



Plenary sitting

A8-0006/2019

16.1.2019

*****I**

REPORT

on the 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
(COM(2018)0278 – C8-0193/2018 – 2018/0139(COD))

Committee on Transport and Tourism

Rapporteur: Deirdre Clune

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ■ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the 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

(COM(2018)0278 – C8-0193/2018 – 2018/0139(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2018)0278),
 - having regard to Article 294(2) and Article 100(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C8-0193/2018),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of ...¹
 - having regard to the opinion of the European Committee of the Regions of ...²
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Transport and Tourism (A8-0006/2019),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

1 OJ C...(not yet published in the Official Journal).

2. OJ C...(not yet published in the Official Journal).

Amendment 1

Proposal for a regulation Recital 1

Text proposed by the Commission

(1) Directive 2010/65/EU of the European Parliament and the Council⁹ requires Member States to accept the fulfilment of reporting obligations for ships arriving in and departing from Union ports in electronic format and to ensure their transmission via a single window in order to facilitate maritime transport.

⁹ Directive 2010/65/EU of the European Parliament and the Council of 20 October 2010 on reporting formalities for ships arriving in and/or departing from ports of the Member States and repealing Directive 2002/6/EC (OJ L 283, 29.10.2010, p. 1).

Amendment

(1) Directive 2010/65/EU of the European Parliament and the Council⁹ requires Member States to accept the fulfilment of reporting obligations for ships arriving in and departing from Union ports in electronic format and to ensure their transmission via a single window in order to facilitate ***and expedite*** maritime transport.

⁹ Directive 2010/65/EU of the European Parliament and ***of*** the Council of 20 October 2010 on reporting formalities for ships arriving in and/or departing from ports of the Member States and repealing Directive 2002/6/EC (OJ L 283, 29.10.2010, p. 1).

Amendment 2

Proposal for a regulation Recital 2 a (new)

Text proposed by the Commission

Amendment

(2 a) Whereas both the European Parliament and the Council have frequently called for more interoperability and more comprehensive, user-friendly communication and information flows to help citizens and businesses make full use of the internal market and to strengthen internal market tools to better meet the needs of citizens and businesses when they conduct cross-border activities.

Amendment 3

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) This Regulation is *aimed at facilitating* the transmission of information. The application of this Regulation should not alter the substance of reporting obligations, and should not affect subsequent storage and processing of information at Union level or at national level.

Amendment

(3) *The main aim of this Regulation is to lay down harmonised rules for the provision of cargo information required by both maritime and customs authorities and for compliance with the other reporting formalities required by Directive 2010/65/EU; This Regulation aims to facilitate* the transmission of information *between the ship data providers, the relevant authorities covering the port of call, and other Member States, whilst complying with the GDPR.* The application of this Regulation should not alter the substance of reporting obligations, and should not affect subsequent storage and processing of information at Union level or at national level.

Amendment 4

Proposal for a regulation

Recital 3 a (new)

Text proposed by the Commission

Amendment

(3 a) *This Regulation seeks to harmonise different data elements by ensuring that the same data sets can be reported to each relevant authority in the same way, and thereby to further improve the efficiency of maritime transport, to support digitalisation and to facilitate trade.*

Amendment 5

Proposal for a regulation

Recital 4

Text proposed by the Commission

Amendment

(4) The existing National Single

(4) The existing National Single

Windows in each Member State should be maintained as the basis for the European Maritime Single Window environment ('EMSWe'). The National Single Windows should constitute a comprehensive reporting entry point for maritime transport operators, performing the functionalities of data collection from the declarants and data distribution to all relevant competent authorities.

Windows in each Member State should be maintained as the basis for the European Maritime Single Window environment ('EMSWe'). The National Single Windows should constitute a comprehensive reporting entry point for maritime transport operators, performing the functionalities of data collection from the declarants and data distribution to all relevant competent authorities. *A governance dimension, with a clear legal basis, should be developed for each National Single Window so that they have the competences and responsibilities to collect, store and distribute the data to the relevant authorities, and so that any relevant information received in accordance with this Regulation is made available to their National Single Windows via the SafeSeaNet system in accordance with Article 22a of Directive 2002/59/EC;*

Amendment 6

Proposal for a regulation Recital 4 a (new)

Text proposed by the Commission

Amendment

(4 a) Existing reporting channels and services providers may be maintained if additional data requests are made in extraordinary circumstances. This flexibility should be allowed not only to Member States, but also to relevant competent authorities, since they are responsible for assessing the risks involved in clearing the ship, its cargo, its passengers and its crew, if there is any on board.

