

SUMMARY PROJECT FICHE

1. Basic Information

- 1.1. **Désirée Number:** BG 0101.07
Twinning code: BG/IB/2001-TR-01
- 1.2. **Title:** Maritime Safety institution building
- 1.3. **Sector:** AD
- 1.4. **Location:** BULGARIA, Maritime Administration at the Ministry of Transport and Communications

2. Objectives

2.1. Overall Objectives

- a. To align Bulgarian legislation on Maritime Safety in accordance with the short-term priorities in the Accession Partnership.
- b. To strengthen the capacity of the Bulgarian Maritime Administration to implement the requirements of the *acquis communautaire* on Maritime Safety;

2.2. Project purpose:

To strengthen the capacity of the Bulgarian Maritime Administration to achieve international standards of Flag State Implementation (FSI), Port State Control (PSC), and Coastal State Control (CSC).

2.3. Accession Partnership and NPAA priority

2.3.1 Accession Partnership

As well as addressing the short and medium-term priorities of the Accession Partnership on aligning legislation on Maritime Safety (paragraph 4.1- Transport) and aligning maritime transport, inland waterways (technical requirements for vessels) - (paragraph 4.2 - Transport) , this project is oriented to meeting the specific recommendations of the 2000 Regular Report by the European Commission on Bulgaria's progress towards accession. The objective to strengthen the administrative capacity of the Bulgarian Maritime Administration addresses the assessment that:

“Improving the performance of maritime safety administrative institutions firstly as a Flag State and then as Port State must be a priority. Care should be taken that there is a sufficient number of trained inspectors to apply the acquis”;

The objective on legal alignment addresses the assessment that:

“In maritime transport further alignment and institutional strengthening is required in order to reach full compliance with the acquis.”

And..

“In addition, important secondary legislation needs to be adopted and implemented in relation to maritime safety, including rules for issuing ship certificates, carriage of dangerous goods and ship registers.”

2.3.2 NPAA

Maritime Safety is given a high priority in the NPAA. It is envisaged that a number of EC Directives and Regulations in the field of Maritime Safety will be transposed into Bulgarian legislation through the adoption of the “Law on the Amendment of the Merchant Shipping Code”. This law has been approved by the Council of Ministers and has been submitted to the National Assembly for adoption in 2001.

To create the administrative capacity to implement the above law, an executive agency, the Maritime Administration was established in 1999 at the Ministry of Transport and Communications.

3. Description

3.1. Background and justification:

3.1.1. Background situation

Bulgaria has made consistent progress on improving its Maritime Safety performance by creating the administrative structures and progressively adapting its broad framework of legal instruments in this field and aligning them with those of the European Union and the international maritime institutions.

The law on Maritime Spaces, Inland Waterways and Ports provides the framework for further alignment with the acquis and the Accession Partnership on maritime transport, in particular on maritime safety issues.

The Maritime Administration in Sofia, which performs the executive functions, hosts the State Shipping Inspectorate, and its four regional offices on the Black Sea coast and on the River Danube. These regional offices are responsible for implementing the tasks associated with Flag State Implementation, Port State Control, and Coastal State Control.

In April 2000 a Memorandum of Understanding on Port State Control and Flag State Implementation in the Black Sea Region was signed on Bulgaria's initiative. The Memorandum aims at gradual removal from operation of sub-standard vessels by strengthening the training of inspectors and creating (by 2001) an Information Centre to which all Black Sea countries will have access. Furthermore, a vessel traffic control system (VTS) is being introduced on the Bulgarian Black Sea Coast with the assistance from the Phare Programme.

As mentioned above, the Law on the Amendment of the Merchant Shipping Code is in process of adoption by the National Assembly. The draft is expected to be adopted in early 2001.

3.1.2 Measures specific to Maritime Safety

In general Bulgarian legislation complies with the requirements for safety of navigation and is currently in process of alignment with EC standards. Following the adoption of the Law on the Amendment of the Merchant Shipping Code several relevant EC Directives and Regulations progressively will be incorporated under Bulgarian Law. This process will be completed by the end of 2006.

Other measures launched by the Bulgarian Maritime Administration are:

- A training programme for PSC inspectors, currently under development;
- The Bulgarian shipping company NAVIBULGAR was certified under ISO 9002 by Germanischer Lloyd Certification in 2000. In order to secure international investment and know-how, and ultimately with the view to improve Flag State performance and compliance, privatisation procedures have been opened for NAVIBULGAR.

3.1.3 Key issues Addressed by this Project

Despite the measures described above taken by the Maritime Administration to strengthen maritime safety, the safety performance of vessels under the Bulgarian flag remains a matter of concern. The level of Bulgarian vessels, detained under the Paris Memorandum of Understanding on Port State Control system has decreased from 12.5 % in 1998, to 8.1% in 1999 and 7.2% in 2000. This is to be compared with an average of 3.6 % for EU-flagged vessels.

Although the legal framework is either adopted or planned, the capacity of the Bulgarian Maritime Administration effectively to implement this legislation is currently limited, by a lack of trained inspectors and effective enforcement of international standards. Also to be taken into account is the capacity to adopt new EC Directives currently under consideration.

Assistance from this project will improve the performance of the BMA in operating Flag State and Port State Control by developing the institutional capacity, and create robust organisational structures with effective human resource management, especially training, required to achieve a change in culture and attitude at the implementing level.

This project also addresses the issue of implementing Coastal State Control, as there is an urgent need of equipment and trained inspectors relating to search and rescue (SAR) operations and pollution control in Bulgarian territorial waters.

3.1.4 Specific Issues Addressed by the Project

Specifically, this project will enhance Bulgaria's performance in maritime safety, by developing a sustainable management capability at the Maritime Administration and by introducing a comprehensive series of training programmes for sufficient numbers of Bulgarian Flag, Port and Coastal State Control inspectors to achieve accelerated progress in the execution of their duties. This programme will also provide training to a sufficient number of trainers, to ensure future sustainability. This project will have a significant impact on Bulgaria's commitment to improving its performance in Flag State Implementation, and will contribute to progress to improvements in implementing Port and Coastal State Control.

In addition, this project will include a comprehensive review of existing and planned Bulgarian legislation concerning all aspects of maritime safety, identifying gaps and possible divergence from the acquis. This review will then be used for drafting new legislation closely approximating to the acquis.

