Public consultation on a review of EU passenger ship safety legislation

Useful links - Background documents

I. Information about the participant

In what capacity are you completing this questionnaire?* (compulsory)

- ○ As a citizen
- ◉ A private organisation, professional association or a public authority

Please provide your first name, surname, and email address.
This question will help us identify contributions. (optional)

Udfyldes af UM ved endelig afsendelse

Contributions received will be published on the Internet, together with the identity of the contributor, unless the contributor objects to publication of the personal data on the grounds that such publication would harm his or her legitimate interests. In this case the contribution may be published in anonymous form.

Do you consent to the publication of your response by the European Commission?* (compulsory)

- ◉ Yes
- ○ Yes, but anonymously
- ○ No

Is your organisation registered in the Transparency Register of the European Commission? http://europa.eu/transparency-register/index_en.htm* (compulsory)

- ○ Yes
- ◉ No

What is the name of your organisation or authority?* (compulsory)

Danish Government

What is your function within this organisation or authority?* (compulsory)

National administration

The type of your organisation* (compulsory)

○ Ports with passenger ships operating in international waters	○ Other private company
○ Port association	○ Enforcement body
○ Ship builder	◉ National government
○ Ship building association	○ National administration/agency
○ Ship owner	○ Regional or local government
○ Ship owner association	○ Trade Union/worker organisation
○ Cruise ship operator	○ Consumer or passenger association
○ Other passenger ship operator	○ Other association/non-governmental organisation
○ Tour operators' association	○ Academic institution
○ Equipment producer	○ Other (please specify)

What is the country where your organisation or authority is established?* (compulsory)

Denmark

II. Section II

II.1 Problems

As mentioned above, based on the consultation with the Member State experts, certain problems have already been identified.
The purpose of this section is to get stakeholders' opinions on the problems with the current regulatory setup and identify the underlying causes.
The following question concerns how often you personally experience problems arising from the current regulative framework. These main issues are then one by one explored in more detail.

1. How often have you experienced the following:

	Often	Occasionally	Rarely	Never	Do not know
The need for safety measures above and beyond what is required in the EU Directives* (compulsory)	○	○	◉	○	○
Trade barriers due to differences in regulations on safety between the Member States/EEA countries* (compulsory)	○	○	○	◉	○
Complexity of different regulations making it difficult to comply* (compulsory)	○	○	○	○	◉
Unnecessary administrative costs (e.g due to differing passenger ship safety	○	○	○	◉	○

requirements between Member States/EEA countries)* (compulsory)

2. Please specify other problems you have experienced and how often you experienced these (optional)

A key objective of EU regulation on passenger ship safety is to make sure that people using passenger ships and high speed passenger craft throughout the EU should have the right to expect and rely on a high level of safety on board independently of which Member States the passenger is sailing in.
Some differences among the Member States do however still occur as the Directive (2009/45/EC) only covers some types of ships.

3. To what extent do you consider that the following creates a problem for passenger safety:

	Not at all	Low	Medium	High	Do not know
Some ships are not covered by Directive 2009/45/EC* (compulsory)	○	○	◉	○	○
Passenger ships (covered by the Directive 2009/45/EC) which are not in compliance* (compulsory)	○	○	○	○	◉
The limitation of coverage to steel ships has led to stakeholders preferring ships made of other materials* (compulsory)	◉	○	○	○	○
The limitations of coverage to domestic trade only* (compulsory)	◉	○	○	○	○

4. For some types of ships it is unclear whether they are covered by Directive 2009/45/EC and Member States may apply the provisions of Directive 2009/45/EC or e.g. national legislation. Please indicate how much the ship types are concerned:

	Not at all	Low	Medium	High	Do not know
Sailing ships* (compulsory)	◉	○	○	○	○
Tenders* (compulsory)	◉	○	○	○	○
Ships carrying offshore workers* (compulsory)	◉	○	○	○	○

5. Are there any other ship types concerned? And if so, how much are they then concerned? (optional)

6. Please specify any other concerns regarding passenger safety levels (optional)

The European Commission has added to the uncertainty on the application of the directive 2009/45/EC by accepting mechanical propelled fishing vessels to be furnished with rig and sail and then certified as pure sailing vessels.

Another key objective of Directive 2009/45/EC is to remove any barriers to trade between the Member States and thereby facilitate the functioning of the internal market. Any new legislation must seek to minimize barriers to trade and identifying existing barriers is therefore important.

