



Economic and Social Council

Distr.: General
2 February 2021
English
Original: English, French and
Russian

Economic Commission for Europe

Inland Transport Committee

Working Party on Inland Water Transport

Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation

Fifty-eighth session

Geneva, 17–19 February 2021

Item 7 of the provisional agenda

Mutual recognition of boatmasters' certificates and harmonization of professional requirements in inland navigation

Revision of the Recommendations on Minimum Requirements for the Issuance of Boatmaster's Certificates in Inland Navigation with a view to their Reciprocal Recognition for International Traffic

Note by the secretariat*.**

Mandate

1. This document is submitted in line with the Proposed Programme Budget for 2021, part V, Regional cooperation for development, section 20, Economic Development in Europe. Programme 17, Economic Development in Europe (A/75/6 (Sect.20), para. 20.51).
2. Following the decision of the Working Party on Inland Water Transport at its sixty-fourth session (ECE/TRANS/SC.3/213, para. 72), the Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation (SC.3/WP.3) may wish to begin discussions on updating provisions of the annex to resolution No. 31.
3. For this purpose, SC.3/WP.3 may wish to use an approximate comparison between articles of the annex to resolution No. 31, Directive (EU) 2017/2397 of 12 December 2017 on the recognition of professional qualifications in inland navigation and the European Standard for Qualifications in Inland Navigation given in the annex below or to supplement this with other documents that should be taken into account.

* The present document was submitted after the deadline in order to reflect the recent developments.
** The present document is being issued without formal editing.



Annex

Comparison of articles of the annex to resolution No. 31 with Directive (EU) 2017/2397 of 12 December 2017 and the European Standard for Qualifications in Inland Navigation

I. Provisions of Directive (EU) 2017/2397 of the European Parliament and of the Council of 12 December 2017 on the recognition of professional qualifications in inland navigation that are relevant to the application scope of resolution No. 31***

CHAPTER 1 SUBJECT MATTER, SCOPE AND DEFINITIONS

Article 1 Subject matter

This Directive lays down the conditions and procedures for the certification of the qualifications of persons involved in the operation of a craft navigating on Union inland waterways, as well as for the recognition of such qualifications in the Member States.

Article 2 Scope

1. This Directive applies to deck crew members, liquefied natural gas experts and passenger navigation experts on the following types of craft on any Union inland waterway:
 - (a) vessels having a length of 20 metres or more;
 - (b) vessels for which the product of length, breadth and draught is a volume of 100 cubic metres or more;
 - (c) tugs and pushers intended for:
 - (i) towing or pushing vessels referred to in points (a) and (b);
 - (ii) towing or pushing floating equipment;
 - (iii) moving vessels referred to in points (a) and (b) or floating equipment alongside;
 - (d) passenger vessels;
 - (e) vessels required to have a certificate of approval pursuant to Directive 2008/68/EC of the European Parliament and of the Council;
 - (f) floating equipment.
2. This Directive does not apply to persons:
 - (a) navigating for sport or pleasure;
 - (b) involved in the operation of ferries not moving independently;
 - (c) involved in the operation of craft used by armed forces, forces maintaining public order, civil defence services, waterway administrations, fire services and other emergency services.

*** Directive (EU) 2017/2397 of the European Parliament and of the Council of 12 December 2017 on the recognition of professional qualifications in inland navigation and repealing Council Directives 91/672/EEC and 96/50/EC (*OJ L 345, 27.12.2017, p. 53*).

3. Without prejudice to Article 39(3), this Directive also does not apply to persons navigating in Member States with no inland waterways linked to the navigable network of another Member State and who are exclusively:

- (a) navigating limited journeys of local interest, where the distance from the departure point is at no time more than ten kilometres; or
- (b) navigating seasonally.

Article 3 **Definitions¹**

For the purposes of this Directive, the following definitions apply:

(9) ‘deck crew members’ means persons who are involved in the general operation of a craft navigating on Union inland waterways and who carry out various tasks, such as tasks related to navigation, controlling the operation of the craft, cargo handling, stowage, passenger transport, marine engineering, maintenance and repair, communication, health and safety, and environmental protection, other than persons who are solely assigned to the operation of the engines, cranes, or electrical and electronic equipment.