3.2. Linked Activities

A 2000 Phare programme focused on achieving improvements to maritime safety in Bulgaria is currently under implementation:

Project Title :	Vessel Traffic Management and Information System (VTMIS)
Sector :	Transport – investment in the acquis.
Project Location :	Bulgarian Black Sea Coastal waters, Port approaches, Inland Waterways and Ports
Allocation:	Total €11.4 million (Phare €3.4 million (30%), National Co-financing €7.1 million (60%), Government of Netherlands €1.0 million (10%).

The wider objectives of this programme are to promote maritime safety in Bulgarian territorial waters; promote economic development through improvements to transport facilities; and to promote environmental protection through improvements to water quality, and prevention of environmental damage as a result of a reduction of accidents.

3.3. Results

Recalling the objectives of this project:

- a. To align Bulgarian legislation on Maritime Safety in accordance with the short-term priorities in the Accession Partnership.
- b. To improve the capacity of the Bulgarian Maritime Administration to implement the requirements of the *acquis communautaire* on Maritime Safety,

the following results are within the control of the project and are deliverable by the end of the disbursement period.

- 3.3.1 The compliance of national legislation with European directives on Flag State, Port State and Coastal State controls;
- 3.3.2 The identification of gaps between existing and planned Bulgarian legislation relating to Maritime Safety and the *acquis communautaire*, together with recommendations for modifications to legal texts and timing;
- 3.3.3 Revisions to existing management practices concerning Flag State Implementation, Port and Coastal State Control, delivering improvements to human resources management to achieve Paris MoU inspection standards;
- 3.3.4 Fully trained Bulgarian inspectors of Flag State Implementation, and Port State Control procedures to standards defined by the Paris MoU and other internationally agreed Maritime Conventions, sustainable beyond the period of the project.
- 3.3.5 A prioritised list of the equipment and software required to achieve significant improvements to Coastal State Control regarding Search and Rescue and Pollution Control in line with the financial allocation of the Investment Support component of this programme.
- 3.3.6 The installation of the equipment and software required to improve Search and Rescue and pollution prevention and control.
- 3.3.7 The Bulgarian Maritime Administration will have the capacity to manage the continued sustainability of the project.

3.4 Activities

The following Activities will lead to the achievement of the results indicated above:

- 3.4.1 Performing a full analysis with conclusions comparing Bulgarian legislation with European Directives, Internationally agreed Maritime Conventions and Paris MoU Secretariat requirements on Flag State, Port State and Coastal State controls;
- 3.4.2 Performing a comprehensive analysis of existing and planned Bulgarian legislation in Maritime safety, identifying gaps from the *acquis communautaire*, and proposals for modifications to legal texts and timing;
- 3.4.3 Performing a critical analysis of existing management practices concerning Flag State Implementation and Port State Control, with recommendations for improvements to human resources management and training needs at the implementation level resulting in vessel inspection by trained inspectors performed to Paris MoU standards;
- 3.4.4 Organising the design, preparation and delivery of a series of sustainable modular training programmes, including documentation, involving both lectures and practical experience focused on improvements to the knowledge, practical skills and professionalism of existing and potential Bulgarian Flag State and Port State inspectors;

- 3.4.5 Organising the delivery of training courses for the planned number of BMA officials selected for FSI, PSC and CSC responsibilities.
- 3.4.6 Certifying that the selected BMA officials have fully completed the training programmes indicated in 3.4.5 above.
- 3.4.7 Organising the design, preparation and delivery of programmes designed to train BMA officials selected as trainers of Flag State and Port State inspectors.
- 3.4.8 Organising a needs assessment of the equipment and software required to achieve significant improvements to Coastal State Control regarding Search and Rescue and pollution prevention and control, with recommendations for the most effective allocation of the Investment Support component of the project.
- 3.4.9 Completing the disbursement of the Investment Support component on equipment and software procurement identified by activity 3.4.8, including installation and training of Bulgarian Maritime Administration personnel.
- 3.4.10 Managing the on-the-job-training in all aspects of the project provided to the Bulgarian Maritime Administration counterpart official or team designated to assist the Pre-Accession Advisor.

Note on activities concerning Training Components (3.4.4, 3.4.5, 3.4.6, 3.4.7):

A needs assessment on training requirements will be necessary at the start of the project, however, it is envisaged that to achieve the optimum benefit for Bulgarian officials, programmes will be designed in co-operation with Member States' Maritime services and will take place both in Bulgaria and at suitable locations within Member States' Maritime institutions. Training will take the form of study visits by Bulgarian officials, including extended practical work experience alongside experienced practitioners, combined with "classroom" format lectures and workshops, using computer-based interactive tools where appropriate. In this way, Bulgarian officials will benefit from both the transfer of skills and experience but also obtain exposure to the culture and professional climate in Member States' maritime environments. It is considered an advantage if longer term reciprocal arrangements can be concluded with Member States' maritime services and the Bulgarian Maritime Administration to sustain the benefits of these programmes beyond the period of the project.

Note on activities concerning Investment Support Component (3.4.8, 3.4.9)

The investment in equipment to provide the BMA with the means to implement effective Coastal State Control is the principal activity within this project to reach conformity with the international conventions in the field: UNCLOS, MARPOL, OPRC and SAR. Specific priorities for the equipment to be purchased will be developed by the PAA with technical assistance and submitted to the Steering Committee for endorsement. Among items already identified are radio and radar devices used in search and rescue, laboratory equipment for the analysis of pollutants and water quality, specialist software for predicting the movement and chemical composition of slicks.

4. Institutional Framework

4.1 Beneficiary institution

The Bulgarian Maritime Administration at the Ministry of Transport and Communications will be the beneficiary institution and will co-ordinate the implementation of the project by means of a Steering Committee.

Under the chairmanship of the Executive Director of the Maritime Administration membership of the Steering Committee will include representatives of the following institutions and organisations:

- Maritime Administration;
- Legal Advisor;
- Central Financing and Contracting Unit;
- European Commission Delegation to Bulgaria.

