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# Passenger Ship Safety

*On October 23rd the Council of the European Union adopted the Passenger Ship Safety legislative package. This legislative package is a result of proposals made by the European Commission that aim at simplifying compliance for operators and better monitoring and enforcement for national authorities as well as the European Commission, together with the European Maritime Safety Agency.*

According to the Council of the European Union these new rules will also reduce costs for the companies required to follow such legislation.

The Passenger Ship Safety package is composed of three Directives that **amend the following legislation:**

- a) Directive 2009/45/EC on technical requirements for passenger ships on domestic voyages;
- b) Directive 98/41/EC on registration of persons on board;

- a) Directive 1999/35/EC on surveys for passenger ferries and high-speed craft in regular service;

In a nutshell the new legislative texts introduce the following amendments:

- a) Ships built with aluminium have to be certified according to this Directive and meet its fire safety requirements. Passenger ships with less than 24 metres are excluded from the scope of the Directive and will subject the European Commission's remaining recommendations;
- b) Introduce the requirement to register passenger data in a digital manner, using harmonised administrative procedures (the so-called single window established under Directive 2010/65/EU) to facilitate search and rescue operations in case of emergency. For a period of 6 years after entry into force, Member States may continue to apply the old rules, i.e. keeping data concerning persons on board by the companies' registrar. The delay in reporting data on persons on board is shortened from 30 to 15 minutes after the ship's departure.

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- c) Eliminate overlaps between various inspection regimes. This preserves the safety level while reducing the administrative burden on shipowners and rationalising the inspection efforts of Member States' authorities.

The European Commission notes that Member-States are required to implement the new legislation within a period of two-years, with a transition period of four years to introduce electronic data reporting.

### **China Offshore Summit**

MCS, together with its Network Partnership law firm, Teixeira de Freitas, Rodrigues e Associados ([TFRA](#)) participated in the China Offshore Summit in Shanghai.

The event took place between the 31st of October and the 2nd of November and counted with the presence of more than 500 participants from the all over the world not only to learn about the industry's latest trends but also to showcase their jurisdiction's related services.

Participants of China Offshore Summit include top lawyers, bankers, venture capital, private equity, consultants, and financial intermediaries from across China, drawing attention to the most prominent and hard-to-reach decision makers in China.

TFRA's Ambrósio Jardim was the speaker at the China Offshore Summit and presented the Portuguese Golden Visa and the Non-Habitual Resident tax regime.

### **CONTACTS**

 Rosana Rodrigues, CEO

 Ambrósio Jardim, Director

 Maria Alexandra Pires, Director



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CORPORATE  
SERVICES

## PORTUGAL


### Funchal

Edifício Marina Fórum, Av. Arriaga, 77 - 6.º  
9000-060 Funchal - Madeira  
**T** +351 291 202 400  
**F** +351 291 237 188  
**E** [management@mcs.pt](mailto:management@mcs.pt)

### Lisboa

Av. da República, 32 - 4.º Direito  
1050-193 Lisboa  
**T** +351 217 613 220  
**F** +351 217 613 229  
**E** [management@mcs.pt](mailto:management@mcs.pt)

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