(10) ‘radio operator’s certificate’ means a national certificate, issued by a Member State in accordance with the Radio Regulations annexed to the International Telecommunication Convention, authorising the operation of a radio- communication station on an inland waterway craft;

(11) ‘passenger navigation expert’ means a person serving on board the vessel who is qualified to take measures in emergency situations on board passenger vessels;

(12) ‘liquefied natural gas expert’ means a person who is qualified to be involved in the bunkering procedure of a craft using liquefied natural gas as fuel or to be the boatmaster sailing such a craft;

(13) ‘boatmaster’ means a deck crew member who is qualified to sail a craft on the Member States’ inland waterways and is qualified to have overall responsibility on board, including for the crew, for the passengers and for the cargo;

(15) ‘competence’ means the proven ability to use the knowledge and skills required by the established standards for the proper performance of the tasks necessary for the operation of inland waterway craft;

(16) ‘management level’ means the level of responsibility associated with serving as boatmaster and with ensuring that other deck crew members properly perform all tasks in the operation of a craft;

(17) ‘operational level’ means the level of responsibility associated with serving as boatman, as able boatman or as helmsman and with maintaining control over the performance of all tasks within that person’s designated area of responsibility in accordance with proper procedures and under the direction of a person serving at management level;

(19) ‘service record book’ means a personal register that records details of a crew member’s work history, in particular navigation time and journeys carried out;

(20) ‘logbook’ means an official record of the journeys made by a craft and its crew;

(21) ‘active service record book’ or ‘active logbook’ means a service record book or logbook which is open for recording data;

(22) ‘navigation time’ means the time, measured in days, that deck crew members have spent aboard during a journey on a craft on inland waterways, including loading and unloading activities that require active navigational operations, which has been validated by the competent authority.

¹ Only crew-related definitions are reproduced here.

CHAPTER 2 UNION CERTIFICATES OF QUALIFICATION

Article 4

Obligation to carry a Union certificate of qualification as a deck crew member

1. Member States shall ensure that deck crew members who navigate on Union inland waterways carry either a Union certificate of qualification as a deck crew member issued in accordance with Article 11 or a certificate recognised in accordance with Article 10(2) or (3).
2. For deck crew members other than boatmasters, the Union certificate of qualification and the service record book as referred to in Article 22 shall be presented in a single document.
3. By way of derogation from paragraph 1 of this Article, certificates held by persons involved in the operation of a craft, other than boatmasters, issued or recognised in accordance with Directive 2008/106/EC, and therefore in accordance with the STCW Convention, shall be valid on sea-going ships operating on inland waterways.

Article 5

Obligation to carry a Union certificate of qualification for specific operations

1. Member States shall ensure that passenger navigation experts and liquefied natural gas experts carry either a Union certificate of qualification issued in accordance with Article 11 or a certificate recognised in accordance with Article 10(2) or (3).
2. By way of derogation from paragraph 1 of this Article, certificates held by persons involved in the operation of a craft, issued or recognised in accordance with Directive 2008/106/EC, and therefore in accordance with the STCW Convention, shall be valid on sea-going ships operating on inland waterways.

Article 6

Obligation for boatmasters to hold specific authorisations

Member States shall ensure that boatmasters hold specific authorisations issued in accordance with Article 12 when:

- (a) sailing on waterways that have been classified as inland waterways with a maritime character pursuant to Article 8;
- (b) sailing on waterways that have been identified as stretches of inland waterways with specific risks pursuant to Article 9;
- (c) sailing with the aid of radar;
- (d) sailing craft using liquefied natural gas as fuel;
- (e) sailing large convoys.

(...)

Article 8

Classification of inland waterways with a maritime character

1. Member States shall classify a stretch of inland waterway in their territory as an inland waterway with a maritime character where one of the following criteria is met:
 - (a) the Convention on the International Regulations for Preventing Collisions at Sea is applicable;
 - (b) the buoys and signs are in accordance with the maritime system;
 - (c) terrestrial navigation is necessary on that inland waterway; or
 - (d) maritime equipment which requires special knowledge for its operation is necessary for navigation on that inland waterway.

2. Member States shall notify the Commission of the classification of any specific stretch of inland waterways on their territory as an inland waterway with a maritime character. The notification to the Commission shall be accompanied by a justification based on the criteria referred to in paragraph 1. The Commission shall make the list of notified inland waterways with a maritime character publicly available without undue delay.

Article 9

Stretches of inland waterways with specific risks

1. Where necessary to ensure safety of navigation, Member States may identify stretches of inland waterways with specific risks which run through their own territories, in accordance with the procedure set out in paragraphs 2 to 4, where such risks are due to one or more of the following reasons:

- (a) frequently changing stream patterns and speed;
- (b) the hydro-morphological characteristics of the inland waterway and the absence of appropriate Fairway Information Services on the inland waterway or of suitable charts;
- (c) the presence of a specific local traffic regulation justified by specific hydro-morphological characteristics of the inland waterway; or
- (d) a high frequency of accidents at a specific stretch of the inland waterway that is attributed to the lack of a competence that is not covered by the standards referred to in Article 17.