If necessary representatives of the following institutions and organizations might be included as well:

- Bulgarian Register of Shipping;
- NAVIBULGAR;
- Pilots' Association;
- Bulgarian Maritime Training Center – Varna;
- Transport Policy Department of the Ministry of Transport & Communication;

In addition the Executive Director of the Maritime Administration will appoint a person (or a small team) from within the organisation to act as counterparts and assistants to the Pre-Accession Advisor in the co-ordinating of the project. This person (or team) will work alongside the PAA throughout the project with the objective of acquiring the necessary professional experience and background, to sustain the momentum of the project after its completion. In this way, the Maritime Administration will acquire expertise and experience in the legal, institutional, and practical aspects of Flag State Implementation and Port and Coastal State Control.

4.2 Changes to institutional framework

It is not envisaged that the planned activities of this project will create any institutional changes such as the creation of new bodies.

5. Detailed Budget in Euro.

	Phare Investment Support	Phare Institution Building	Total Phare (=I+IB)	National cofinancing	TOTAL
1. Twinning		800,000	800,000		800,000
2. Investment support	240,000		240,000	80,000	320,000
Total	240,000	800,000	1,040,000	80,000	1,120,000

*Note: Phare will finance (max 75%) of the total cost of the investment component, up to a maximum of 200,000 Euro. The remaining co-financing will be provided by the beneficiary institution. Should the total cost of the equipment exceed the estimate, the beneficiary institution will provide the necessary additional co-financing.

Notes on Budget allocation and contract assumptions:

1. Twinning Covenant:

A twinning covenant of Euro 800,000 will provide the following services:

- a. One Pre-Accession advisor resident in Bulgaria for two years including expenses and allowances estimated at Euro 350,000.
- b. A training component to be developed in co-operation with Member States' maritime services. The Bulgarian Maritime Administration believe it is essential for its officials implementing FSI, PSC and CSC receive exposure to best practice established at Member States' port and coastal locations. It is considered equally important to achieve the objectives of the project that training officers from Member States visit Bulgarian locations to conduct training, and recommend changes to current practices.

The exact numbers of candidates and a precise allocation of this component will be the result of the needs assessment exercise performed by the PAA. In total it will amount to Euro 400,000.

- c. The activities on legal harmonisation will require specialist international assistance for legal reviews and text drafting and translation working with the BMA legal team. An allocation of maximum Euro 50,000 is foreseen.

2. Procurement of Equipment

Identification and specification of the items to be purchased will be elaborated by the PAA with technical assistance and submitted to the Steering Committee for approval. Each item will be justified by the beneficiary and endorsed by the CFCU and Delegation of the European Commission before funds can be committed.

6. Implementation Arrangements

6.1. Implementing Agency

All contractual and financial issues will be the responsibility of the CFCU, which will be the Implementing Agency.

The Bulgarian Maritime Administration at the Ministry of Transport and Communications will be the beneficiary institution and will be responsible for the day-to-day implementation of the project by means of a Steering Committee. (See above: 4. Institutional Arrangements)

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6.2. Twinning

In all twinning projects, success in delivering a guaranteed result will depend on the coherence of a number of successive inputs, the continuity of those inputs, and steady progress. Every twinning project will therefore include a Member State Project Leader, who continues to work in his/her Member State administration but who devotes some of his/her time to conceiving, supervising and coordinating the overall thrust of the project. S/he will always be complemented by at least one full-time expert, known as a Pre-Accession Advisor (PAA), from a Member State to work on a day-to-day basis with the beneficiary in the candidate country and accompany the implementation of the twinning project.

Under a Twinning Covenant, a Pre-Accession Advisor will be appointed to act as coordinator of this project.

Profile of Pre Accession Advisor

The Pre-Accession Adviser (PAA) shall comply with the requirements, set out in Paragraph 4.3.1. of Annex A of the revised version of “A Reference manual on ‘Twinning’ Projects”, dated 15 February 2000, and shall have vast experience within a Maritime Administration of a Member State and practical knowledge of the acquis communautaire in the field of maritime safety and its implementation, and the principles of harmonisation with national and international laws and directives.

In depth knowledge and practical experience of the managerial, organisational and practical aspects of Flag State Implementation, Port and Coastal State Control procedures and detailed knowledge of the provisions of the Paris Memorandum of Understanding, and the relevant statutes of Internationally agreed Maritime Conventions is a pre-requisite.

Experience in organising and knowledge of training activities concerned with Maritime Safety, and the training for PSCOs within the Paris MoU. Specific training experience is also desirable, including distance learning and the use of interactive training materials.

Experience in preparing Terms of Reference for the contracting of short-term Technical Assistants, and the procurement rules of the Phare Decentralised Implementation System is desirable.

He/she shall be based in Bulgaria, in the BMA Headquarters in Sofia for the duration of the assignment, which is estimated at 24 months.

The working language of the PAA will be English. A high standard of reporting communication skills, and diplomacy are needed for the effective performance of the assignment.

2.2.1 Profile of other experts

a. Legal Harmonisation

International experts on maritime safety legislation will be needed to complete the assessment of the status of alignment of Bulgarian law with the *acquis* and to provide professional text drafting and possibly translation services.

b. Specialist Technical Support

International experts with specific technical skills in the procurement and use of equipment used to reinforce Coastal State Control procedures will be needed to assist the PAA prepare the needs assessment, procurement documents, including technical specifications and tender dossier preparation. Such experts will be selected on their ability to provide specialist advice on Search and Rescue equipment and its application in Bulgarian territorial waters, as well as laboratory measuring and other equipment needed to implement Coastal State Controls on Pollution control and environmental protection.

2.2.2 Bulgarian Counterpart or assistant to PAA

It is considered a pre-requisite that the BMA should actively support the project throughout its implementation and sustain it beyond the completion date. The nature of this support will be decided by the Director of the BMA, and could take the form of either a single individual or a small team possessing the required skills and management capabilities. Either option would make a significant contribution to institution building at the BMA.

A single counterpart should be a senior individual from the BMA with experience in administration of the requirements of the procedures of Flag State Implementation and Port and Coastal State Controls, selected by the Director for his or her ability to absorb the objectives of the project and possess the potential to sustain its achievements and momentum after the completion date.

Alternatively a small team of, say, three or four officials, each specialised in key areas of the project, legal harmonisation, Flag State Implementation, Port State and Coastal State Control, would assist the PAA in the performance of each activity and take joint responsibility for the achievement of the results.

6.3. Non-standard aspects

There are no non-standard contract/tender procedures (eg grant or fund mechanisms) applicable to this project. The DIS Manual will strictly be followed.

