

ANNEX I

LIST OF INFORMATION TO BE NOTIFIED

1. Information to be notified in accordance with Article 4 — General information:
 - (a) ship identification (name, call sign, IMO identification number or MMSI number),
 - (b) port of destination;
 - (c) estimated time of arrival at the port of destination or pilot station, as required by the competent authority, and estimated time of departure from that port;
 - (d) total number of persons on board.
2. Information to be notified in accordance with Article 12 — Cargo information:
 - (a) the correct technical names of the dangerous or polluting goods, the United Nations (UN) numbers where they exist, the IMO hazard classes in accordance with the IMDG, IBC and IGC Codes and, where appropriate, the class of the ship needed for INF cargoes as defined in Regulation VII/14.2, the quantities of such goods and, if they are being carried in cargo transport units other than tanks, the identification number thereof;
 - (b) address from which detailed information on the cargo may be obtained.
3. Information to be notified in accordance with Article 13:
 - A. General information:
 - (a) ship identification (name, call sign, IMO identification number or MMSI number);
 - (b) port of destination;
 - (c) for a ship leaving a port in a Member State: estimated time of departure from the port of departure or pilot station, as required by the competent authority, and estimated time of arrival at the port of destination;
 - (d) for a ship coming from a port located outside the Community and bound for a port in a Member State: estimated time of arrival at the port of destination or pilot station, as required by the competent authority;
 - (e) total number of persons on board.
 - B. Cargo information:
 - (a) the correct technical names of the dangerous or polluting goods, the United Nations (UN) numbers where they exist, the IMO hazard classes in accordance with the IMDG, IBC and IGC Codes and, where appropriate, the class of the ship as defined by the INF Code, the quantities of such goods and their location on board and, if they are being carried in cargo transport units other than tanks, the identification number thereof;
 - (b) confirmation that a list or manifest or appropriate loading plan giving details of the dangerous or polluting goods carried and of their location on the ship is on board;
 - (c) address from which detailed information on the cargo may be obtained.
4. Information referred to in Article 5:

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- A. ship identification (name, call sign, IMO identification number or MMSI number),
- B. date and time,
- C or D. position in latitude and longitude or true bearing and distance in nautical miles from a clearly identified landmark,
- E. course,
- F. speed,
- I. port destination and estimated time of arrival,
- P. cargo and, if dangerous goods present on board, quantity and IMO class,
- T. address for the communication of cargo information,
- W. total number of persons on board,
- [^{F1}—X. Miscellaneous:
 - characteristics and estimated quantity of bunker fuel, for ships of more than 1 000 gross tonnage,
 - navigational status.]

Textual Amendments

- F1** Substituted by [Directive 2009/17/EC of the European Parliament and of the Council of 23 April 2009 amending Directive 2002/59/EC establishing a Community vessel traffic monitoring and information system \(Text with EEA relevance\)](#).

5. The master of the ship must forthwith inform the competent authority or port authority concerned of any change to the information notified pursuant to this Annex.

[^{F2}ANNEX II

Requirements applicable to on-board equipment

Textual Amendments

- F2** Substituted by [Commission Directive 2011/15/EU of 23 February 2011 amending Directive 2002/59/EC of the European Parliament and of the Council establishing a Community vessel traffic monitoring and information system \(Text with EEA relevance\)](#).

I. FISHING VESSELS

Fishing vessels with a length of more than 15 metres overall shall be fitted with an automatic identification system (AIS) as provided for in Article 6a according to the following timetable:

- fishing vessels of overall length 24 metres and upwards but less than 45 metres: not later than 31 May 2012,
- fishing vessels of overall length 18 metres and upwards but less than 24 metres: not later than 31 May 2013,
- fishing vessels of overall length exceeding 15 metres but less than 18 metres: not later than 31 May 2014,
- new-built fishing vessels of overall length exceeding 15 metres are subject to the carrying requirement laid down in Article 6a as from 30 November 2010.

