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# **Directive 2010/65/EU** **on Reporting Formalities** **Implementation in Germany**



## Reporting formalities resulting from legal acts of the Union

1. Notification for ships arriving in / departing from ports of Member States  
Article 4 of Directive 2002/59/EC
2. Border checks on persons  
Article 7 of Regulation (EC) 562/2006
3. Notification of dangerous or polluting goods carried on board  
Article 13 of Directive 2002/59/EC
4. Notification of ship waste and cargo residues  
Article 6 of Directive 2000/59/EC
5. Notification of security information  
Article 6 of Regulation (EC) 725/2004
6. Entry summary declaration  
Article 36a of Community Customs Code



## **FAL forms and formalities from international legal instruments**

When forms are required they shall be as described below:

1. FAL form 1: General Declaration
2. FAL form 2: Cargo Declaration
3. FAL form 3: Ship's Stores Declaration
4. FAL form 4: Crew's Effects Declaration
5. FAL form 5: Crew List
6. FAL form 6: Passenger List
7. FAL form 7: Dangerous Goods Manifest
8. Maritime Declaration of Health



## Synopsis: EU directives and corresponding forms

1. Ship notification: FAL form 1: General Declaration
2. Border checks on persons FAL form 5: Crew List  
FAL form 6: Passenger List
3. Notification of dangerous goods: FAL form 7: Dangerous Goods Manifest
4. Notification of ship waste: Dir. 2000/59 Annex
5. Notification of security information: Reg. 725/2004 Annex
6. Entry summary declaration: FAL form 2: Cargo Declaration

### Additional requirement

Maritime Declaration of Health see International Health Regulations



## **FAL forms without corresponding notification requirement**

FAL form 3: Ship's Stores Declaration

FAL form 4: Crew's Effects Declaration

Directive 2010/65 Introduction paragraph 2

(...) the reporting formalities required by legal acts of the Union and by Member States need to be simplified and harmonised to the greatest extent possible. However, this Directive should be without prejudice to the nature and content of the information required, and should not introduce any additional reporting requirements for ships not already under such obligation according to legislation applicable in Member States. It should deal solely with how the information procedures can be simplified and harmonised (...)



## **FAL forms providing insufficient information**

FAL form 1: General Declaration

Examples of missing information:

- actual draught of ship
- specific details needed for ship operation in port
- specific details needed for the purpose of invoicing

Directive 2010/65 Annex section C:

### **Any relevant national legislation**

Member States may include in this category the information which shall be provided in accordance with their national legislation. Such information shall be transmitted by electronic means.



## **Electronic notification through a single window**

Member States shall accept the fulfilment of reporting formalities in electronic format and their transmission via a single window as soon as possible and in any case no later than 1 June 2015.

This single window, linking SafeSeaNet, e-Customs and other electronic systems, shall be the place where, in accordance with this Directive, all information is reported once and made available to various competent authorities and the Member States.



## General strategy for implementation in Germany

Use existing systems and procedures

Adapt and extend the scope of these systems and procedures to fulfil the requirements for a „national single window“



## Information required by Directive 2002/59 Art. 4 and 13

### Static (semi static) ship details

ship name, IMO-No ...

### Voyage related data

last port, next port, ETD, ETA,  
number of persons on board ...

