></p> <p><u>1a. Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency (OJ L 208, 5.8.2002, p. 1).</u></p>		
Recital 8				
18	(8) In order to enable the Commission to evaluate and report to the European Parliament and the Council on the implementation of this Directive by [OP : Please insert a date: ten years from the entry into force of this amending Directive], Member States should provide data		(8) In order to enable the Commission to evaluate and report to the European Parliament and the Council on the implementation of this Directive by [OP : Please insert a date: ten years from the entry into force of this amending Directive] [OP : Please insert a date:	

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	on every new ro-ro passenger ship that is certified after [OP: Please insert a date: one year from the entry into force of this amending Directive] for regular service in compliance with the stability requirements contained in this Directive according to the structure set out in the Annex.		ten years from the entry into force of this amending Directive], Member States should provide data on every new ro-ro passenger ship that is certified after [OP: Please insert a date: 24 months from the entry into force of this amending Directive] to carry 1350 or fewer persons on board [OP: Please insert a date: one year from the entry into force of this amending Directive] for regular service in compliance with the stability requirements contained in this Directive. This data should be provided in accordance with according to the structure set out in the Annex. This data is to be available for all new passenger ships, as they are required to comply with the probabilistic stability requirements as provided for by SOLAS 2020.	
Recital 9				
19	(9) As Directive 2009/16/EC of the European Parliament and of the Council ¹ was amended, and Council Directive 1999/35/EC ² was repealed by Directive (EU) 2017/2110 of the European Parliament and of the Council ³ , the concept of the ‘host		(9) As Directive 2009/16/EC of the European Parliament and of the Council ¹ was amended, and Council Directive 1999/35/EC ² was repealed by Directive (EU) 2017/2110 of the European Parliament and of the Council ³ , the concept of the ‘host	

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	<p>State' is no longer relevant and should therefore be replaced by that of 'port State'.</p> <p>1. Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control (OJ L 131, 28.5.2009, p. 57).</p> <p>2. Council Directive 1999/35/EC of 29 April 1999 on a system of mandatory surveys for the safe operation of regular ro-ro ferry and high-speed passenger craft services (OJ L 138, 1.6.1999, p. 1).</p> <p>3. Directive (EU) 2017/2110 of the European Parliament and of the Council of 15 November 2017(OJ L 315, 30.11.2017, p. 61).</p>		<p>State' is no longer relevant and should therefore be replaced by that of 'port State'.</p> <p>1. Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control (OJ L 131, 28.5.2009, p. 57).</p> <p>2. Council Directive 1999/35/EC of 29 April 1999 on a system of mandatory surveys for the safe operation of regular ro-ro ferry and high-speed passenger craft services (OJ L 138, 1.6.1999, p. 1).</p> <p>3. Directive (EU) 2017/2110 of the European Parliament and of the Council of 15 November 2017 on a system of inspections for the safe operation of ro-ro passenger ships and high-speed passenger craft in regular service and amending Directive 2009/16/EC and repealing Council Directive 1999/35/EC (OJ L 315, 30.11.2017, p. 61).</p>	
Recital 9a				
19a			<p>(9a) In order not to impose a disproportionate administrative burden on landlocked Member States which have no seaports and which have no ships flying their flag that fall within the scope of this Directive, such Member States should be allowed to derogate from the provisions of this Directive. This means that as long as those conditions are</p>	

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			fulfilled, they are not obliged to transpose this Directive.	
Recital 10				
20	(10) Directive 2003/25/EC should therefore be amended accordingly,		(10) Directive 2003/25/EC should therefore be amended accordingly,	
Formula				
21	HAVE ADOPTED THIS DIRECTIVE:		HAVE ADOPTED THIS DIRECTIVE:	
Article 1				
22	Article 1 Amendments to Directive 2003/25/EC		Article 1 Amendments to Directive 2003/25/EC	
Article 1, first paragraph, introductory part				
23	Directive 2003/25/EC is amended as follows:		Directive 2003/25/EC is amended as follows:	
Article 1, first paragraph, point (1), introductory part				
24	(1) Article 2 is amended as follows:		(1) Article 2 is amended as follows:	
Article 1, first paragraph, point (1)(a), introductory part				

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25	(a) points (b) and (c) are replaced by the following:		(a) points (b) and (c) are replaced by the following:	
Article 1, first paragraph, point (1)(a), amending provision, first paragraph, introductory part				
26	“ (b) ‘existing ro-ro passenger ship’ means a ro-ro passenger ship the keel of which is laid or which is at a similar stage of construction before [OP, please insert the date: one year after the date of entry into force of this amending Directive]: a similar stage of construction means the stage at which:		“ (b) "(b) ‘existing ro-ro passenger ship’ means a ro-ro passenger ship the keel of which is laid or which is at a similar stage of construction before [OP, please insert the date: 24 months after the date of entry into force of this amending Directive]; [OP, please insert the date: one year after the date of entry into force of this amending Directive] : a similar stage of construction means the stage at which:	
Article 1, first paragraph, point (1)(a), amending provision, first paragraph(i)				
27	(i) construction identifiable with a specific ship begins; and		(i) construction identifiable with a specific ship begins; and	
Article 1, first paragraph, point (1)(a), amending provision, first paragraph(ii)				
28	(ii) assembly of that ship has commenced comprising at least 50 tonnes or 1 % of the estimated mass		(ii) assembly of that ship has commenced comprising at least 50 tonnes or 1 % of the estimated mass	

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	of structural material, whichever is less;		of structural material, whichever is less;	
Article 1, first paragraph, point (1)(a), amending provision, second paragraph				
29	(c) ‘new ro-ro passenger ship’ means a ro-ro passenger ship which is not an existing ship;; ”		(c) ‘new ro-ro passenger ship’ means a ro-ro passenger ship which is not an existing ship;; ”	
Article 1, first paragraph, point (1)(b), introductory part				
30	(b) point (e) is replaced by the following:		(b) point (e) is replaced by the following:	
Article 1, first paragraph, point (1)(b), amending provision, first paragraph				
31	“ (e) ‘SOLAS Convention’ means the 1974 International Convention for the Safety of Life at Seas and amendments thereto in force;; ”		“ (e) "(e) ‘SOLAS Convention’ means the 1974 International Convention for the Safety of Life at Seas Sea and amendments thereto in force;" ; ”	
Article 1, first paragraph, point (1)(c), introductory part				
32	(c) the following points (ea), (eb) and (ec) are inserted:		(c) the following points (ea), (eb) and (ec) are inserted:	