II. SHIPS ENGAGED ON INTERNATIONAL VOYAGES

Passenger ships, irrespective of size, and all ships, other than passenger ships, of 300 gross tonnage and upwards engaged on international voyages, which call at a port of a Member State shall be fitted with an automatic identification system (AIS) in accordance with the technical and performance standards laid down in Chapter V of SOLAS. Passenger ships, irrespective of size, and all ships other than passenger ships, of 3 000 gross tonnage and upwards engaged on international voyages, which call at a port of a Member State shall be fitted with a voyage data recorder (VDR) in accordance with the technical and performance standards laid down in Chapter V of SOLAS. In case of cargo ships constructed before 1 July 2002 the VDR may be a simplified voyage data recorder (S-VDR), which shall comply with the technical and performance standards developed in accordance with Chapter V of SOLAS.

III. SHIPS ENGAGED ON NON-INTERNATIONAL VOYAGES

1. Automatic identification systems (AIS)

Passenger ships, irrespective of size, and all other ships of 300 gross tonnage and upwards engaged on a non-international voyage shall be fitted with an automatic identification system (AIS) which complies with the technical and performance standards laid down in Chapter V of SOLAS.

2. Voyage data recorder (VDR) systems

- (a) Passenger ships, irrespective of size, and ships other than passenger ships, of 3 000 gross tonnage and upwards and constructed on or after 1 July 2002 engaged on a non-international voyage shall be fitted with a voyage data recorder (VDR) which complies with the technical and performance standards developed in accordance with Chapter V of SOLAS.
- (b) Cargo ships of 3 000 gross tonnage and upwards constructed before 1 July 2002 engaged on a non-international voyage shall be fitted with a voyage data recorder (VDR) or with a simplified voyage data recorder (S-VDR) which complies with the technical and performance standards developed in accordance with Chapter V of SOLAS.

IV. EXEMPTIONS

1. Exemptions from the requirement to carry AIS on board

- (a) Member States may exempt passenger ships below 15 metres in length or 300 gross tonnage engaged on non-international voyages from the application of the requirements concerning AIS laid down in this Annex.
- (b) Member States may exempt ships, other than passenger ships, of 300 gross tonnage and upwards but less than 500 gross tonnage sailing exclusively within the internal waters of a Member State and outside routes normally used by other ships fitted with AIS, from the carriage requirements for AIS laid down in this Annex.

2. Exemptions from the requirement to carry a VDR or S-VDR on board

Member States may grant exemptions from the requirement to be fitted with a VDR or an S-VDR as follows:

- (a) Passenger ships only on voyages in sea areas other than those covered by Class A, as referred to in Article 4 of Directive 2009/45/EC of the European Parliament and of the Council⁽¹⁾, may be exempted from the requirement to be fitted with a VDR.

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- (b) Ships, other than ro-ro passenger ships, constructed before 1 July 2002 may be exempted from the requirement to be fitted with a VDR where it can be demonstrated that interfacing a VDR with the existing equipment on the ship is unreasonable and impracticable.
- (c) Cargo ships constructed before 1 July 2002, engaged on international or non-international voyages, may be exempted from the requirement to be fitted with an S-VDR if such ships are to be taken permanently out of service within two years of the implementation date specified in Chapter V of SOLAS.]

[^{F3} ANNEX III

ELECTRONIC MESSAGES AND THE UNION MARITIME INFORMATION AND EXCHANGE SYSTEM (SAFESEANET)

Textual Amendments

- F3** Substituted by [Commission Directive 2014/100/EU of 28 October 2014 amending Directive 2002/59/EC of the European Parliament and of the Council establishing a Community vessel traffic monitoring and information system \(Text with EEA relevance\).](#)

1. General concept and architecture

The Union maritime information and exchange system, SafeSeaNet, shall enable the receipt, storage, retrieval and exchange of information for the purpose of maritime safety, port and maritime security, marine environment protection and the efficiency of maritime traffic and maritime transport.

