

COMMISSION DELEGATED REGULATION (EU) 2018/414**of 9 January 2018****supplementing Directive 2014/90/EU of the European Parliament and of the Council as regards the identification of specific items of marine equipment which can benefit from electronic tagging****(Text with EEA relevance)**

THE EUROPEAN COMMISSION,

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

Having regard to Directive 2014/90/EU of the European Parliament and of the Council of 23 July 2014 on marine equipment and repealing Council Directive 96/98/EC ⁽¹⁾, and in particular Article 11(3) thereof,

Whereas:

- (1) In order to enable the voluntary use of electronic tags by economic operators, to facilitate market surveillance and to prevent the counterfeiting of specific items of marine equipment, Directive 2014/90/EU confers powers to the Commission to adopt delegated acts in order to identify specific items of marine equipment which can benefit from electronic tagging.
- (2) It is important to ensure that the objectives of Directive 2014/90/EU are achieved uniformly throughout the Member States. This is achieved by adopting a Regulation, offering legal certainty for all stakeholders, including marine equipment manufacturers, competent authorities and ship builders and operators. The form of a Regulation ensures a coherent framework for all market operators and is the best possible guarantee for a level playing field and uniform conditions of competition. Furthermore it ensures the direct applicability of the list of specific marine equipment which can benefit from electronic tagging. The recourse to a regulation allows, in addition, to avoid the administrative burden for Member State administrations as it requires no further transposition at national level.
- (3) In accordance with Directive 2014/90/EU the Commission should carry out a cost-benefit analysis concerning the use of electronic tags as a supplement to or a replacement of the wheel mark.
- (4) The cost-benefit analysis demonstrated that, due to the electronic tagging of marine equipment, manufacturers should benefit from an improved prevention of counterfeiting, shipowners and operators should be able to carry out equipment traceability and stock control more easily and market surveillance authorities should benefit from direct and easy access to the relevant databases, which will improve the validation checks of certificates.
- (5) The cost-benefit analysis concluded that overall investments will be low compared to the expected benefits and that costs for authorities and industry are affordable because of a possible stepwise voluntary implementation. Through further investments by the private and public sector additional benefits can be realised.
- (6) Within the context of the cost-benefit analysis the Commission carried out several consultations, workshops and demonstration projects with Member State's experts and stakeholders.
- (7) During those consultations stakeholders agreed that it could be technically feasible to tag equipment placed or to be placed on board an EU ship and for which the approval of the flag state administration is required by the international instruments defined in Article 2 of Directive 2014/90/EU by using different methods of tagging. Therefore such equipment should be able to benefit from electronic tagging.

HAS ADOPTED THIS REGULATION:

Article 1

The specific items of marine equipment listed in the Annex of this Regulation may benefit from electronic tagging.

⁽¹⁾ OJ L 257, 28.8.2014, p. 146.

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, 9 January 2018.

For the Commission
The President
Jean-Claude JUNCKER

ANNEX

The items in this list can benefit from electronic tagging:

1. Lifesaving appliances

Number and item designation

MED/1.1

Lifebuoys

MED/1.2a

Position-indicating lights for lifesaving appliances:

- (a) for survival craft and rescue boats;
 - (b) for lifebuoys;
 - (c) for lifejackets.
-

MED/1.3

Lifebuoys self-activating smoke signals

MED/1.4

Lifejackets

MED/1.5

Immersion suits and anti-exposure suits designed to be worn in conjunction WITH a lifejacket:

- (a) immersion suit without inherent insulation;
 - (b) immersion suit with inherent insulation;
 - (c) anti exposure suits.
-

MED/1.6

Immersion suits and anti-exposure suits designed to be worn WITHOUT a lifejacket:

- (a) immersion suit without inherent insulation;
 - (b) immersion suit with inherent insulation;
 - (c) anti exposure suits.
-

MED/1.7

Thermal protective aids

MED/1.8

Rocket parachute flares (pyrotechnics)

MED/1.9

Hand flares (pyrotechnics)

MED/1.10

Buoyant smoke signals (pyrotechnics)

MED/1.11

Line-throwing appliances

MED/1.12

Inflatable liferafts

MED/1.13

Rigid liferafts

MED/1.14

Automatically self-righting liferafts

MED/1.15

Canopied reversible liferafts

MED/1.16

Float-free arrangements for liferafts (hydrostatic release units)

MED/1.17

Lifeboats:

(a) davit-launched lifeboats:

- partially enclosed,
- totally enclosed;

(b) free-fall lifeboats.