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals
	Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, introductory part			
33	“ (ea) ‘SOLAS 90’ means the 1974 International Convention for the Safety of Life at Seas, as amended by the following IMO instruments:	“ (ea) <u>(ea)</u> ‘SOLAS 90’ means the 1974 International Convention for the Safety of Life at Seas, as <u>last</u> amended by the following IMO instruments: <u>Resolution MSC.117(74);</u>	“ (ea) ”(ea) ‘SOLAS 90’ means the 1974 International Convention for the Safety of Life at SeasSea, as amended by the following IMO instruments:	
	Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, first indent			
34	- Res.MSC.1(45);	- Res.MSC.1(45); <u>deleted</u>	- Res.MSC.1(45);	
	Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, second indent			
35	- Res.MSC.6(48);	- Res.MSC.6(48); <u>deleted</u>	- Res.MSC.6(48);	
	Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, third indent			
36	- Res.MSC.11(55);	- Res.MSC.11(55); <u>deleted</u>	- Res.MSC.11(55);	
	Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, fourth indent			
37	- Res.MSC.13(57);	- Res.MSC.13(57); <u>deleted</u>	- Res.MSC.13(57);	
	Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, fifth indent			
38	- Res.MSC.19(58);	- Res.MSC.19(58); <u>deleted</u>	- Res.MSC.19(58);	

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	Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, sixth indent			
39	- Res.MSC.26(60);	- Res.MSC.26(60); deleted	- Res.MSC.26(60);	
	Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, seventh indent			
40	- Res.MSC.24(60);	- Res.MSC.24(60); deleted	- Res.MSC.24(60);	
	Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, eighth indent			
41	- Res.MSC.27(61);	- Res.MSC.27(61); deleted	- Res.MSC.27(61);	
	Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, ninth indent			
42	- Res.MSC.31(63);	- Res.MSC.31(63); deleted	- Res.MSC.31(63);	
	Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, tenth indent			
43	- SOLAS/CONF.2/21;	- SOLAS/CONF.2/21; deleted	- SOLAS/CONF.2/21;	
	Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, eleventh indent			
44	- Res.MSC.42(64);	- Res.MSC.42(64); deleted	- Res.MSC.42(64);	
	Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, twelfth indent			
45				

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	- Res.MSC.46(65);	- Res.MSC.46(65); <u>deleted</u>	- Res.MSC.46(65);	
Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, thirteenth indent				
46	- Res.MSC.57(67);	- Res.MSC.57(67); <u>deleted</u>	- Res.MSC.57(67);	
Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, fourteenth indent				
47	- Res.MSC.65(68);	- Res.MSC.65(68); <u>deleted</u>	- Res.MSC.65(68);	
Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, fifteenth indent				
48	- SOLAS/CONF.4/25;	- SOLAS/CONF.4/25; <u>deleted</u>	- SOLAS/CONF.4/25;	
Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, sixteenth indent				
49	- Res.MSC.69(69);	- Res.MSC.69(69); <u>deleted</u>	- Res.MSC.69(69);	
Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, seventeenth indent				
50	- Res.MSC.99(73);	- Res.MSC.99(73); <u>deleted</u>	- Res.MSC.99(73);	
Amendment 2, Article 1, first paragraph, point (1)(c), amending provision, first paragraph, eighteenth indent				
51	- Res.MSC.117(74);	- Res.MSC.117(74); <u>deleted</u>	- Res.MSC.117(74);	
Amendment 3, Article 1, first paragraph, point (1)(c), amending provision, second paragraph				

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52	(eb) ‘SOLAS 2009’ means the 1974 International Convention for the Safety of Life at Seas as amended by Resolution MSC.216(82);	(eb) <u>(eb)</u> ‘SOLAS 2009’ means the 1974 International Convention for the Safety of Life at Seas as <u>last</u> amended by Resolution MSC.216(82);	(eb) (eb) ‘SOLAS 2009’ means the 1974 International Convention for the Safety of Life at Seas Sea as amended by Resolution MSC.216(82);	
Amendment 4, Article 1, first paragraph, point (1)(c), amending provision, third paragraph				
53	(ec) ‘SOLAS 2020’ means the 1974 International Convention for the Safety of Life at Seas as amended by Resolution MSC.421(98);;	(ec) <u>(ec)</u> ‘SOLAS 2020’ means the 1974 International Convention for the Safety of Life at Seas as <u>last</u> amended by Resolution MSC.421(98);;	(ec) (ec) ‘SOLAS 2020’ means the 1974 International Convention for the Safety of Life at Seas Sea as amended by Resolution MSC.421(98);;	
Article 1, first paragraph, point (1)(d), introductory part				
54	(d) point (f) is replaced by the following:		(d) point (f) is replaced by the following:	
Article 1, first paragraph, point (1)(d), amending provision, first paragraph, introductory part				
55	“ (f) ‘regular service’ means a series of ro-ro passenger ship crossings operated so as to serve traffic between the same two or more ports, or a series of voyages from and to the same port without intermediate calls, either:		“ (f) “‘regular service’ means a series of ro-ro passenger ship crossings operated so as to serve traffic between the same two or more ports, or a series of voyages from and to the same port without intermediate calls, either:	