7. To what extent do you consider the following to be a barrier to trade?

	Not at all	Low	Medium	High	Do not know
The shipbuilding market is adversely affected by incoherent regulations* (compulsory)	○	○	○	○	◉
Access of other EU operators to the market of a specific Member State is adversely affected by incoherent regulations* (compulsory)	○	○	○	○	◉
The limitation of the scope of Directive 2009/45/EC to domestic trade only adversely affects cabotage services* (compulsory)	◉	○	○	○	○
For SOLAS ships, the different ways Flag States deal with exemptions creates a barrier* (compulsory)	◉	○	○	○	○

8. Please specify any other concerns regarding barriers to trade (optional)

As mentioned in the introduction, the current legislative framework consists of three levels of regulation: international, EU and national. Therefore, it is important to identify the degree to which this creates an unnecessary complexity in the regulatory framework as well as any unnecessary administrative costs created by the current regulatory framework.

9. To what extent do you consider that the complexity of different regulatory measures creates a problem:

	Not at all	Low	Medium	High	Do not know

Need to comply with different rules (international, EU and national) * (compulsory)	◉	○	○	○	○
Different rules applying to different types of ships* (compulsory)	◉	○	○	○	○
The complexity of the rules in Directive 2009/45/EC* (compulsory)	○	○	○	◉	○
Unclear, imprecise definitions in Directive 2009/45/EC* (compulsory)	◉	○	○	○	○
Lack of flexibility in Directive 2009/45/EC to take new technical innovations into consideration* (compulsory)	○	○	◉	○	○
The fact that the scopes of the EU legislative instruments (see introduction) differ* (compulsory)	○	○	○	○	◉
The fact that 2003/25/EC refers to international legislation which is no longer in place for new ships* (compulsory)	○	○	◉	○	○

10. Please specify any other concerns regarding complexity of regulative framework (optional)

With any regulatory measure, administrative costs may occur and in developing new legislation, considering how administrative costs can be minimised is therefore important.

11. To what extent do you consider that the following creates unnecessary administrative costs

	Not at all	Low	Medium	High	Do not know
a) Excessive requirements of regulation: Directive 2009/45/EC - main directive* (compulsory)	◉	○	○	○	○
b) Excessive requirements of regulation: Directive 99/35/EC - on surveys* (compulsory)	○	◉	○	○	○
c) Excessive requirements of regulation: Directive 98/41/EC - on registration* (compulsory)	○	◉	○	○	○
d) Excessive requirements of regulation: Directive 2003/25/EC applies an inter-governmental	○	◉	○	○	○

agreement, the 1996 Stockholm Agreement* (compulsory)					
e) Excessive requirements of regulation: National legislation *Please specify below which Member State(s)* * (compulsory)	○	◉	○	○	○
f) SOLAS* (compulsory)	○	◉	○	○	○
g) Different layers of regulatory framework (e.g. SOLAS, Directive 2009/45/EC, national legislation). *Please specify below which legislation** (compulsory)	◉	○	○	○	○
h) Differences in regulations between Member States. *Please specify below which legislation** (compulsory)	○	◉	○	○	○
i) Differences in exemptions regimes within the Member States. *Please specify below which legislation** (compulsory)	◉	○	○	○	○
j) Overlapping inspection regimes (e.g. SOLAS vs Directive 2009/45/EC; 99/35/EC; 98/41/EC). *Please specify below which legislation** (compulsory)	○	○	○	◉	○

Please specify the Member State(s) from question 11e. (optional)

Please specify the legislation from question 11g. (optional)

Please specify the legislation from question 11h. (optional)

Please specify the legislation from question 11i. (optional)

Please specify the legislation from question 11j. (optional)

Additional EU inspections according to 99/35/EC.

12. Please specify any other concerns regarding administrative costs (optional)

It constitutes a problem if procedures create unnecessary administrative costs. Simplification of procedures is one way of reducing these administrative costs. The question below sets out certain procedures and you are kindly asked to specify which procedures that can be simplified in order to reduce administrative costs.