MED/1.18

Rigid rescue boats

MED/1.19

Inflated rescue boats

MED/1.20

Fast rescue boats:

- (a) inflated;
 - (b) rigid;
 - (c) rigid-inflated.
-

MED/1.21

Launching appliances using falls (davits)

MED/1.23

Launching appliances for free-fall lifeboats

MED/1.24

Liferaft launching appliances

(davits)

MED/1.25

Fast rescue boat launching appliances

(davits)

MED/1.26

Release mechanism for:

- (a) lifeboats and rescue boats (launched by a fall or falls);
 - (b) liferafts (launched by a fall or falls);
 - (c) free-fall lifeboats.
-

MED/1.27

Marine evacuation systems

MED/1.28

Means of rescue

MED/1.29

Embarkation ladders

MED/1.30

Retro-reflective materials

MED/1.33

Radar reflector for lifeboats and rescue boats

(passive)

MED/1.36

Lifeboat/rescue boat propulsion engine

MED/1.37

Rescue boat propulsion engine — outboard motor

MED/1.38

Searchlights for use in lifeboats and rescue boats

MED/1.39

— Open reversible liferafts

MED/1.41

Winches for survival craft and rescue boats:

- (a) davit-launched lifeboats;
 - (b) free-fall lifeboats;
 - (c) liferafts;
 - (d) rescue boats;
 - (e) fast rescue boats.
-

MED/1.43

Rigid/inflated rescue boats

2. Marine pollution prevention

Number and item designation

MED/2.1

Oil-filtering equipment (for an oil content of the effluent not exceeding 15 ppm)

MED/2.2

Oil/water interface detectors

MED/2.3

Oil-content meters

MED/2.5

Oil discharge monitoring and control system for oil tankers

MED/2.6

Sewage systems

MED/2.7

Shipboard incinerators

(Incinerator plants with capacities greater than 1 500 kW and up to 4 000 kW)

MED/2.8

NOx analyser for use on board as per NOx Technical Code 2008

MED/2.10

On-board exhaust gas cleaning systems

3. Fire protection equipment

Number and item designation

MED/3.1

Primary decks covering

MED/3.2

Portable fire extinguishers

MED/3.3

Firefighter's outfit: protective clothing (close proximity clothing)

MED/3.4

Firefighter's outfit: boots

MED/3.5

Firefighter's outfit: gloves

MED/3.6

Firefighter's outfit: helmet

MED/3.7

Self-contained compressed-air-operated breathing apparatus

MED/3.8

Compressed air line breathing apparatus

MED/3.9

Sprinkler systems components for accommodation spaces, service spaces and control stations equivalent to that referred to in SOLAS 74 Reg. II-2/12 (limited to nozzles and their performance).

(Nozzles for fixed sprinkler systems, for high speed craft (HSC) are included under this item)

MED/3.10

— Nozzles for fixed pressure water spraying fire-extinguishing systems for machinery spaces and cargo pump-rooms

MED/3.11

'A' & 'B' class divisions fire integrity:

- (a) 'A' class divisions;
 - (b) 'B' class divisions.
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MED/3.12

Devices to prevent the passage of flame into the cargo tanks in tankers

MED/3.13

Non-combustible materials

MED/3.15

Materials other than steel for pipes conveying oil or fuel oil:

- (a) plastic pipes and fittings;
 - (b) valves;
 - (c) flexible pipe assemblies and compensators;
 - (d) metallic pipe components with resilient and elastomeric seals.
-

MED/3.16

Fire doors

MED/3.17

Fire door control systems components

MED/3.18

Surface materials and floor coverings with low flame-spread characteristics:

- (a) decorative veneers;
 - (b) paint systems;
 - (c) floor coverings;
 - (d) pipe insulation covers;
 - (e) adhesives used in the construction of 'A', 'B' & 'C' class divisions;
 - (f) combustible ducts membrane.
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MED/3.19

Draperies, curtains and other suspended textile materials and films

MED/3.20

Upholstered furniture

MED/3.21

Bedding components

MED/3.22

Fire dampers

MED/3.25

'A' and 'B' class fireproof windows and side scuttles

MED/3.26

Penetrations through 'A' class divisions:

- (a) electric cable transits;
 - (b) pipe, duct, trunk, etc. penetrations.
-

MED/3.27

Penetrations through 'B' class divisions:

- (a) electric cable transits;
 - (b) pipe, duct, trunk, etc. penetrations.
-

MED/3.28

Sprinkler systems (limited to sprinkler heads).

