

Marine Notice No. 63 of 2012

Notice to all Passenger Ship Owners, Operators, Masters, Agents and Port Authorities.

**European Union (Rights of Passengers when Travelling
by Sea and Inland Waterway) Regulations 2012
[S.I. No. 394 of 2012]**

The purpose of this Marine Notice is to draw attention to the *European Union (Rights of Passengers when Travelling By Sea and Inland Waterway) Regulations 2012* [[S.I. No. 394 of 2012](#)] which will apply from 18 December 2012.

The Regulations give full effect to [Regulation \(EU\) No 1177/2010](#) of the European Parliament and of the Council of 24 November 2010 concerning the rights of passengers when travelling by sea and inland waterway.

The objective of Regulation (EU) No 1177/2010 is to ensure a high level of protection for passengers using waterborne transport anywhere in the European Union (EU) by establishing certain rights and a minimum quality of service across the EU. It provides ship passengers with enhanced rights and includes provisions on non-discrimination and assistance for persons with disabilities and reduced mobility, rights relating to the provision of information to all passengers before and during a journey, assistance to passengers in the event of delays and, in certain circumstances, compensation for delays and cancellation of journeys.

This Marine Notice contains a summary of the main elements of the new regulations but reference must be made to the EU Regulation and national regulations for full details. The new regulations will apply to passengers travelling on a passenger ship certified to carry more than 12 passengers, operated by a European Union Carrier, and with a crew of four persons or more. The regulations will not apply where the passenger service is less than 500 metres one way. While cruise ships must comply with most of the provisions of the EU Regulation, it does not apply to historical passenger ships, as defined in the regulations, certified to carry up to 36 persons and excursion and sightseeing tours.

There is an obligation to: provide assistance at ports or harbours and on board ships; carry recognised assistance dogs (subject to national regulations); carry mobility equipment (such as wheelchairs) free of charge and to provide information in accessible formats.

S.I. No. 394 of 2012 designates the National Transport Authority as the national enforcement body in relation to passenger services and cruises from ports situated in the State and passenger services from a third country to such ports. Failure to comply with the requirements of the EU Regulation can lead to prosecution and fines of up to €5,000 on summary conviction or up to €250,000 on conviction on indictment.

The Department of Transport, Tourism and Sport has published Information Notes on its website at the following links containing general information on the EU Regulation and the requirements it imposes on [port authorities](#) and [carriers \(passenger ship operators\)](#). An information document for [passengers](#) is also available.

Any queries in relation to the regulations should be directed to:

The National Transport Authority
Dún Scéine
Harcourt Lane
Dublin 2
T: +353 1 879 8300
E: info@nationaltransport.ie
F: +353 1 879 8333
W: www.nationaltransport.ie

Passenger ship owners, operators and port authorities are encouraged to review the services they provide with a view to bringing them into line with the relevant requirements of the EU Regulation before 18 December 2012, including drawing up information in accessible formats on the rights of passengers and the accessibility of their services. The Department of Transport, Tourism and Sport's booklet "[Guidelines for Accessible Maritime Passenger Transport](#)" offers some useful information to assist in this regard. Copies of the guidelines were circulated in 2010 and further copies are available from the Maritime Safety Policy Division of the Department or to download from the Department's website, or the National Disability Authority's website at www.nda.ie.

Director General,
Maritime Safety Directorate,
Department of Transport, Tourism and Sport,
Leeson Lane, Dublin 2, Ireland.

20/11/2012

<p>For any technical assistance in relation to this Marine Notice, please contact: The Marine Survey Office, Leeson Lane, Dublin 2, tel: +353-(0)1-678 3400. For general enquiries, please contact the Maritime Safety Policy Division, tel: +353-(0)1-678 3418. Written enquiries concerning Marine Notices should be addressed to: Maritime Safety Directorate, Department of Transport, Tourism and Sport, Leeson Lane, Dublin 2, Ireland. email: marinenotices@dtas.ie or visit us at: www.dttas.ie</p>
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