Amendment 7

Proposal for a regulation Recital 5

Text proposed by the Commission

(5) The front-end interfaces of these National Single Windows, on the side of the declarants, should be harmonised at Union level, in order to facilitate reporting and further reduce administrative burden. This harmonisation should be achieved by the application in every National Single Window of a common interface software for system-to-system exchange of information developed at Union level. The Member States should bear the responsibility for integrating and managing this interface **module** and for updating the software regularly and timely when new versions are provided by the Commission. The Commission should develop the **module** and provide updates when needed.

Amendment

(5) The front-end interfaces of these National Single Windows, on the side of the declarants, should be harmonised at Union level, in order to facilitate reporting and further reduce administrative burden. This harmonisation should be achieved by the application in every National Single Window of a common interface software for system-to-system exchange of information developed at Union level. The Member States should bear the responsibility for integrating and managing this interface, ***which should be technology neutral in order not to prevent innovation,*** and for updating the software regularly and timely when new versions are provided by the Commission. The Commission should develop the ***interface*** and provide updates when needed, ***since the development of digital technologies is market-driven, currently moving fast and any technological solution could rapidly become outdated in the light of new developments.***

Amendment 8

Proposal for a regulation
Recital 5 a (new)

Text proposed by the Commission

Amendment

(5 a) Existing reporting channels provided by Member States and service providers, such as Port Community Systems and other system-to-system reporting channels should be maintained as optional entry points for reporting, in view of the fact that these systems are functioning well and offer a customised means for maritime operators to fulfil their reporting formalities that might be better suited to some environments, in addition to representing substantial

investment by many stakeholders.

Amendment 9

Proposal for a regulation Recital 6

Text proposed by the Commission

(6) Emerging new digital technologies present ever-growing opportunities to increase the efficiency of the maritime **transfer** sector and to reduce administrative burden. In order for the benefits of such new technologies to accrue as early as possible, the Commission should be empowered to amend, by means of implementing acts, the technical specifications, standards and procedures of the harmonised reporting environment. New technologies should also be taken into account when this Regulation is reviewed.

Amendment

(6) Emerging new digital technologies present ever-growing opportunities to increase the efficiency of the maritime **transport** sector and to reduce administrative burden. In order for the benefits of such new technologies to accrue as early as possible, the Commission should be empowered to amend, by means of implementing acts, the technical specifications, standards and procedures of the harmonised reporting environment. ***This should leave flexibility for market players to develop new digital technologies and*** new technologies should also be taken into account when this Regulation is reviewed.

Amendment 10

Proposal for a Regulation Recital 9

Text proposed by the Commission

(9) In order to enable the functioning of the EMSWe, it is necessary to establish a comprehensive EMSWe data set which should cover all information elements that might be requested by national authorities or port operators for administrative or operational purposes, when a ship makes a port call. Since the scope of reporting obligations varies from one Member State to another, a National Single Window in a given Member State should be designed to accept the EMSWe data set without any modification, and disregard any information not relevant for that Member

Amendment

(9) In order to enable the functioning of the EMSWe, it is necessary to establish a comprehensive EMSWe data set which should cover all information elements that might be requested by national authorities or port operators for administrative or operational purposes, when a ship makes a port call. Since the scope of reporting obligations varies from one Member State to another, a National Single Window in a given Member State should be designed to accept the EMSWe data set without any modification, and disregard any information not relevant for that Member State. ***This should be reflected in the***

State.

development of an established governance dimension to the National Single Windows to ensure their smooth functioning. As the aim of this Regulation is trade facilitation via the harmonisation of data requirements, the Commission should, when defining a detailed data set, have regard to, and actively participate at the IMO level in the development of a high-quality independent data reference model.

Amendment 11

Proposal for a Regulation Recital 14

Text proposed by the Commission

(14) In order to improve the efficiency of maritime transport and to limit the duplication of information which must be provided for operational purposes when a ship makes a port call, the information provided by the declarant to a National Single **Windows** should be also shared with certain other entities, such as port or terminal operators.

Amendment

(14) In order to improve the efficiency of maritime transport and to limit the duplication of information which must be provided for operational purposes when a ship makes a port call, the information provided by the declarant to a National Single **Window** should be also shared with certain other entities, such as port or terminal operators, ***when authorised and taking into account the need to respect confidentiality, commercial sensitivities and legal constraints.***

Amendment 12

Proposal for a Regulation Recital 15 a (new)

Text proposed by the Commission

Amendment

(15 a) In order to realise fully harmonised reporting requirements, more cooperation should be established between customs authorities and maritime authorities at both national and Union level.