(Nozzles for fixed sprinkler systems, for high speed craft (HSC) are included under this item)

MED/3.29

Firefighting hoses

Non-percolating lay flat firefighting hoses (range of the inside diameter from 25 mm to 52 mm)

MED/3.30

Portable oxygen analysis and gas detection equipment

MED/3.32

Fire-restricting materials (except furniture) for high speed craft

MED/3.33

Fire-restricting materials for furniture for high speed craft

MED/3.34

Fire-resisting divisions for high speed craft

MED/3.35

Fire doors on high speed craft

MED/3.36

Fire dampers on high speed craft

MED/3.37

Penetrations through fire-resisting divisions on high speed craft:

- (a) electric cable transits;
 - (b) pipe, duct, trunk etc. penetrations.
-

MED/3.38

Portable fire-extinguishing equipment for lifeboats and rescue boats

MED/3.39

Nozzles for equivalent water-mist fire-extinguishing systems for machinery spaces and cargo pump rooms

MED/3.40

Low-location lighting systems (components only)

MED/3.41

Emergency escape breathing devices (EEBD)

MED/3.42

Inert gas systems components

MED/3.43

Nozzles for deep-fat cooking equipment fire-extinguishing systems (automatic or manual type).

MED/3.44

Firefighter's outfit — lifeline

MED/3.45

Equivalent fixed gas fire-extinguishing systems components (extinguishing medium, head valves and nozzles) for machinery spaces and cargo pump rooms

MED/3.46

Equivalent fixed gas fire-extinguishing systems for machinery spaces (aerosol systems)

MED/3.47

Concentrate for fixed high expansion foam fire-extinguishing systems for machinery spaces and cargo pump rooms.

MED/3.48

Fixed water-based local application fire-fighting systems components for use in category A machinery spaces.

MED/3.49a

Fixed water-based fire-fighting systems for ro-ro spaces, vehicle spaces and special category spaces:

- (a) prescriptive-based systems as per Circ.1430 Clause 4;
 - (b) performance-based systems as per Circ. 1430 Clause 5.
-

MED/3.51

Fixed fire detection and fire alarm systems components for control stations, service spaces, accommodation spaces, cabin balconies, machinery spaces and unattended machinery spaces:

- (a) control and indicating equipment;
 - (b) power supply equipment;
 - (c) heat detectors — Point detectors;
 - (d) smoke detectors: Point detectors using scattered light, transmitted light or ionisation;
 - (e) flame detectors: Point detectors;
 - (f) manual call points;
 - (g) short-circuit isolators;
 - (h) input/output devices;
 - (i) cables.
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MED/3.52

Non-portable and transportable fire extinguishers

MED/3.53

Fire alarm devices — Sounders

MED/3.54

Fixed oxygen analysis and gas detection equipment

MED/3.55

Dual purpose type nozzles
(spray/jet type)

MED/3.56

Fixed firefighting hose systems
Hose reels with semi-rigid hose

MED/3.57

Medium expansion foam fire-extinguishing systems components — fixed deck foam for tankers

MED/3.58

Fixed low expansion foam fire-extinguishing systems components for machinery spaces and tanker deck protection.

MED/3.59

Expansion foam for fixed fire-extinguishing systems for chemical tankers

MED/3.60

Nozzles for fixed pressure water-spraying fire-extinguishing systems for cabin balconies

MED/3.61a

Inside air high expansion foam systems for the protection of machinery spaces, cargo pump rooms, vehicle and ro-ro spaces, special category spaces and cargo spaces.

MED/3.61b

Outside air high expansion foam systems for the protection of machinery spaces, cargo pump rooms, vehicle and ro-ro spaces, special category spaces and cargo spaces.

