



Brussels,
MOVE D1 / D(2012)

DRAFT REPORT
Directive 2010/65/EU
On reporting formalities for ships arriving in and/or departing from ports
Fifth eMS expert group meeting
Thursday, 12 July 2012

1-2. Approval of the agenda and the 4nd meeting report

The draft agenda was approved.

The 4th meeting report was approved with a modification specifying that the Security BRs are approved already by MARSEC while the Waste BRs have been presented to COSS committee.

3. Single Window and data flow definition

The SW document was presented by the Commission for discussion and possible validation. The Commission asked that the modified document would be validated in the next eMS meeting. The Chair proposed to update the document considering the proposals made by the MS and to submit it to the next meeting. The eMS group was requested to provide comments on the updated version of the document before the next eMS group meeting.

4. Waste and Security business rules

The eMS group **validated** the business rules of the waste and the security messages. However the rules will be final upon the validation by MARSEC.

5. Business rules related topics

5.1 Clearance functionalities

The eMS group **agreed** to include the clearance functionalities (especially those developed at national level) and asked that the Commission/EMSA to further analysed the issue from legal, technical and business perspectives.

5.2 Information exchange model

The eMS group **agreed** for the MS experts and EMSA to organise a correspondence group to work further and present a more detailed proposal to next eMS meeting.

5.3 Management of waste exemptions

The Commission, together with EMSA, is currently studying this issue in the context of the implementation of the RF directive and the possible revision of the Port Reception Facilities directive.

6. Subgroup status

6.1 General Maritime

Two General Maritime subgroup meetings has been organised so far.

EMSA will work by correspondence with the General Maritime subgroup with the objective to draft the business rules.

6.2 Customs

On the context of BlueBelt and the implementation of the RFD; DG MOVE and TAXUD are discussing whether there could be an opportunity to simplify the customs procedures for the vessels which have left and returned the EU Customs territory without calling to the third country ports.

This will be discussed in the next eMS Customs subgroup meeting which will be organised together with DG TAXUD (*Update: this meeting is expected to take place in October*).

6.3 Border Control

The revision of the Schengen Border Code is currently being discussed in the EP and the Council. The revised SBC would be fully in line with the RFD. Before the revision is adopted, there could be an issue with the wording of the current SBC which states that the passenger and crew lists should be send to the competent border authorities.

The Commission will ask a legal opinion on this.

6.4 Health

The Health sub-group is established by the eMS group in view to define the business rules for providing electronically the Maritime Health Declaration from ships arriving in or departing from ports of the Member States to the National Single Window, and for exchanging this information at EU level via SSN.

7. The Info Day on single window projects

The Commission gave a brief summary on the MIELE and eFreight - eMAR data exchange and single window projects, which were presented on the previous day in the Info Day organised for this purpose. These and other similar projects are can be contributing to the implementation work of Reporting formalities directive. The Commission encourages the eMS group, and possible other projects supporting the work of the eMS, to use the findings and resources of these projects where found useful. However, it should be noted that the deliverables of these projects are not alternatives to the specifications produced within the eMS group.

8. TEN-T update

TEN-T Executive Agency informed that the call is likely to be opened by the end of November – beginning of December and closed at the end of February.

9. The Roadmap

The Commission presented the updated roadmap..

10. AOB

Transposition situation

There is still number of MSs which have not transposed the directive. Any MS which has not communicated the Commission on the full transposition through the official Secretariat General system will receive automated formal notification asking an explanation within two months.

Question on FAL and IMO

The Commission is participating to the work of both, FAL and NAV, committees. In FAL 37 the Commission made a speaking note in the plenary session, in which it listed the key elements of the directive, establishment of the eMS expert group and the key milestones foreseen for the implementation. This note was also fully included to the final report of FAL 37. The Commission is planning to present info papers on the implementation in the next FAL and NAV meetings, which will take place in April and September 2013.

Save the date: the Commission is planning to organise the first annual eMaritime conference in 22-23 November.

Next eMS meeting: 04 October in Lisbon.