Amendment 13

Proposal for a regulation Recital 24

Text proposed by the Commission

(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.

Amendment

(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. ***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.***

Amendment 14

Proposal for a Regulation Article 2 – paragraph 1 – point 1 a (new)

Text proposed by the Commission

Amendment

(1 a) ‘ship’ means a seagoing vessel of any type operating in the marine environment that is subject to a reporting formality relating to the legislation listed in the Annex;

Amendment 15

Proposal for a regulation Article 2 – paragraph 1 – point 1 b (new)

Text proposed by the Commission

Amendment

(1 b) ‘Single Window’ means an environment for collection, dissemination and exchange of vessel reporting information in electronic form with a structured and commonly defined data structure, rules and management of access rights, including a harmonised reporting interface and a graphical user interface, in addition to links to the

relevant authorities systems and databases in accordance with relevant international, national and local legal requirements;

Amendment 16

Proposal for a regulation

Article 2 – paragraph 1 – point 2 a (new)

Text proposed by the Commission

Amendment

(2 a) ‘relevant authority’ means a national or local authority which is involved in the clearance of ships arriving at or departing from a port or has legal rights to access the information collected by the National Single Window;

Amendment 17

Proposal for a regulation

Article 2 – paragraph 1 – point 3 a (new)

Text proposed by the Commission

Amendment

(3 a) "graphical user interface (GUI)" means a web interface for two-way web based user-to-system data submission to a single window and includes harmonised web pages and features that ensure a common navigation flow and data upload experience for a declarant fulfilling reporting obligations within the scope of this Regulation irrespective of where the GUI is deployed.

Amendment 18

Proposal for a regulation

Article 2 – paragraph 1 – point 3 b (new)

Text proposed by the Commission

Amendment

(3 b) "common access point interface" means an optional or voluntary filing point for declarants for routing system-to-

system data to the harmonised reporting interfaces of the respective single windows, developed as an added functionality of the harmonised reporting interfaces and facilitating two-way exchanges of information between declarants and the relevant authorities who will access it via their own single window.

Amendment 19

Proposal for a regulation

Article 2 – paragraph 1 – point 3 c (new)

Text proposed by the Commission

Amendment

(3 c) ‘technical specification’ means a technical specification as defined in point (4) of Article 2 of Regulation (EU) No 1025/2012;

Amendment 20

Proposal for a regulation

Article 2 – paragraph 1 – point 3 d (new)

Text proposed by the Commission

Amendment

(3 d) ‘standard’ means a technical specification, adopted by a recognised standardisation body, for repeated or continuous application, with which compliance is not compulsory, and which is one of the variations defined in points (1)(a), (b), (c) and (d) of Article 2 of Regulation (EU) No 1025/2012;

Amendment 21

Proposal for a regulation

Article 2 – paragraph 1 – point 5 a (new)

Text proposed by the Commission

Amendment

(5 a) ‘customs authorities’ means the authorities defined in point (1) of Article 5 of Regulation (EU) No 952/2013;

Amendment 22

Proposal for a regulation

Article 2 – paragraph 1 – point 6 a (new)

Text proposed by the Commission

Amendment

(6 a) ‘electronic transmission of data’ means the process of transmitting information that has been encoded digitally, using a revisable structured format which can be used directly for storage and processing by computers.

Amendment 23

Proposal for a regulation

Article 3 – paragraph 3

Text proposed by the Commission

Amendment

3. A Member State may request the Commission to introduce data elements in the EMSWe data set, on the basis of the reporting obligations contained in the national legislation. By six months from the entry into force of this Regulation at the latest, the Member States shall notify the Commission of the provisions of national legislation and corresponding reporting obligations, containing the data elements to be included in the EMSWe data set. They shall precisely identify those data elements. The Commission shall assess the necessity of inserting or modifying a data element in the EMSWe data set on the basis of those notifications.

3. A Member State may request the Commission to introduce **or amend existing** data elements in the EMSWe data set, on the basis of the reporting obligations contained in the national legislation. By six months from the entry into force of this Regulation at the latest, the Member States shall notify the Commission of the provisions of national legislation and corresponding reporting obligations, containing the data elements to be included in the EMSWe data set. They shall precisely identify those data elements. The Commission shall assess the necessity of inserting or modifying a data element in the EMSWe data set on the basis of those notifications.

Amendment 24

Proposal for a regulation

Article 3 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. When establishing the EMSWe

data set, the Commission should take into consideration the development of the IMO independent data reference model.

