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WORKING PAPER

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CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on Shipping
N° Cion doc.:	ST 11532/18
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 391/2009 with regard to the withdrawal of the United Kingdom from the Union - Comments from Belgium

Delegations will find attached comments from Belgium on the above proposal.

COMMENTS FROM BELGIUM

1. As a general comment on this initiative, we will expect the same commitment from the EU Commission for comparable situations that may occur (now or in the future) with other interest groups, following the rule of law that is applied in the European Union.
 2. With regards to the issue of the recognised organisations (ROs), Belgium can support this proposal in general. Belgium has concluded a working agreement with Lloyd's Register and with ABS to carry out regulatory services on its behalf and is prepared to continue this cooperation. The proposal to have the role of the sponsor fulfilled by another member state in the two yearly assessments, can be supported, provided the following clarifications are given:
 3. – A clear description is needed of the role that this member state will have to fulfil. Is this limited to participation in the two yearly EMSA audits in the head office of the RO? Is the member state also expected to participate in EMSA audits of regional and/or local RO offices and/or on board ships? Is the role of the member state observer only? What input is expected? Is the member state involved in the drafting of the two yearly assessment by the Commission? What is the added value of the member state in the audit and/or assessment?
 4. – A clear description is needed on how the member state will be selected or appointed. Which member state will take up this role: a volunteer or the member state located most nearby the audit destination or all member states alternately. Only member states that have already concluded a working agreement with the RO?
 5. – A clarification is needed on the costs associated to this activity. Who is charged with these costs (travelling, hotel etc.)? Are these costs reimbursed by the Commission or by the RO?
 6. – Finally, it should be considered that the same system should apply for all ROs. Hence, a solid base for this amended system is needed. An alternating role to be fulfilled by all member states would enhance the subjectivity, transparency and harmonization within the Union. It would also allow smaller Administrations to have direct access to the head office of the ROs to whom they have delegated regulatory tasks.
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