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**COMMISSION DECISION**

**of 4 March 2005**

**implementing Council Directive 95/64/EC on statistical returns in respect of carriage of goods and passengers by sea and amending Annexes thereto**

*(notified under document number C(2005) 463)*

**(Text with EEA relevance)**

**(2005/366/EC)**

**(OJ L 123, 17.5.2005, p. 1)**

Amended by:

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Commission Decision 2008/861/EC of 29 October 2008

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**COMMISSION DECISION****of 4 March 2005****implementing Council Directive 95/64/EC on statistical returns in respect of carriage of goods and passengers by sea and amending Annexes thereto***(notified under document number C(2005) 463)***(Text with EEA relevance)****(2005/366/EC)**

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 95/64/EC of 8 December 1995 on statistical returns in respect of carriage of goods and passengers by sea <sup>(1)</sup>, and in particular Article 4(1) and Article 12 thereof,

Whereas:

- (1) Additional statistical variables, definitions and structure for statistical datasets are necessary to distinguish the collection of data on cruise passengers.
- (2) The type of cargo classification needs to be modified to ensure a clear definition of the scope of the statistics.
- (3) The nomenclature on the maritime coastal areas and the nomenclature on the nationality of registration of vessels need to be adapted to technical developments.
- (4) In accordance with Article 12, the first indent, of Directive 95/64/EC, the Commission may adapt the content of the Annexes thereto. Directive 95/64/EC should therefore be amended accordingly.
- (5) In accordance with Article 4 of Directive 95/64/EC, the Commission may draw up and update the list of ports coded and classified by country and maritime coastal area.
- (6) Commission Decision 98/385/EC of 13 May 1998 on rules for implementing Council Directive 95/64/EC on statistical returns in respect of carriage of goods and passengers by sea <sup>(2)</sup>, provided for a list of ports.
- (7) The list of ports needs to be updated. Decision 98/385/EC should therefore be amended.

<sup>(1)</sup> OJ L 320, 30.12.1995, p. 25. Directive as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

<sup>(2)</sup> OJ L 174, 18.6.1998, p. 1. Decision as last amended by the 2003 Act of Accession.

**▼B**

- (8) Commission Decision 2000/363/EC of 28 April 2000 on rules for implementing Council Directive 95/64/EC on statistical returns in respect of carriage of goods and passengers by sea <sup>(1)</sup> amended the Annexes II, IV, V and VIII to Directive 95/64/EC and the list of ports drawn up in Annex II to Decision 98/385/EC. It can therefore be repealed.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Statistical Programme Committee set up by Council Decision 89/382/EEC, Euratom of 19 June 1989 establishing a Committee on the Statistical Programmes of the European Communities <sup>(2)</sup>,

HAS ADOPTED THIS DECISION:

*Article 1*

Annexes I, II, IV, V, VI and VIII to Directive 95/64/EC are replaced by Annexes I, II, III, IV, V and VI to this Decision.

**▼M1****▼B***Article 3*

Decision 2000/363/EC shall be repealed.

Any references to the repealed Decision shall be construed as references to this Decision.

*Article 4*

This Decision is addressed to the Member States.

This Decision shall apply from the reference year 2004, covering the 2004 data.

<sup>(1)</sup> OJ L 132, 5.6.2000, p. 1.

<sup>(2)</sup> OJ L 181, 28.6.1989, p. 47.

**▼B***ANNEX I**ANNEX I***VARIABLES AND DEFINITIONS****1. Statistical Variables****(a) Cargo and passenger information**

- Gross weight of goods in tonnes,
- type of cargo, according to the nomenclature shown in Annex II,
- description of the goods, using the nomenclature shown in Annex III,
- reporting port,
- direction of movement, whether inwards or outwards,
- for inward cargo: the port of loading (i.e. the port in which the cargo was loaded on to the ship in which it arrived in the reporting port) using individual ports in the European Economic Area (EEA) countries shown in the port list, and the maritime coastal areas outside the EEA countries, shown in Annex IV,
- for outward cargo: the port of unloading (i. e. the port in which the cargo is to be unloaded from the ship in which it left the reporting port) using individual ports in the EEA countries shown in the port list, and the maritime coastal areas outside the EEA countries, shown in Annex IV,
- number of passengers starting or finishing a voyage as well as number of cruise passengers on a cruise passenger excursion.