Where Member States consider it to be necessary to ensure safety, they shall consult the relevant European River Commission during the process of identifying the stretches referred to in the first subparagraph.

2. Member States shall notify the Commission of the measures they intend to adopt pursuant to paragraph 1 of this Article and to Article 20, together with the reasoning on which the measure is based, at least six months before the envisaged date of adoption of those measures.

3. Where stretches of inland waterways referred to in paragraph 1 are situated along the border between two or more Member States, the Member States concerned shall consult one another and notify the Commission jointly.

4. Where a Member State intends to adopt a measure that is not justified in accordance with paragraphs 1 and 2 of this Article, the Commission may, within a period of six months from the notification, adopt implementing acts setting out its decision opposing the adoption of the measure. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 33(3).

5. The Commission shall make the measures adopted by the Member States publicly available, together with the reasoning referred to in paragraph 2.

Article 10

Recognition

1. Any Union certificate of qualification referred to in Articles 4 and 5, as well as any service record books or logbooks referred to in Article 22 that have been issued by the competent authorities in accordance with this Directive, shall be valid on all Union inland waterways.

2. Any certificate of qualification, service record book or logbook issued in accordance with the Regulations for Rhine Navigation Personnel, which lay down requirements that are identical to those of this Directive, shall be valid on all Union inland waterways.

Such certificates, service record books and logbooks that have been issued by a third country shall be valid on all Union inland waterways, provided that that third country recognises, within its jurisdiction, Union documents issued pursuant to this Directive.

3. Without prejudice to paragraph 2, any certificate of qualification, service record book or logbook that has been issued in accordance with the national rules of a third country laying down requirements that are identical to those of this Directive shall be valid on all Union inland waterways, subject to the procedure and the conditions set out in paragraphs 4 and 5.

4. Any third country may submit to the Commission a request for recognition of certificates, service record books or logbooks that have been issued by its authorities. The request shall be accompanied by all information necessary to determine whether the issuing of such documents is subject to requirements that are identical to those laid down in this Directive.

5. Upon receiving a request for recognition pursuant to paragraph 4, the Commission shall carry out an assessment of the certification systems in the requesting third country in order to determine whether the issuing of the certificates, service record books or logbooks specified in its request is subject to requirements that are identical to those laid down in this Directive.

If those requirements are found to be identical, the Commission shall adopt implementing acts granting recognition in the Union to the certificates, record books or logbooks issued by that third country, subject to that third country recognising within its jurisdiction Union documents issued pursuant to this Directive.

When adopting the implementing act referred to in the second subparagraph of this paragraph, the Commission shall specify to which documents, referred to in paragraph 4 of this Article, the recognition applies. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 33(3).

6. When a Member State considers that a third country no longer complies with the requirements of this Article, it shall notify the Commission immediately, giving substantiated reasons for its contention.

7. Every eight years, the Commission shall assess the compliance of the certification system in the third country referred to in the second subparagraph of paragraph 5 with the requirements laid down in this Directive. If the Commission determines that the requirements laid down in this Directive are no longer met, paragraph 8 shall apply.

8. If the Commission determines that the issuing of documents referred to in paragraphs 2 or 3 of this Article is no longer subject to identical requirements to those laid down in this Directive, it shall adopt implementing acts suspending the validity on all Union inland waterways of the certificates of qualification, service record books and logbooks issued in accordance with these requirements. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 33(3).

The Commission may at any time rescind the suspension, if the identified shortcomings as regards the standards applied have been resolved.

9. The Commission shall make the list of third countries referred to in paragraphs 2 and 3 publicly available, together with the documents which are recognised as valid on all Union inland waterways.

CHAPTER 3

CERTIFICATION OF PROFESSIONAL QUALIFICATIONS

SECTION I

Procedure for issuing Union certificates of qualification and specific authorisations

Article 11

Issuing and validity of Union certificates of qualification

1. Member States shall ensure that applicants for Union certificates of qualification as a deck crew member and Union certificate of qualification for specific operations provide satisfactory documentary evidence:

- (a) of their identity;

(b) that they meet the minimum requirements laid down in Annex I on age, competence, administrative compliance and navigation time for the qualification for which they have applied;

(c) that they meet the standards for medical fitness in accordance with Article 23, where applicable.

