

Directive 2009/15/EC of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations (Recast) (Text with EEA relevance)

*Article 2*

For the purpose of this Directive the following definitions shall apply:

- (a) ‘ship’ means a ship falling within the scope of the international conventions;
- (b) ‘ship flying the flag of a Member State’ means a ship registered in and flying the flag of a Member State in accordance with its legislation. Ships not corresponding to this definition are assimilated to ships flying the flag of a third country;
- (c) ‘inspections and surveys’ means inspections and surveys that are mandatory under the international conventions;
- (d) ‘international conventions’ means the International Convention for the Safety of Life at Sea of 1 November 1974, (SOLAS 74) with the exception of chapter XI-2 of the Annex thereto, the International Convention on Load Lines of 5 April 1966 and the International Convention for the Prevention of Pollution from Ships of 2 November 1973 (Marpol), together with the protocols and amendments thereto, and the related codes of mandatory status in all Member States, in their up-to-date version;
- (e) ‘organisation’ means a legal entity, its subsidiaries and any other entities under its control, which jointly or separately carry out tasks falling under the scope of this Directive;
- (f) ‘control’ means, for the purpose of point (e), rights, contracts or any other means, in law or in fact, which, either separately or in combination confer the possibility of exercising decisive influence on a legal entity or enable that entity to carry out tasks falling under the scope of this Directive;
- (g) ‘recognised organisation’ means an organisation recognised in accordance with Regulation (EC) No 391/2009;
- (h) ‘authorisation’ means an act whereby a Member State grants an authorisation or delegates powers to a recognised organisation;
- (i) ‘statutory certificate’ means a certificate issued by or on behalf of a flag State in accordance with the international conventions;
- (j) ‘rules and procedures’ means a recognised organisation’s requirements for the design, construction, equipment, maintenance and survey of ships;
- (k) ‘class certificate’ means a document issued by a recognised organisation certifying the fitness of a ship for a particular use or service in accordance with the rules and procedures laid down and made public by that recognised organisation;
- (l) ‘cargo ship safety radio certificate’ means the certificate introduced by the 1988 Protocol amending SOLAS, adopted by the International Maritime Organisation (IMO).