For goods carried in containers or ro-ro units, the following additional particulars shall be provided:

- total number of containers (with and without cargo),
- number of containers without cargo,
- total number of mobile (ro-ro) units with and without cargo,
- number of mobile (ro-ro) units without cargo.

**(b) Information on the vessel**

- Number of vessels;
- deadweight of vessels or gross tonnage;
- country or territory of registration of vessels, using the nomenclature shown in Annex V;
- type of vessels, using the nomenclature shown in Annex VI;
- size of vessels, using the nomenclature shown in Annex VII.

**▼B****2. Definitions**

- (a) “Freight container” means an article of transport equipment:
1. of a permanent nature and accordingly strong enough to be suitable for repeated use;
  2. specially designed to facilitate the carriage of goods by one or more modes of transport, without intermediate reloading;
  3. fitted with devices permitting its ready handling, particularly its transfer from one mode of transport to another;
  4. so designed as to be easy to fill and empty;
  5. having a length of 20 feet or more.
- (b) “Ro-ro unit” means wheeled equipment for carrying cargo, such as a truck, trailer or semi-trailer, which can be driven or towed onto a vessel. Port or ships' trailers are included in this definition. Classifications should follow United Nations ECE Recommendation No 21 “Codes for types of cargo, packages and packaging materials”.
- (c) “Container cargo” means containers with or without cargo which are lifted on or off the vessels which carry them by sea.
- (d) “Ro-ro cargo” means goods, whether or not in containers, on ro-ro units, and ro-ro units which are rolled on and off the vessels which carry them by sea.
- (e) “Gross weight of goods” means the tonnage of goods carried, including packaging but excluding the tare weight of containers or ro-ro units.
- (f) “Deadweight (DWT)” means the difference in tonnes between the displacement of a ship on summer load-line in water with a specific gravity of 1,025 and the total weight of the ship, i. e. the displacement in tonnes of a ship without cargo, fuel, lubricating oil, ballast water, fresh water and drinking water in the tanks, usable supplies as well as passengers, crew and their possessions.
- (g) “Gross tonnage” means the measure of the overall size of a ship determined in accordance with the provisions of the International Convention on Tonnage Measurement of Ships, 1969.
- (h) “Cruise passenger” means a sea passenger making a sea journey on a cruise ship. Passengers on day excursions are excluded.
- (i) “Cruise ship” means a passenger ship intended to provide passengers with a full tourist experience. All passengers have cabins. Facilities for entertainment aboard are included. Ships operating normal ferry services are excluded, even if some passengers treat the service as a cruise. In addition, cargo-carrying vessels able to carry a very limited number of passengers with their own cabins are also excluded. Ships intended solely for day excursions are also excluded.
- (j) “Cruise passenger excursion” means a short visit by a cruise passenger to a tourist attraction associated with a port while retaining a cabin on board.’

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## ANNEX II

## ANNEX II

## TYPE OF CARGO CLASSIFICATION

Category <sup>(1)</sup>	Code 1 digit	Code 2 digits	Description	Tonnage	Number
Liquid bulk	1	1X	Liquid bulk goods (no cargo unit)	X	
		11	Liquefied gas	X	
		12	Crude oil	X	
		13	Oil products	X	
		19	Other liquid bulk goods	X	
Dry bulk	2	2X	Dry bulk goods (no cargo unit)	X	
		21	Ores	X	
		22	Coal	X	
		23	Agricultural products (e.g. grain, soya, tapioca)	X	
		29	Other dry bulk goods	X	
Containers	3	3X	Large containers	X <sup>(2)</sup>	X
		31	20 ft freight units	X <sup>(2)</sup>	X
		32	40 ft freight units	X <sup>(2)</sup>	X
		33	Freight units > 20 ft and < 40 ft	X <sup>(2)</sup>	X
		34	Freight units > 40 ft	X <sup>(2)</sup>	X
Roll-on roll-off (self-propelled)	5	5X	Mobile self-propelled units	X	X
		51	Road goods vehicles and accompanying trailers	X <sup>(2)</sup>	X
		52	Passenger cars, motorcycles and accompanying trailers/caravans		X <sup>(3)</sup>
		53	Passenger buses		X <sup>(3)</sup>
		54	Trade vehicles (including import/export motor vehicles)	X	X <sup>(3)</sup>
		56	Live animals on the hoof	X	X <sup>(3)</sup>
	59	Other mobile self-propelled units	X	X	