2. Member States shall issue Union certificates of qualification after having verified the authenticity and validity of the documents provided by the applicants and after having verified that the applicants have not already been issued a valid Union certificate of qualification.

3. The Commission shall adopt implementing acts establishing models for Union certificates of qualification and for single documents combining Union certificates of qualification and service record books. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 33(2).

4. The validity of the Union certificate of qualification as a deck crew member shall be limited to the date of the next medical examination required pursuant to Article 23.

5. Without prejudice to the limitation referred to in paragraph 4, Union certificates of qualification as a boatmaster shall be valid for up to a maximum of 13 years.

6. Union certificates of qualification for specific operations shall be valid for up to a maximum of five years.

Article 12

Issuing and validity of specific authorisations for boatmasters

1. Member States shall ensure that applicants for specific authorisations referred to in Article 6 provide satisfactory documentary evidence:

(a) of their identity;

(b) that they meet the minimum requirements laid down in Annex I on age, competence, administrative compliance and navigation time for the specific authorisation for which they have applied;

(c) that they hold a Union certificate of qualification as a boatmaster or of a certificate recognised in accordance with Article 10(2) and (3), or that they meet the minimum requirements for Union certificates of qualification for boatmasters provided for by this Directive.

2. By way of derogation from paragraph 1 of this Article, for specific authorisations for sailing on stretches of inland waterways with specific risks required pursuant to point (b) of Article 6, applicants shall provide to the competent authorities of the Member States referred to in Article 20(3) satisfactory documentary evidence:

(a) of their identity;

(b) that they meet the requirements established in accordance with Article 20 for the competence for specific risks for the specific stretch of inland waterway for which the authorisation is required;

(c) that they hold a Union certificate of qualification as a boatmaster or of a certificate recognised in accordance with Article 10(2) and (3), or that they meet the minimum requirements for Union certificates of qualification for boatmasters provided for by this Directive.

3. Member States shall issue the specific authorisations referred to in paragraphs 1 and 2 after having verified the authenticity and validity of the documents provided by the applicant.

4. Member States shall ensure that the competent authority that issues Union certificates of qualification to boatmasters specifically indicates in the certificate any specific authorisation issued pursuant to Article 6 in accordance with the model referred to in

Article 11(3). The validity of such specific authorisation shall end when the validity of the Union certificate of qualification ends.

5. By way of derogation from paragraph 4 of this Article, the specific authorisation referred to in point (d) of Article 6 shall be issued as a Union certificate of qualification as a liquefied natural gas expert in accordance with the model referred to in Article 11(3), the period of validity of which shall be set in accordance with Article 11(6).

(...)

SECTION III Competences

Article 16 Requirements for competences

1. Member States shall ensure that the persons referred to in Articles 4, 5 and 6 have the necessary competences for the safe operation of a craft as laid down in Article 17.
2. By way of derogation from paragraph 1 of this Article, the assessment of the competence for specific risks referred to in point (b) of Article 6 shall be carried out in accordance with Article 20.

Article 17 Assessment of competences

1. The Commission shall adopt delegated acts in accordance with Article 31 to supplement this Directive by laying down the standards for competences and corresponding knowledge and skills in compliance with the essential requirements set out in Annex II.
2. Member States shall ensure that persons who apply for the documents referred to in Articles 4, 5 and 6 demonstrate, where applicable, that they meet the standards of competence referred to in paragraph 1 of this Article by passing an examination that was organised:
 - (a) under the responsibility of an administrative authority in accordance with Article 18 or;
 - (b) as part of a training programme approved in accordance with Article 19.
3. The demonstration of compliance with the standards of competence shall include a practical examination for obtaining:
 - (a) a Union certificate of qualification as a boatmaster;
 - (b) a specific authorisation for sailing with the aid of radar as referred to in point (c) of Article 6;
 - (c) a Union certificate of qualification as a liquefied natural gas expert;
 - (d) a Union certificate of qualification as a passenger navigation expert.

To obtain the documents referred to in points (a) and (b) of this paragraph, practical examinations may take place on board a craft or on a simulator that complies with Article 21. For points (c) and (d) of this paragraph, practical examinations may take place on board a craft or at an appropriate onshore installation.

4. The Commission is empowered to adopt delegated acts in accordance with Article 31 to supplement this Directive by laying down standards for the practical examinations referred to in paragraph 3 of this Article, specifying the specific competences and the conditions to be tested during the practical examinations, as well as the minimum requirements for the craft on which a practical examination may be taken.

