

# COMMISSION OF THE EUROPEAN COMMUNITIES

COM (78) 586 final

Brussels, 7 November 1978

DRAFT COUNCIL DIRECTIVE ON MINIMUM CONDITIONS  
REQUIRED OF CERTAIN TANKERS ENTERING OR LEAVING COMMUNITY  
SEAPORTS

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(Submitted by the Commission to the Council)

COM (78) 586 final

Draft

Council Directive on minimum conditions required of certain tankers entering or leaving Community seaports

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 84(2) thereof,

Having regard to the Commission's draft,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas the European Council on 7/8 April 1978 declared that the Community must make it a major object to prevent and combat marine pollution, in particular by hydrocarbons, and whereas the European Council on 6/7 July 1978 reaffirmed the need to intensify action to prevent and combat marine pollution, particularly by hydrocarbons, and in addition considered it necessary, having regard to the proposals from various Member States and from the Commission, that further measures be taken to increase the safety of seaborne traffic;

Whereas, to reduce the risk of incidents involving tankers entering or leaving Member States' ports, the said tankers should be required to satisfy in advance certain minimum conditions before entering and while traversing the territorial waters adjacent to the port of destination or departure;

Whereas the competent authorities should be informed of any shortcoming potentially deleterious to safety, and whereas a Member State where the competent authorities are informed of circumstances involving or increasing the risk to another Member State of its sea and coastal areas' being endangered should inform that Member State forthwith;

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. Member States shall take all necessary and appropriate measures to ensure that oil, gas and chemical tankers of 1,600 gross registered tons and over - whether fully or partly laden, and including those empty but not yet purged of hazardous gas residues - entering or leaving the seaports of their territory shall, as a minimum:
  - A. in good time before entering,
    - (i) notify the competent authority of the Member State in which the port is situated of the following information ("notification"):
      - (a) name and call sign of the vessel;
      - (b) nationality of the vessel;
      - (c) length and draught of the vessel;
      - (d) port of destination;
      - (e) estimated time of arrival at the port of destination or the pilot station, as required by the competent authority;
      - (f) general information on the nature and quantity of cargo;
      - (g) where chemicals are being transported, information on whether or not the vessel is in possession of a certificate verifying that it is a "new vessel" in the terms of the IMCO code for the construction and equipment of ships carrying dangerous chemicals in bulk;
      - (h) whether or not there are any deficiencies and incidents which will decrease the normal safe manoeuvrability of the ship or which may affect the safety and easy flow of traffic, or may constitute a hazard to the marine environment and adjacent areas.

(ii) complete truly and accurately a tanker check list as reproduced in the Annex to this Directive, and make it available to the pilot for his information, and, if it so requests, to the competent authority.

B. while sailing in the territorial waters adjacent to the port of entry or departure,

(i) inform the competent authorities of any deficiencies and incidents which will decrease the normal safe manoeuvrability of the ship or which may affect the safety and easy flow of traffic, or may constitute a hazard to the marine environment and adjacent areas;

(ii) as soon as possible establish radio-telephone communication with the designated shore stations, preferably on VHF - in particular, with the nearest radar station, if available - and maintain such communication;

(iii) make use, as far as possible, especially in conditions of restricted visibility, of the services provided by radar stations;

(iv) make use of pilots, in accordance with the practice and regulations determined by the competent authority.

2. If the pilot learns from the tanker check list or in some other way that there are any deficiencies which may prejudice the safe navigation of the vessel, he shall immediately report these to the competent authority.
3. Member States may derogate from paragraphs 1 and 2 where the state of the aids to navigation, the local situation or the traffic conditions so require or permit.

#### Article 2

Any Member State whose competent authorities have been informed, in accordance with Article 1 or in some other way, of facts which involve or increase for another Member State the risk of posing a hazard to certain maritime and coastal zones, shall take whatever measures are appropriate to inform the Member State concerned thereof as soon as possible.

#### Article 3

Before 1 July 1979 Member States shall, after consulting the Commission, adopt the laws, regulations and administrative provisions necessary to implement this Directive. They shall inform the Commission and the other Member States of the measures taken as well as of any provisions providing for derogations under Article 1(3).

