

EUROPEAN ECONOMIC AREA  
STANDING COMMITTEE  
OF THE EFTA STATES

2/00/W/037  
14 May 1997  
Brussels

SUBCOMMITTEE II ON  
FREE MOVEMENT OF CAPITAL AND SERVICES

EFTA COMMENTS ON A PROPOSAL FOR A COUNCIL DIRECTIVE ON  
THE REGISTRATION OF PERSONS SAILING ON BOARD OF PASSENGER  
SHIPS

1. The Member States of EFTA welcome the Commission draft proposal for a Council Directive on the registration of persons sailing on board of passenger ships Com(96) 574 final, of 25.11.96.
2. The EFTA States do see some problems, however, in the practical implementation of the Directive to short distance “commuter” services operated either with conventional ferries or with high-speed crafts. In order to avoid unnecessary distortions of such services, the EFTA states avail themselves of the opportunity to suggest the following amendments to the Commission’s draft proposal;

**Article 5.2**

3. Due to the high number of calls made by such “commuter” vessels within a short period of time, it might in many cases be difficult for the master to report the number of passengers to the shore based registrar *before* departure. This problem could be accommodated, however, by adding the words “*immediately after departure*” to Article 5.2 of the Directive. With this amendment, the Article would read;

*“The number of persons shall be communicated prior to departure to the master of the passenger ship, and to the passenger registrar of the company or to any other shore-based system of the company serving the same purpose immediately after departure”.*

**Article 6**

4. Although the total distance from start to finish of such “commuter” services might exceed the 20 nautical mile limit of Article 6, they will frequently include

(continued)

several intermediate stops. It is the opinion of the EFTA States that such services should be explicitly excluded from the scope of Article 6, provided that travelled distance between any two ports of the journey is less than 20 miles, and that the journey does not include sea stretches where the vessel is more than 5 nautical miles from the nearest coast.

5. Whereas the text of the “special considerations” - note preceding the Commission’s draft proposal seems to accommodate such interpretation of the 20 mile limit, this is less evident from the draft text itself.
6. The EFTA-States would therefore like to propose that words “*with no intermediate calls, or exceeding a distance of more than 5 miles off the nearest coast*” should be added to the first sentence of text in Article 6. With this amendment the initial part of the Article would read as follows;

*“The following information shall be recorded for all passenger ships which depart from a port located in a Member State undertaking voyages of more than 20 miles without intermediate calls, or exceeding a distance of more than 5 miles off the nearest coast.”*

\* \* \* \* \*