

Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC

TITLE III

*MONITORING OF HAZARDOUS SHIPS AND INTERVENTION
IN THE EVENT OF INCIDENTS AND ACCIDENTS AT SEA*

Article 16

Transmission of information concerning certain ships

1 Ships meeting the criteria set out below shall be considered to be ships posing a potential hazard to shipping or a threat to maritime safety, the safety of individuals or the environment:

- a ships which, in the course of their voyage:
 - have been involved in incidents or accidents at sea as referred to in Article 17; or
 - have failed to comply with the notification and reporting requirements imposed by this Directive; or
 - have failed to comply with the applicable rules in ships' routing systems and VTS placed under the responsibility of a Member State;
- b ships in respect of which there is proof or presumptive evidence of deliberate discharges of oil or other infringements of the MARPOL Convention in waters under the jurisdiction of a Member State;
- c ships which have been refused access to ports of the Member States or which have been the subject of a report or notification by a Member State in accordance with Annex I-1 to Council Directive 95/21/EC of 19 June 1995 on port State control of shipping⁽¹⁾[^{F1};
- [^{F2}d ships which have failed to notify, or do not have, insurance certificates or financial guarantees pursuant to any Community legislation and international rules;
- e ships which have been reported by pilots or port authorities as having apparent anomalies which may prejudice their safe navigation or create a risk for the environment.]

2 Coastal stations holding relevant information on the ships referred to in paragraph 1 shall communicate it to the coastal stations concerned in the other Member States located along the planned route of the ship.

3 Member States shall ensure that the information communicated to them under paragraph 2 is transmitted to the relevant port authorities and/or any other authority designated by the Member State. Within the limits of their available staff capacity, Member States shall carry out any appropriate inspection or verification in their ports either on their own initiative or at the request of another Member State, without prejudice to any port State control obligation. They shall inform all Member States concerned of the results of the action they take.

Status: EU Directives are being published on this site to aid cross referencing from UK legislation. After IP completion day (31 December 2020 11pm) no further amendments will be applied to this version.

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).
- F2** Inserted 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).

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- (1) [OJ L 157, 7.7.1995, p. 1](#). Directive as last amended by Directive 2001/106/EC of the European Parliament and of the Council ([OJ L 19, 22.1.2002, p. 17](#)).