

Meeting: 24th SafeSeaNet Group Meeting

Place and date: Lisbon, 14 October 2015

Agenda item: Common Operational Procedures Exemptions revision

Document number: SSN 24.3.5

Submitted by EMSA

Summary	Introduces an amendment to the Common Operational Procedures (COP), covering the recording of exemptions
Action to be taken	As per paragraph 4.
Related documents	<ul style="list-style-type: none">a. Directive 2009/17/EC, Annex IIIb. IFCD version 1.1.1 – Chapters 5.2 and 5.3 - Management of information on exemptionsc. SSN HLSG 10 Minutes of the meeting

1. Background

The exemptions included in the legal acts of the Union on Vessel Traffic Monitoring and Information System (VTMIS) and Reporting Formalities (RF) for ships, are the following:

- Article 15 of Directive 2002/59/EC on vessel traffic monitoring and information system – exemption on port and Hazmat notifications – Member States shall communicate to the Commission a list of companies and ships to which an exemption has been granted under this Article, as well as any updates to that list.
- Article 7 of Regulation (EC) No 725/2004 on enhancing ship and port security – exemption on security notifications - Member States shall draw up a list of companies and ships granted exemption under this Article, and shall update that list. They shall communicate the list and updates thereof to the Commission and any Member State concerned.
- Article 9 of Directive 2000/59/EC on port reception facilities – exemption on waste notifications - Member States shall inform the Commission of granted exemptions on a regular basis, at least once a year.

The central SafeSeaNet system includes a functionality whereby Member States may report these exemptions.

2. Current Status

At the SSN HLSG 10 meeting, EMSA introduced a proposal with the objective of using the SSN system to simplify the processing and handling of exemption information, and importantly, to improve accessibility to such information. Member States agreed to use the SafeSeaNet system for reporting exemptions from 1 June 2015, when SSN V3 came into production.

Chapters 5.2 and 5.3 of the Interface and Functionalities Control Document (IFCD) were amended in order to reflect the operational aspects of the recording of exemptions. The document was subsequently approved by the SSN HLSG at its 12th meeting in December 2014.

Following the previously mentioned developments, EMSA prepared a revised version of the Common Operational Procedures (COP) which includes the exemption procedure (see proposal in Annex I).

3. Objective

The purpose of the new exemption procedure is to harmonise the process for the recording of information on exemptions via the central SSN system. The procedure also clarifies the ways of retrieving information on exemptions.

4. Action Required

The Member States are invited to:

- review and approve the new version of the COP document, including the new exemption procedure, and;
- implement the relevant routines, at national level, which allow the recording of exemptions via SafeSeaNet in accordance with the new procedure.

Annexes:

Annex 1 - Draft exemption procedure

Annex 1

2.13 – Exemption procedure

- 1. What**

The purpose of this procedure is to harmonise the process for recording information on exemptions (i.e. Pre-Arrival, HAZMAT, Security and Waste¹) using the central SSN or the national SSN systems. It also clarifies the ways of retrieving information on specific, exempted ships within the SSN system.
- 2. When**
 - I. Competent Authority grants an exemption in accordance with the national legislation and the information has to be recorded in SafeSeaNet system.
 - II. An authorised user requires information (e.g. HAZMAT or PoB) related to a ship to which an exemption was granted.
- 3. Why**

Directive 2002/59/EC, Art. 15; IFCD v.1.1.1.1 Chapters; 2.3, 5.2.1, SSN HLSG 10 MoM

As agreed at the 10th SSN HLSG meeting, the exemptions shall be reported to the Commission via the SafeSeaNet system. This will fulfil the agreed conditions and allow Member States to obtain relevant information upon request.
- 4. Who**

A competent authority granting exemptions.

The SSN NCA or NCA authorised user recording the exemptions.

The SSN user authorised to request SSN detailed information (e.g. HAZMAT, Waste details).

The NCA or NCA 24/7.
- 5. How**

See specific Cases I-II on the following pages.
- 6. Relation to other procedures**

24/7 Communication procedure (2.2).

Communication Procedure (2.10).

¹ Waste exemptions are registered on a voluntary basis and are pending clarifications on the reporting of the exempted ship/service route.

I. Competent Authority grants an exemption in accordance with the national legislation and the information must be registered in the SafeSeaNet system

Time/When?

I.1. A competent authority granting exemptions

After receiving a request to grant an exemption or when a valid exemption has to be changed

- A. The competent authority evaluates the documentation and grants or rejects the request in accordance with the national rules and procedures.
Note: When an international service is operated between two or more States (with at least one being a Member State of the EU), then they should cooperate and agree on the operational matters linked with this procedure in order to avoid duplicated registrations in SafeSeaNet.

As soon as possible after granting the exemption

- B. The competent authority shall record it in SafeSeaNet in accordance with the instructions in point I.2 below.

Time/when?