6.4. Contracts

Two contracts, a twinning covenant and an investment component are foreseen.

7. Implementation Schedule

Assuming the timetable indicated by the European Commission for the preparation of Twinning projects for the 2001 Phare programme is adhered to the following schedule of events indicates that the earliest date for the start of project activity is in the second quarter of 2002:

Key Event	Date
Acceptance of Project Fiche	May 2001
Letter of Notification circulated to Member States	June 2001
Appointment of Pre-Accession Advisor	December 2001
Signing of Financing Memorandum	December 2001
Pre-Accession Advisor commences work	2 nd quarter 2002

	Contract Amount (Euro)	Tendering/ Contracting	Start of Contract Activity	End of Disbursement
1. Twinning Covenant	800,000	1 st Q 2002	End 2 nd Q 2002	End Q4 2003
2. Investment Support	320,000	3 rd Q 2002	3 rd quarter 2002	End Q4 2003
Total	1,120,000			

8. Equal Opportunity

Male and female participation in the project will be based on the relevant standards of the European Union concerning EOE and will be assured by official announcements published in order to recruit the personnel needed for the project completion.

The main criterion for staff recruitment will be appropriate qualifications and experience in similar projects, not sex or age. Both men and women will have equal opportunities and salaries.

9. Environment

The Bulgarian Maritime Administration is responsible for environmental situations arising in its territorial waters. The Investment Support component is concerned with the control and prevention of such incidents, and has no adverse affect on the environment. There is no conflict or overlap with any other Phare programme in the field of environmental protection.

10. Conditionality and sequencing

10.1 Conditionality

Projects implemented through twinning require the full commitment and participation of the senior management of the beneficiary institution. In addition to providing the twinning partner with adequate staff and other resources (including translation and interpretation) to operate effectively, the senior management must be whole-heartedly involved in the development and implementation of the policies and institutional change required to deliver the project results.

The engagement of the allocation for Investment Support is conditional on the list of equipment to be provided is justified in terms of its relevance to the achievement of the objectives of this project, and is approved by the Steering Committee for this project and endorsed by the CFCU and the Delegation of the European Commission.

The adoption by the Bulgarian National Assembly of the Amendment of the Merchant Shipping Code is a pre-requisite for the execution of the project. This process is expected to be completed in 2001.

10.2 Sequencing

The appointment and availability of the Pre-Accession Advisor in Bulgaria is the trigger to the start of this project.

10.3 Impact

Key milestones in terms of the of the impact of the project are:

- The application by the inspectors of the Maritime Authority of the skills and procedures in FSI, PSC and CSC elaborated in the training programmes:

Impact: Progressive enhancement in Bulgaria's capacity for Flag State Implementation, and Port and Coastal State Control to EU standards.

- Revisions to management processes for effective measurement of performance of inspectors:

Impact: Enhancement in Bulgaria's ability to implement procedures for Flag State Implementation, and Port and Coastal State Controls.

- Completion of the assessment of the harmonisation of national legislation with EU acquis and international directives and regulations:

Impact: Milestone to enable planning of further activities in pursuance of the project's objectives

- Operation of equipment purchased under the Investment Support component:

Impact: Enhancement of Bulgaria's capacity to implement effective Coastal State Control.

Annex 1: Logical Framework Matrix

LOGFRAME PLANNING MATRIX FOR Project: Maritime Safety: Institution Building and Legal Harmonisation		
	Contracting period expires: November 30 th 2003	Disbursement period expires: November 30 th 2004
	Total budget : € 1,000,000	Phare budget : € 1,000,000

Overall objective	Objectively verifiable indicators	Sources of Verification	
<p>a. To align Bulgarian legislation on Maritime Safety in accordance with the short-term priorities in the Accession Partnership.</p> <p>b. To strengthen the capacity of the Bulgarian Maritime Administration within the Ministry of Transport and Communications to meet the requirements of the <i>acquis communautaire</i> on Maritime Safety;</p>	<ul style="list-style-type: none"> BMA operates effective processes for implementing best practice Flag State/Port State Controls Evidence that measures to align Bulgarian legislation with AP priorities and <i>acquis</i> are capable of implementation 	<ul style="list-style-type: none"> PAA and BMA reports on project implementation; 2003/4 EC regular reports on Accession Partnership Government documentation on legislative activities supported by BMA reports. 	
Project purpose	Objectively verifiable indicators	Sources of Verification	Assumptions
To strengthen the capacity of the Bulgarian Maritime Administration to achieve international standards of Flag State, Port and Coastal State Controls.	<ul style="list-style-type: none"> BMA demonstrates effective execution of FSC/PSC requirements, with procedures meeting international best practice Ranking of Bulgarian fleet in Paris MoU Annual report Black, Grey and White List 	<ul style="list-style-type: none"> FSC/PSC inspection reports Paris Memorandum Annual reports PAA and BMA reports on Bulgarian legislation United Nations Convention on the Law of the Sea, 1982 	<ul style="list-style-type: none"> Required numbers of FSC/PSC inspectors “graduate” from training; Maritime safety legislation included in government schedules

Results (summarised from 3.3 above)	Objectively verifiable indicators	Sources of Verification	Assumptions
<ul style="list-style-type: none"> • The compliance of national legislation with European directives on Flag State, Port State and Coastal State controls; • The identification of gaps between existing and planned Bulgarian legislation relating to Maritime Safety and the <i>acquis communautaire</i>, together with recommendations for modifications to legal texts and timing; • Revisions to existing management practices concerning Flag State Implementation, Port and Coastal State Control, delivering improvements to human resources management to achieve Paris MoU inspection standards; • Fully trained Bulgarian inspectors of Flag State Implementation, and Port State Control procedures to standards defined by the Paris MoU and other internationally agreed Maritime Conventions, sustainable beyond the period of the project. • A prioritised list of the equipment and software required to achieve significant improvements to Coastal State Control regarding Search and Rescue and Pollution Control in line with the financial allocation of the Investment Support component of this programme. • The installation of the equipment and software required to improve Search and Rescue and pollution prevention and control. • The Bulgarian Maritime Administration will have the capacity to manage the continued sustainability of the project. 	<ul style="list-style-type: none"> • Exceptions to compliance of Bulgarian legislation with European Directives; • Management practices for FSI and PSC conform to international standards, and Paris MoU reporting requirements; • Curricula of training courses conform to Paris MoU guidelines on advanced training for PSCOs; • Training course attendees meet selection requirements agreed by BMA • FSI and PSC inspection procedures and reporting systems fully implemented according to manuals, • Investment Support component satisfies Internationally Agreed Maritime Conventions on CSC 	<ul style="list-style-type: none"> • PAA and Technical Assistance reports • Office for European Integration reports on progress towards Accession Partnership • Monitoring by EC Delegation • Paris MoU guidelines on advanced training for Port State Control Officers • Internationally Agreed Maritime Conventions 	<ul style="list-style-type: none"> • Bulgarian National Assembly adopts the Law on the Amendment of the Merchant Shipping Code • Bulgaria adopts <i>acquis</i> on Maritime Safety • Institution building will be sufficient to achieve objectives on FSI, PSC and FSC • Tendering and contracting processes for equipment will be completed on time.