MED/3.62

Dry chemical powder extinguishing systems

MED/3.63

Sample extraction smoke detection systems components

MED/3.64

C class divisions

MED/3.65

Fixed hydrocarbon gas detection system

MED/3.66

Evacuation guidance systems used as an alternative to low-location lighting systems

MED/3.67

Helicopter facility foam fire-fighting appliances

MED/3.68

Galley exhaust duct fixed fire-extinguishing systems components

MED/3.69

Mobile water monitor for ships constructed on or after 1 January 2016 designed to carry five or more tiers of containers on or above the weather deck

MED/3.70

Firefighting hoses

Semi-rigid hoses for fixed systems

MED/3.71

Fixed firefighting hose systems

Hose systems with lay-flat hose

4. Navigation equipment

Number and item designation

MED/4.1

Magnetic compass

Class A for ships

MED/4.2

Transmitting heading device THD (magnetic method)

MED/4.3

Gyro compass

MED/4.6

Echo-sounding equipment

MED/4.7

Speed and distance measuring equipment (SDME)

MED/4.9

Rate-of-turn indicator

MED/4.14

GPS equipment

MED/4.15

GLONASS equipment

MED/4.16

Heading control system (HCS)

MED/4.18

Search and rescue locating devices (SRLD):
9 GHz SAR transponder (SART)

MED/4.20

Rudder angle indicator

MED/4.21

Propeller revolution indicator

MED/4.22

Pitch indicator

MED/4.23

Magnetic compass Class B for lifeboats and rescue boats

MED/4.29

Voyage data recorder (VDR)

MED/4.30

Electronic chart display and information system (ECDIS) with back-up, and raster chart display system (RCDS)

MED/4.31

Gyro compass for high-speed craft

MED/4.32

Universal automatic identification system equipment (AIS)

MED/4.33

Track control system

(working at ship's speed from minimum manoeuvring speed up to 30 knots)

MED/4.34

Radar equipment CAT 1

MED/4.35

Radar equipment CAT 2

MED/4.36

Radar equipment CAT 3

MED/4.37

Radar equipment for high speed craft applications (CAT 1H and CAT 2H)

MED/4.38

Radar equipment approved with a chart option, namely:

- (a) CAT 1C;
 - (b) CAT 2C;
 - (c) CAT 1HC;
 - (d) CAT 2HC.
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MED/4.39

Radar reflector — passive type

MED/4.40

Heading control system for high speed craft

MED/4.41

Transmitting heading device THD (GNSS method)

MED/4.42

Searchlight for high speed craft

MED/4.43

Night vision equipment for high speed craft

MED/4.44

Differential beacon receiver for DGPS and DGLONASS Equipment

MED/4.46

Transmitting heading device THD (Gyroscopic method)

MED/4.47

Simplified voyage data recorder (S-VDR)

MED/4.49

Pilot ladder

MED/4.50

DGPS Equipment

MED/4.51

DGLONASS Equipment

MED/4.52

Daylight signalling lamp

MED/4.53

Radar target enhancer

MED/4.54

Compass Bearing Device

MED/4.55

Search and rescue locating devices (SRLD):

AIS SART equipment

MED/4.56

Galileo Equipment

MED/4.57

Bridge Navigational Watch Alarm System (BNWAS)

MED/4.58

Sound reception system

MED/4.59

Integrated navigation system

5. Radio-communication equipment

Number and item designation

MED/5.1

VHF radio capable of transmitting and receiving DSC and radiotelephony

MED/5.2

VHF DSC watch-keeping receiver

MED/5.3

NAVTEX receiver

MED/5.4

EGC receiver

MED/5.5

HF marine safety information (MSI) equipment (HF NBDP receiver)

MED/5.6

406 MHz EPIRB (COSPAS-SARSAT)

MED/5.10

MF radio capable of transmitting and receiving DSC and radiotelephony

MED/5.11

MF DSC watch-keeping receiver

MED/5.13

Inmarsat-C SES

MED/5.14

MF/HF radio capable of transmitting and receiving DSC, NBDP and radiotelephony.

MED/5.15

MF/HF DSC scanning watch-keeping receiver

MED/5.17

Portable survival craft two-way VHF radiotelephone apparatus

MED/5.18

Fixed survival craft two-way VHF radiotelephone apparatus

MED/5.19

Inmarsat-F77

6. Equipment required under COLREG 72

Number and item designation

MED/6.1

Navigation lights

7. Bulk carrier safety equipment

This chapter currently has no items.

8. Equipment under SOLAS Chapter II-1

Number and item designation

MED/8.1

— Water level detectors