Amendment 25

Proposal for a regulation

Article 4 – paragraph 1

Text proposed by the Commission

1. Where a Member State intends to introduce or amend a reporting obligation, under its national legislation, which would involve the provision of information other than that included in the EMSWe data set, that Member State shall immediately notify the Commission. In this notification, the Member State shall precisely identify the information not covered by the EMSWe data set and indicate the intended time period of application of the reporting obligation in question.

Amendment

1. Where ***a Member State or a relevant authority from*** a Member State intends to introduce or amend a reporting obligation, under its national legislation, which would involve the provision of information other than that included in the EMSWe data set, that Member State shall immediately notify the Commission. In this notification, the Member State shall precisely identify the information not covered by the EMSWe data set and indicate the intended time period of application of the reporting obligation in question.

Amendment 26

Proposal for a regulation

Article 4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. A Member State shall not introduce new reporting requirements, except under duly justified and exceptional circumstances, unless this has been approved by the Commission in accordance with Article 3(2) and the new reporting requirement has been incorporated into the reporting interfaces. The Commission shall issue a decision concerning the introduction of a new reporting requirement within 90 days following the receipt of the notification by the Member State.

Amendment 27

Proposal for a regulation
Article 4 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. In order to ensure uniform conditions for the introduction of new reporting requirements under exceptional circumstances, as referred to in paragraph 1 of this Article; the Commission is empowered to adopt delegated acts, in accordance with Article 18, to define when the circumstances referred to in paragraph 1 are to be considered exceptional.

Amendment 28

Proposal for a regulation
Article 5 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

Each Member State shall establish a National Single Window where, in accordance with this Regulation and without prejudice to Article 6, all information necessary for the fulfilment of reporting obligations shall be provided once, by means of and in compliance with the EMSWe data set, for the purpose of this information being made available to the relevant authorities of the Member States.

Each Member State shall establish a National Single Window where, in accordance with this Regulation and without prejudice to Article 6, all information necessary for the fulfilment of reporting obligations shall be provided once, **in accordance with Article 7(2)**, by means of and in compliance with the EMSWe data set, for the purpose of this information being made available to the relevant authorities of the Member States.

Amendment 29
Proposal for a regulation
Article 5 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Member States may, in accordance with this Regulation and without prejudice to Article 6, develop a shared Single Window with one or more other Member States in order to improve interoperability and interconnection between Member States.

Amendment 30

Proposal for a regulation

Article 5 – paragraph 1 – subparagraph 1 b (new)

Text proposed by the Commission

Amendment

The Member States shall ensure that a governance dimension with a clear legal basis is developed to provide each National Single Window with the competences required to efficiently collect store and distribute the data to the relevant authorities so that any relevant information received in accordance with this Regulation is made available to other National Single Windows via the SafeSeaNet system in accordance with Article 22a of Directive 2002/59/EC.

Amendment 31

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

Amendment

2. The Commission shall develop and update a harmonised reporting interface **module** for the National Single Windows. ***This module shall include the possibility*** to exchange information between the information system used by the declarant and the National Single Window.

2. ***By ... (date: two years after the entry into force of this Regulation),*** the Commission ***and Member States*** shall develop and update a ***technologically neutral*** harmonised reporting interface for the National Single Windows. ***That interface shall make it possible*** to exchange information between the information system used by the declarant and the National Single Window ***and to duly take into account how users can design or programme their reporting systems so that they can implement this new system***

Amendment 32

Proposal for a regulation

Article 5 – paragraph 2 a (new)

2 a. By ... (date: five years after the entry into force of this Regulation), the Commission shall develop, in close cooperation with the Member States a voluntary optional common access point interface as an added functionality of the harmonised reporting interfaces, provided that the harmonised reporting interfaces have been implemented fully in accordance with paragraph 11 of this Article. The access point interface shall consist of a common user interface jointly managed by the Commission and the participating Member States, which shall be integrated with the harmonised reporting interfaces. The access point interface shall make it possible to use a single connection for system to system exchange of data between declarants and participating Member States' reporting interfaces.

