



Council of the European Union  
General Secretariat

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**Interinstitutional files:  
2018/0139(COD)**

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**Brussels, 29 January 2019**

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### WORKING PAPER

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#### **MEETING DOCUMENT**

From:	General Secretariat of the Council
To:	Working Party on Shipping
N° prev. doc.:	ST 5595/19
N° Cion doc.:	9051/18 + ADD 1
Subject:	Proposal for a Regulation of the European Parliament and of the Council establishing a European Maritime Single Window environment and repealing Directive 2010/65/EU - Suggested compromises after technical meeting

In view of the Shipping Working Party meeting on 30 January 2019, delegations will find attached some compromise proposals from the European Parliament.

2018/0139 (COD)

**Proposal for a Regulation of the European Parliament and of the Council  
establishing a European Maritime Single Window environment and repealing Directive 2010/65/EU**

EP compromise proposals in 4th column (new text in **underlined bold italics**).

54.		<b>Amendment 13 Recital 24</b>		
55.	(24) The Commission should carry out an evaluation of this Regulation. Information should be collected in order to inform that evaluation and allow the assessment of the performance of the legislation against the objectives it pursues.	(24) The Commission should carry out an evaluation of this Regulation. Information should be collected in order to inform that evaluation and allow the assessment of the performance of the legislation against the objectives it pursues. <i><b>The European Commission should also evaluate the opportunity to establish a truly centralised and harmonised European reporting system via the set up of a central reporting interface.</b></i>	(23) The Commission should carry out an evaluation of this Regulation. Information should be collected in order to inform that evaluation and allow the assessment of the performance of the legislation against the objectives it pursues.	<b>(23) The Commission should carry out an evaluation of this Regulation. Information should be collected in order to inform that evaluation and allow the assessment of the performance of the legislation against the objectives it pursues. <u>The Commission should also evaluate the added value of establishing a centralised and harmonised European reporting system, such as a central reporting interface.</u></b>
152.	9. National Single Windows shall make publicly available arrival and departure times of ships, estimated and actual, in the electronic format harmonised at the Union level.		<i><b>9. The maritime National Single Windows may make publicly available arrival and departure times of ships, estimated and actual, in the electronic format harmonised at the Union level.</b></i>	<b><i>The maritime National Single Windows <u>shall make publicly available arrival and departure times of ships, estimated and actual, in the electronic format harmonised at the Union level. Member States are exempted from the provision of this data where publishing such information could pose a threat to security.</u></i></b>

279.		<b>Amendment 59</b> <b>Article 18 – paragraph 4</b>		<i>New recital:</i>
280.	4. Before adopting a delegated act, the Commission shall consult national experts nominated by the Member States in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.	4. Before adopting a delegated act, the Commission shall consult national experts nominated by the Member States in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016 and relevant experts from the industry.	<i>4. Before adopting a delegated act, the Commission shall consult national experts nominated by the Member States in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.</i>	<b><u>In particular, when preparing and drawing up delegated acts, the Commission should ensure that Member States' experts and the business community are consulted in a transparent manner, and well in advance.</u></b>

Delegated/implementing acts (text agreed between the legal services to be included in lines 98, 207, 212, 217 and 224)

Example:

98.	2. The Commission shall be empowered to adopt delegated acts in accordance with the procedure referred to in Article 18 in order to supplement this Regulation for the purposes of establishing and amending the EMSWe data set. The delegated act which inserts or modifies a data element in the EMSWe data set, on the basis of a reporting obligation contained in the national legislation, shall include explicit reference to that national legislation.		3. The Commission shall be empowered to adopt <del>[within two years after entry into force of this Regulation]</del> delegated acts in accordance with the procedure referred to in Article 18 in order to <b><i>amend the Annex to this Regulation</i></b> for the purposes of <b><i>introducing, deleting or adapting a reference to a Union, international or national legal act, and establish and amend</i></b> the EMSWe data set. [...]	<b><u>3. The Commission shall be empowered to adopt <del>[within two years after entry into force of this Regulation]</del> delegated acts in accordance with the procedure referred to in Article 18 in order to <i>amend the Annex to this Regulation</i> for the purposes of <i>introducing, deleting or adapting a reference to a Union, international or national legal act, and establish and amend</i> the EMSWe data set. [...] <i>The first such delegated act shall be adopted by ... [24 months after the date of entry into force of this Regulation].</i></u></b>
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