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Article 1, first paragraph, point (1)(d), amending provision, first paragraph(i)				
56	(i) according to a published timetable; or		(i) according to a published timetable; or	
Article 1, first paragraph, point (1)(d), amending provision, first paragraph(ii)				
57	(ii) with crossings so regular or frequent that they constitute a recognisable systematic series;; ”		(ii) with crossings so regular or frequent that they constitute a recognisable systematic series;; ”	
Article 1, first paragraph, point (1)(e), introductory part				
58	(e) point (i) is replaced by the following:		(e) point (i) is replaced by the following:	
Article 1, first paragraph, point (1)(e), amending provision, first paragraph				
59	“ (i) ‘Port State’ means a Member State to or from whose ports a ro-ro passenger ship is engaged on a regular service;; ”		“ (i) ‘port State’ means a Member State to or from whose ports a ro-ro passenger ship is engaged on a regular service;; ”	
Article 1, first paragraph, point (1)(f), introductory part				
60				

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	(f) point (k) is replaced by the following:		(f) point (k) is replaced by the following:	
Article 1, first paragraph, point (1)(f), amending provision, first paragraph				
61	“ (k) ‘specific stability requirements’ means the stability requirements referred to in Article 6;; ”		“ (k) ‘specific stability requirements’ means the stability requirements referred to in Article 6;; ”	
Article 1, first paragraph, point (1)(g), introductory part				
62	(g) the following point (n) is added:		(g) the following point (n) is added:	
Article 1, first paragraph, point (1)(g), amending provision, first paragraph				
63	“ (n) ‘operator’ means the legal entity or physical person who has assumed the responsibility for the operation of the ship; ”		“ (n) ‘operator’ means the legal entity or physical person who has assumed the responsibility for the operation of the ship; ”	
Amendment 5, Article 1, first paragraph, point (1)(g), amending provision, first paragraph a				
63a		“ <u>(na) ‘company’ means the owner of a passenger ship or any other organisation or person, such</u>		

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		<u><i>as the manager or the bareboat charterer, who has assumed responsibility for operating the passenger ship from the owner.</i></u> ”		
Article 1, first paragraph, point (2), introductory part				
64	(2) in Article 3, paragraph 2 is replaced by the following:		(2) in Article 3, paragraph 2 is replaced by the following:	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (2)				
65	<p>“</p> <p>2. Each Member State, in its capacity as Port State, shall ensure that ro-ro passenger ships flying the flag of a State which is not a Member State comply fully with the requirements of this Directive before they may be engaged on voyages in regular service from or to ports of that Member State in accordance with Directive 2017/2110/EC of the European Parliament and of the Council¹.; ”</p> <p>¹. Directive (EU) 2017/2110 of the European Parliament and of the Council of 15 November 2017 on a system of inspections for the safe operation of ro-ro passenger ships and high-speed passenger</p>		<p>“</p> <p>2. Each Member State, in its capacity as port State, shall ensure that ro-ro passenger ships flying the flag of a State which is not a Member State comply fully with the requirements of this Directive before they may be engaged on voyages in regular service from or to ports of that Member State in accordance with Directive 2017/2110/EC of the European Parliament and of the Council¹.; ”</p> <p>¹. Directive (EU) 2017/2110 of the European Parliament and of the Council of 15 November 2017 on a system of inspections for the safe operation of ro-ro passenger ships and high-speed passenger</p>	

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	craft in regular service and amending Directive 2009/16/EC and repealing Council Directive 1999/35/EC (OJ L 315, 30.11.2017, p. 61).		craft in regular service and amending Directive 2009/16/EC and repealing Council Directive 1999/35/EC (OJ L 315, 30.11.2017, p. 61).	
Article 1, first paragraph, point (3), introductory part				
66	(3) Article 4 is replaced by the following:		(3) Article 4 is replaced by the following:	
Article 1, first paragraph, point (3), amending provision, first paragraph				
67	“ Article 4		“ Article 4	
Article 1, first paragraph, point (3), amending provision, second paragraph				
68	Significant wave heights		Significant wave heights	
Article 1, first paragraph, point (3), amending provision, third paragraph				
69	The significant wave heights (h_s) shall be used for determining the height of water on the car deck when applying the specific stability requirements contained in section A of Annex I. The figures of significant wave heights shall be those which are not exceeded by a probability of more than 10 % on a yearly basis.;		The significant wave heights (h_s) shall be used for determining the height of water on the car deck when applying the specific stability requirements contained in section A of Annex I. The figures of significant wave heights shall be those which are not exceeded by a probability of more than 10 % on a yearly basis.;	

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	”		”	
Article 1, first paragraph, point (4), introductory part				
70	(4) Article 5 is amended as follows:		(4) Article 5 is amended as follows:	
Article 1, first paragraph, point (4)(a), introductory part				
71	(a) paragraph 1 is replaced by the following:		(a) paragraph 1 is replaced by the following:	
Article 1, first paragraph, point (4)(a), amending provision, numbered paragraph (1)				
72	“ 1. Port States shall establish and keep updated a list of sea areas crossed by ro-ro passenger ships operating on regular service to or from their ports as well as the corresponding values of significant wave heights in these areas.; ”		“ 1. Port States shall establish and keep updated a list of sea areas crossed by ro-ro passenger ships operating on regular service to or from their ports as well as the corresponding values of significant wave heights in these areas.; ”	
Article 1, first paragraph, point (4)(b), introductory part				
73	(b) paragraph 3 is replaced by the following:		(b) paragraph 3 is replaced by the following:	
Article 1, first paragraph, point (4)(b), amending provision, numbered paragraph (3)				

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals
74	<p>“</p> <p>3. The list shall be published in a public database available on the internet site of the competent maritime authority. The location of such information as well as any updates to the list and the reasons for such updates shall be notified to the Commission.;</p> <p>”</p>		<p>“</p> <p>3. The list shall be published in a public database available on the internet site of the competent maritime authority. The location of such information as well as any updates to the list and the reasons for such updates shall be notified to the Commission.;</p> <p>”</p>	
Article 1, first paragraph, point (5), introductory part				
75	<p>(5) Article 6 is replaced by the following:</p>		<p>(5) Article 6 is replaced by the following:</p>	
Article 1, first paragraph, point (5), amending provision, first paragraph				
76	<p>“</p> <p>Article 6</p>		<p>“</p> <p>Article 6</p>	
Article 1, first paragraph, point (5), amending provision, second paragraph				
77	<p>Specific stability requirements</p>		<p>Specific stability requirements</p>	
Article 1, first paragraph, point (5), amending provision, numbered paragraph (1)				
78	<p>1. Without prejudice to the application of Directive</p>		<p>1. Without prejudice to the application of Directive</p>	

