

## II

*(Non-legislative acts)*

## REGULATIONS

## COMMISSION DELEGATED REGULATION (EU) 2022/1180

of 11 January 2022

**correcting Directive 2009/45/EC of the European Parliament and of the Council on safety rules and standards for passenger ships**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships <sup>(1)</sup>, and in particular Article 10(2) and (3) thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) 2020/411 <sup>(2)</sup> contained an error in the amended Section 2, Chapter II-1, Part B of Annex I to Directive 2009/45/EC.
- (2) Section 2, Chapter II-1, Part B of Annex I to Directive 2009/45/EC as amended by Delegated Regulation (EU) 2020/411 does not exclude Regulation 8.1 from the scope of application of the respective part of the International Convention for the Safety of Life At Sea, done at London on 1 November 1974 (the 1974 SOLAS Convention), as amended, to passenger ships of category B, C, and D.
- (3) During the negotiations over the draft of Delegated Regulation (EU) 2020/411, experts agreed that Safe Return to Port requirements encoded in Regulation 8.1 of Chapter II-1, Part B of the 1974 SOLAS Convention should not apply to passenger ships of category B, C, and D, as it would be disproportionate considering the circumstances under which those categories of ships operate.
- (4) Directive 2009/45/EC should therefore be corrected accordingly,

HAS ADOPTED THIS REGULATION:

*Article 1*

In Section 2, Chapter II-1 of Annex I to Directive 2009/45/EC, Part B is replaced by the following:

**'PART B – INTACT STABILITY, SUBDIVISION AND DAMAGE STABILITY****Ships shall apply the requirements in the appropriate provisions of SOLAS Chapter II-1, parts B to B-4, as amended, with the exception of Regulation 8.1.'**<sup>(1)</sup> OJ L 163, 25.6.2009, p. 1.<sup>(2)</sup> Commission Delegated Regulation (EU) 2020/411 of 19 November 2019 amending Directive 2009/45/EC of the European Parliament and of the Council on safety rules and standards for passenger ships, as regards the safety requirements for passenger ships engaged on domestic voyages (OJ L 83, 19.3.2020, p. 1).

*Article 2*

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 11 January 2022.

*For the Commission*  
*The President*  
Ursula VON DER LEYEN

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