Amendment 33

Proposal for a regulation

Article 5 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) the compatibility of the National Single Window with the reporting interface *module*;

(a) the compatibility of the National Single Window with the reporting interface;

Amendment 34

Proposal for a regulation

Article 5 – paragraph 3 – point a a (new)

Text proposed by the Commission

Amendment

(a a) adherence to the functional and technical specifications for the reporting interfaces in accordance with paragraph 11 of this Article;

Amendment 35

Proposal for a regulation

Article 5 – paragraph 3 – point b

Text proposed by the Commission

(b) the timely integration of the reporting interface **module** and any subsequent updates in accordance with the implementation dates set in the implementing act referred to in paragraph (11);

Amendment

(b) the timely integration of the reporting interface and any subsequent updates in accordance with the implementation dates set in the implementing act referred to in paragraph (11);

Amendment 36

Proposal for a regulation

Article 5 – paragraph 3 – point b a (new)

Text proposed by the Commission

Amendment

(b a) the provision of an easy-to-use harmonised Graphical User Interface (GUI), with a similar look, for the exchange of data between a declarant and a Single Window that allows for two-way communication between the data provider and the relevant authorities that adheres to the functional and technical specifications of the harmonised GUI as developed in accordance with paragraph 11 of this Article;

Amendment 37

Proposal for a regulation

Article 5 – paragraph 3 – point d

Text proposed by the Commission

(d) the provision of an online support website.

Amendment

(d) the provision of ***a helpdesk and*** an online support website ***with clear instructions in the official languages(s) of that Member State and in any event in English, without prejudice to the principle of multilingualism enshrined in the TFEU.***

Amendment 38

Proposal for a regulation

Article 5 – paragraph 3 – point d a (new)

Text proposed by the Commission

Amendment

(d a) in consultation with relevant social partners, the provision of adequate and necessary training for all staff involved in the implementation and operation of the National Single Window.

Amendment 39

Proposal for a regulation

Article 5 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Member States shall ensure that the National Single Windows provide two-way communications between the data providers and the relevant authorities in order to avoid delays in the clearing processes and to prevent failures or inaccuracies in the submission of the required reporting information. The National Single Windows shall enable messages or results to be communicated to the declarant. These messages shall cover the widest range of decisions taken by all of the participating relevant authorities.

Amendment 40

Proposal for a regulation

Article 5 – paragraph 4

Text proposed by the Commission

Amendment

4. National Single Windows shall also allow declarants to provide information by way of digital spreadsheets, harmonised at Union level, and shall include the function of extracting reporting data elements ***from those spreadsheets.***

4. National Single Windows shall also allow declarants to provide ***the required*** information, ***including*** by way of digital spreadsheets, harmonised at Union level, and shall include the function of extracting reporting data elements.

Amendment 41

Proposal for a regulation

Article 5 – paragraph 11 – subparagraph 1 – point a

Text proposed by the Commission

(a) the functional and technical specifications, quality control mechanisms and procedures for deploying, maintaining and employing the reporting interface **module** referred to in paragraph 2;

Amendment

(a) the functional and technical specifications, quality control mechanisms and procedures for deploying, maintaining and employing the reporting interface referred to in paragraph 2;

Amendment 42

Proposal for a regulation

Article 5 – paragraph 11 – subparagraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(a a) the functional and technical specifications, quality control mechanisms and procedures for deploying, maintaining and employing the harmonised graphical user interface (GUI) referred to in paragraph 3;

Amendment 43

Proposal for a regulation

Article 5 – paragraph 11 – subparagraph 1 – point a b (new)

Text proposed by the Commission

Amendment

(a b) the functional and technical specifications, quality control mechanisms and procedures for deploying, maintaining and employing the common access point interface as an added functionality to the harmonised reporting interfaces referred to in paragraph 2;

Amendment 44

Proposal for a regulation

Article 5 – paragraph 11 – subparagraph 3

Text proposed by the Commission

The Commission shall ***amend, by means of*** implementing acts, the technical specifications, standards and procedures, in order to ***take into account the availability of new*** technologies.

Amendment 45

Proposal for a regulation

Article 5 – paragraph 11 a (new)

Text proposed by the Commission

Amendment

The Commission shall ***adopt*** implementing acts, ***to amend*** the technical specifications, standards and procedures, in order to ***ensure that the interfaces are technology neutral and open to future*** technologies.

11 a. National Single Windows shall operate without prejudice to Regulation (EU) No 952/2013 and Decision No 70/2008/EC.

Amendment 46

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

1. Member States ***may*** allow declarants to provide the information through other reporting channels, such as port community systems, provided that those channels are voluntary for the declarants. In this case, Member States shall ensure that those other channels make available the relevant information to the National Single Window.

Amendment

1. Member States ***shall*** allow declarants to provide the information through ***existing system to system or*** other reporting channels such as port community systems ***and National Single Windows***, provided that those channels are voluntary for the declarants. In this case, Member States shall ensure that those other channels make available the relevant information to the National Single Window.