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals
	2009/45/EC, new ro-ro passenger ships certified to carry more than 1350 persons on board shall comply with the specific stability requirements set out in SOLAS 2020, Chapter II-1, Part B.		2009/45/EC, new ro-ro passenger ships certified to carry more than 1350 persons on board shall comply with the specific stability requirements set out in SOLAS 2020, Chapter II-1, Part B.	
Article 1, first paragraph, point (5), amending provision, numbered paragraph (2), first subparagraph, introductory part				
79	2. Upon the choice of the operator, new ro-ro passenger ships certified to carry 1350 or fewer persons on board shall comply with:		2. Upon the choice of the operator, new ro-ro passenger ships certified to carry 1350 or fewer persons on board shall comply with:	
Article 1, first paragraph, point (5), amending provision, numbered paragraph (2), first subparagraph(a)				
80	(a) the specific stability requirements set out in Annex I, section A, to this Directive, or		(a) the specific stability requirements set out in Annex I, section A, to this Directive, or	
Article 1, first paragraph, point (5), amending provision, numbered paragraph (2), first subparagraph(b)				
81	(b) the specific stability requirements set out in Annex I, section B, to this Directive.		(b) the specific stability requirements set out in Annex I, section B, to this Directive.	
Article 1, first paragraph, point (5), amending provision, numbered paragraph (2), second subparagraph				
82	For each such ship, the Flag State administration shall notify the		For each such ship, the administration of the flag State	

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals
	Commission within a period of two months from the date of issuance of the certificate referred to in Article 8 of the choice made of the option referred to in points a or b of the first subparagraph and include with such notification the details referred to in Annex III.		administration shall notify the Commission within a period of two months from the date of issuance of the certificate referred to in Article 8 of the choice made of the option referred to in points a or b of the first subparagraph and include with such notification the details referred to in Annex III.	
Article 1, first paragraph, point (5), amending provision, numbered paragraph (3)				
83	3. In applying the requirements set out in Annex I, section A, Member States shall use the guidelines set out in Annex II, insofar as this is practicable and compatible with the design of the ship in question.		3. In applying the requirements set out in Annex I, section A, Member States shall use the guidelines set out in Annex II, insofar as this is practicable and compatible with the design of the ship in question.	
Article 1, first paragraph, point (5), amending provision, numbered paragraph (4), first subparagraph, introductory part				
84	4. Upon the choice of the operator, existing ro-ro passenger ships certified to carry more than 1350 persons on board, introduced to the regular service operation to or from a port of a Member State after [OP: Please insert the date: one year after the date of entry into force of this amending Directive] which were never certified according to this Directive, shall comply with:		4. Upon the choice of the operator, existing ro-ro passenger ships certified to carry more than 1350 persons on board, introduced to the regular service operation to or from a port of a Member State after [OP: Please insert the date: 24 months after the date of entry into force of this amending Directive] [OP: Please insert the date: one year after the date of entry into force of this	

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals
			amending Directive] which were never certified according to this Directive, shall comply with:	
Article 1, first paragraph, point (5), amending provision, numbered paragraph (4), first subparagraph(a)				
85	(a) the specific stability requirements set out in SOLAS 2020, Chapter II-1 Part B; or		(a) the specific stability requirements set out in SOLAS 2020, Chapter II-1 Part B; or	
Article 1, first paragraph, point (5), amending provision, numbered paragraph (4), first subparagraph(b)				
86	(b) the specific requirements set out in Annex I, section A, to this Directive, in addition to those laid down in SOLAS 2009, Chapter II-1 Part B.		(b) the specific requirements set out in Annex I, section A, to this Directive, in addition to those laid down in SOLAS 2009, Chapter II-1 Part B.	
Article 1, first paragraph, point (5), amending provision, numbered paragraph (4), second subparagraph				
87	The applied standard shall be noted in the ship's certificate required under Article 8.		The applied standard stability requirements shall be noted in the ship's certificate required under Article 8.	
Article 1, first paragraph, point (5), amending provision, numbered paragraph (5), first subparagraph, introductory part				
88	5. Upon the choice of the operator, existing ro-ro passenger ships certified to carry 1350 or fewer		5. Upon the choice of the operator, existing ro-ro passenger ships certified to carry 1350 or fewer	

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals
	persons on board, introduced to the regular service operation to or from a port of a Member State after [OP: please insert the date one year after the date of entry into force of this amending Directive] which were never certified according to this Directive, shall comply with:		persons on board, introduced to the regular service operation to or from a port of a Member State after [OP: please insert the date 24 months after the date of entry into force of this amending Directive] [OP: please insert the date one year after the date of entry into force of this amending Directive] which were never certified according to this Directive, shall comply with:	
Article 1, first paragraph, point (5), amending provision, numbered paragraph (5), first subparagraph(a)				
89	(a) the specific stability requirements set out in Annex I, section A, to this Directive,		(a) the specific stability requirements set out in Annex I, section A, to this Directive, or	
Article 1, first paragraph, point (5), amending provision, numbered paragraph (5), first subparagraph(b)				
90	(b) the specific stability requirements set out in Annex I, section B, to this Directive, or		(b) the specific stability requirements set out in Annex I, section B, to this Directive, or .	
Article 1, first paragraph, point (5), amending provision, numbered paragraph (5), first subparagraph(c)				
91	(c) the specific stability requirements set out in Annex I, section A, to this Directive, in addition to those laid down in SOLAS 2009, Chapter II-1, Part B.		(c) the specific stability requirements set out in Annex I, section A, to this Directive, in addition to those laid down in SOLAS 2009, Chapter II-1, Part B.	