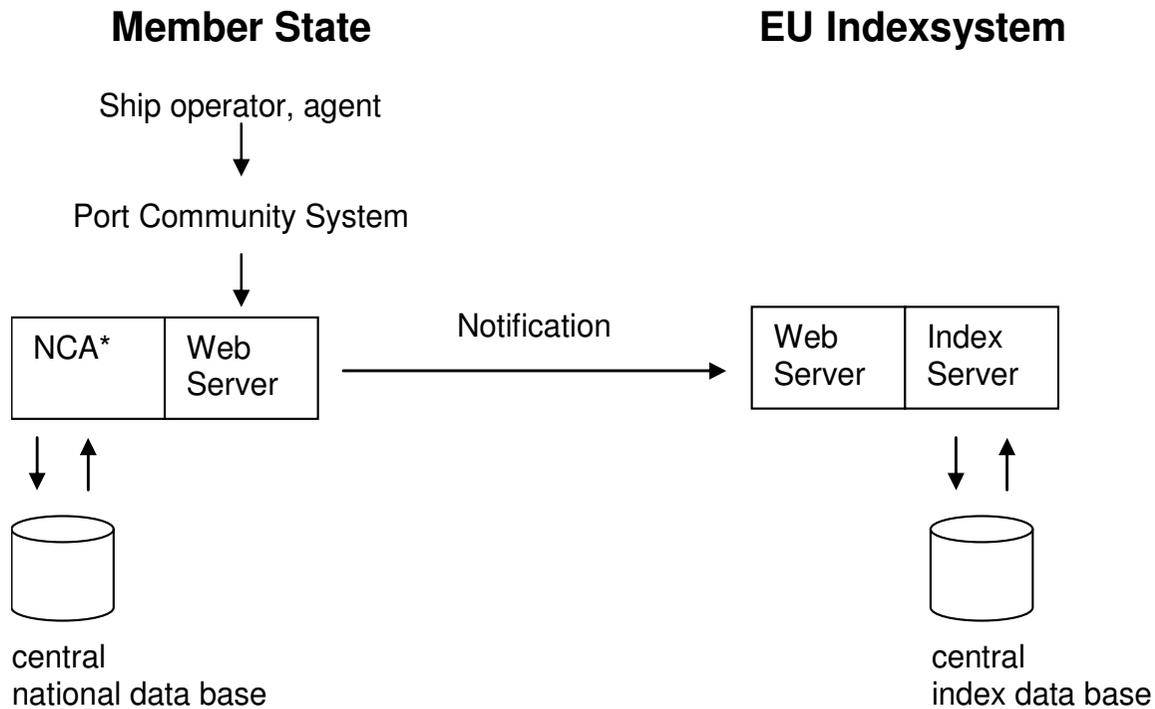
### cargo details (hazardous / noxious cargo)

description and classification of cargo as  
per IMDG, IMSBC, IBC, IGC or MARPOL I  
quantity of cargo, stowage position  
identification number of CTU ...

The system which is already in operation for the submission, storage and dissemination of above data should be used for the establishment of a “national single window”.



## Information exchange required by Directive 2002/59 Art. 14

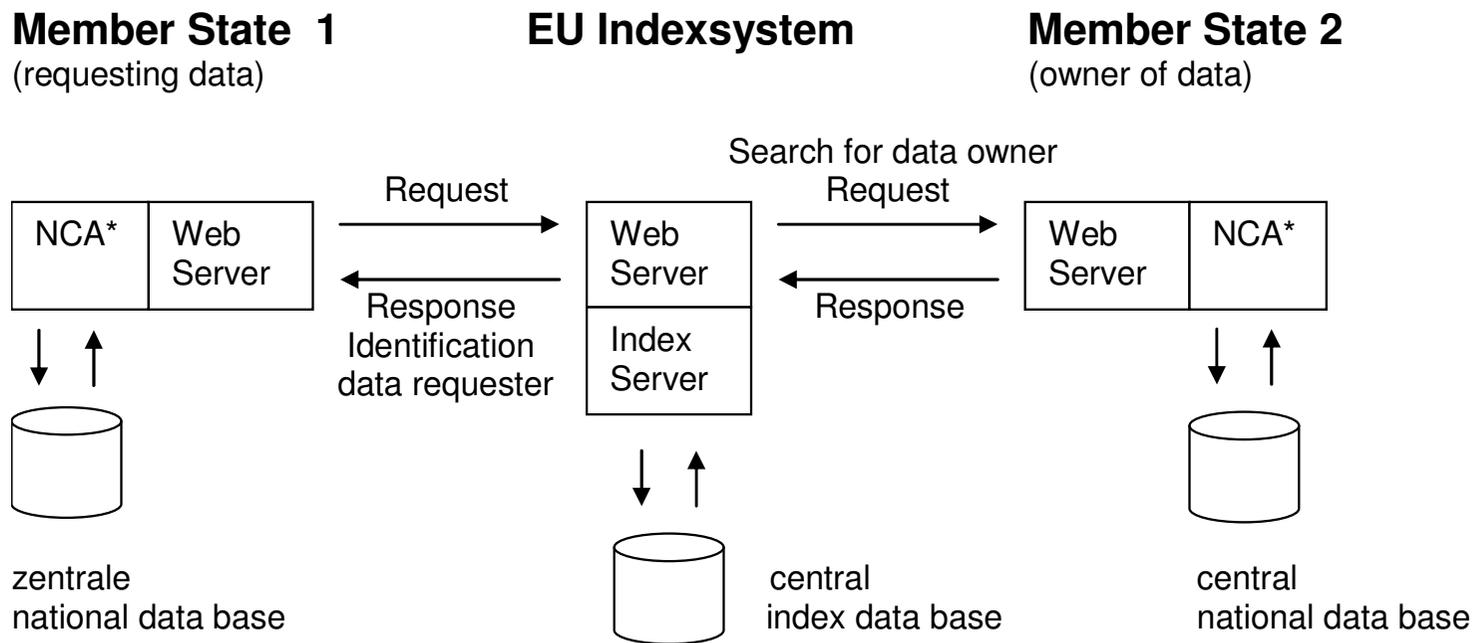


\* National Competent Authority  
(in Germany: ZMGS)

