

European Boating Industry ~ News Alert



April 2010

Dear Member,

If the Icelandic volcano allows, we shall all meet together next Tuesday 27 April in Brussels (Belgium) at the occasion of our annual Assembly General. On that day, you will receive full information about the association's latest activities. The afternoon programme will take place at the European Commission's DG Enterprise & Industry where a dedicated briefing session is organised for European Boating Industry's members. If you haven't yet confirmed your attendance, please contact the Secretariat on office@europeanboatingindustry.eu, thank you.

In the meantime, this newsletter's issue looks at developments on the EU scene regarding the review of the Recreational Craft Directive, antifouling paints, REACH chemical legislation and the proposal for a carbon tax which will apply to fuels (currently under preparation by the European Commission).

This bulletin is only a small step in keeping you regularly informed about developments on the EU scene and elsewhere. Of course, you can always contact me directly for explanations and further details on any of the issues mentioned in the bulletin using my new e-mail address mc@europeanboatingindustry.eu. Your suggestions and comments on both content and format of the bulletin are always welcome.

Mirna Cieniewicz
Secretary General

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A. EU issues of direct relevance

Review of the EU Recreational Craft Directive 94/25/EC, as amended by Directive 2003/44/EC

On 13 April 2010, the Secretary General met with European Commission's official working on the directive's proposal. It appeared that in-house accredited bodies should no longer be an option for conformity assessment procedures, with notified bodies keeping alone that competence. Since the proposal for revising boat design categories did not find much support among members of *European Boating Industry*, the Commission was also informed of the proposal's lack of support among European companies. The status of the proposed amendment for multihull craft is still to be decided by the Commission. The whole process of adoption of the directive is taking longer than expected, with a possible adoption by the European Commission now being scheduled in July or even September 2010. The proposal will then be discussed by the European Parliament and the EU Council of Ministers in autumn 2010 with a possible entry into force of the text by mid-2015 at earliest.

Please feel free to contact us if you need more detailed information about the review exercise.

Proposal of EU Biocidal Products Regulation to replace Directive 98/8/EC

With this new regulation, the European Commission aims at introducing more harmonisation for the rules on biocidal products such as antifouling paints used in boating. This proposal makes a direct link to the International Convention for the Control and Management of Ships' Ballast Water and Sediments (adopted by IMO – International Maritime Organisation), where antifouling paints approved under the Convention will be considered as authorised in the EU. In addition, certain biocidal products will be subject to a Community authorisation rather than national authorisations issued by Member States. Changes to the rules on mutual recognition are also sought, such as the conditions for obtaining parallel trade permits. The European Parliament is expected to vote in July 2010 while the whole procedure is expected to be concluded by the end of 2011.

Latest developments under the REACH Regulation No 1907/2006

In March 2010, the European Commission launched a project to identify possible overlaps between the chemical legislation REACH and other EU legislation. Stakeholders are invited to provide their input on these specific issues using the dedicated website www.reachscope.eu. Deadline for comments is December 2010. By 30 November 2010, companies will have to register the chemicals they produce and use under REACH. The European Commission published a memo on actions to be taken by companies. The document provides background information regarding substances of very high concern and their authorisation and recalls the responsibility of the European Chemicals Agency as authoritative source of information provision and as support for various processes in REACH.

For more information on the implementation of REACH in practice, please click [here](#).

To access the website of the European Chemicals Agency, please click [here](#).

Proposal for an EU Carbon Tax currently under preparation

A proposal for an EU carbon tax has for several years been in the pipeline of the European Commission. In December 2008, the EU agreed on an Energy and Climate Change package requiring Member States to reduce greenhouse gas emissions by 20% below the 1990 levels by 2020. Currently, the European Commission is in the process of finalising a proposal for a revised version of the taxation directive. According to unofficial information, the revised proposal aims to put a price on emissions from sectors not covered by EU Emission Trading Scheme (ETS), such as transport (including boating), agriculture and buildings. These sectors are significant CO₂ emitters and the carbon levy could stimulate emission reduction in these areas. The European Commission wants to ensure a consistent approach so that all CO₂ emitters are equally affected. Another important objective of the EU-wide carbon tax is to ensure the proper functioning of the EU internal market, considering that different taxation on carbon emissions in each Member State may lead to distortion of competition and carbon leakage.