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			[...]	
Article 1, first paragraph, point (5), amending provision, numbered paragraph (5), second subparagraph				
92	The applied standard shall be noted in the ship's certificate referred to in Article 8.		The applied standard stability requirements shall be noted in the ship's certificate referred to in Article 8.	
Article 1, first paragraph, point (5), amending provision, numbered paragraph (6)				
93	6. Existing ro-ro passenger ships that were engaged in regular service operation to or from a port of a Member State by [OP: please insert the date one year after the date of entry into force of this amending Directive] shall comply with the specific stability requirements set out in Annex I as it stood before the entry into force of [OP: please insert the name of this amending Directive].;		6. Existing ro-ro passenger ships that were engaged in regular service operation to or from a port of a Member State by [OP: please insert the date 24 months after the date of entry into force of this amending Directive] [OP: please insert the date one year after the date of entry into force of this amending Directive] shall comply with the specific stability requirements set out in Annex I as it stood before the entry into force of [OP: please insert the full title of this amending Directive].; [OP: please insert the name of this amending Directive].;	
Article 1, first paragraph, point (6)				
94				

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	(6) Article 7 is deleted.		(6) Article 7 is deleted.	
Article 1, first paragraph, point (7), introductory part				
95	(7) Article 8 is replaced by the following:		(7) Article 8 is replaced by the following:	
Article 1, first paragraph, point (7), amending provision, first paragraph				
96	“ Article 8		“ Article 8	
Article 1, first paragraph, point (7), amending provision, second paragraph				
97	Certificates		Certificates	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1), first subparagraph				
98	1. All new and existing ro-ro passenger ships flying the flag of a Member State shall carry a certificate confirming compliance with the specific stability requirements referred to in Article 6.		1. All new and existing ro-ro passenger ships flying the flag of a Member State shall carry a certificate confirming compliance with the specific stability requirements referred to in Article 6.	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1), second subparagraph				
99	The certificates shall be issued by		The certificates shall be issued by	

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	the administration of the flag State and may be combined with other related certificates. For ro-ro passenger ships complying with the specific stability requirements encoded in Annex I, section A, the certificate shall indicate the significant wave height up to which the ship can satisfy the specific stability requirements.		the administration of the flag State and may be combined with other related certificates. For ro-ro passenger ships complying with the specific stability requirements encoded in Annex I, section A, the certificate shall indicate the significant wave height up to which the ship can satisfy the specific stability requirements.	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1), third subparagraph				
100	The certificate shall remain valid as long as the ro-ro passenger ship operates in an area with the same or a lower value of significant wave height.		The certificate shall remain valid as long as the ro-ro passenger ship operates in an area with the same or a lower value of significant wave height.	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)				
101	2. Each Member State acting in its capacity as Port State shall recognise certificates issued by another Member State in compliance with this Directive.		2. Each Member State acting in its capacity as port State shall recognise certificates issued by another Member State in compliance with this Directive.	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (3)				
102	3. Each Member State acting in its capacity as Port State shall accept		3. Each Member State acting in its capacity as port State shall accept	

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	certificates issued by a third country certifying that a ro-ro passenger ship complies with the specific stability requirements laid down in this Directive. ; ”		certificates issued by a third country certifying that a ro-ro passenger ship complies with the specific stability requirements laid down in this Directive. ”; ”	
Article 1, first paragraph, point (8), introductory part				
103	(8) Article 9 is replaced by the following		(8) Articles Article 9 is replaced by the following:	
Article 1, first paragraph, point (8), amending provision, first paragraph				
104	“ Article 9		“ Article 9	
Article 1, first paragraph, point (8), amending provision, second paragraph				
105	Seasonal and short-time period operations		Seasonal and short-time period operations	
Article 1, first paragraph, point (8), amending provision, numbered paragraph (1)				
106	1. If a shipping company operating a regular service on a year-round basis wishes to introduce additional ro-ro passenger ships to operate for a shorter time period on that service, it shall notify the competent		1. If a shipping company operating a regular service on a year-round basis wishes to introduce additional ro-ro passenger ships to operate for a shorter time period on that service, it shall notify the competent	

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	authority of the Port State or States not later than one month before said ships are operated on that service.		authority of the port State or States not later than one month before said ships are operated on that service.	
Article 1, first paragraph, point (8), amending provision, numbered paragraph (2)				
107	<p>2. However, in cases where, following unforeseen circumstances, a replacement ro-ro passenger ship must be introduced rapidly to ensure continuity of service, instead of the notification requirement of paragraph 1, Article 4(4) of Directive (EU) 2017/2110 and Annex XVII, point 1.3, to Directive 2009/16/EC of the European Parliament and of the Council¹ shall apply.</p> <p>¹ Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control (OJ L 131, 28.5.2009, p. 57).</p>		<p>2. However, in cases where, following unforeseen circumstances, a replacement ro-ro passenger ship must be introduced rapidly to ensure continuity of service, instead of the notification requirement of paragraph 1, Article 4(4) of Directive (EU) 2017/2110 and Annex XVII, point 1.3, to Directive 2009/16/EC of the European Parliament and of the Council¹ shall apply.</p> <p>¹ Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control (OJ L 131, 28.5.2009, p. 57).</p>	
Article 1, first paragraph, point (8), amending provision, numbered paragraph (3)				
108	<p>3. If a shipping company wishes to operate seasonally a regular service for a shorter time period not exceeding six months a year, it shall notify the competent authority of the Port State or States no later than three months before such operation</p>		<p>3. If a shipping company wishes to operate seasonally a regular service for a shorter time period not exceeding six months a year, it shall notify the competent authority of the port State or States no later than three months before such operation</p>	