I.2. SSN NCA or the NCA authorised user recording the exemptions

After receiving the new exemption 'certificate' or an update of the existing exemption 'certificate'

- A. The SSN NCA, or an authorised user, begins the registration of the exemption in the SafeSeaNet system. The elements necessary to record the exemption are:
- Identification of the vessel (IMO, MMSI, Call Sign, Name, Flag)
 - Exemption type:
 - Pre-Arrival (Article 4 of Directive 2002/59/EC)
 - Hazmat (Article 13 of Directive 2002/59/EC)
 - Security (Article 6 of Regulation (EC) No 725/2004)
 - Waste (Article 6 exemption on Waste notification, as per Directive 2000/59/EC)
 - Name of the company operating the exempted scheduled service
 - Period of validity of the granted exemption (date from/to)
 - An identification of the exempted route – At least two location codes (UNLOCODEs) of the ports are required. Location codes used may belong to the Member State registering the exemption or to other Member States or States, when an international service is exempted
 - Identification (Country, Name, Type) and contact details of the Authority granting exemptions
 - 24/7 contacts of the company to whose service the exemption was granted, or the 24/7 Contact detail of the NCA 24/7 contact point where information may be obtained

*If the **National SSN system** is used for recording new exemption or updating the existing one*

- B. MS2SSN_Exemption_Not.xml message shall be sent to the central SSN system in accordance with the valid SSN documentation (Ref: XML Reference guide or SSN Interfaces Guide). An exemption is associated with an identifier (ExemptionID). The value of ExemptionID is defined by the NCA, and the NCA guarantees that the value is unique within the MS.
Note: The exemption must be registered in SSN before the start of the validity of the exemption

*If the **Central SSN system** interface is used for recording new or updating the existing one*

- C. The exemption shall be recorded using functionalities described in the valid SSN documentation (Ref: SSN Central User Interface Manual, Part A, sections referring to exemptions on scheduled services / create new exemption).
Note: The exemption must be registered in SSN before the start of the validity of the exemption

II. An authorised user requires information related to a ship to which an exemption was granted

<i>Time/When?</i>	II.1. SSN user authorised to request SSN detailed information (e.g. HAZMAT, Waste details)
<i>User requests detailed information on the ship</i>	<p>A. Using the national SSN system, or via the web interface of the central SSN system. The user should follow the relevant manuals in order to obtain the detailed information (XML Reference guide or SSN Interfaces Guide or SSN Central User Interface Manual, Part A). For exempted vessels, the system must return the following information:</p> <ul style="list-style-type: none">• Type of exemption• Name of the company• Validity dates• Route of the ship• Name of the Authority granting the exception• 24/7 contact details
<i>User would like to obtain further, detailed information related to the exempted vessel</i>	<p>B. He/ she should contact their NCA, following the actions described in procedure 2.10, point I.1.A-B, and request the NCA to contact the Member State holding the detailed information.</p>
<i>Time/when?</i>	II.2. NCA or the NCA 24/7
<i>After receiving the request for the detailed information of the exempted ship</i>	<p>A. The NCA should follow actions described in the procedure 2.10 point I.2.A–C and 2.2 point I.3.B. The template provided below this procedure may be used to facilitate the data request.</p>
<i>Time/when?</i>	II.3. NCA or the NCA 24/7 of the MS holding the detailed information
<i>After receiving the request for the detailed information of the exempted ship</i>	<p>B. The NCA of the MS holding the detailed information or granting the exemption should contact the company operating the exempted, scheduled service and request the relevant details in accordance with the national procedures. The details should be relayed to the requester in accordance with the timing described in procedure 2 point.2 I.1.B.</p>

Template

No.	Data	Exemption reference	Specify
1	Name of the requestor	<i>NCA, NCA 24/7 or an authorized user-identification of the requester</i>	.....
2	IMO or MMSI of the ship	<i>ID of the ship exempted</i>	.....
3	Type of the exemption		.....
4	Company name,	<i>The company to which the exemption has been granted</i>	.....
5	Validity of the exemption	<i>If applicable - confirmation of whether the exemption is valid or not</i>	.....
6	Route of the ship	<i>Location codes of the scheduled service</i>	.....
7	Identification of the Authority granting the exemption		.....
<i>Requested data</i>			
1	Details of the pre-arrival- specify the elements requested	<i>Ref: Pre-Arrival (Article 4 of Directive 2002/59/EC)</i>	..... (e.g. POB)
2	Details of HAZMAT - specify the elements requested	<i>Ref: Hazmat (Article 13 of Directive 2002/59/EC)</i>	.....
3	Security details - specify the elements requested	<i>Ref: Security (Article 6 of Regulation (EC) No 725/2004)</i>	.....
4	Details of Waste - specify the elements requested	<i>Ref: Waste (Article 6 of Directive 2000/59/EC)</i>	.....