**▼ B**

Category <sup>(1)</sup>	Code 1 digit	Code 2 digits	Description	Tonnage	Number
Roll-on roll-off (non-self-propelled)	6	6X	Mobile non-self-propelled units	X	X
		61	Unaccompanied road goods trailers and semi-trailers	X <sup>(2)</sup>	X
		62	Unaccompanied caravans and other road, agricultural and industrial vehicles	X	X <sup>(3)</sup>
		63	Rail wagons, shipborne port-to-port trailers, and shipborne barges engaged in goods transport	X <sup>(2)</sup>	X
		69	Other mobile non-self-propelled units	X	X
Other general cargo (including small containers)	9	9X	Other cargo, not elsewhere specified	X	
		91	Forestry products	X	
		92	Iron and steel products	X	
		99	Other general cargo	X	

<sup>(1)</sup> These categories are consistent with United Nations ECE Recommendation No 21.

<sup>(2)</sup> The quantity recorded is the gross weight of the goods including packaging but excluding the tare weight of containers and ro-ro-units.

<sup>(3)</sup> Only total number of units.'



*ANNEX III*

*ANNEX IV*

**MARITIME COASTAL AREAS**

The nomenclature to be used is the Geonomenclature (the country nomenclature for the external trade statistics of the Community and statistics of trade between Member States, originally drawn up by Council Regulation (EEC) No 1736/75 <sup>(1)</sup>) in force in the year to which the data refer.

The code consists of four digits: the ISO alpha 2 standard code for each country from the abovementioned nomenclature, followed by two zeros (e.g. code GR00 for Greece), except for countries which are divided into two or more maritime coastal areas, which are identified by a fourth digit other than zero (from 1 to 7), as below:

<i>Code</i>	<i>Maritime coastal areas</i>
FR01	France: Atlantic and North Sea
FR02	France: Mediterranean
FR03	French overseas departments: French Guiana
FR04	French overseas departments: Martinique and Guadeloupe
FR05	French overseas departments: Réunion
DE01	Germany: North Sea
DE02	Germany: Baltic
DE03	Germany: Inland
GB01	United Kingdom
GB02	Isle of Man
GB03	Channels Islands
ES01	Spain: Atlantic (North)
ES02	Spain: Mediterranean and Atlantic (South), including the Balearic and Canary Islands
SE01	Sweden: Baltic
SE02	Sweden: North Sea
TR01	Turkey: Black Sea
TR02	Turkey: Mediterranean
RU01	Russia: Black Sea
RU02	Russia: Baltic
RU03	Russia: Asia
MA01	Morocco: Mediterranean

<sup>(1)</sup> OJ L 183, 14.7.1975, p. 3.



**▼B**

<i>Code</i>	<i>Maritime coastal areas</i>
MA02	Morocco: West Africa
EG01	Egypt: Mediterranean
EG02	Egypt: Red Sea
IL01	Israel: Mediterranean
IL02	Israel: Red Sea
SA01	Saudi Arabia: Red Sea
SA02	Saudi Arabia: Gulf
US01	United States of America: Atlantic (North)
US02	United States of America: Atlantic (South)
US03	United States of America: Gulf
US04	United States of America: Pacific (South)
US05	United States of America: Pacific (North)
US06	United States of America: Great Lakes
US07	Puerto Rico
CA01	Canada: Atlantic
CA02	Canada: Great Lakes and Upper Saint Lawrence
CA03	Canada: West Coast
CO01	Colombia: North Coast
CO02	Colombia: West Coast
	<i>With the additional codes</i>
ZZ01	Offshore installations
ZZ02	Aggregates and not elsewhere specified'

*ANNEX IV**ANNEX V***NATIONALITY OF REGISTRATION OF VESSELS**

The nomenclature to be used is the Geonomenclature (the country nomenclature for the external trade statistics of the Community and statistics of trade between Member States originally drawn up by Council Regulation (EEC) No 1736/75 <sup>(1)</sup>) in force in the year to which the data refer.

