VEETEEDE AMET
ESTONIAN MARITIME ADMINISTRATION

Mr Fotis Karamitsos
The Director
Directorate G – Maritime and Inland
Waterway Transport; Intermodality
Directorate-General for Energy and Transport
European Commission
B-1049 Brussels
Belgium

14.06.2007 nr 5-1-13/1837

Implementation of Directive 1998/18/EC

Dear Mr Karamitsos,

According to Article 7(4) of the Directive 1998/18/EC, as amended, on safety rules and standards for passenger ships, Estonian Maritime Administration (EMA) hereby notifies the Commission that Estonia applies Article 7(3) of the Directive.
EMA intends to exempt, in the light of the interpretation of Article 6 3(c), class C and D passenger ships carrying out domestic voyages in Estonia from the requirements of Regulations II-1/7 and II-1/8 of Annex 1 of the Directive.
The exemption will be adopted for the one-compartment ships operating on the following routes: Pärnu – Kihnu, Munalaid – Manilaid – Kihnu, Rohuküla – Sviby.
The exemption from the requirements of the aforesaid Regulations will be adopted as from 01.07.2008, since class C and D passenger ships carrying out domestic voyages on these routes are operating in archipelagic sea areas sheltered from open sea effect (maximum wave heights 2.0 meters) and the trip duration of such ships is restricted. Moreover, the ships on these routes operate in the shallow waters (majority of the route along the fairway) where the maximum water depth can reach only up to 7,4 meters and the routes are planned along the coast line where there is always a proximity of land and it is away from the traffic to port of Pärnu. Ships operating on these routes are equipped with AIS and the area of navigation is under the Estonian Coast Guard radar surveillance.
The text of the relevant Regulation No 30 of 9 March 2005 of the Ministry of Economic Affairs and Communications will be amended accordingly after the proceedings in accordance with Article 9 of the Directive.

Yours sincerely

René Sirol
Head of Maritime Safety Division-
Deputy Director General

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EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR ENERGY AND TRANSPORT

DIRECTORATE G – Logistics, innovation, co-modality & maritime transport
The Director

17 -10- 2007

Brussels,
DG TREN/ G1/ RCM D(2007) 323157

Dear Mr Sirol,

I refer to your letter of 14 June 2007 and to subsequent correspondence concerning your request to exempt three Class C and D passenger ships operating on specific domestic routes from the ship stability rules contained in Annex 1 of Directive 98/18/EC.

My services have considered your request in the light of the papers you have provided. I have to point out that the stability rules set out in Annex I of Directive 98/18/EC do not apply to existing Class C and D vessels engaged on domestic voyages.

Article 6(3)(c) of the Directive, to which you refer, notes that existing Class C and D vessels should comply with the rules of the flag State. Moreover, these rules should apply an equivalent level of safety to that of Chapters II-1 and II-2 of Annex I, taking into account the specific local operational conditions. We understand that the individual exemptions requested are in fact, an appreciation of local conditions within your national rules.

From the information forwarded by your administration, my services have looked at the local operational conditions, in terms of significant wave height, trip duration, AIS provision and coastguard surveillance as well as the fact that the ships concerned have successfully undergone stability tests and been issued with passenger safety certificates.

On this basis, my services find it acceptable that these ships can be used on these routes, taking into account the local operational conditions.

Yours sincerely,

Fotis Karamitsos

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Deputy Director General
Estonian Maritime Administration
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SIGNETUD
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