The PCS disseminates information between authorities and port industry



## Information exchange required by Directive 2002/59 Art. 14



\* National Competent Authority  
(in Germany: ZMGS)

The Index server searches for data owner  
and identifies the data requester



## Single Window definition – the EU level

The Single Window (SW) is an environment for collection and dissemination of vessel reporting information with a structured and commonly defined data structure, and rules and rights management of information, which are in accordance with relevant international, national and local legal requirements. The goal of the SW is to simplify and harmonise the administrative procedures applied to maritime transport by making the electronic transmission of information standard and by rationalising reporting formalities.

The minimum requirements for the quality, the content or can be defined and regulated by EU legislation. Individual data elements should be only submitted once.

The SW provides a user web interface, harmonised on the EU level, through which the data can be submitted directly by a party responsible for submitting the information or, where applicable by legislation, by a party with delegated rights. Addition to this user web interface, the National Single Windows (NSW) can provide optional data transmission means as long as they those do not compromise the minimum requirements on the data stated above.



## **Extension to the Single Window definition – the national level (*example by Germany*)**

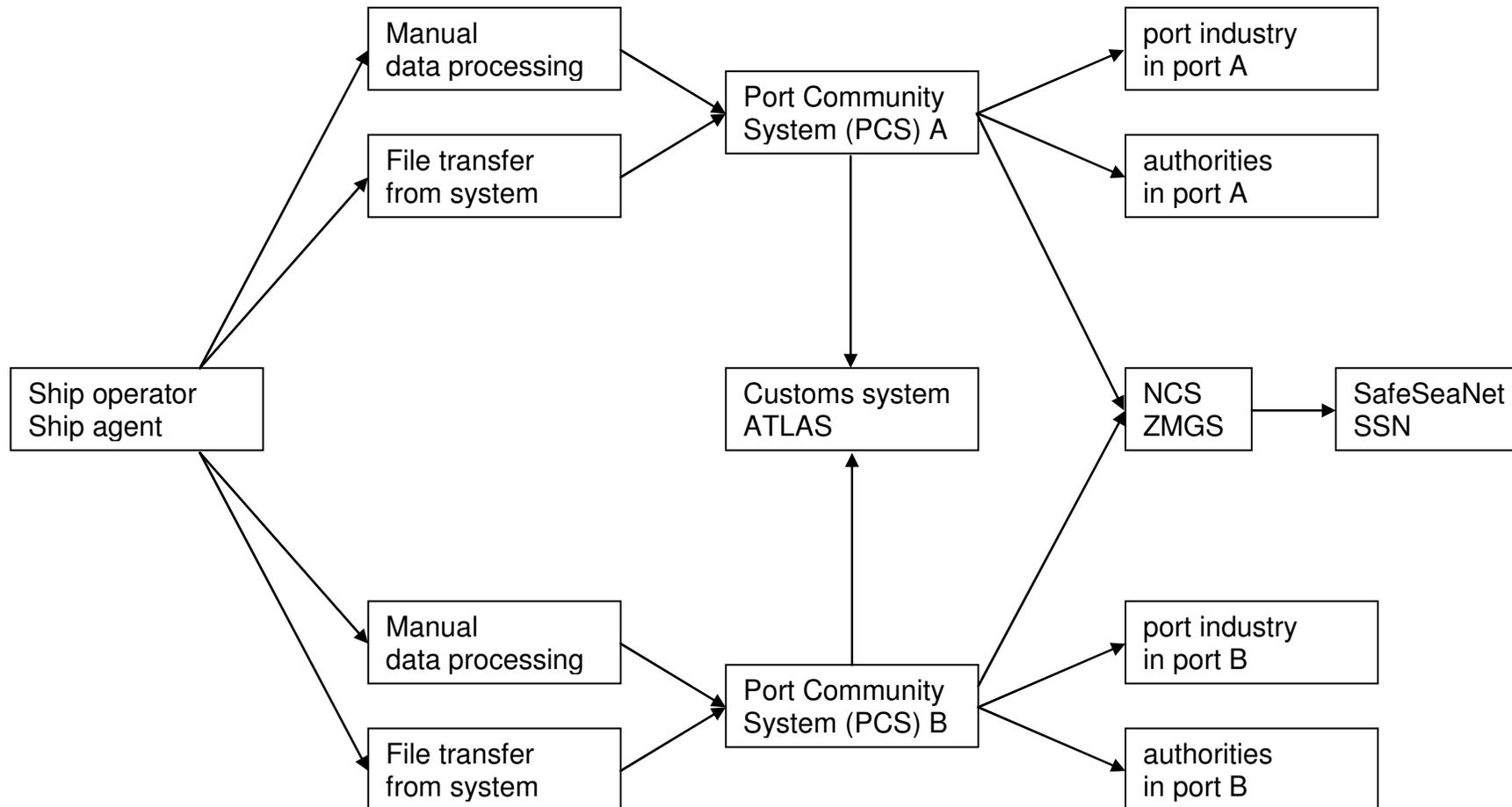
The German National Single Window (NSW), is a logical unit, which consist of diverse technical entities (in Germany i.e. ATLAS, ZMGS, local PCS, etc.) and are linked to each other by defined rules. The NSW serves as “Single Point of Contact” for the exchange of information. The quality, the content and the submission time frame of the data are or can be defined and regulated by national or local legislation. Individual data elements should be only submitted once.