SafeSeaNet is a specialised system established to facilitate the exchange of information in an electronic format between Member States and to provide the Commission and Member States with the relevant information in accordance with Union legislation. It is composed of a network of national SafeSeaNet systems in Member States and a SafeSeaNet central system acting as a nodal point.

The Union Maritime Information and Exchange network shall link all national SafeSeaNet systems, established in accordance with this Directive, and include the SafeSeaNet central system.

2. Management, operation, development and maintenance

2.1. Responsibilities

2.1.1. National SafeSeaNet systems

Member States shall establish and maintain a national SafeSeaNet system allowing for the exchange of maritime information between authorised users under the responsibility of a national competent authority (NCA).

The NCA shall be responsible for the management of the national system, which shall include the national coordination of data users and data providers as well as ensuring that UN LOCODES are designated and that the necessary national IT infrastructure and the procedures described in the interface and functionalities control document referred to in point 2.3 are established and maintained.

The national SafeSeaNet system shall enable the inter-connection of users authorised under the responsibility of an NCA and may be made accessible to identified shipping actors (shipowners, agents, masters, shippers and others) when authorised by the NCA, in particular in order to facilitate the electronic submission and reception of reports in accordance with Union legislation.

2.1.2. *Central SafeSeaNet system*

The Commission is responsible for the management and development at policy level of the central SafeSeaNet system and for the oversight of the SafeSeaNet system, in cooperation with Member States, while, in accordance with Regulation (EC) No 1406/2002 of the European Parliament and of the Council⁽²⁾, the European Maritime Safety Agency, in cooperation with the Member States and the Commission, is responsible for:

- the technical implementation and documentation of SafeSeaNet,
- development, operation and integration of the electronic messages and data as well as maintenance of the interfaces with the central SafeSeaNet system, including AIS data collected by satellite, and the different information systems in this Directive and as referred to in point 3.

The central SafeSeaNet system, acting as a nodal point, shall interconnect all national SafeSeaNet systems and shall establish the necessary IT infrastructure and procedures as described in the interface and functionalities control document referred to in point 2.3.

2.2. *Principles of management*

The Commission shall establish a high-level steering group, which shall adopt its rules of procedure, composed of representatives of the Member States and of the Commission to:

- make recommendations to improve the effectiveness and security of the system,
- provide appropriate guidance for the development of the system,
- assist the Commission in reviewing the performance of the system,
- provide appropriate guidance for the development of the interoperable data exchange platform combining information from SafeSeaNet with information from the other information systems as referred to in point 3,
- approve the interface and functionalities control document referred to in point 2.3, and any amendments thereto,
- adopt guidelines for the collection and distribution of information through SafeSeaNet related to competent authorities designated by Member States to perform relevant functions under this Directive,
- liaise with other relevant working forums, in particular the group on maritime administrative simplification and electronic information services.

2.3. *Interface and functionalities control document and technical documentation*

The Commission shall develop and maintain, in close cooperation with the Member States, an interface and functionalities control document (IFCD).

The IFCD shall describe in detail the performance requirements and procedures applicable to the national and central elements of the SafeSeaNet system designed to ensure compliance with the relevant Union legislation.

The IFCD shall include rules for:

- access rights guidance for data quality management,
- integration of data, as referred to in point 3, and their distribution through the SafeSeaNet system,

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- operational procedures for the Agency and the Member States defining the control mechanisms for the SafeSeaNet data quality,
- security specifications for data transmission and exchange, and
- the archiving of information at national and central level.

The IFCD shall indicate the means of storage and the availability of the information on dangerous or polluting goods concerning scheduled services to which an exemption has been granted in accordance with Article 15.

Technical documentation related to SafeSeaNet, such as standards for data exchange format, interoperability with other systems and applications, users' manuals, network security specifications and reference databases used to support reporting obligations, shall be developed and maintained by the Agency in cooperation with the Member States.

3. Exchange and sharing of data

The system shall use industry standards and be able to interact with public and private systems used to create, provide or receive information within SafeSeaNet.