Activities (Summarised from 3.4.above)	Means		Assumptions
<ul style="list-style-type: none"> • Performing a full analysis with conclusions comparing Bulgarian legislation with European Directives and Internationally agreed Maritime Conventions; • Performing a comprehensive analysis of existing and planned Bulgarian legislation in Maritime safety, identifying gaps from the <i>acquis communautaire</i>, and proposals for modifications to legal texts and timing; • Performing a critical analysis of existing management practices concerning Flag State Implementation and Port State Control, with recommendations for improvements to human resources management and training needs; • Organising the design, preparation and delivery of a series of sustainable modular training programmes, including documentation, involving both lectures and practical experience; • Organising the delivery of training courses for the planned number of BMA officials selected for FSI, PSC and CSC responsibilities. • Certifying that the selected BMA officials have fully completed the training programmes indicated in 3.4.5 above. • Organising the design, preparation and delivery of programmes designed to train BMA officials selected as trainers of Flag State and Port State inspectors. • Organising a needs assessment of the equipment and software required to achieve significant improvements to Coastal State Control regarding Search and Rescue and pollution prevention and control, with recommendations for the most effective allocation of the Investment Support component; • Completing the disbursement of the Investment Support component on equipment and software procurement, including installation and training of Bulgarian Maritime Administration personnel. • Managing the on-the-job-training in all aspects of the project provided to the Bulgarian Maritime Administration counterpart official or team assisting the PAA. 	<ul style="list-style-type: none"> • Twinning Covenant to appoint experienced Pre-Accession Advisor • Short-term Technical Assistance (STTA) contracts with experts on International Maritime Law • Contracts with Member States' maritime organisations to provide training services in MS ports or institutions • STTA contracts with MS experts in Maritime Safety to provide training services in Bulgaria • STTA contracts with maritime equipment specialists for needs assessment and preparation of specifications and tender dossiers • Supply contracts following Phare DIS procurement procedures 		<ul style="list-style-type: none"> • Effective co-operation between institutions involved in the project • Effective co-operation between services exists to achieve progress on legal harmonisation • Availability of candidates with required qualifications and background for training programmes. • All processes concerning equipment supply procurement can be completed within project period.

Annex 2: Implementation schedule of the programme

IMPLEMENTATION SCHEDULE OF THE PROGRAMME									Date of drafting:				February 2001		
Programme Title		Maritime Safety: Institution Building and Legal Harmonisation							Planning period				01 2002 – 12 2004		
Project		Implementation Schedule (Quarterly)											Cost Estimate		
		PLANNED													
		Q1 2002	Q2 2002	Q3 2002	Q4 2002	Q1 2003	Q2 2003	Q3 2003	Q4 2003	Q1 2004	Q2 2004	Q3 2004	Q4 2004		
(1)		(2)											(3)		
1. Twinning Covenant (Assumes most pre-covenant processes completed in 2001)		D/C	C/I	I	I	I	I	I	I					800,000 EUR	
2. Investment support				D	D/C	D/C/I	D/C/I	I	I					200,000 EUR	
Total programme													1 000 000 EUR		

Legend: D- design of project; C- tendering and contracting; I - contract implementation and payment

Annex 3: Quarterly commitment schedule

COMMITMENT (CONTRACTING) SCHEDULE OF THE PROGRAMME									Date of drafting:				February 2001		
Programme Title		Maritime Safety: Institution Building and Legal Harmonisation							Planning period				01 2002 – 12 2004		
Project		Commitment Schedule (Quarterly)											Cost Estimate 1 million EUR		
		PLANNED (thousand Euro)													
		Q1 2002	Q2 2002	Q3 2002	Q4 2002	Q1 2003	Q2 2003	Q3 2003	Q4 2003	Q1 2004	Q2 2004	Q3 2004	Q4 2004		
(1)		(2)											(3)		
1. Twinning Covenant (Assumes most pre-covenant processes completed in 2001)			350	10	65	100	115	80	80					800	
2. Investment support						50	100	50						200	
Total programme													1,000		

Annex 3a: Quarterly disbursement schedule

DISBURSEMENT (PAYMENTS) SCHEDULE OF THE PROGRAMME									Date of drafting:				February 2001	
Programme Title		Maritime Safety: Institution Building and Legal Harmonisation							Planning period				01 2002 – 12 2004	
Project		Disbursement Schedule (Quarterly)											Cost Estimate 1,12 million EUR	
		PLANNED												
		Q1 2002	Q2 2002	Q3 2002	Q4 2002	Q1 2003	Q2 2003	Q3 2003	Q4 2003	Q1 2004	Q2 2004	Q3 2004	Q4 2004	
(1)		(2)											(3)	
1. Twinning Covenant (Assumes most pre-covenant processes completed in 2001)			70	80	100	100	150	150	150					800
2. Investment support							90	140	90					320
Total programme													1,120	

Annex 4: List of relevant Laws and Regulations

OVERVIEW OF THE ACQUIS COMMUNAUTAIRE IN THE FIELD OF MARITIME SAFETY

Notes:

- ❑ Only administrative and legislative measures (Directives, Recommendations, Decisions, Regulations) are mentioned here. No reference is made to the implementation and/or application level in different Member States.
- ❑ Administrative and legislative measures under consideration also can be considered (at least to a certain extent) part of the acquis. These are mentioned in grey print.
- ❑ Some measures concerning pollution fighting are also mentioned here, as both these kinds of measures (safety and pollution prevention) are closely interwoven.
- ❑ Measures regarding the economic aspect of shipping are also mentioned, as the competitive position of shipping operators determines to a great extent their financial margin and capability (and willingness) to adhere to the safety rules and regulations.
- ❑ Measures relating to inland navigation, whenever possibly relevant to navigational safety, have also been incorporated into the list.
- ❑ The list has no pretension to be fully exhaustive. It gives a broad outline of the European measures in the maritime safety and related fields. Measures directly related to maritime safety are printed on a yellow background.
- ❑ The listing of measures follows a logical heading order, and a chronological order per heading. For the general measures, from older to more recent, for the other headings the more recent ones are mentioned first.
- ❑ The references printed in blue mention the number under which these documents can be consulted on the website of the European Union <http://www.europa.eu.int>.
- ❑ D. Verbergt, 1 February 2001.

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General

- Council Decision 78/774/EEC concerning the **activities of certain third countries in the field of cargo shipping** ([378D0774](#))
- Council Regulation 4056/86 laying down detailed rules for the **application of Articles 85 and 86 of the Treaty to maritime transport** (as amended and incorporated) ([386R4056](#))
- Council Regulation 4057/86 on **unfair pricing practices in maritime transport** ([386R4057](#))
- Council Regulation 4058/86 concerning **coordinated action to safeguard free access to cargoes in ocean trades** ([386R4058](#))
- Commission Proposal COM (1988) 707 final: Proposal for a Council Directive relating to the **maximum permitted blood alcohol concentration for vehicle drivers** ([588PC0707](#)) and amendment to a proposal for a Council Directive relating to the maximum permitted blood alcohol concentration for vehicle drivers ([589PC0640](#))
- Council Regulation 479/92 on the application of Article 85 (3) of the Treaty to certain categories of **agreements, decisions and concerted practices between liner shipping companies (consortia)** ([392R0479](#))
- Council Regulation 3577/92 applying the principle to provide services to maritime transport within Member States (**maritime cabotage**) ([392R3577](#)) and Commission Decision 93/125EEC (Spain) ([393D0125](#)) and prolongation ([393D0396](#)) and Commission Proposal COM (1998) 251 final: proposal for a Council Regulation amending Council Regulation 3577/92 ([598PC0251\(01\)](#)),
- Council Resolution of 1993 on a **common policy on safe seas** ([393Y1007\(1\)](#))
- Council Resolution of 1994 on **telematics in the transport sector** ([394Y1105\(01\)](#))
- Council Resolution of 1994 on the **safety of roll-on/roll-off passenger ferries** ([394Y1231\(06\)](#)), Council Regulation 3051/95 on the safety management of ro-ro ferries (as amended) ([395R3051](#)), Council Directive 98/18/EC on safety rules and standards for passenger ships ([398L0018](#)), Commission Decision 1999/461/EC on publication of list of notified ships for derogation ([399D0461](#)), Resolution of the Council and of the representatives of the Governments of the Member States of 1990 on improving passenger ferry safety ([490Y0818\(01\)](#)) and Commission Proposal COM (1998) 251 final: proposal for a Council Directive on manning conditions for regular passenger and ferry services operating between Member States ([598PC0251\(02\)](#)), Commission Proposal COM (2000) 437 final: amended proposal for a Directive on manning conditions for regular passenger and ferry services operating between Member States ([500PC0437](#))

- Council Directive 94/58/EC on the **minimum level of training of seafarers** (as amended) (98/35/EC) (394L0058) and Commission Proposal COM (2000) 313 final: Proposal for a European Parliament and Council directive on the minimum level of training of seafarers (500PC0313)

- Council Directive 95/64/EC on statistical returns in respect of **carriage of goods and passengers by sea** (as amended and with derogation) (395L0064) and Commission Decision 98/385/EC on same subject (398D0385)

- Commission Proposal COM (1996) 061 final: draft decision of the EEA Joint Committee amending Annex XIII (Chapter V) of the Agreement on the European Economic Area by adding Council Directive NN on **safety rules and standards for passenger ships** –draft common position of the Community (596PC0061(02))

- Council Resolution of 11 March 1996 on **short sea shipping** (396Y0402(01))

- Commission Proposal COM (1996) 654 final: Proposal for a Council Decision on the promotion of **sustainable and safe mobility** (596PC0654)

- Council Directive 97/70/EC setting up a **harmonised safety regime for fishing vessels** of 24 m in length and over (as amended) (397L0070)

- **Commission Proposal COM (1997) 681 final: Proposal for a European Parliament and Council Decision amending Decision 1692/96/EC as regards seaports, inland ports and intermodal terminals (597PC0681), amended proposal COM (1999) 277 final (599PC0277), opinion of the Commission COM (2000) 768 final (500PC0768), Communication from the Commission COM (2000) 1008 final (500PC1008S).**

- Council Directive 98/41/EC on the **registration of persons sailing on board passenger ships** operating to or from ports of the Member States (398L0041)

- Commission Proposal COM (2000) 142 final: Proposal for a regulation of the European Parliament and of the Council on the **accelerated phasing-in of double hull or equivalent design requirements for single hull oil tankers** (500PC0142(03)) and Commission Proposal COM (2000) 848 final: Amended proposal for a Regulation of the European Parliament and of the Council on the accelerated phasing-in of double hull or equivalent design requirements for single hull oil tankers (500PC0848)

- Commission Proposal COM (2000) 179 final: Proposal for a directive of the European Parliament and of the Council establishing requirements and harmonised procedures for the **safe loading and unloading of bulk carriers** (500PC0179)

- Commission Proposal COM (2000) 489 final: Proposal for a Regulation of the European Parliament and of the Council concerning the Committee on Safe Seas and amending the Regulations on **maritime safety and the prevention of pollution from ships** (500PC0489(01)) and Commission Proposal COM (2000) 489 final: Proposal for a Directive of the European Parliament and of the Council amending the Directives on maritime safety and the prevention of pollution from ships (500PC0489(02))

- Commission Proposal COM (2000) 802 final: Proposal for a Regulation of the European Parliament and of the Council establishing a **European Maritime Safety Agency** (500PC0802(03))

- Council Resolution of 14 February 2000 on **the promotion of intermodality and intermodal freight transport in the European Union** (300Y0229(01))

- Council Resolution of 14 February 2000 on **the promotion of short sea shipping** (300Y0229(02))

- Proposal for a Council Decision establishing a Community mechanism for the coordination of **Civil Protection intervention in the event of emergencies** (500PC0593).

