



European Regulation on the new Common Rules and Standards for Ship Inspection and Survey Organisations

The European Commission published a new Regulation (EC) 391/2009 on 28 May 2009, which has already come into force. This Regulation is a recast made in the interest of clarity, with the aim of harmonising class rules, thus paving the way for the creation of a clear and coherent regulatory framework for the marine equipment industry.

Through this Regulation, ship inspection and survey organisations should be able to offer their services throughout the Community and compete with each other while providing equal levels of safety and of environmental protection.

Whilst furthering the objective of freedom to provide services, this Regulation establishes measures which are to be followed by organisations entrusted with inspection, survey and certification of ships for compliance with the international conventions on safety at sea and prevention of marine pollution. This means the development and implementation of safety requirements for hull, machinery and electrical and control installations of ships falling under the scope of the international conventions, namely, the SOLAS 74, the International Convention on Load Lines of 1996, as well as the MARPOL of 1973.

In the case that the Commission thinks that an organisations have failed to fulfil the minimum criteria set out under this Regulation, or that the safety and pollution prevention performance of a organisation has worsened significantly, without, however, it constituting an unacceptable threat to safety or the environment, it shall require the recognised organisation concerned to undertake the necessary preventive and remedial action within specified deadlines, to ensure full compliance with minimum criteria and obligations. In particular, the organisation is to remove any potential threat to safety or the environment, or to address the causes of the worsening performance.

To ensure transparency, the Regulation provides that such organisations are not to hinder Commission's access to information, thus no contractual clauses may be invoked to restrict such access.

This Regulation also allows organisations to mutually recognise their certificates for marine equipments, based on the most demanding and rigorous standards.

This Regulation has been widely approved by marine organisations due to the fact that it creates favourable conditions for improvement in efficiency and effectiveness of ship inspections and surveys, thus enhancing safety at sea.

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