The Commission and the Member States shall cooperate in order to examine the feasibility and development of functionalities that as far as possible will ensure that the data providers, including masters, owners, agents, operators, shippers and relevant authorities, need to submit information only once, taking due account of the obligations in Directive 2010/65/EU⁽³⁾ and other relevant Union legislation. Member States shall ensure that the information submitted is available for use in all relevant reporting, notification, information sharing and VT-MIS systems.

Member States shall develop and maintain the necessary interfaces for automatic transmission of data by electronic means to SafeSeaNet.

The central SafeSeaNet shall be used for the distribution of electronic messages and data exchanged or shared in accordance with this Directive and relevant Union legislation, inter alia:

- Directive 2000/59/EC of the European Parliament and of the Council⁽⁴⁾ of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues, as regards Article 12(3) thereof,
- Directive 2005/35/EC of the European Parliament and of the Council⁽⁵⁾ of 7 September 2005 on ship-source pollution and on the introduction of penalties, including criminal penalties, for pollution offences, as regards Article 10 thereof,
- Directive 2009/16/EC of the European Parliament and of the Council⁽⁶⁾ of 23 April 2009 on port State control, as regards Article 24 thereof,
- 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 in so far as Article 6 thereof applies.

The operation of the SafeSeaNet system should support the facilitation and establishment of the European Maritime Transport Space without Barriers.

Where internationally-adopted rules allow routing of LRIT information concerning third country vessels, SafeSeaNet networks shall be used to distribute amongst Member States, with an appropriate level of security, the LRIT information received in accordance with Article 6b of this Directive.

4. Security and access rights

The central and the national SafeSeaNet systems shall comply with the requirements of this Directive concerning confidentiality of information, as well as with the security principles and specifications described in the IFCD, in particular as regards access rights.

Member States shall identify all users to which a role and a set of access rights is attributed in compliance with the IFCD.]

[^{F2}ANNEX IV

Measures available to Member States in the event of a threat to maritime safety and the protection of the environment (pursuant to Article 19(1))

Where, following an incident or circumstance of the type described in Article 17 affecting a ship, the competent authority of the Member State concerned deems, within the framework of international law, that it is necessary to avert, lessen or remove a serious and imminent threat to its coastline or related interests, the safety of other ships and their crews and passengers or of persons on shore or to protect the marine environment, that authority may, in particular:

- (a) restrict the movement of the ship or direct it to follow a specific course. This requirement does not affect the master's responsibility for the safe handling of his ship;
- (b) give official notice to the master of the ship to put an end to the threat to the environment or maritime safety;
- (c) send an evaluation team aboard the ship to assess the degree of risk, help the master to remedy the situation and keep the competent coastal station informed thereof;
- (d) instruct the master to put in at a place of refuge in the event of imminent peril, or cause the ship to be piloted or towed.

In the case of a ship which is towed under a towage or salvage agreement, the measures taken by the competent authority of a Member State under points (a) and (d) may be also addressed to the assistance, salvage and towage companies involved.]

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- (1) [^{F2}[OJ L 163, 25.6.2009, p. 1.](#)]
- (2) [^{F3}Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency ([OJ L 208, 5.8.2002, p. 1.](#))]
- (3) [^{F3}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.](#))]
- (4) [^{F3}Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues ([OJ L 332, 28.12.2000, p. 81.](#))]
- (5) [^{F3}Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties, including criminal penalties, for pollution offences ([OJ L 255, 30.9.2005, p. 11.](#))]
- (6) [^{F3}Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control ([OJ L 131, 28.5.2009, p. 57.](#))]

Textual Amendments

- F2** Substituted by [Commission Directive 2011/15/EU of 23 February 2011 amending Directive 2002/59/EC of the European Parliament and of the Council establishing a Community vessel traffic monitoring and information system \(Text with EEA relevance\).](#)
- F3** Substituted by [Commission Directive 2014/100/EU of 28 October 2014 amending Directive 2002/59/EC of the European Parliament and of the Council establishing a Community vessel traffic monitoring and information system \(Text with EEA relevance\).](#)