Amendment 47

Proposal for a regulation

Article 7 – paragraph 2 – point c

Text proposed by the Commission

(c) reporting information provided at departure from a port in the Union is not

Amendment

(c) reporting information provided at departure from a port in the Union is not

requested again *during the voyage or* at arrival to the next port in the Union, provided that the ship has not called to a port outside of the Union during the voyage. This point shall not apply to information received pursuant to Regulation (EU) No 952/2013, unless such possibility is provided for in that Regulation;

requested again at arrival to the next port in the Union, *provided that it can be reused for operational or administrative purposes and* provided that the ship has not called to a port outside of the Union during the voyage. This point shall not apply to information received pursuant to Regulation (EU) No 952/2013, unless such possibility is provided for in that Regulation;

Amendment 48

Proposal for a regulation

Article 7 – paragraph 2 – point d

Text proposed by the Commission

(d) the relevant information of the Entry Summary Declaration referred to in Article 127 of Regulation (EU) No 952/2013 is made available to the National Single Windows for reference and, where appropriate, reused for other reporting obligations listed in the Annex.

Amendment

(d) the relevant information of the Entry Summary Declaration referred to in Article 127 of Regulation (EU) No 952/2013 is made available to the National Single Windows for reference and, where appropriate *and compatible with Union customs law following clearance by customs authorities*, reused for other reporting obligations listed in the Annex.

Amendment 49

Proposal for a regulation

Article 14 – paragraph 1 – point a

Text proposed by the Commission

(a) development plan for development and updating of the reporting interface *module* foreseen within the following 18 months;

Amendment

(a) development plan for development and updating of the reporting interface foreseen within the following 18 months;

Amendment 50

Proposal for a regulation

Article 14 – paragraph 1 – point a (new)

Text proposed by the Commission

Amendment

(a a) development plans for developing the voluntary common access point

interface for the harmonised reporting interfaces by ... (date: 5 years after entry into force of this Regulation);

Amendment 51

Proposal for a regulation

Article 14 – paragraph 1 – point a b (new)

Text proposed by the Commission

Amendment

(a b) consultation periods with all appropriate stakeholders including representatives from trade unions, industry and experts from government;

Amendment 52

Proposal for a regulation

Article 14 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) indicative deadlines for the Members States for subsequent integration of the reporting interface **module** to the National Single Windows;

(b) indicative deadlines for the Members States for subsequent integration of the reporting interface to the National Single Windows;

Amendment 53

Proposal for a regulation

Article 14 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(b a) indicative deadlines for the Commission's development of a common access point interface following the implementation of the harmonised reporting interfaces.

Amendment 54

Proposal for a regulation

Article 14 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) testing periods for the Member

(c) testing periods for the Member

States and declarants to test their connection with any new versions of the interface *module*;

States and *for voluntary* declarants to test their connection with any new versions of the interface(s);

Amendment 55

Proposal for a regulation

Article 14 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(c a) testing periods for the common access point interface as an added functionality of the harmonised reporting interfaces;

Amendment 56

Proposal for a regulation

Article 14 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(d a) alignment with customs systems, taking into consideration developments within Customs Single Window environment.

Amendment 57

Proposal for a regulation

Article 15 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the promotion of the EMSWe at Union level and in relevant international organisations.

(b) the promotion of the EMSWe at Union level and in relevant international organisations, *especially by securing the long-term financing for European Maritime Safety Agency and involving representatives from government and industry stakeholders in this system.*

Amendment 58

Proposal for a regulation

Article 17 – paragraph 3

Text proposed by the Commission

By six years after the entry into force of this Regulation the Commission shall review the application of this Regulation and submit to the European Parliament and the Council an assessment report on the functioning of the EMSWe on the basis of the data and statistics collected. The assessment report shall include, where necessary, an evaluation of emerging technologies, which could lead to changes to or replacement of the reporting interface module.

Amendment

By six years after the entry into force of this Regulation the Commission shall review the application of this Regulation and submit to the European Parliament and the Council an assessment report on the functioning of the EMSWe on the basis of the data and statistics collected. The assessment report shall include, where necessary, an evaluation of emerging technologies, which could lead to changes to or replacement of the reporting interface module ***with an EU Access Point Interface (EU-API) able to relay data directly to the National Single Windows by the declarants for the fulfilment of reporting obligations.***

Amendment 59

Proposal for a regulation Article 18 – paragraph 4

Text proposed by the Commission

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.

Amendment

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.***

Amendment 60

Proposal for a regulation Article 19 – paragraph 1

Text proposed by the Commission

1. The Commission shall be assisted by the Digital Transport and Trade Facilitation Committee. That Committee shall be a committee within the meaning of

Amendment

1. The Commission shall be assisted by the Digital Transport and Trade Facilitation Committee. That Committee shall be a committee within the meaning of

Regulation (EU) No 182/2011¹⁶.