13. To what degree do you consider the following procedures can be simplified?

	Not at all	To some extent	A lot	Should be abolished	Do not know
Transposing legislative requirements to national law* (compulsory)	◉	○	○	○	○
Updating safety requirements to meet technical advancements* (compulsory)	◉	○	○	○	○
Notification to the Commission of the main provisions of national law adopted in the field covered by Directive 2009/45/EC, regarding the updates of the Directive* (compulsory)	◉	○	○	○	○
Procedure for approving national exceptions* (compulsory)	◉	○	○	○	○
Application for equivalents and exemptions from EU legislation* (compulsory)	○	○	◉	○	○
Surveys required by EU legislation vs. international legislation* (compulsory)	○	○	○	◉	○
Surveys required by the different EU legislative instruments (see introduction)* (compulsory)	○	○	◉	○	○
Requirements for registration of passengers/persons on board* (compulsory)	○	◉	○	○	○
Procedures for attaining the passenger Ship Safety Certificate* (compulsory)	○	◉	○	○	○
High Speed Craft Safety Certificate* (compulsory)	○	◉	○	○	○
Permit to Operate High Speed Craft* (compulsory)	○	◉	○	○	○
	○	◉	○	○	○

Dynamically Supported Craft Construction and Equipment Certificate* (compulsory)					
Dynamically Supported Craft Permit to Operate* (compulsory)	○	◉	○	○	○
Establishment of rules on penalties applicable to infringements of the national provisions adopted pursuant to Directive 2009/45/EC* (compulsory)	○	◉	○	○	○
Inspections* (compulsory)	○	○	◉	○	○
Other measures *Please specify below* (optional)	○	○	◉	○	○

Please specify the other measures (optional)

14. Please justify your choices and explain how relevant procedures can be simplified (optional)

Survey on board should focus on known problems areas (risk-based), e.g. with special focus on the company ISM system.

II.2 Objectives

Based on the consultation of Member States, as mentioned above, the Commission has drafted a number of preliminary objectives for the revised EU legislation on passenger safety.
In this section of the public consultation, the Commission seeks to identify the degree to which stakeholders agree with these objectives and to identify other objectives that may be taken into consideration in the legislative review.

1. What do you see as the most important objectives when revising EU legislation in this area?

Rank the objectives from 1-5 where 1 is very important and 5 is not important at all

	1	2	3	4	5
a) Ensure maritime passenger transport safety* (compulsory)	◉	○	○	○	○
b) Establish harmonised safety standards so that shipyards can construct ships in Europe applying the same standards* (compulsory)	○	○	○	◉	○
c) Establish harmonised safety standards so that ships can be transferred within Europe without any	○	○	○	◉	○

problems related to differences in the safety standards* (compulsory)					
d) Establish harmonised safety standards so that ships can trade between Member States / EEA countries* (compulsory)	○	○	○	○	◉
e) Establish harmonised safety standards so that ships flagged Member State A can trade within Member State B* (compulsory)	○	◉	○	○	○
f) Simplify legislative framework by including more references to international accepted regulations like SOLAS* (compulsory)	○	◉	○	○	○
g) Simplify legislative framework by establishing requirements on a more global level instead of inclusion of many detailed requirements* (compulsory)	○	◉	○	○	○
h) Simplify legislative framework by targeted technical requirements for specific types of ships* (compulsory)	○	○	○	◉	○
i) Simplify legislative framework by combining EU legislative instruments *Please specify below which legislative instruments** (compulsory)	○	○	◉	○	○
j) Improve consistency in the legislative framework, as regards e.g. coverage of different safety related Directives and definitions in EU and international regulations* (compulsory)	○	◉	○	○	○
k) Ensure flexibility in order to facilitate technical updates of legislation in the light of international standards* (compulsory)	○	◉	○	○	○
l) Reduce administrative burdens* (compulsory)	○	◉	○	○	○

Please specify the EU legislative instruments from question 1i. (optional)

2. Do you see any other objectives when revising EU legislation in this area? (optional)

There is no need to establish harmonised safety standards for trade between Member States because this is already covered by SOLAS regulations.

3. Do you have any further observations on the objectives of the legislative review? (optional)

II.3 Options

The Commission has elaborated a number of options for the revision of Directive 2009/45/EC, and this section of the consultation aims to get the stakeholders opinion on which option would be the most suitable.

1. Which of the following policy options do you consider the most appropriate when revising the existing EU legislative framework?