The code consists of four digits: the ISO alpha 2 standard code for each country from the above-mentioned nomenclature, followed by two zeros (e.g. code GR00 for Greece), except for countries with more than one register which are identified by a fourth digit other than zero, as below:

FR01	France
FR02	French Antarctic Territory (including the Kerguelen Islands)
IT01	Italy - first register
IT02	Italy - international register
GB01	United Kingdom
GB02	Isle of Man
GB03	Channel Islands
GB04	Gibraltar
DK01	Denmark
DK02	Denmark (DIS)
PT01	Portugal
PT02	Portugal (MAR)
ES01	Spain
ES02	Spain (Rebeca)
NO01	Norway
NO02	Norway (NIS)
US01	United States of America
US02	Puerto Rico'

<sup>(1)</sup> OJ L 183, 14.7.1975, p. 3.

▼B

ANNEX V

ANNEX VI

**TYPE OF SHIP CLASSIFICATION (ICST-COM)**

	Type	Ship categories included
10	Liquid bulk	Oil tanker Chemical tanker LG tanker Tanker barge Other tanker
20	Dry bulk	Bulk/oil carrier Bulk carrier
31	Container	Full container
32	Specialized	Barge carrier Chemical carrier Irradiated fuel Livestock carrier Vehicle carrier Other specialised
33	General cargo, non-specialized	Reefer Ro-ro passenger Ro-ro container Other ro-ro cargo Combination carrier general cargo/passenger Combination carrier general cargo/container Single decker Multi-decker
34	Dry cargo barge	Deck barge Hopper barge Lash-seabee barge Open dry cargo barge Coverd dry cargo barge Other dry cargo barge nes
35	Passenger	Passenger (excluding cruise passengers)
36	Cruise Passenger	Cruise ships only
41	Fishing (*)	Fish catching (*) Fish processing (*)
42	Offshore activities	Drilling and exploration (*) Offshore support (*)
43	Tugs	Tugs (*) Pusher craft (*)
49	Miscellaneous	Dredgers (*) Research/survey (*) Other vessel nes (*)
XX	Unknown	Unknown type of vessel

(\*) Not covered by this Directive.



*ANNEX VI*

*ANNEX VIII*

**STRUCTURE FOR STATISTICAL DATA SETS**

The data sets specified in this Annex define the periodicity for the maritime transport statistics required by the Community. Each data set defines a cross classification of a limited set of dimensions at different levels of the nomenclatures, aggregated across all other dimensions, for which statistics of good quality are required.

The conditions for collecting data set B1 will be decided by the Council on a proposal from the Commission in the light of the results of the pilot study during a three-year transitional period as defined in Article 10 of this Directive.

**SUMMARY AND DETAILED STATISTICS**

- The data sets to be provided for selected ports for goods and passengers are A1, A2, B1, C1, D1, E1, F1 and/or F2.
- The data sets to be provided for selected ports for goods but not for passengers are A1, A2, A3, B1, C1, E1, F1 and/or F2.
- The data sets to be provided for selected ports for passengers but not for goods are A3, D1, F1 and/or F2.
- The data set to be provided for selected ports and for ports which are not selected (for neither goods nor passengers) is A3.

