

Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships (Recast) (Text with EEA relevance)

l^{FI} Article 3

Scope

1 This Directive applies to the following passenger ships and craft, regardless of their flag, when engaged on domestic voyages:

- a new and existing passenger ships of 24 metres in length and above;
- b high-speed passenger craft.

Each Member State, in its capacity as port State, shall ensure that passenger ships and high-speed passenger craft, flying the flag of a State which is not a Member State, fully comply with the requirements of this Directive, before they may be engaged on domestic voyages in that Member State.

2 This Directive does not apply to:

- a passenger ships which are:
 - (i) ships of war and troopships;
 - (ii) sailing ships;
 - (iii) ships not propelled by mechanical means;
 - (iv) vessels constructed in material other than steel or equivalent and not covered by the standards concerning High Speed Craft (Resolution MSC 36(63) or MSC.97(73)) or Dynamically Supported Craft (Resolution A.373(X));
 - (v) wooden ships of primitive build;
 - (vi) traditional ships;
 - (vii) pleasure yachts;
 - (viii) ships exclusively engaged in port areas;
 - (ix) offshore service ships; or
 - (x) tenders;
- b high-speed passenger craft which are:
 - (i) craft of war and troopcraft;
 - (ii) pleasure craft;
 - (iii) craft exclusively engaged in port areas; or
 - (iv) offshore service craft.

3 Member States which do not have seaports and which have no passenger ships or craft flying their flag that fall within the scope of this Directive may derogate from the provisions of this Directive except for the obligation set out in the second subparagraph.

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.

Those Member States which intend to avail themselves of such derogation shall communicate to the Commission at the latest on 21 December 2019 if the conditions are met and shall inform the Commission annually thereafter of any subsequent change. Such Member States may not allow passenger ships or craft that fall within the scope of this Directive to fly their flag until they have transposed and implemented this Directive.]

Textual Amendments

- F1** Substituted by [Directive \(EU\) 2017/2108 of the European Parliament and of the Council of 15 November 2017 amending Directive 2009/45/EC on safety rules and standards for passenger ships \(Text with EEA relevance\)](#).