Rank the policy options below according to which you find most appropriate - where 1 is the most appropriate option and 7 is the least appropriate option

	1	2	3	4	5	6	7
Option 1: No policy change* (compulsory)	○	◉	○	○	○	○	○
Option 2: Soft law Explanatory guidelines on interpretation of provisions in the Directives. Promoting establishment of sufficient national requirements to vessels made of materials other than steel.* (compulsory)	○	○	○	◉	○	○	○
Option 3: Elimination of Directive 2009/45/EC and reliance on national law* (compulsory)	○	○	○	○	◉	○	○
Option 4: International safety legislation Passenger ship safety legislation will comply with IMO legislation for all or for the main selected market segments/ship types *Please specify below which ship types you consider to be the main ones** (compulsory)	◉	○	○	○	○	○	○
Option 5: Tailored common EU safety rules Tailoring the EU legislation to pursue high safety standards for the main market segments/ship types *Please specify below which ship types you consider to be the main ones** (compulsory)	○	○	○	○	○	◉	○
Option 6: National safety legislation Passenger ship safety will mainly rely on national legislation (if all = Option 3) - i.e. only tailored common EU safety rules for a few selected market segments/ship types *Please specify below which ship types you consider to be the main ones** (compulsory)	○	○	◉	○	○	○	○

Option 7: Extension of the scope of the Directive from domestic voyages to voyages between EU Member States (in combination with option 5) ○ ○ ○ ○ ○ ○ ◉

* (compulsory)

Please specify the ship types in option 4* (compulsory)

Please note that Denmark does not distinguish between passenger ships types. If thre is more than 12 passengers on board the ship is a passenger ship by definition. This is no

Please specify the ship types in option 5

* (compulsory)

Please note that Denmark does not distinguish between passenger ships types. If thre is more than 12 passengers on board the ship is a passenger ship by definition. This is no

Please specify the ship types in option 6

* (compulsory)

Please note that Denmark does not distinguish between passenger ships types. If thre is more than 12 passengers on board on an international voyage the ship is a passenger ship by definition. This is no

2. Do you consider other policy options when revising the existing EU legislative framework? (optional)

3. Do you have any further observations regarding the options of the legislative review? (optional)

Below a number of ship materials and types of ships are listed for different types of trade. Information on which types of trade/material and ships that should be regulated by the different regulations is important for optimising the output of the legislative review.

4. By which rules should different types of ships be regulated?

In order to answer to this question, please fill out the table in the Microsoft Excel sheet: **Download the document here**, and upload it in the box below.

* (compulsory)

○ I filled out the table in the Microsoft Excel sheet

◉ I choose not to answer to this question and did not fill out the table

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5. Do you have any further observations regarding the rules to be applied to different types of ships? (optional)

II.4 Impacts

This section aims to collect the stakeholders' views on possible impacts from certain changes to the legislation and will contribute to the overall assessment of impacts related to different policy options. Directive 2009/45/EC only covers certain ships, and it is currently discussed to broaden the coverage of the Directive. The following questions aim to identify the impacts if the Directive is extended to cover:

- Ships made from materials other than steel
- Historic/sailing ships
- Tenders
- Vessels carrying off shore workers

These ships are currently not covered by EU legislation. Instead, in domestic trade national rules apply.
Moreover, the last question addresses impacts of extending the scope of the Directive to also covering intra EU voyages. The current directive only covers domestic voyages within the Member States/EEA Countries and voyages crossing borders are thus not covered by EU but mostly by international law.

1. If ships made from materials other than steel are included in the scope of EU safety rules, what would be the impact on:

	High increase	Slight increase	Neutral	Slight decrease	Highly decrease	Do not know
Overall safety levels* (compulsory)	○	○	○	○	○	◉
Share of ships with insufficient safety levels* (compulsory)	○	○	○	○	○	◉
Level of compliance with Directive 2009/45/EC* (compulsory)	○	○	○	○	○	◉
Transfers of ships within EU* (compulsory)	○	○	○	○	○	◉
Access of EU operators to the cabotage services in another Member State* (compulsory)	○	○	○	○	○	◉
Administrative costs of public authorities* (compulsory)	○	○	○	○	○	◉
	○	○	○	○	○	◉

Administrative cost for shipbuilders* (compulsory)						
Compliance costs for shipbuilders* (compulsory)	○	○	○	○	○	◉
Other operating costs for shipbuilders* (compulsory)	○	○	○	○	○	◉
Profitability of shipbuilding industry* (compulsory)	○	○	○	○	○	◉
Administrative cost for ship operators* (compulsory)	○	○	○	○	○	◉
Compliance costs for ship operators* (compulsory)	○	○	○	○	○	◉
Other operating costs for ship operators* (compulsory)	○	○	○	○	○	◉
Profitability of ship operators* (compulsory)	○	○	○	○	○	◉

2. Anything else that could be impacted? (optional)

The same level of safety should apply to any passenger ship, disregarding material of construction, propulsion concept or trading area. This can be achieved by combining technical and operational requirements.