International Conventions and International Relations

- Commission Proposal COM (1996) 707 final: Proposal for a Council Decision on **relations between Member States and Third Countries in shipping matters and on action relating to such matters in International Organizations and an authorization procedure for agreements concerning maritime transport** (596PC0707)
- Council Regulation 2978/94 on implementation of IMO Resolution A.747 (18) on the application of **tonnage measurement of ballast spaces in segregated ballast oil tankers** (394R2978)
- Commission Regulation 2158/93 on the **application of amendments to SOLAS and MARPOL Conventions** for the purpose of Council Regulation 613/91 (393R2158)
- Council Decision 83/573/EEC concerning **counter-measures in the field of international Merchant shipping** (383D0573)
- Council Recommendation 83/419/EEC on the ratification of or accession to the 1979 International Convention on **Maritime Search and Rescue (SAR)** (383X0419).
- Council Recommendation 80/907/EEC on the ratification of the International Convention for the **Safety of Fishing Vessels** (Torremolinos Convention) (380X0907); see also fishing vessels under the heading “general”.
- Council Recommendation 79/487/EEC on the ratification of the International Convention on Safe Containers (**CSC**) (379X0487)
- Council Recommendation 79/114/EEC on the ratification of the **STCW 1978 Convention** (379X0114)
- Council Regulation (EEC) N° 954/79 concerning ratification by Member States of, or accession to, the **United Nations Convention on a Code of Conduct for Liner Conferences** (379R0954), Commission Opinion 81/326/EEC (Netherlands) (381X0326), Commission Opinion 82/0024/EEC (Germany) (382X0024), Commission Opinion 82/154/EEC (Denmark) (382X0154), Commission Opinion 82/210/EEC (Belgium) (382X0210), Commission Opinion 82/508/EEC (England) (382X0508), Commission Opinion 85/0185/EEC (France) (385X0185)
- Council Recommendation 78/584/EEC (378X0584) and Council Recommendation 78/564/EEC on the **ratification of Conventions on Safety of Shipping** (378X0584)
- Council Decision 77/587/EEC setting up a **consultation procedure on relations between Member States and Third Countries in shipping matters and on action relating to such matters in International Organizations** (377D0587)

Ship inspections

- Commission Proposal COM (2000) 802 final: Proposal for a Directive of the European Parliament and of the Council establishing a **Community monitoring, control and information system for maritime traffic** (500PC0802(01)) and Commission Proposal COM (1993) 647 final: Proposal for a Council Directive concerning the setting-up of a European vessel reporting system in the maritime zones of Community Member States (593PC0647) and Commission Proposal COM (1994) 220 final: Amended proposal for a Council Directive concerning the setting-up of a European vessel reporting system in the maritime zones of Community Member States (594PC0220)
- Council Directive 1999/35/EC on a system of **mandatory surveys for the safe operation of regular ro-ro ferry and high-speed passenger craft services** (399L0035),
- Council Directive 95/21/EC concerning the enforcement, in respect of ships using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (**Port State Control**) (as amended) (395L0025), Commission Directive 96/40/EC establishing a common model for an identity card for inspectors carrying out port State control (396L0040), Commission Proposal COM (2000) 142 final: Proposal for a Directive of the European Parliament and of the Council amending Council Directive 95/21/EC concerning the enforcement, in respect of ships using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (**Port State Control**) (500PC0142(01)) and Commission Proposal COM (2000) 850 final: Amended proposal for a Directive of the European Parliament and of the Council amending Council Directive 95/21/EC concerning the enforcement, in respect of ships using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (**Port State Control**) (500PC0850)
- Council Directive 94/57/EC on common rules and standards for ship inspection and survey organizations and for the relevant activities of maritime administrations (**Classification societies, ship inspectorate**) (plus amendment) (394L0057), Commission Decision 96/587/EC on the publication of the list of recognized organizations (as amended) (396D0587), Commission Decision 98/295/EC on the recognition of the Hellenic Register of Shipping (398D0295), Commission Decision 2000/481/EC on the recognition of RINA VE (300D0481), Commission Proposal COM (2000) 142 final: Proposal for a Directive of the European Parliament and of the council amending Council Directive 94/57/EC on common rules and standards for ship inspection and survey organizations and for the relevant activities of maritime administrations (500PC0142(02)) and Commission Proposal COM (2000) 849 final: Amended proposal for a Directive of the European Parliament and of the council amending Council Directive 94/57/EC on common rules and standards for ship inspection and survey organizations and for the relevant activities of maritime administrations (500PC0849)

Registration of Ships

- Council Regulation 613/91 on **transfer of ships from one register to another** within the Community ([391R0613](#))
- Commission Proposal COM (1986) 523 final: Proposal for a Council Decision on the common position to be adopted by Member States when signing and ratifying the United Nations **Convention on Conditions for the registration of Ships** ([586PC0532\(02\)](#))

Navigation

- Council Resolution of 1999 on the involvement of Europe in a new generation of **satellite navigation services** ([399Y0803\(01\)](#))
- Council Resolution of 1994 on the European contribution to the development of a **Global Navigation Satellite System (GNSS)** ([394Y1231\(03\)](#))
- Agreement on European contribution to a **Global Navigation Satellite System GNSS** ([298A0710\(01\)](#)) (Directive 398D0434)
- Council Directive 79/115/EEC concerning **pilotage of vessels by deep-sea pilots in the North Sea and English Channel** ([379L0115](#)) and Commission Opinion 80/638/EEC (Belgium) ([380X0638](#)), Commission Opinion 80/946/EEC (Italy) ([380X0946](#)), Commission Opinion 80/947/EEC (Netherlands) ([380X0947](#)), Commission Opinion 80/948/EEC (France) ([380X0948](#)), Commission Opinion 81/110/EEC (Germany) ([381X0110](#)), Commission Opinion 81/399/EEC (Ireland) ([381X0399](#)), Commission Opinion 81/635/EEC (UK) ([381X0635](#)), Commission Opinion 82/303/EEC (Greece) ([382X0303](#)), Commission Opinion 82/841/EEC (Denmark) ([382X0841](#)), Commission Opinion 86/597/EEC (Portugal) ([386X0597](#))
- Council Decision 92/143/EEC on **radionavigation systems for Europe** ([392D0143](#))