Article 18 Examination under the responsibility of an administrative authority

1. Member States shall ensure that the examinations referred to in point (a) of Article 17(2) are organised under their responsibility. They shall ensure that those examinations are

conducted by examiners who are qualified to assess the competences and the corresponding knowledge and skills referred to in Article 17(1).

2. Member States shall issue a practical examination certificate to applicants who have passed the practical examination referred to in Article 17(3) where that examination took place on a simulator compliant with Article 21, and where the applicant has requested such a certificate.

3. The Commission shall adopt implementing acts establishing models for the practical examination certificates referred to in paragraph 2 of this Article. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 33(2).

4. Member States shall recognise, without further requirements or assessments, practical examination certificates referred to in paragraph 2 that have been issued by competent authorities in other Member States.

5. In the case of written exams or computer-based exams, the examiners referred to in paragraph 1 may be replaced by qualified supervisors.

6. The Member States shall ensure that the examiners and qualified supervisors referred to in this chapter are free from conflicts of interest.

Article 19 **Approval of training programmes**

(...)

Article 20 **Assessment of competences for specific risks**

1. The Member States that identify stretches of inland waterways with specific risks in their territories, within the meaning of Article 9(1), shall specify the additional competence required from boatmasters navigating on those stretches of inland waterways, and shall specify the means necessary to prove that such requirements are met. Where Member States consider it to be necessary for the purpose of ensuring safety, they shall consult the relevant European River Commission during the process of identifying those competences.

Taking into account the competences required for navigating on the stretch of inland waterway with specific risks, the means necessary to prove that such requirements are met may consist of the following:

- (a) a limited number of journeys to be carried out on the stretch concerned;
- (b) a simulator examination;
- (c) a multiple choice examination;
- (d) an oral examination; or
- (e) a combination of the means referred to in points (a) to (d).

When applying this paragraph, the Member States shall apply objective, transparent, non-discriminatory and proportionate criteria.

2. The Member States referred to in paragraph 1 shall ensure that procedures are put in place for assessing applicants' competence for specific risks, and that tools are made publicly available to facilitate the acquisition by boatmasters of the required competence for specific risks.

3. A Member State may carry out an assessment of applicants' competence for specific risks for stretches of inland waterways located in another Member State, on the basis of the requirements established for that stretch of inland waterway in accordance with paragraph 1, provided that the Member State where the stretch of inland waterway is located gives its consent. In such case, that Member State shall provide the Member State carrying out the assessment with the necessary means to carry it out. Member States shall justify any refusal to give consent on objective and proportional grounds.

Article 21
Use of simulators

(...)

SECTION IV
Navigation time and medical fitness

Article 22
Service record book and logbook

1. The Member States shall ensure that boatmasters record navigation time, referred to in point (b) of Article 11(1), and journeys carried out, referred to in Article 20(1), in a service record book as referred to in paragraph 6 of this Article or in a service record book recognised pursuant to Article 10(2) or (3).

By way of derogation from the first subparagraph, when Member States apply Article 7(1) or Article 39(2), the obligation laid down in the first subparagraph of this paragraph shall apply only if a holder of a service record book requests the recording.

2. The Member States shall ensure that, if a crew member so requests, their competent authorities, after having verified the authenticity and validity of any necessary documentary evidence, validate in the service record book the data regarding navigation time and journeys carried out up to 15 months before the request. Where electronic tools are put in place, including electronic service record books and electronic logbooks, including appropriate procedures for safeguarding the authenticity of the documents, the corresponding data may be validated without additional procedures.

Navigation time that has been acquired on any of the Member States' inland waterways shall be taken into consideration. In the case of inland waterways whose courses are not fully within Union territory, the navigation time acquired on sections located outside the Union territory shall also be taken into consideration.

3. Member States shall ensure that the journeys of craft referred to in Article 2(1) are recorded in the logbook referred to in paragraph 6 of this Article or in a logbook recognised pursuant to Articles 10(2) or (3).

4. The Commission shall adopt implementing acts establishing models for service record books and logbooks, taking into account the information required for the implementation of this Directive as regards the identification of the person, their navigation time and the journeys carried out. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 33(2).

When adopting those implementing acts, the Commission shall take into account the fact that the logbook is also used in the implementation of Council Directive 2014/112/EU, for verifying manning requirements and recording journeys of the craft.

5. The Commission shall submit to the European Parliament and to the Council an assessment of tamper-proof electronic service record books, logbooks and professional cards that incorporate Union certificates of qualification in inland navigation, by 17 January 2026.

6. Member States shall ensure that crew members hold a single active service record book and that there is a single active logbook on the craft.