3. If the historic ships/sailing vessels are included in the scope of EU safety rules, what would be the impact on:

	High increase	Slight increase	Neutral	Slight decrease	Highly decrease	Do not know
Overall safety levels* (compulsory)	○	○	○	○	○	◉
Share of ships with insufficient safety levels* (compulsory)	○	○	○	○	○	◉
Share of passenger ships - covered by Directive 2009/45/EC - sailing in incompliance* (compulsory)	○	○	○	○	○	◉
Transfers of ships within EU* (compulsory)	○	○	○	○	○	◉
Access of EU operators into the market in another Member State* (compulsory)	○	○	○	○	○	◉
Administrative costs of public authorities* (compulsory)	○	○	○	○	○	◉
	○	○	○	○	○	◉

Administrative cost for shipbuilders* (compulsory)						
Compliance costs for shipbuilders* (compulsory)	○	○	○	○	○	◉
Other operating costs for shipbuilders* (compulsory)	○	○	○	○	○	◉
Profitability of shipbuilding industry* (compulsory)	○	○	○	○	○	◉
Administrative cost for ship operators* (compulsory)	○	○	○	○	○	◉
Compliance costs for ship operators* (compulsory)	○	○	○	○	○	◉
Other operating costs for ship operators* (compulsory)	○	○	○	○	○	◉
Profitability of ship operators* (compulsory)	○	○	○	○	○	◉

4. Anything else that could be impacted? (optional)

It does not make any sense to establish common technical regulations for historical ships across Europe as these ships are - by definition - not to be in compliance with current regulations. If they were they would not be historical any more. Additionally the historical ships are of very different

5. If the tenders will be included in the scope of EU safety rules, what would be the impact on:

	High increase	Slight increase	Neutral	Slight decrease	Highly decrease	Do not know
Overall safety levels* (compulsory)	○	○	○	○	○	◉
Share of ships with insufficient safety levels* (compulsory)	○	○	○	○	○	◉
Share of passenger ships - covered by Directive 2009/45/EC - sailing in incompliance* (compulsory)	○	○	○	○	○	◉
Transfers of ships within EU* (compulsory)	○	○	○	○	○	◉
Access of EU operators into the market in another Member State* (compulsory)	○	○	○	○	○	◉
Administrative costs of public authorities* (compulsory)	○	○	○	○	○	◉
	○	○	○	○	○	◉

Administrative cost for shipbuilders* (compulsory)						
Compliance costs for shipbuilders* (compulsory)	○	○	○	○	○	◉
Other operating costs for shipbuilders* (compulsory)	○	○	○	○	○	◉
Profitability of shipbuilding industry* (compulsory)	○	○	○	○	○	◉
Administrative cost for ship operators* (compulsory)	○	○	○	○	○	◉
Compliance costs for ship operators* (compulsory)	○	○	○	○	○	◉
Other operating costs for ship operators* (compulsory)	○	○	○	○	○	◉
Profitability of ship operators* (compulsory)	○	○	○	○	○	◉

6. Anything else that could be impacted? (optional)

The purpose of tenders is to transport passengers between a "mother ship", typically a cruise ship, and a port on a very short distance in sheltered waters. IMO has developed guidance on the use of and requirements for ship tenders. It does not make any sense to include tenders in a passenger ship

7. If the ships carrying off shore workers will be included in the scope of EU safety rules, what would be the impact on:

	High increase	Slight increase	Neutral	Slight decrease	Highly decrease	Do not know
Overall safety levels* (compulsory)	○	○	○	○	○	◉
Share of ships with insufficient safety levels* (compulsory)	○	○	○	○	○	◉
Share of passenger ships - covered by Directive 2009/45/EC - sailing in incompliance* (compulsory)	○	○	○	○	○	◉
Transfers of ships within EU* (compulsory)	○	○	○	○	○	◉
Access of EU operators into the market in another Member State* (compulsory)	○	○	○	○	○	◉
Administrative costs of public authorities* (compulsory)	○	○	○	○	○	◉
	○	○	○	○	○	◉