The transmission of the data to the NSW can be made either directly through business entities / governmental agencies or via a trusted-third-party (certified and authorised party). The NSW allows the exchanges of information in three ways:

- Between actors in trade or transport chain and governmental agencies (B2G or G2B)
- Between governmental agencies on the local level (G2G)
- Between governmental agencies on the supra-regional and international level (G2G, for example NSW DE and SSN)



### Existing systems





## Information already covered by PCS

- ship notification
- notification of dangerous goods
- notification of ship waste
- entry summary declaration

## Information not covered so far by PCS

- border checks on persons
- notification of security information
- maritime health declaration



## The German National Single Window (NSW)

Modular system: the NSW is a combination of

- Port Community System (PCS) and
- Central Reporting System (German: ZMGS)

Advantage: the PCS combines B2G and B2B functionalities

B2B functionalities are not covered by the directive.

The combined NSW provides added value for the user.

The user may select between different PCS which are interconnected

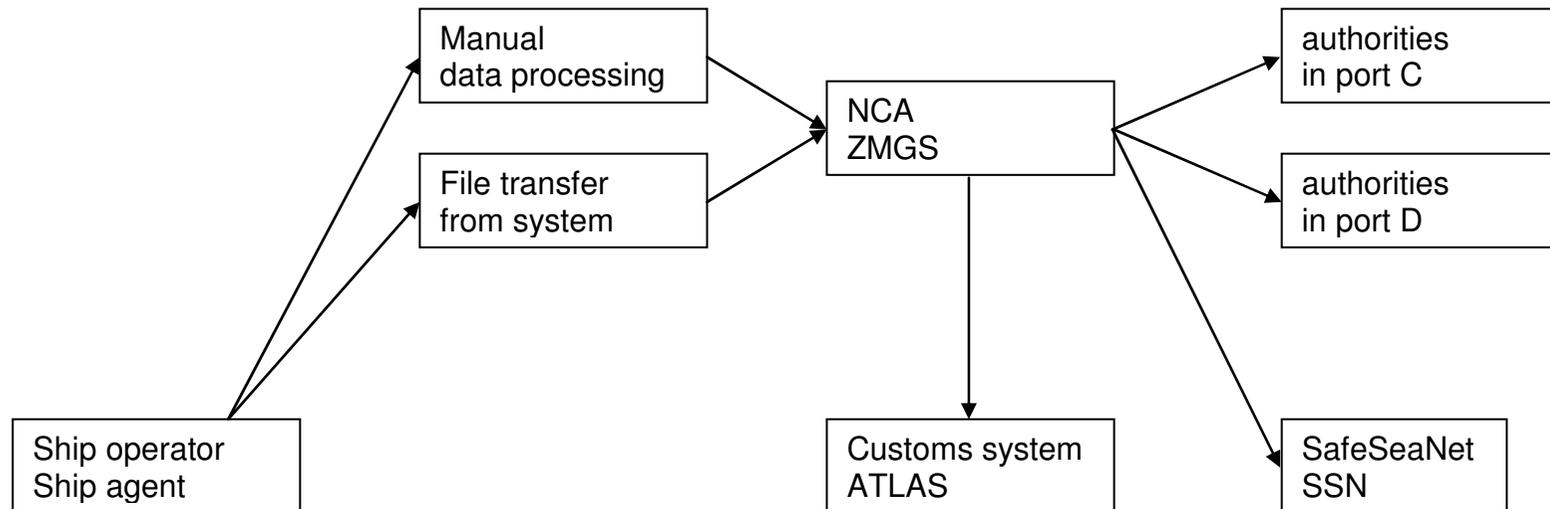
For small ports without PCS:

ZMGS provides the function of NSW

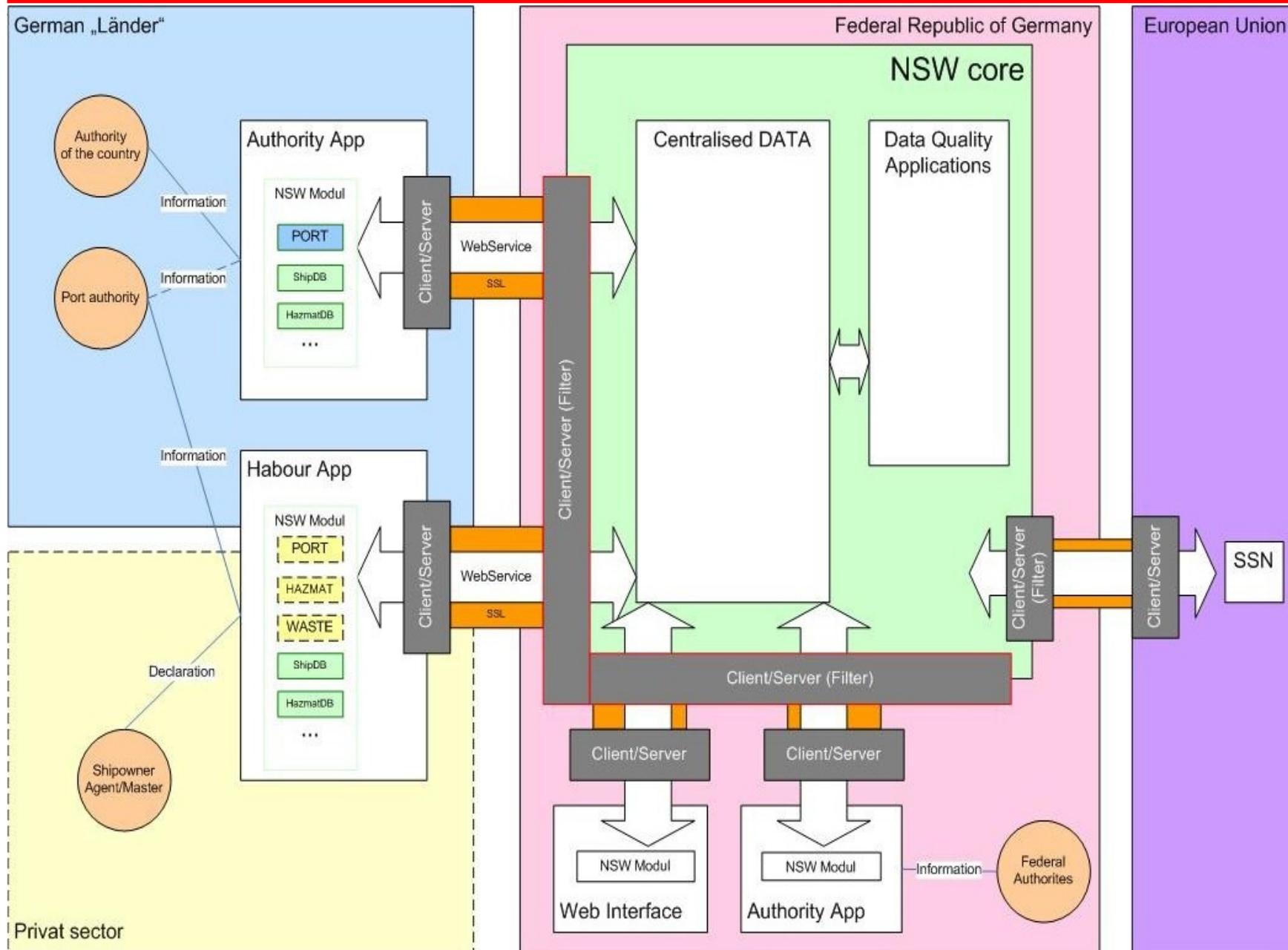
Disadvantage: no B2B functionalities provided



## Solution for small ports – to be developed



# Hansestadt Bremlisches Hafenam





## Next steps for implementation

Harmonization of all reporting requirements in all German ports

Definition of electronic messages for

- crew list
- passenger list
- security information
- maritime declaration of health

Develop and establish data exchange between notifying party, NSW and authorities (receivers of above messages)

Develop and establish data exchange between ZMGS and Customs Systems (ATLAS)



**Thanks for your attention**