Communication

- Commission Decision 2000/638/EC on the application of article 3 (3)(e) of Directive 1999/5/EC to **marine radio communication equipment for seagoing non-SOLAS vessels in GMDSS** (300D0638)

Marine equipment

- Council Directive 96/98/EC on **marine equipment** (396L0098)

Dangerous and polluting goods

Council Directive 93/75/EEC concerning **minimum requirements for vessels** bound for or leaving Community ports and **carrying dangerous or polluting goods** (plus amendments) (393L0075), Commission Decision 96/127/EC on the application of its article 5 (4) (Germany) (396D0127), Commission Decision 96/513/EC (France) (396D0513), Commission Decision 96/710/EC in application of its article 5 (4) (Germany) (396D0710), Directive 200/59/EC of the European parliament and of the Council on port reception facilities for ship-generated waste and cargo residues (300L0059), Commission Proposal COM (1998) 452 final: Proposal for a Council Directive on port reception facilities for ship-generated waste and cargo residues (598PC0452) and Commission Proposal COM (1999) 149 final: Amended proposal for a Council Directive on port reception facilities for ship-generated waste and cargo residues (599PC0149), Commission Proposal COM (1999) 1862 final: Communication from the Commission to the European Parliament on the amended proposal for a European Parliament and Council Directive on port reception facilities for ship-generated waste and cargo residues (599PC1862S) and Commission Proposal COM (2000) 236 final: Opinion of the Commission on the European Parliament's amendments to Council's common position regarding the proposal for a Directive on port reception facilities for ship-generated waste and cargo residues (599PC1862S). Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues. Official Journal L 332 , 28/12/2000 P. 0081

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Inland waterways and navigation

- Commission Decision 2000/637/EC on the application of article 3 (3)(e) of Directive 1999/5/EC to **radio equipment (radiotelephone service on inland waterways)** ([300D0637](#))
- Council Regulation 718/1999/EC on a **community-fleet capacity policy to promote inland waterway transport** ([399R0718](#)) and Commission Regulation 805/1999/EC on measures for implementing this Regulation (as amended) ([399R0805](#))
- Commission proposal COM (1999) 563 final: Amended proposal for a Directive of the European Parliament and of the Council on the approximation of the laws of the Member States with regard to the **transport of dangerous goods by vessels on inland waterways** ([599PC0563](#))
- **Commission proposal COM (1997) 367 final: Proposal for a Council Directive on the approximation of the laws of the Member States with regard to the transport of dangerous goods by vessels on inland waterways** ([597PC0367](#))
- Decision 1692/96/EC of the European Parliament and of the Council on Community guidelines for the **development of the trans-European transport network** ([396D1692](#)).
- Council Directive 96/50/EC on the **harmonization of conditions for obtaining national boatmasters' certificates for the carriage of goods and passengers by inland waterway in the Community** ([396L0050](#))
- Council Directive 96/35/EC on the **appointment and vocational qualification of safety advisers for the transport of dangerous goods by road, rail and inland waterway** ([396L0035](#)) and Directive 2000/18/EC of the European Parliament and the Council on minimum examination requirements for safety advisers for the transport of dangerous goods by road, rail or inland waterway ([300L0018](#))
- Commission Regulation 2812/94/EC amending Council Regulation 1101/89/EEC as regards the conditions which apply to **the putting into service of new capacity in inland waterway transport** ([394R2812](#)).
- Agreement in the form of an exchange of letters between the European Community and Bulgaria concerning **inland transport infrastructure** ([294A1231\(26\)](#)) and agreement in the form of an exchange of letters between the European Community and Bulgaria concerning **transit** ([294A1231\(25\)](#))
- Council Regulation 1101/89 on **structural improvements in inland waterway transport** (as amended) ([389R1101](#)),
- Council Directive 82/714/EEC laying down **technical requirements for inland waterway vessels** (as amended) ([382L0714](#)) and Commission Opinion 85/394/EEC (Luxembourg) ([385X0394](#)), Commission Opinion 85/395/EEC (Germany) ([385X0395](#)), Commission Opinion 85/396/EEC (Netherlands) ([385X0396](#)), Commission Opinion 86/598/EEC (France) ([386X0598](#)), Commission Proposal COM (1997) 644 final: Proposal for a Council Directive amending Directive 82/714/EEC ([597PC0644](#)), Commission Proposal COM (2000) 419 final: Amended proposal for a Directive amending Directive 82/714/EEC ([500PC0419](#))

- Commission Opinion 81/681/EEC on a draft law relating to **safety and working conditions in inland waterway transport** (Netherlands) ([381X0681](#)).
- Council Directive 76/135/EEC on **reciprocal recognition of navigability licenses for inland waterway vessels** (as amended) ([376L0135](#)) and Commission Decision 77/527/EEC establishing a **list of maritime shipping lanes** ([377D0527](#))
- Council Regulation 1107/70 on the **granting of aids for transport by rail road and inland waterway** (as amended) ([370R1107](#)),
- Council Regulation 1191/69 on action by Member States concerning the **obligations inherent in the concept of a public service in transport by rail road and inland waterway** (as amended) ([369R1191](#)), Commission opinion 75/300/EEC ([375X0300](#)),
- Commission Recommendation 68/335/EEC to the Member States on the **structural improvement of the market in the carriage of goods by inland waterway** ([368X0335](#)).
- Exchange of letters on **cooperation between the EEC and the Central Commission for the Navigation on the Rhine** ([261A0606\(1\)](#))

Miscellaneous

- Council Directive 1999/63/EC concerning the Agreement on the **organisation of working time of seafarers** ([399L0063](#)), and Directive 1999/95/EC concerning enforcement of provisions in respect of seafarers' hours of work on board ships calling at Community ports.
- Council Directive 92/29/EEC on the **minimum safety and health requirements for improved medical treatment on board vessels** ([392L0029](#)),
- Council Decision 78/774/EEC concerning the **activities of certain third countries in the field of cargo shipping** (as amended) ([378D0774](#)),