Administrative cost for shipbuilders* (compulsory)						
Compliance costs for shipbuilders* (compulsory)	○	○	○	○	○	◉
Other operating costs for shipbuilders* (compulsory)	○	○	○	○	○	◉
Profitability of shipbuilding industry* (compulsory)	○	○	○	○	○	◉
Administrative cost for ship operators* (compulsory)	○	○	○	○	○	◉
Compliance costs for ship operators* (compulsory)	○	○	○	○	○	◉
Other operating costs for ship operators* (compulsory)	○	○	○	○	○	◉
Profitability of ship operators* (compulsory)	○	○	○	○	○	◉

8. Anything else that could be impacted? (optional)

The current (strict) division between passenger and cargo ships may be undermined, and will compromise passenger safety, as transport of workers may be accepted based on cargo ship regulations.

9. If the scope of the Directive would be extended from domestic voyages to voyages between Member States, what would be the impact on:

	High increase	Slight increase	Neutral	Slight decrease	Highly decrease	Do not know
Overall safety levels* (compulsory)	○	○	○	◉	○	○
Share of ships with insufficient safety levels* (compulsory)	○	◉	○	○	○	○
Share of passenger ships - covered by Directive 2009/45/EC - sailing in incompliance* (compulsory)	○	○	○	○	○	◉
Transfers of ships within EU* (compulsory)	○	○	○	○	○	◉
Access of EU operators into the market in another Member State* (compulsory)	○	○	○	○	○	◉
Administrative costs of public authorities* (compulsory)	○	○	○	○	○	◉
	○	○	○	○	○	◉

Administrative cost for shipbuilders* (compulsory)						
Compliance costs for shipbuilders* (compulsory)	○	○	○	○	○	◉
Other operating costs for shipbuilders* (compulsory)	○	○	○	○	○	◉
Profitability of shipbuilding industry* (compulsory)	○	○	○	○	○	◉
Administrative cost for ship operators* (compulsory)	○	○	○	○	○	◉
Compliance costs for ship operators* (compulsory)	○	○	○	○	○	◉
Other operating costs for ship operators* (compulsory)	○	○	○	○	○	◉
Profitability of ship operators* (compulsory)	○	○	○	○	○	◉

10. Anything else that could be impacted? (optional)

The opinion of Denmark is; that voyages between two member states is an international voyage which is already covered by SOLAS.

As mentioned above, the regulation is currently done at three levels - international, EU and national, if this is reduced to two levels, by abolishing EU regulation in this area, potential impact on passenger safety, on trade and administrative costs must be assessed.

11. If Directive 2009/45/EC is abolished and regulation is only at international and national level, what would be the impact on:

	High increase	Slight increase	Neutral	Slight decrease	Highly decrease	Do not know
Overall safety levels* (compulsory)	○	○	○	◉	○	○
Share of ships with insufficient safety levels* (compulsory)	○	○	○	◉	○	○
Share of passenger ships - covered by Directive 2009/45/EC - sailing in incompliance* (compulsory)	○	○	○	○	○	◉
Transfers of ships within EU* (compulsory)	○	○	○	○	○	◉
Access of EU operators into the market in another Member State* (compulsory)	○	○	○	○	○	◉
Administrative costs of public authorities* (compulsory)	○	○	○	○	○	◉

Administrative cost for shipbuilders* (compulsory)	○	○	○	○	○	◉
Compliance costs for shipbuilders* (compulsory)	○	○	○	○	○	◉
Other operating costs for shipbuilders* (compulsory)	○	○	○	○	○	◉
Profitability of shipbuilding industry* (compulsory)	○	○	○	○	○	◉
Administrative cost for ship operators* (compulsory)	○	○	○	○	○	◉
Compliance costs for ship operators* (compulsory)	○	○	○	○	○	◉
Other operating costs for ship operators* (compulsory)	○	○	○	○	○	◉
Profitability of ship operators* (compulsory)	○	○	○	○	○	◉

12. Anything else that could be impacted? (optional)

13. Do you have any further comments on the impacts of the planned review? (optional)

II.5 Other

1. Do you have any other further comment? (optional)

Denmark finds many of the questions poised in this questioner ambiguous and thus reserves its position on all issues.
Additionally Denmark finds the format of the consultation very unpractical for the workings of a national government.