Regulation (EU) No 182/2011¹⁶ ***and shall also involve relevant experts from the industry.***

¹⁶ OJ L 55, 28.2.2011, p. 13.

¹⁶ OJ L 55, 28.2.2011, p. 13.

Amendment 61

Proposal for a regulation Article 21 – paragraph 2

Text proposed by the Commission

2. It shall apply from [OP- insert four years after entry into force of this Regulation].

Amendment

2. It shall apply from [OP- insert four years after entry into force of this Regulation] ***or one year after the adoption of all the delegated and implementing acts planned in the Regulation, whichever date is the latest.***

Amendment 62

Proposal for a regulation Article 21 – paragraph 3

Text proposed by the Commission

3. The functionalities referred to in point (d) of Article 7(2) and those related to the customs formalities specified in point 7 of Part A of the Annex shall become effective when the electronic systems referred to in Article 6(1) of Regulation (EU) No 952/2013 which are necessary for the application of those formalities are operational, in accordance with the work programme established by the Commission pursuant to Articles 280 and 281 of Regulation (EU) No 952/2013.

Amendment

3. The functionalities referred to in point (d) of Article 7(2) and those related to the customs formalities specified in point 7 of Part A of the Annex shall become effective ***after evaluation and proof of full functionality of EMSWe and implementation and interoperation of all other data elements of EMSWe data set between National Single Windows of participating Member States*** and when the electronic systems referred to in Article 6(1) of Regulation (EU) No 952/2013 which are necessary for the application of those formalities are operational, in accordance with the work programme established by the Commission pursuant to Articles 280 and 281 of Regulation (EU) No 952/2013.

EXPLANATORY STATEMENT

On 17.5.2018 the Commission published a proposal for a European Maritime Single Window environment, repealing Directive 2010/65/EU on reporting formalities for ships. This initiative is part of the Third “Europe on the Move” Package, which delivers on the new industrial policy strategy of September 2017 and is designed to complete the process of enabling Europe to reap the full benefits of the modernisation of mobility. New technologies are rapidly changing the mobility landscape and against this background, the EU and its industries must meet the challenge to become a world leader in mobility.

At present, maritime transport operators must fulfil a wide range of legal reporting requirements each and every time a ship makes a port call. There are over two million annual port calls made in the EU. Reporting formalities for ships making a port call in the Member States are currently set out in Directive 2010/65/EU – the Reporting Formalities Directive (RFD). The directive aims to simplify and harmonise administrative procedures in maritime transport by introducing a single window for reporting formalities for ships.

The problem for operators is that the reporting requirements are not yet harmonised, either between the different areas that need to be reported within a Member State or between different Member States. This results in a large administrative burden on the operators with the Commission estimating that staff in the shipping sector currently spend an annual total of about 4.6 million hours on reporting.

The European Commission's ex-post evaluation of the functioning of the current directive outlined that there are several serious problems preventing its harmonised application throughout the EU. The main problems found were an unsatisfactory level of national and EU harmonisation, the limited overall scope of the directive and, an inefficient use of the received data by national authorities of Member States.

The European Council have previously highlighted the problem in its 2017 Valletta declaration on maritime policy and in the Council Conclusions of 8 June 2017² on the priorities for the EU's maritime transport policy up to 2020, recognising that we need to reduce the administrative burden for maritime transport.

The purpose of the Commission's new proposal is to address the current non-harmonised reporting environment for ships in the EU. The proposed new European Maritime Single Window environment is an attempt to combine all of the reporting formalities associated with a port call. The intention is that this will improve interoperability and interconnection between different systems and encourage the most efficient use of data.

The Commission's proposal is designed to avoid any disproportionate burden on shipping operators and is based upon the existing structure of National Single Windows and on international and EU standards and data formats. The proposal of the Commission offers a decentralised, yet harmonised solution.

The rapporteur welcomes the proposal from the Commission to repeal and replace the current Directive and agrees with the identified shortcomings from ex post evaluation of the

functioning of the current Directive. It is clear that there are significant added costs for the industry from a lack of harmonisation for the reporting requirements for each port call and the rapporteur strongly supports any move to reduce the administrative burden facing maritime transport operators. The rapporteur strongly believes that this is in the best interests of wider trade facilitation and digitalisation.

The rapporteur believes that, firstly, a harmonised dataset is essential and perhaps the most important means of reducing the administrative burden for ships calling at EU ports and for improving the maritime logistic chain. The rapporteur would like to see the Commission come forward with a detailed harmonised data set that takes full account of the efforts at IMO level on data harmonization.