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	takes place.		takes place.	
Article 1, first paragraph, point (8), amending provision, numbered paragraph (4)				
109	<p>4. For ro-ro passenger ships complying with the specific requirements in Annex I, section A, where operations, as referred to in paragraphs 1 and 2 of this Article, take place under conditions of lower significant wave height than those established for the same sea area for all-year-round operation, the significant wave height value applicable for this shorter time period may be used by the competent authority for determining the height of water on the deck when applying the specific stability requirements contained in Annex I, section A. The value of the significant wave height applicable for this shorter time period shall be agreed between the Member States or, wherever applicable and possible, between Member States and third countries at both ends of the route.</p>		<p>4. For ro-ro passenger ships complying with the specific requirements in Annex I, section A, where operations, as referred to in paragraphs 1 and 2 of this Article, take place under conditions of lower significant wave height than those established for the same sea area for all-year-round operation, the significant wave height value applicable for this shorter time period may be used by the competent authority for determining the height of water on the deck when applying the specific stability requirements contained in Annex I, section A. The value of the significant wave height applicable for this shorter time period shall be agreed between the Member States or, wherever applicable and possible, between Member States and third countries at both ends of the route.</p>	
Article 1, first paragraph, point (8), amending provision, numbered paragraph (5)				
110	5. Following agreement of the		5. Following agreement of the	

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	competent authority of the Port State or States for operations within the meaning of paragraphs 1 and 2, the ro-ro passenger ship which undertakes such operations shall be required to carry a certificate confirming compliance with the provisions of this Directive, as provided for in Article 8(1).; ”		competent authority of the port State or States for operations within the meaning of paragraphs 1 and 23, the ro-ro passenger ship which undertakes such operations shall be required to carry a certificate confirming compliance with the provisions of this Directive, as provided for in Article 8(1).”; ”	
Article 1, first paragraph, point (9), introductory part				
111	(9) The following Article 13a is inserted:		(9) The following Article 13a is inserted:	
Article 1, first paragraph, point (9), amending provision, first paragraph				
112	“ Article 13a		“ Article 13a	
Article 1, first paragraph, point (9), amending provision, second paragraph				
113	Review		Review	
Article 1, first paragraph, point (9), amending provision, third paragraph				
114	The Commission shall evaluate the implementation of this Directive and submit the results of the		The Commission shall evaluate the implementation of this Directive and submit the results of the	

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	evaluation to the European Parliament and the Council by [OP: Please insert a date: ten years from the date of entry into force of this amending Directive]. Information based on the notifications referred to in Article 6(2) shall be made available in anonymised form. ; ”		evaluation to the European Parliament and the Council by [OP: Please insert a date: ten years from the date of entry into force of this amending Directive]. Information based on the notifications referred to in Article 6(2) shall be made available in anonymised form.-"; ”	
Amendment 6, Article 1, first paragraph, point (9), amending provision, third paragraph a				
114a		“ <u>Article 13b Derogation</u>		
Amendment 6, Article 1, first paragraph, point (9), amending provision, third paragraph b				
114b		<u>Member States which do not have seaports and which have no ro-ro passenger ships or craft flying their flag that fall within the scope of this Directive may derogate from the provisions of this Directive, as long as the above-mentioned requirements are fulfilled. Any Member State that intends to avail itself of such derogation shall notify the Commission at the latest</u>		

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		<p><u>on [Please insert a date: date of transposition of the Directive]. Any subsequent change shall also be communicated to the Commission. Such a Member State may not allow ro-ro passenger ships that fall within the scope of the Directive to fly its flag or may not open its national ship register to that ship until that ship has transposed and implemented this Directive.'</u></p>		
Article 1, first paragraph, point (10)				
115	(10) Annexes I and II to Directive 2003/25/EC are amended in accordance with Annex I to this Directive;		(10) Annexes I and II to Directive 2003/25/EC are amended in accordance with Annex I to this Directive;	
Article 1, first paragraph, point (11)				
116	(11) The text set out in Annex II to this Directive is added as Annex III to Directive 2003/25/EC.		(11) The text set out in Annex II to this Directive is added as Annex III to Directive 2003/25/EC.	
Article 2				
117	Article 2 Transposition		Article 2 Transposition	

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Article 2(1), first subparagraph				
118	1. Member States shall adopt and publish, by [OP: Please insert a date: one year from the date of entry into force of this amending Directive] the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.		1. Member States shall adopt and publish, by [OP: Please insert a date: 24 months from the date of entry into force of this amending Directive] [OP: Please insert a date: one year from the date of entry into force of this amending Directive] the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.	
Article 2(1), second subparagraph				
119	When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such reference on the occasion of their official publication. Member States shall determine how such reference is to be made.		When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such reference on the occasion of their official publication. Member States shall determine how such reference is to be made.	
Article 2(2)				
120	2. Member States shall		2. Member States shall	

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	communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.		communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.	
Article 2(2a)				
120a			2a. Article 2a Derogation	
Article 2(2b)				
120b			<p>A Member State which has no maritime ports in its territory and has either closed its national ship register or has no ships flying its flag that fall within the scope of this Directive may derogate from the provisions of this Directive as long as the above mentioned requirements are fulfilled. Any Member State that intends to avail itself of that derogation shall notify the Commission at the latest on [to be defined]. Any subsequent change shall also be communicated to the Commission.</p> <p>cf. line 114a + 114b</p>	
Article 3				

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121	Article 3 Entry into force		Article 3 Entry into force	
Article 3, first paragraph				
122	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.		This Directive shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> Official Journal of the European Union.	
Article 4				
123	Article 4 Addressees		Article 4 Addressees	
Article 4, first paragraph				
124	This Directive is addressed to the Member States.		This Directive is addressed to the Member States.	
Formula				
125	Done at Brussels,		Done at Brussels,	
Formula				
126				

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	For the European Parliament		For the European Parliament	
Formula				
127	The President		The President	
Formula				
128	For the Council		For the Council	
Formula				
129	The President		The President	
Annex I, point (1), introductory part				
130	1. Annex I is amended as follows :		1. Annex I is amended as follows :	
Annex I, point (1)(a), introductory part				
131	(a) After the title, the following is inserted:		(a) After the title, the following is inserted:	
Annex I, point (1)(a), amending provision, first paragraph				
132	‘ Section A ’		‘ Section A ’	