Article 23
Medical fitness

1. Member States shall ensure that deck crew members who apply for a Union certificate of qualification demonstrate their medical fitness by presenting to the competent authority a valid medical certificate issued by a medical practitioner who is recognised by the competent authority, based on the successful completion of a medical fitness examination.

2. The applicants shall present a medical certificate to the competent authority when applying for

- (a) their first Union certificate of qualification as a deck crew member;

- (b) their Union certificate of qualification as a boatmaster;
- (c) the renewal of their Union certificate of qualification as a deck crew member in case the conditions specified in paragraph 3 of this Article are met.

Medical certificates issued for the purpose of obtaining a Union certificate of qualification shall be dated no earlier than three months before the date of the application for a Union certificate of qualification.

3. From the age of 60, the holder of a Union certificate of qualification as a deck crew member shall demonstrate medical fitness in accordance with paragraph 1 at least every five years. From the age of 70, the holder shall demonstrate medical fitness in accordance with paragraph 1 every two years.

4. Member States shall ensure that employers, boatmasters and Member States authorities are able to require a deck crew member to demonstrate medical fitness in accordance with paragraph 1 whenever there are objective indications that that deck crew member no longer fulfils the medical fitness requirements referred to in paragraph 6.

5. Where medical fitness cannot be fully demonstrated by the applicant, Member States may impose mitigation measures or restrictions that provide equivalent navigation safety. In that case, those mitigation measures and restrictions related to medical fitness shall be mentioned in the Union certificate of qualification in accordance with the model referred to in Article 11(3).

6. The Commission is empowered to adopt delegated acts in accordance with Article 31 on the basis of the essential requirements for medical fitness referred to in Annex III to supplement this Directive by laying down the standards for medical fitness that specify the requirements with regards to medical fitness, in particular with regard to the tests that medical practitioners must carry out, the criteria they must apply to determine fitness for work, and the list of restrictions and mitigation measures.

CHAPTER 4

ADMINISTRATIVE PROVISIONS

(...)

Article 25

Registers

1. To contribute to efficient administration with respect to issuing, renewing, suspending and withdrawing certificates of qualification, Member States shall keep registers of the Union certificates of qualification, service record books and logbooks issued under their authority in accordance with this Directive and, where relevant, of documents recognised pursuant to Article 10(2) which have been issued, renewed, suspended or withdrawn, which have been reported lost, stolen or destroyed, or which have expired.

For Union certificates of qualification, registers shall include the data appearing on the Union certificates of qualification and the issuing authority.

For service record books, registers shall include the name of the holder and his identification number, the service record book identification number, the date of issuance and the issuing authority.

For logbooks, registers shall include the name of the craft, the European Number of Identification or European Vessel Identification Number (ENI number), the logbook identification number, the date of issuance and the issuing authority.

The Commission is empowered to adopt delegated acts in accordance with Article 31 in order to supplement the information in the registers for service record books and logbooks with other information required by the models of service record books and logbooks adopted pursuant to Article 22(4), with the objective of further facilitating the exchange of information between Member States.

2. For the purpose of implementing, enforcing and evaluating this Directive, for maintaining safety, for ease of navigation, as well as for statistical purposes, and in order to facilitate the exchange of information between the authorities that implement this Directive, Member States shall reliably record without delay data related to the certificates of qualification, service record books and logbooks referred to in paragraph 1 in a database kept by the Commission.

The Commission is empowered to adopt delegated acts in accordance with Article 31 to provide the standards laying down the characteristics of such a database and the conditions for its use, specifying in particular:

- (a) the instructions for encoding data into the database;
- (b) the access rights of the users, differentiated where appropriate according to the type of users, the type of access and the purpose for which the data is used;
- (c) the maximum duration that data is retained in accordance with paragraph 3 of this Article, differentiated where appropriate according to the type of document;
- (d) the instructions regarding the operation of the database and its interaction with the registers referred to in paragraph 1 of this Article.

3. Any personal data included in the registers referred to in paragraph 1 or in the database referred to in paragraph 2 shall be stored for no longer than is necessary for the purposes for which the data were collected or for which they are further processed pursuant to this Directive. Once such data are no longer needed for those purposes, they shall be destroyed.

4. The Commission may provide access to the database to an authority of a third country or to an international organisation in so far as this is necessary for the purposes referred to in paragraph 2 of this Article, provided that:

- (a) the requirements of Article 9 of Regulation (EC) No 45/2001 are fulfilled; and
- (b) the third country or the international organisation does not limit access by Member States or by the Commission to its corresponding database.