According to an unofficial EU document, the future directive could have implications in the form of rising costs of motor fuels, heating fuels and electricity covering commercial and non-commercial use, as well as possible disproportionate burdens on SMEs stemming from an environmental levy. The use of shore-side electricity by ships while at berth in a port would be exempted from the carbon tax for 8 years; this could be extended to boats in marinas. The proposal is none the less likely to meet opposition from a number of Member States, despite many of them having planned the introduction of a similar tax at national level. In this respect, the proposal will require unanimous agreement in the Council, as it is in the area of taxation.

The Commission is now expected to publish its proposal in April or May 2010. The EU-wide carbon tax would be expected to come into force on 1 January 2013, with the new members allowed a transition period until 1 January 2021. *European Boating Industry* will be closely following any development in this area.

B. Other EU developments

European Commission unveils its economic strategy for the next decade

On 3 March 2010, the European Commission unveiled its long-awaited economic strategy for the coming decade. No less ambitious than its predecessor – the Lisbon Strategy (whose outcomes are still unclear) – the Commission's business plan for Europe is based on a 3+5+7 strategy: 3 mutually reinforcing priorities (smart, sustainable and inclusive growth), 5 quantifiable EU headline targets, and 7 'flagship initiatives' to propel Europe's economic growth.

So far, EU heads of state & government have agreed on three headline targets:

- Improve the conditions for R&D by bringing combined public and private investment levels to 3% of GDP
- Improve employment rates from 69% to 75% for women and men aged 20-64
- Underline the EU's commitment to the 20-20-20 climate & energy targets.

EU climate & energy targets consist of:

- 20% reduction of EU greenhouse gas emissions below 1990 levels
- 20% of EU energy consumption to come from renewable resources
- 20% reduction in primary energy use compared with projected levels (improving energy efficiency).

Of particular relevance to the boating industry in Europe, 2 important EU 'flagship initiatives' include:

- "An Industrial Policy for the Globalised Era" to improve the business environment, especially for SMEs, and to support the development of a strong and sustainable industrial base able to compete globally
- "Resource efficient Europe" to help decouple economic growth from the use of resources, increase the use of renewable resources, modernise the transport sector and promote energy efficiency.

The mentioned flagship initiatives will be complemented by (non)-legislative measures, still to be announced. The development of EU policies in the above-mentioned areas may have possible implications for the European boating industry (e.g. development of standards in certain sectors, introduction of environmental levies, energy-efficient methods of production and rising transport & fuel cost). *European Boating Industry* will closely monitor any relevant developments in this sector.

Steps towards the next White Paper on the Future of Transport (2011-2020)

In 2010, a new European Transport Policy for the coming 10 years will be launched and the debate has already started in Brussels between the institutions and with stakeholders. The main point under discussion is the decarbonisation of transport announced as a priority by President of the Commission José Manuel Barroso. This point is of course linked with the debate on the internalisation of external cost and CO2 taxation. The ambitions of the European Commission are high, aiming at a decreasing CO2 by 80 to 95% by 2050 according to a declaration of top EU officials during the recent EU Sustainable Energy Week (22-26 March 2010).

C. The calendar

27 April	Council & Assembly General of European Boating Industry (Brussels)
19-21 May	European Maritime Day (Gijon, Spain)
10-12 June	ICOMIA Congress (Chicago, USA)
4-5 October	Council (Genoa – exact date still to be confirmed)

Please send us your boat show and other event dates, thank you!

European Boating Industry

Rue d'Idalie 9-13, 1050 Bruxelles (Belgium)

T +32 / 2 741 24 46 – F +32 / 2 734 79 10

office@europeanboatingindustry.eu – www.europeanboatingindustry.eu