**Data set A1:** Seaborne transport in the main European ports by port, type of cargo and relation

Periodicity: quarterly

	Variables	Coding detail	Nomenclature
Dimensions	Data set	Two-character alphanumeric	A1
	Reference year	Four-character alphanumeric	(e.g. 1997)
	Reference quarter	One-character alphanumeric	(1, 2, 3, 4)
	Reporting port	Five-character alphanumeric	Selected EEA ports in the port list
	Direction	One-character alphanumeric	Inwards, outwards (1, 2)
	Port of loading/unloading	Five-character alphanumeric	EEA-ports in the port list
	Relation	Four-character alphanumeric	Maritime coastal areas, Annex IV
	Type of cargo	One-character alphanumeric	Type of cargo, Annex II

*Data:* Gross weight of goods in tonnes.

**▼ B**

**Data set A2:** Non-unit-load seaborne transport in the main European ports, by port, type of cargo and relation

Periodicity: quarterly

	Variables	Coding detail	Nomenclature
Dimensions	Data set	Two-character alphanumeric	A2
	Reference year	Four-character alphanumeric	(e.g. 1997)
	Reference quarter	One-character alphanumeric	(1, 2, 3, 4)
	Reporting port	Five-character alphanumeric	Selected EEA ports in the port list
	Direction	One-character alphanumeric	Inwards, outwards (1, 2)
	Port of loading/unloading	Five-character alphanumeric	EEA-ports in the port list
	Relation	Four-character alphanumeric	Maritime coastal areas, Annex IV
	Type of cargo	Two-character alphanumeric	Type of cargo, (non-unit-load only) Annex II (subcategories 1X, 11, 12, 13, 19, 2X, 21, 22, 23, 29, 9X, 91, 92 and 99)

*Data:* Gross weight of goods in tonnes.

**Data set A3:** Data required for both selected ports and ports for which detailed statistics are not required (see Article 4(3))

Periodicity: annual

	Variables	Coding detail	Nomenclature
Dimensions	Data set	Two-character alphanumeric	A3
	Reference year	Four-character alphanumeric	(e.g. 1997)
	Reference quarter	One-character alphanumeric	(0)
	Reporting port	Five-character alphanumeric	All ports in the port list
	Direction	One-character alphanumeric	Inwards, outwards (1, 2)

*Data:* Gross weight of goods in tonnes.

Number of passengers (excluding cruise passengers).

Number of cruise passengers starting and ending a cruise.

Number of cruise passengers on cruise passenger excursion: direction: inwards (1) only - (optional).

**▼ B**

**Data set B1:** Seaborne transport in the main European ports, by port, type of cargo, goods and relation

Periodicity: annual

	Variables	Coding detail	Nomenclature
Dimensions	Data set	Two-character alphanumeric	B1
	Reference year	Four-character alphanumeric	(e.g. 1997)
	Reference quarter	One-character alphanumeric	(0)
	Reporting port	Five-character alphanumeric	Selected EEA ports in the port list
	Direction	One-character alphanumeric	Inwards, outwards (1, 2)
	Port of loading/unloading	Five-character alphanumeric	EEA-ports in the port list
	Relation	Four-character alphanumeric	Maritime coastal areas, Annex IV
	Type of cargo	One-character alphanumeric	Type of cargo, Annex II
	Commodity	Two-character alphanumeric	Goods nomenclature, Annex III

*Data:* Gross weight of goods in tonnes.

**Data set C1:** Unit-load seaborne transport in the main European ports, by port, type of cargo, relation and loaded status

Periodicity: quarterly

	Variables	Coding detail	Nomenclature
Dimensions	Data set	Two-character alphanumeric	C1
	Reference year	Four-character alphanumeric	(e.g. 1997)
	Reference quarter	One-character alphanumeric	(1, 2, 3, 4)
	Reporting port	Five-character alphanumeric	Selected EEA ports in the port list
	Direction	One-character alphanumeric	Inwards, outwards (1, 2)
	Port of loading/unloading	Five-character alphanumeric	EEA-ports in the port list
	Relation	Four-character alphanumeric	Maritime coastal areas, Annex IV
	Type of cargo	Two-character alphanumeric	Type of cargo (container, ro-ro only) Annex II (subcategories 3X, 31, 32, 33, 34, 5X, 51, 52, 53, 54, 56, 59, 6X, 61, 62, 63 and 69)

*Data:* Gross weight of goods in tonnes (type of cargo: subcategories 3X, 31, 32, 33, 34, 51, 54, 56, 59, 6X, 61, 62, 63 and 69).