The Commission shall ensure that the third country or international organisation does not transfer the data to another third country or international organisation without the Commission's express written authorisation and under the conditions specified by the Commission.

(...)

ANNEX I

MINIMUM REQUIREMENTS FOR AGE, ADMINISTRATIVE COMPLIANCE, COMPETENCE AND NAVIGATION TIME

The minimum requirements for the deck crew qualifications set out in this Annex are to be understood as an ascending level of qualifications, with the exception of the qualifications of deckhands and apprentices, which are considered to be at the same level.

(...)

3 Deck crew qualifications at management level

3.1 Minimum requirements for certification as a boatmaster

Every applicant for a Union certificate of qualification shall:

- (a) • be at least 18 years of age;
- have completed an approved training programme as referred to in Article 19, which was of a duration of at least three years and which covered the standards of competence for the management level set out in Annex II;
- have accumulated navigation time of at least 360 days as part of this approved training programme or after completion thereof;

- hold a radio operator's certificate; or
- (b) • be at least 18 years of age;
 - hold a Union certificate of qualification as a helmsman or a certificate as a helmsman recognised in accordance with Article 10(2) or (3);
 - have accumulated navigation time of at least 180 days;
 - have passed an assessment of competence by an administrative authority as referred to in Article 18 to verify that the standards of competence for the management level set out in Annex II are met;
 - hold a radio operator's certificate; or
- (c) • be at least 18 years of age;
 - have accumulated navigation time of at least 540 days, or have accumulated navigation time of at least 180 days, if the applicant can also provide proof of work experience of at least 500 days that the applicant acquired on a sea-going ship as a member of the deck crew;
 - have passed an assessment of competence by an administrative authority as referred to in Article 18 to verify that the standards of competence for the management level set out in Annex II are met;
 - hold a radio operator's certificate; or
- (d) • have a minimum of five years' work experience prior to the enrolment in an approved training programme, or have at least 500 days' work experience on a sea-going ship as a member of the deck crew prior to the enrolment in an approved training programme, or have completed any vocational training programme of at least three years' duration prior to the enrolment in an approved training programme;
 - have completed an approved training programme referred to in Article 19, which was of a duration of at least one and a half years, and which covered the standards of competence for the management level set out in Annex II;
 - have accumulated navigation time of at least 180 days as part of that approved training programme and at least 180 days after completion thereof;
 - hold a radio operator's certificate.

3.2 *Minimum requirements for specific authorisations for Union certificates of qualification as a boatmaster*

3.2.1 Waterways with a maritime character

Every applicant shall:

- meet the standards of competence for sailing on waterways with a maritime character set out in Annex II.

3.2.2 Radar

Every applicant shall:

- meet the standards of competence for sailing with the aid of radar set out in Annex II.

3.2.3 Liquefied natural gas

Every applicant shall:

- hold a Union certificate of qualification as a liquefied natural gas (LNG) expert referred to in section 4.2.

3.2.4 Large convoys

Every applicant shall have accumulated navigation time of at least 720 days, including at least 540 days while qualified to serve as a boatmaster and at least 180 days in steering a large convoy.

4 Qualifications for specific operations²

(...)

ANNEX II ESSENTIAL COMPETENCE REQUIREMENTS

(...)

2 Essential competence requirements for competences at management level

2.0 Supervision

The boatmaster shall be able to:

- instruct other deck crew members and supervise the tasks they exercise, as referred to Section 1 of this Annex, implying adequate abilities to perform these tasks.

2.1 Navigation

The boatmaster shall be able to:

- plan a journey and conduct navigation on inland waterways, including being able to choose the most logical, economic and ecological sailing route to reach the loading and unloading destinations, taking into account the applicable traffic regulations and agreed set of rules applicable in inland navigation;
- apply knowledge of the applicable rules on the manning of craft, including knowledge on resting time and on deck crew members composition;
- sail and manoeuvre, ensuring the safe operation of the craft in all conditions on inland waterways, including in situations that involve high traffic density or where other craft carry dangerous goods and require basic knowledge on the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN);
- respond to navigational emergencies on inland waterways.

2.2 Operation of craft

The boatmaster shall be able to:

- apply knowledge of inland waterway shipbuilding and construction methods to the operation of various types of craft and have basic knowledge of the technical requirements for inland waterway vessels, as referred to in Directive (EU) 2016/1629 of the European Parliament and of the Council (1);
- control and monitor the mandatory equipment as mentioned in the applicable craft certificate.

