COUNCIL DIRECTIVE

of 21 December 1978

concerning minimum requirements for certain tankers entering or leaving Community ports

(79/116/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 84 (2) thereof,

Whereas, to reduce the risk of incidents involving tankers entering or leaving Member States' ports, the said tankers should be required to comply in advance with certain minimum requirements before entering and while traversing the territorial waters adjacent to the port of destination or departure;

Whereas the competent authorities should be informed of any deficiency potentially deleterious to the safety of shipping and to the marine environment; whereas a Member State in which the competent authorities are informed of circumstances involving or increasing the risk that another Member State's sea and coastal areas may be endangered should inform that Member State forthwith,

HAS ADOPTED THIS DIRECTIVE:

Article 1

1. Member States shall take all necessary and appropriate measures to ensure that oil, gas and chemical tankers of 1 600 gross registered tons and over — whether fully or partly laden — and including those empty but not yet degassed or purged of hazardous residues, entering or leaving the seaports of their territory shall, as a minimum:

A. in advance of entering,

(i) notify the competent authority of the Member State in which the port is situated of the following information ('notification'):

(a) name and call sign of the vessel,

(b) nationality of the vessel,

(c) length and draught of the vessel,

(d) port of destination,

(e) estimated time of arrival at the port of destination or the pilot station, as required by the competent authority,

(f) general information on the nature and quantity of cargo,

(g) where chemicals are being transported, information on whether or not the vessel is in possession of a certificate stating that it is a 'new vessel' under the terms of the IMCO code for the construction and equipment of ships carrying dangerous chemicals in bulk,

(h) whether or not there are any deficiencies or incidents which may decrease the normal safe manoeuvrability of the vessel, affect the safety and easy flow of traffic or constitute a hazard to the marine evironment and adjacent areas;

(ii) complete truly and accurately a tanker check list as reproduced in the Annex to this Directive and make it available to the pilot for his information and to the competent authority, if it so requests.

B. while traversing the territorial waters adjacent to the port of entry or departure,

(i) inform the competent authorities of any deficiencies and incidents which may decrease the normal safe manoeuvrability of the vessel, affect the safety and easy flow of traffic or constitute a hazard to the marine environment and adjacent areas,

(ii) as soon as possible establish radiotelephony communication with the coastal radio stations designated for that purpose, preferably on VHF — in particular, with the nearest radar station, if available — and maintain such communication,

(iii) make use, as far as possible, especially in conditions of restricted visibility, of the services provided by radar stations,

(iv) make use of pilots, in accordance with practice and with the regulations determined by the competent authorities.