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Annex I, point (1)(b), introductory part				
133	(b) The following introductory sentence is inserted:		(b) The following introductory sentence is inserted:	
Annex I, point (1)(b), amending provision, first paragraph				
134	‘ For the purpose of this section A, references to the SOLAS Convention regulations shall be construed as references to those regulations as they applied under SOLAS 90.’		‘For the purpose of this section A, references to the SOLAS Convention regulations shall be construed as references to those regulations as they applied under SOLAS 90.’	
Annex I, point (1)(c), introductory part				
135	(c) Point 1 is replaced by the following:		(c) Point 1 is replaced by the following:	
Annex I, point (1)(c), amending provision, numbered paragraph (1)				
136	‘ 1. In addition to the requirements of Regulation II-1/B/8 of the SOLAS Convention relating to watertight subdivision and stability in damaged condition, the		‘ 1. In addition to the requirements of Regulation II-1/B/8 of the SOLAS Convention relating to watertight subdivision and stability in damaged condition, the	

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	requirements of this section shall be complied with.;		requirements of this section shall be complied with.;	
Annex I, point (1)(d), introductory part				
137	(d) Point 3.1 is replaced by the following:		(d) Point 3.1 is replaced by the following:	
Annex I, point (1)(d), amending provision, numbered paragraph (3.1)				
138	‘ 3.1. For ships, which are to be operated only for a shorter season as referred to in Article 9, the Port States included in the route shall agree on the applicable significant wave height.;		‘ 3.1. For ships, which are to be operated only for a shorter season as referred to in Article 9, the port States included in the route shall agree on the applicable significant wave height.’;	
Annex I, point (1)(e), introductory part				
139	(e) The following section B is inserted:		(e) The following section B is inserted:	
Annex I, point (1)(e), amending provision, first paragraph				
140	‘ Section B		‘ Section B	

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Annex I, point (1)(e), amending provision, second paragraph, introductory part				
141	The requirements of SOLAS 2020, Chapter II-1 Part B shall be complied with. However, by way of derogation from SOLAS 2020, Regulation II-1/B/6.2.3, the required subdivision index R shall be determined as follows:		The requirements of SOLAS 2020, Chapter II-1 Part B shall be complied with. However, by way of derogation from SOLAS 2020, Regulation II-1/B/6.2.3, the required subdivision index R shall be determined as follows:	
Annex I, point (1)(e), amending provision, second paragraph, Table 1, Column 1, Row 1				
142	Persons on board (N)		Persons on board (N)	
Annex I, point (1)(e), amending provision, second paragraph, Table 1, Column 1, Row 2				
143	$N < 1000$		$N < 1000$	
Annex I, point (1)(e), amending provision, second paragraph, Table 1, Column 1, Row 3				
144	$1000 \leq N \leq 1350$		$1000 \leq N \leq 1350$	
Annex I, point (1)(e), amending provision, second paragraph, Table 1, Column 2, Row 1				
145	Subdivision Index (R)		Subdivision Index (R)	
Annex I, point (1)(e), amending provision, second paragraph, Table 1, Column 2, Row 2				
146	$R = 0.000088 * N + 0.7488$		$R = 0.000088 * N + 0.7488$	

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	Annex I, point (1)(e), amending provision, second paragraph, Table 1, Column 2, Row 3			
147	$R = 0.0369 * \ln (N + 89.048) + 0.579$		$R = 0.0369 * \ln (N + 89.048) + 0.579$	
	Annex I, point (1)(e), amending provision, third paragraph, introductory part			
148	Where:		Where:	
	Annex I, point (1)(e), amending provision, third paragraph, first paragraph			
149	N = total number of persons on board.		N = total number of persons on board.	
	Annex I, point (2), introductory part			
150	2. Annex II is amended as follows:		2. Annex II is amended as follows:	
	Annex I, point (2), first paragraph, introductory part			
151	The introductory paragraph in “Application” is replaced by the following:		The introductory paragraph in “Application” is replaced by the following:	
	Annex I, point (2), first paragraph, amending provision, first paragraph			
152				

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	<p>“ In line with the provisions of Article 6(3) of this Directive, these guidelines shall be used by the national administrations of Member States in the application of the specific stability requirements set out in Annex I, section A, in so far as this is practicable and compatible with the design of the ship in question. The paragraph numbers appearing below correspond to those in Annex I, section A.; ”</p>		<p>“ "In line with the provisions of Article 6(3) of this Directive, these guidelines shall be used by the national administrations of Member States in the application of the specific stability requirements set out in Annex I, section A, in so far as this is practicable and compatible with the design of the ship in question. The paragraph numbers appearing below correspond to those in Annex I, section A.;" ”</p>	
Annex II, amending provision, first subparagraph				
153	<p>” “ANNEX III - NOTIFICATION DETAILS</p>		<p>” “ANNEX III - NOTIFICATION DETAILS</p>	
Annex II, amending provision, second subparagraph, introductory part				
154	Data to be notified in accordance with Article 6(2):		Data to be notified in accordance with Article 6(2):	
Annex II, amending provision, second subparagraph, point (I), introductory part				
155	I. General data – for ro-ro passenger ships applying Annex I, section A or section B		I. General data— for ro-ro passenger ships applying Annex I, section A or section B	

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals
	Annex II, amending provision, second subparagraph, point (I)(1)			
156	(1) Applicable stability requirements: Section A or section B of Annex I		(1) Applicable stability requirements: Section A or section B of Annex I	
	Annex II, amending provision, second subparagraph, point (I)(2)			
157	(2) Ship's identification number (IMO number, Call sign)		(2) Ship's identification number (IMO number, Call sign)	
	Annex II, amending provision, second subparagraph, point (I)(3)			
158	(3) Main particulars;		(3) Main particulars;	
	Annex II, amending provision, second subparagraph, point (I)(4)			
159	(4) General Arrangement plan		(4) General Arrangement plan	
	Annex II, amending provision, second subparagraph, point (I)(5)			
160	(5) Number of persons on board		(5) Number of persons on board	
	Annex II, amending provision, second subparagraph, point (I)(6)			
161	(6) GT		(6) GT	