The rapporteur would also like to ensure that the EMSWe dataset is implemented without prejudice to the customs reporting environment and that there should be cooperation between the relevant authorities here in that regard. The Rapporteur recognises the need for Member States to have the flexibility to sometimes add new elements to their reporting requirements, for various reasons, but believe that it is important to find the right balance in order to not add new administrative burdens.

Regarding the operation of the National Single Windows, the rapporteur can see the logic of building upon the existing structures and welcomes the Commission's proposal in this regard. In order to ensure the good functioning of the NSW, the rapporteur would like to see the two way communication between the declarant and the relevant authorities ensured. In addition, the rapporteur believes that each NSW should have a clear governance dimension with a legal base in order for the smooth processing, flow and handling of data between authorities and, indeed, between Member States. The rapporteur would also welcome the possibility for Member States to jointly develop a single window.

**ANNEX: LIST OF ENTITIES OR PERSONS
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

The following list is drawn up on a purely voluntary basis under the exclusive responsibility of the rapporteur. The rapporteur has received input from the following entities or persons in the preparation of the report, until the adoption thereof in committee:

Entity and/or person
European Sea Ports Organisation (ESPO)
European Community Ship-owners' Associations (ECSA)
World Shipping Council
Report
Danish Shipping
Port of Rotterdam
European Commission
Presidency of the Council of the European Union

PROCEDURE – COMMITTEE RESPONSIBLE

Title	European Maritime Single Window environment
References	COM(2018)0278 – C8-0193/2018 – 2018/0139(COD)
Date submitted to Parliament	17.5.2018
Committee responsible Date announced in plenary	TRAN 11.6.2018
Rapporteurs Date appointed	Deirdre Clune 5.7.2018
Date adopted	10.1.2019
Result of final vote	+: 45 -: 1 0: 1
Members present for the final vote	Daniela Aiuto, Lucy Anderson, Inés Ayala Sender, Georges Bach, Izaskun Bilbao Barandica, Deirdre Clune, Michael Cramer, Luis de Grandes Pascual, Andor Deli, Isabella De Monte, Ismail Ertug, Jacqueline Foster, Tania González Peñas, Dieter-Lebrecht Koch, Merja Kyllönen, Innocenzo Leontini, Peter Lundgren, Marian-Jean Marinescu, Georg Mayer, Gesine Meissner, Cláudia Monteiro de Aguiar, Renaud Muselier, Markus Pieper, Tomasz Piotr Poręba, Gabriele Preuß, Christine Revault d'Allonnes Bonnefoy, Dominique Riquet, Massimiliano Salini, David-Maria Sassoli, Claudia Țapardel, Keith Taylor, Pavel Telička, Marita Ulvskog, Wim van de Camp, Marie-Pierre Vieu, Roberts Zile
Substitutes present for the final vote	Rosa D'Amato, Michael Gahler, Maria Grapini, Karoline Graswander-Hainz, Peter Kouroumbashev, Evžen Tošenovský
Substitutes under Rule 200(2) present for the final vote	Pascal Durand, Georg Mayer, Andrey Novakov, Csaba Sógor, Sergei Stanishev, Mylène Troszczynski
Date tabled	16.1.2019

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

45	+
ALDE	Izaskun Bilbao Barandica, Gesine Meissner, Dominique Riquet, Pavel Telička
ECR	Jacqueline Foster, Peter Lundgren, Tomasz Piotr Poręba, Evžen Tošenovský, Roberts Zīle
EFDD	Daniela Aiuto, Rosa D'Amato
GUE/NGL	Tania González Peñas, Merja Kyllönen, Marie-Pierre Vieu
PPE	Georges Bach, Deirdre Clune, Andor Deli, Michael Gahler, Dieter-Lebrecht Koch, Innocenzo Leontini, Marian-Jean Marinescu, Cláudia Monteiro de Aguiar, Renaud Muselier, Andrey Novakov, Markus Pieper, Massimiliano Salini, Csaba Sógor, Luis de Grandes Pascual, Wim van de Camp
S&D	Lucy Anderson, Inés Ayala Sender, Isabella De Monte, Ismail Ertug, Maria Grapini, Karoline Graswander-Hainz, Peter Kouroumbashev, Gabriele Preuß, Christine Revault d'Allonnes Bonnefoy, David-Maria Sassoli, Sergei Stanishev, Marita Ulvskog, Claudia Țapardel
VERTS/ALE	Michael Cramer, Pascal Durand, Keith Taylor

1	-
ENF	Mylène Troszczynski

1	0
ENF	Georg Mayer

Key to symbols:

+ : in favour

- : against

0 : abstention