#### Article 4

This Directive is addressed to the Member States.

Done at Brussels,

For the Council

The President

**TANKER CHECK LIST**

**A. Ship's main particulars**

Name of Ship	Owner	
Flag	Call sign	Year built
Port of registry	Length overall	Gross Tonnage
Classification society		
Character of classification	Ship	Engine room plant
Propulsion machinery	Output	
Agent		
Draught Forward	Amidships	Aft
Kind of cargo loaded (according to tank loading plan)		Volume of cargo loaded

**B. Safety installations aboard**

	In good working order		Deficiencies
	Yes	No	
<b>1. Construction and technical equipment</b>			
Main and auxiliary engines	<input type="checkbox"/>	<input type="checkbox"/>	
Main steering gear	<input type="checkbox"/>	<input type="checkbox"/>	
Auxiliary steering gear	<input type="checkbox"/>	<input type="checkbox"/>	
Anchor gear	<input type="checkbox"/>	<input type="checkbox"/>	
Fixed fire-extinguishing system	<input type="checkbox"/>	<input type="checkbox"/>	
<b>2. Navigational equipment</b>			
Manoeuvring characteristics available	<input type="checkbox"/>	<input type="checkbox"/>	
1. First radar installation	<input type="checkbox"/>	<input type="checkbox"/>	
2. Second radar installation	<input type="checkbox"/>	<input type="checkbox"/>	
Gyro compass	<input type="checkbox"/>	<input type="checkbox"/>	
Standard magnetic compass	<input type="checkbox"/>	<input type="checkbox"/>	
Radio direction-finding apparatus	<input type="checkbox"/>	<input type="checkbox"/>	
Echo-sounding device	<input type="checkbox"/>	<input type="checkbox"/>	
Other electronic position fixing aids	<input type="checkbox"/>	<input type="checkbox"/>	
<b>3. Radio equipment</b>			
Radiotelegraphy installation	<input type="checkbox"/>	<input type="checkbox"/>	
Radiotelephony installation (VHF)	<input type="checkbox"/>	<input type="checkbox"/>	

**C. Safety Certificates**

	Valid certificate on board	
	Yes	No
Cargo Ship Safety Construction Certificate	<input type="checkbox"/>	<input type="checkbox"/>
Cargo Ship Safety Equipment Certificate	<input type="checkbox"/>	<input type="checkbox"/>
Cargo Ship Safety Radiotelegraphy Certificate	<input type="checkbox"/>	<input type="checkbox"/>
Load line Certificate	<input type="checkbox"/>	<input type="checkbox"/>
Classification Certificate	<input type="checkbox"/>	<input type="checkbox"/>
Oil Liability Certificate	<input type="checkbox"/>	<input type="checkbox"/>
Oil Record Book completed	<input type="checkbox"/>	<input type="checkbox"/>

**D. Officers and crew on board**

	Yes	No	
Master	<input type="checkbox"/>	<input type="checkbox"/>	Certificate of competency (detailed description (and serial number)) Name, place, country of issuing authority (*)
1. Chief Mate	<input type="checkbox"/>	<input type="checkbox"/>	
2. Second Mate	<input type="checkbox"/>	<input type="checkbox"/>	
3. Third Mate	<input type="checkbox"/>	<input type="checkbox"/>	
Chief Engineer	<input type="checkbox"/>	<input type="checkbox"/>	
1. First Engineer Officer	<input type="checkbox"/>	<input type="checkbox"/>	
2. Second Engineer Officer	<input type="checkbox"/>	<input type="checkbox"/>	
3. Third Engineer Officer	<input type="checkbox"/>	<input type="checkbox"/>	
Radio Officer	<input type="checkbox"/>	<input type="checkbox"/>	
Total number of ratings			
High-sea pilot	<input type="checkbox"/>	<input type="checkbox"/>	

Date \_\_\_\_\_ Signature of master or deputy \_\_\_\_\_

(\*) Member States may decide not to include the certificates section in the check list.