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals
Annex II, amending provision, second subparagraph, point (I)(7)				
162	(7) Is the ship double ended: Yes/No		(7) Is the ship double ended: Yes/No	
Annex II, amending provision, second subparagraph, point (I)(8)				
163	(8) Does the ship have long lower holds: Yes/No		(8) Does the ship have long lower holds: Yes/No	
Annex II, amending provision, second subparagraph, point (II), introductory part				
164	II. Specific data - for ro-ro passenger ships applying Annex I, section A or section B		II. Specific data — for ro-ro passenger ships applying Annex I, section A or section B subject to SOLAS probabilistic requirements	
Annex II, amending provision, second subparagraph, point (II)(1)				
165	(1) dl, dp, ds;		(1) dl, dp, ds;	
Annex II, amending provision, second subparagraph, point (II)(2)				
166	(2) R – required index;		(2) R – required index;	
Annex II, amending provision, second subparagraph, point (II)(3)				
167	(3) layout plan (watertight integrity		(3) layout plan (watertight integrity	

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals
	<p>plan) for the sub-compartments with all internal and external opening points including their connected sub-compartments, and particulars used in measuring the spaces, such as general arrangement plan and tank plan. The subdivision limits, longitudinal, transverse and vertical, must be included¹;</p> <p>1. This documentation is to be submitted to Administrations according to the point 2.2 of the Appendix to IMO Resolution MSC.429(98).</p>		<p>plan) for the sub-compartments with all internal and external opening points including their connected sub-compartments, and particulars used in measuring the spaces, such as general arrangement plan and tank plan. The subdivision limits, longitudinal, transverse and vertical, must be included¹;</p> <p>1. This documentation is to be submitted to Administrations according to the point 2.2 of the Appendix to IMO Resolution MSC.429(98).</p>	
Annex II, amending provision, second subparagraph, point (II)(4)				
168	<p>(4) attained subdivision index A with a summary table for all contributions for all damaged zones¹ with a separate column with the attainable subdivision index (w*p*v);</p> <p>1. This documentation is to be submitted to Administrations according to the point 2.3.1 of the Appendix to IMO Resolution MSC.429(98).</p>		<p>(4) attained subdivision index A with a summary table for all contributions for all damaged zones¹ with a separate column with the attainable subdivision index (w*p*v);</p> <p>1. This documentation is to be submitted to Administrations according to the point 2.3.1 of the Appendix to IMO Resolution MSC.429(98).</p>	
Annex II, amending provision, second subparagraph, point (II)(5)				
169	<p>(5) for 1 and 2 Zone damage cases, the percentage of damage cases that</p>		<p>(5) for 1 and 2 Zone damage cases, the percentage of damage cases that were not investigated (i.e. cases not</p>	

	Commission Proposal	EP Mandate	Council Mandate	Presidency proposals
	were not investigated (i.e. cases not included in the factor (w*p*v)), that s=0, s = 1 and 0		included in the factor (w*p*v)), that s=0, s = 1 and 0	
Annex II, amending provision, second subparagraph, point (II)(6)				
170	(6) for 1 and 2 Zone damage cases, the percentage of damage cases involving ro-ro spaces that were not investigated (i.e. cases not included in the factor (w*p*v)), that s=0, s = 1 and 0		(6) for 1 and 2 Zone damage cases, the percentage of damage cases involving ro-ro spaces that were not investigated (i.e. cases not included in the factor (w*p*v)), that s=0, s = 1 and 0	
Annex II, amending provision, second subparagraph, point (II)(7)				
171	(7) for each damage which contributes to the attained subdivision index A, identification of flooded spaces, contribution value and factor «s» ¹ ; 1. This documentation is to be submitted to Administrations according to the point 2.3.1 of the Appendix to IMO Resolution MSC.429(98).		(7) for each damage which contributes to the attained subdivision index A, identification of flooded spaces, contribution value and factor «s» ¹ ; 1. This documentation is to be submitted to Administrations according to the point 2.3.1 of the Appendix to IMO Resolution MSC.429(98).	
Annex II, amending provision, second subparagraph, point (II)(8)				
172	(8) particulars of non-contributing damages (s = 0 and p > 0) for ro-ro passenger ships fitted with long lower hold, including full details of		(8) particulars of non-contributing damages (s = 0 and p > 0) for ro-ro passenger ships fitted with long lower hold, including full details of	

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	<p>the calculated factors¹.</p> <p>1. This documentation is to be submitted to Administrations according to the point 2.3.1 of the Appendix to IMO Resolution MSC.429(98).</p>		<p>the calculated factors¹.</p> <p>1. This documentation is to be submitted to Administrations according to the point 2.3.1 of the Appendix to IMO Resolution MSC.429(98).</p>	
Annex II, amending provision, second subparagraph, point (III), introductory part				
173	<p>III. Additional specific data - for ro-ro passenger ships applying Annex I, section A</p>		<p>III. Additional specific data - for ro-ro passenger ships applying Annex I, section A</p>	
Annex II, amending provision, second subparagraph, point (III), first indent, introductory part				
174	<p>- Method of compliance:</p>		<p>- Method of compliance:</p>	
Annex II, amending provision, second subparagraph, point (III), first indent, first indent				
175	<p>- Model Tests</p>		<p>- Model Tests</p>	
Annex II, amending provision, second subparagraph, point (III), first indent, second indent, introductory part				
176	<p>- Calculations</p>		<p>- Calculations</p>	
Annex II, amending provision, second subparagraph, point (III), first indent, second indent, first paragraph				
177	<p>Please indicate whether the water on deck calculations has been avoided due to, for example, the</p>		<p>Please indicate whether the water on deck calculations has been avoided due to, for example, the</p>	

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	residual freeboard being higher than 2.0 m in all damage cases: Yes/No		residual freeboard being higher than 2.0 m in all damage cases: Yes/No	
Annex II, amending provision, second subparagraph, point (III), second indent				
178	- Significant wave height pursuant to Directive 2003/25/EC. ”		- Significant wave height pursuant to Directive 2003/25/EC. ”	