Answer given by Mrs Diamantopoulou on behalf of the Commission  

(5 December 2002)

Council Directive 93/104/EC of 23 November 1993 concerning certain aspects of the organization of working time (1) applies to all sectors of activity, both public and private, with the exception of air, rail, road, sea, inland waterway and lake transport, sea fishing, other work at sea and the activities of doctors in training (‘excluded sectors’).

These ‘excluded sectors’ will in future be covered by Directive 2000/34/EC of the European Parliament and of the Council of 22 June 2000 (2), which will enter into force on 1 August 2003 (1 August 2004 for doctors in training).

For workers on board sea-going fishing vessels, Directive 2000/34/EC provides that the maximum number of hours of work or the minimum number of hours of rest shall be specified by law, regulations, administrative provisions or by collective agreements or agreements between the two sides of the industry within the limits laid down by the Directive: the number of hours of work shall not exceed 14 hours in any 24-hour period and 72 hours in any seven-day period while minimum hours of rest shall not be less than 10 hours in any 24-hour period and 77 hours in any seven-day period.

Article 3 of the Directive states that, not later than 1 August 2009, the Commission shall, after consulting the Member States and management and labour at European level, review the operation of the provisions for workers on board sea-going fishing vessels, and, in particular examine whether these provisions remain appropriate, particularly as far as health and safety are concerned, with a view to proposing any amendments felt to be necessary.

(2) OJL 195, 1.8.2000.

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WRITTEN QUESTION E-2985/02  
by Rosa Miguélez Ramos (PSE) to the Commission  

(23 October 2002)

Subject: Measures to reduce fisheries accidents

Paragraph 4 of the EP’s resolution of 5 April 2001 on Fisheries: safety and causes of accidents (3) ‘calls for a gradual ban on fishing to be applied to vessels older than 20 years, except for those that have passed annual safety tests’.

Paragraph 6 ‘calls on the Commission to continue co-financing the replacement of fishing vessels older than 20 years that do not meet minimum standards with regard to safety and the health of workers on board’.

The average age of fishing boats is very high, and in some countries over 20 years; as they get older, fishing boats are increasingly prone to accidents.

What steps has the Commission taken since the adoption of this resolution to modernise and renew the fleet, reducing the average age of fishing boats, and increasing the number of inspections of older fishing boats?


Answer given by Mr Fischler on behalf of the Commission  

(12 November 2002)

Concerning point 6 of the Parliament Resolution, the Commission recognises the need for a renewal of the fleet, but thinks this objective has to be compatible with that of reducing excess of capacity and adjusting the size of the fleet to the available resources. This is why, in the framework of the ‘Common Fisheries
Policy reform, the Commission has proposed to keep the financial support to the scrapping of vessels and to eliminate aid for the construction of vessels. The Commission expects these measures to have a positive impact on the average age of the fleet, as older and less efficient vessels would be scrapped first. At the same time, the Commission has proposed to continue Community co-financing for safety investments.

(2003/C 137 E/162) WRITTEN QUESTION E-2987/02
by Rosa Miguélez Ramos (PSE) to the Commission

(23 October 2002)

Subject: Measures to reduce fisheries accidents

Paragraph 8 of the EP’s resolution of 5 April 2001 on Fisheries: safety and causes of accidents (1) “calls for a common European system which takes into account the differences between fishing fleets, which will make stricter and more systematic checks possible as regards the technical inspection of vessels, including smaller vessels and the oldest vessels, and as regards inspections relating to working conditions, so as to ensure compliance with rules on safety, compulsory annual inspections which include checks on the regulation safety equipment, the application of penalties and checks on communication equipment on board”.

Has the Commission taken any steps in this connection?

Does not the Commission believe that a common system would help reduce the number of fishery accidents?


Answer given by Mr Fischler on behalf of the Commission

(13 December 2002)

Given the differences in fishing fleet composition between Member States and the variability of accident risks by segment and zone of activity, the Commission does not consider that a common European system would necessarily lead to a reduction in accidents.

As far as verification of application of national legislation transposing the European Directives on protection of workers’ health and their safety (1) are concerned, it is up to Member States to take the action necessary to ensure adequate inspection and surveillance.

The Commission draws the Honourable Member’s attention to its communication Adapting to change in work and society: a new Community strategy on health and safety at work 2002-2006 (2) and to the Council Resolution on a new Community strategy on health and safety at work (2002-2006) (3), which are aimed at securing a constant reduction in accidents at work and occupational illness. This involves setting measurable targets at both European and Member State level, particularly in the occupational sectors with above average incidences.