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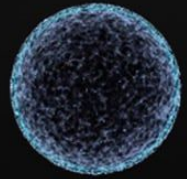
ANNUAL MEETING CANCÚN 2018

**ECASBA PLENARY MEETING
17th OCTOBER 2018**

REPORTING FORMALITIES

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GENERAL MANAGER**

THE
BEGINNING





REPORTING FORMALITIES DIRECTIVE

- Directive 2010/65/EC, originally launched in 2009

- Designed to

and consist

authorities

reduction in

1st June 2015

WRONG

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REPORTING FORMALITIES DIRECTIVE



- Unfortunately a number of factors, from an unwillingness to share information to a failure to agree common standards for data exchange, have prevented the project from achieving its stated aims
- So Commission undertook two REFIT reviews in order to address those issues, surveyed stakeholders and went away and thought about the problem. The result...

REPORTING FORMALITIES DIRECTIVE



The:

REPORTING FORMALITIES
REGULATION (2018/0139)

REPORTING FORMALITIES REGULATION



So, Is
This
It ?



REPORTING FORMALITIES REGULATION



- A Regulation not a Directive:

“A Regulation is a binding legislative act. It must be applied in its entirety across the EU. A Directive is a legislative act that sets out a goal that all EU countries must achieve. It is up to the individual countries to devise their own laws on how to reach those goals”

www.europa.eu/european-union/eu-law/legal-acts_en

“A regulation is a more appropriate instrument for ensuring that interfaces, data formats and reporting procedures are harmonised efficiently and that these measures are implemented in a consistent and transparent fashion”

“Choice of instrument”, Regulation 2018/0139, Explanatory Memorandum

REPORTING FORMALITIES REGULATION



Main Points/1:

Establishes a “European Maritime Single Window Environment (EMSWe), a legal and technical environment for electronic transmission of information in relation to reporting formalities and obligations for the port calls in the Union, which consists of a network of National Single Windows (NSW’s) and includes the harmonised interface as well as common services for user and access management, ship identification, locations codes and information on dangerous and polluting goods”.

REPORTING FORMALITIES REGULATION



Main Points/2:

- NSWs established by Member States
- Common, harmonised front-end user interfaces to aid data reporting
- Common data set based on EU and international reporting obligations
- Common EMSWe ship database covering ship particulars, specific reporting exemptions etc.
- Common Hazmat database for dangerous and polluting goods
- Includes “report once” facility for operational data, can be shared with port or terminal operators

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Main Points/3:

- Declarants will provide information by means of digital spreadsheets, the detail and format of which will be harmonised at EU level. The spreadsheets will be provided by the Member State to ensure they meet the common requirements
- Spreadsheets will include functionality to assist in the extraction of reporting data elements
- Declarants will be able to input data to the NSW through existing reporting channels, including Port Community Systems
- Member States will administer the NSW

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Are
We
Nearly
There
Yet?

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Issues for agents:

- Harmonised data sets – IMO vs EU. We only need one, ideally IMO
- No commitment to removing irrelevant/unnecessary data or protocols
- Harmonised interfaces for data entry – why? If it ain't broke, don't fix it
- Concerns over security of data entry process (spreadsheets, macros etc.)
- Reporting Once – currently per port call, not per voyage. No commitment to EU data-sharing
- No customs/other reporting formalities – why not?
- Ship, port and hazmat databases – proprietary or EU?

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Questions for DG-MOVE/1:

- What is the proposed timescale for implementation of the EU-wide ship reporting environment??
- How will current proposal reduce administrative burden if the ship still has to report at every port?
- What is the timescale for harmonising data and formats?
- When is the EMSWe going live?
- Will the common dataset exclude irrelevant and obsolete data?
- How secure are the spreadsheets, will they include macros?

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Questions for DG-MOVE/2:

- Who is going to produce/populate ship database? Commercial application?
- While excluding customs and phyto-sanitary reporting obligations (amongst others) will aid implementation, they will not provide the fully integrated reporting system we all want. What is the timescale for bringing these additional reporting functions into the EMSWe?

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Conclusions:

- Using a Regulation instead of a Directive will aid harmonisation
- Delaying the introduction of a European Single Window until effective and efficient NSWs are in place - the ECASBA preferred model - will reduce the implementation workflow and impact on administrations, shipowners/operators, agents and other parties, but not the operational burden of reporting
- So.....?

REPORTING FORMALITIES REGULATION



Are
We
Nearly
There
Yet?

REPORTING FORMALITIES REGULATION



**KEEP
CALM
AND
WAIT FOR IT**



Thank you.