Number of units (type of cargo: subcategories 3X, 31, 32, 33, 34, 5X, 51, 52, 53, 54, 56, 59, 6X, 61, 62, 63 and 69).

Number of units without cargo (type of cargo: subcategories 3X, 31, 32, 33, 34, 5X, 51, 59, 6X, 61, 63 and 69).

▼ **B**

**Data set D1:** Passenger transport in the main European ports, by relation and nationality of registration of vessel

Periodicity: quarterly

	Variables	Coding detail	Nomenclature
Dimensions	Data set	Two-character alphanumeric	D1
	Reference year	Four-character alphanumeric	(e.g. 1997)
	Reference quarter	One-character alphanumeric	(1, 2, 3, 4)
	Reporting port	Five-character alphanumeric	Selected EEA ports in the port list
	Direction	One-character alphanumeric	Inwards, outwards (1, 2)
	Port of loading/unloading	Five-character alphanumeric	EEA-ports in the port list
	Relation	Four-character alphanumeric	Maritime coastal areas, Annex IV
	Nationality of registration of vessel	Four-character alphanumeric	Nationality of registration of vessels, Annex V

*Data:* Number of passengers excluding cruise passengers starting and ending a cruise and cruise passengers on excursion

**Data set E1:** Seaborne transport in the main European ports, by port, type of cargo, relation and nationality of registration of vessels

Periodicity: annual

	Variables	Coding detail	Nomenclature
Dimensions	Data set	Two-character alphanumeric	E1
	Reference year	Four-character alphanumeric	(e.g. 1997)
	Reference quarter	One-character alphanumeric	(0)
	Reporting port	Five-character alphanumeric	Selected EEA ports in the port list
	Direction	One-character alphanumeric	Inwards, outwards (1, 2)
	Port of loading/unloading	Five-character alphanumeric	EEA-ports in the port list
	Relation	Four-character alphanumeric	Maritime coastal areas, Annex IV
	Type of cargo	One-character alphanumeric	Type of cargo, Annex II
	Nationality of registration of vessel	Four-character alphanumeric	Nationality of registration of vessels, Annex V

*Data:* Gross weight of goods in tonnes.

**▼ B**

**Data set F1:** European port vessel traffic in the main European ports, by port, type and size of vessels loading or unloading cargo, embarking or disembarking passengers (including cruise passengers on cruise passenger excursion)

Periodicity: quarterly

	Variables	Coding detail	Nomenclature
Dimensions	Data set	Two-character alphanumeric	F1
	Reference year	Four-character alphanumeric	(e.g. 1997)
	Reference quarter	One-character alphanumeric	(1, 2, 3, 4)
	Reporting port	Five-character alphanumeric	Selected EEA ports in the port list
	Direction	One-character alphanumeric	Inwards, outwards (1, 2)
	Type of vessel	Two-character alphanumeric	Type of ship, Annex VI
	Size of vessel DWT	Two-character alphanumeric	Dead weight size classes, Annex VII

*Data:* Number of vessels;  
Dead weight of vessels in tonnes.

**Data set F2:** European port vessel traffic in the main European ports, by port, type and size of vessels loading or unloading cargo, embarking or disembarking passengers (including cruise passengers on cruise passenger excursion)

Periodicity: quarterly

	Variables	Coding detail	Nomenclature
Dimensions	Data set	Two-character alphanumeric	F2
	Reference year	Four-character alphanumeric	(e.g. 1997)
	Reference quarter	One-character alphanumeric	(1, 2, 3, 4)
	Reporting port	Five-character alphanumeric	Selected EEA ports in the port list
	Direction	One-character alphanumeric	Inwards, outwards (1, 2)
	Type of vessel	Two-character alphanumeric	Type of ship, Annex VI
	Size of vessel GT	Two-character alphanumeric	Gross tonnage size classes, Annex VII

*Data:* Number of vessels;  
Gross tonnage of vessels.

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