III. Additional questions

This is a second set of questions, for which the Commission's services seek stakeholder opinions, primarily from those with experience on board passenger ships. Following the recent Costa Concordia cruise ship accident, some issues have been raised specifically addressing larger passenger ships. The Commission would like to use the opportunity of this consultation already planned as part of the review of the European legislation on passenger ship safety, to obtain stakeholder views on current arrangements.

III.1 Evacuation

Historically, escape routes and evacuation on board ships have been addressed by the prescriptive regulations set out in the SOLAS Convention. These regulations cover the specific structural design requirements of the escape routes for ships. For ro-ro passenger ships constructed on or after July 1, 1999, it is mandatory under the SOLAS Convention to evaluate escape routes by an evacuation analysis. SOLAS also stipulates that all survival craft must be capable of being launched with their full complement of persons and equipment within thirty minutes of the abandon ship alarm being given. Directive 2009/45/EC mirrors these requirements.
In addition to these requirements passenger ships will have their own evacuation procedures. The following questions deal with such procedures.
If you have experience of such procedures you are invited to provide your views.

1. The SOLAS Convention as well as Directive 2009/45/EC contain requirements for an orderly evacuation of ships in case of an accident.
What is your opinion on the evacuation procedures as implemented today, specifically taking into account the increased size of passenger ships? (optional)

2. The requirements for evacuation prescribe that information on what to do in cases of emergencies for which evacuation is required shall be supplied to the passengers.
What is your view on the provision of information as regards evacuation and use of life saving appliances? (optional)

3. The requirements for evacuation further prescribe that specific instructions (e.g. on the use of life jackets) related to evacuation shall be given to the passengers.
Would you consider that the present instructions given to passengers are sufficient to prepare them to evacuate the ship?* (compulsory)

- (●) Yes
- ( ) No

4. According to the requirements the crew should perform a weekly abandon ship drill.
Would you consider that such drills are effective in training the crew so that they are prepared for an evacuation?* (compulsory)

- (●) Yes
- ( ) No

5. According to the requirements the crew should perform a weekly abandon ship drill.
From your experience, is the crew familiar with the assigned duties in cases of emergency?
* (compulsory)

- (●) Yes
- ( ) No

6. Passenger ships, in particular cruise liners, often have passengers on board of many different nationalities.
In what ways, if any, would you consider that language could form a barrier in an evacuation process? (optional)

It is a definite obstacle, which should be handled the same way as in the airline industry; videos, pictograms etc.

7. While there have been developments and research into new evacuation systems as alternatives to the traditional life boats, the traditional systems are still widely used.
Is there a need to (re)evaluate the traditional evacuation systems (lifeboats and life rafts)?
* (compulsory)

- (●) Yes
- ( ) No

8. Please explain? (optional)

Obviously the launching of lifeboats has some limitations just as the large cruise ships have grown away from existing concepts. Accordingly alternative means should be investigated, which is already underway in IMO.

III.2 Other issues

The following questions relate to other aspects of emergencies on board passenger ships. Your views on these issues are welcome.

1. The SOLAS Convention and Directive 98/41/EC require that information on the (number of) persons on board is collected and reported.
From your experience, do you consider that there is a need to re-examine procedures for establishing passenger lists and the reporting of this information?* (compulsory)

- ( ) Yes
- (●) No

2. Please explain? (optional)

3. Recent accidents have shown that fire on the vehicle deck of a roro (passenger) ship can have very severe consequences.
Would you consider a review of the fire detection and extinguishing arrangements on the vehicle deck of roro (passenger) ships appropriate?* (compulsory)

- (●) Yes
- ( ) No

4. Please explain? (optional)

This process is already on its way within IMO

5. Bridge Resource Management procedures are in place to ensure the most effective use of available resources, especially in critical situations.
In your view is there a need to re-evaluate the bridge resource management procedures that are in place, specifically on the larger passenger ships, also in critical situations?* (compulsory)

- ○ Yes
- ◉ No

6. Please explain? (optional)

If current regulation and guidelines are complied with within the ISM-Code such additional guidance seems not called for.

7. IMO has recently adopted guidelines on watertight doors (IMO Circular MSC.1/Circ.1380), which give guidance on when such doors have to be closed and when they may be open.
If you are aware of these guidelines, do you consider that they provide for a proper balance between safety and operations on board the ship?* (compulsory)

- ○ Yes
- ◉ No
- ○ I am not aware of these guidelines

8. Please explain? (optional)

They could be more specific/ operational towards the industry.

9. Any other issues you may wish to raise? (optional)

SUBMIT

Clear existing answers