2.3 Cargo handling, stowage and passenger transport

The boatmaster shall be able to:

- plan and ensure the safe loading, stowage, securing, unloading and care of cargoes during the voyage;
- plan and ensure the stability of the craft;
- plan and ensure the safe transport of and care for passengers during the voyage, including providing direct assistance to disabled persons and persons with

² Minimum requirements for the certification of passenger navigation expert and LNG expert.

reduced mobility in accordance with the training requirements and instructions of Annex IV of Regulation (EU) No 1177/2010.

2.4 Marine engineering and electrical, electronic and control engineering

The boatmaster shall be able to:

- plan the workflow of marine engineering and electrical, electronic and control engineering;
- monitor the main engines and auxiliary machinery and equipment;
- plan and give instructions in relation to the pump and the pump control system of the craft;
- organise the safe use and application, maintenance and repair of the electro-technical devices of the craft;
- control the safe maintenance and repair of technical devices.

2.5 Maintenance and repair

The boatmaster shall be able to:

- organise the safe maintenance and repair of the craft and its equipment.

2.6 Communication

The boatmaster shall be able to:

- perform human resources management, be socially responsible, and take care of the organisation of workflow and training on board the craft;
- ensure good communication at all times, which includes the use of standardised communication phrases in situations with communication problems;
- foster a well-balanced and sociable working environment on board.

2.7 Health and safety, passenger rights and environmental protection

The boatmaster shall be able to:

- monitor the applicable legal requirements and take measures to ensure the safety of life;
- maintain safety and security for persons on board, including providing direct assistance to disabled persons and persons with reduced mobility in accordance with the training requirements and instructions of Annex IV of Regulation (EU) No. 1177/2010;
- set-up emergency and damage control plans, and handle emergency situations;
- ensure compliance with requirements for environmental protection.

3. Essential competence requirements for specific authorisations

3.1 Sailing on inland waterways with a maritime character

The boatmaster shall be able to:

- work with up-to-date charts and maps, notices to skippers and mariners and other publications specific to waterways with a maritime character;
- use tidal datums, tidal currents, periods and cycles, the time of tidal currents and tides and variations across an estuary;
- use SIGNI (Signalisation de voies de Navigation Intérieure) and IALA (International Association of Marine Aids to Navigation and Lighthouse Authorities) for safe navigation on inland waterways with a maritime character.

3.2 Radar navigation

The boatmaster shall be able to:

- take appropriate action in relation to navigation with the aid of radar before casting off;
- interpret radar displays and analyse the information supplied by radar;
- reduce interference of varying origin;
- navigate by radar taking into account the agreed set of rules applicable to inland navigation and in accordance with the regulations specifying the requirements for navigating by radar (such as manning requirements or technical requirements for vessels);
- handle specific circumstances, such as density of traffic, failure of devices, dangerous situations.

4 Essential competence requirements for specific operations³

ANNEX III ESSENTIAL REQUIREMENTS REGARDING MEDICAL FITNESS

Medical fitness, comprising of physical and psychological fitness, means not suffering from any disease or disability which makes the person serving on board a craft unable to:

- execute the tasks necessary to operate a craft;
- perform assigned duties at any time; or
- perceive their environment correctly.

The examination shall, in particular, cover visual and auditory acuity, motor functions, the neuro-psychiatric state and cardiovascular conditions.

(...)

II. Proposed approach to the revision of resolution No. 31 taking into account Directive (EU) 2017/2397 and the European Standard for Qualifications in Inland Navigation

The table below shows an approximate comparison between articles of the annex to resolution No. 31, Directive (EU) 2017/2397 and the European Standard for Qualifications in Inland Navigation (ES-QIN).⁴ The Working Party may wish to proceed with the revision of resolution No. 31 on the basis of this table, as well as to supplement it with other documents that should be taken into account in the revision process.

<i>Resolution No. 31</i>	<i>Directive (EU) 2017/2397</i>	<i>ES-QIN</i>
Chapter 1 – General Provisions	Chapter 1 – Subject Matter, Scope and Definitions	
Article 1.1 – Purpose and Scope	Article 1 – Subject matter Article 2 – Scope	
Article 1.2 – Definitions.	Article 3 – Definitions	
Chapter 2 – Minimum Requirements for the Issuance of Boatmaster's Certificates	Chapter 3 – Certification of Professional Qualifications	
Article 2.1 – Scope	Article 3 – Definitions, definition (13)	

³ Passenger navigation expert, LNG expert.

⁴ https://cesni.eu/wp-content/uploads/2020/03/ES-QIN_2019_en.pdf.

<i>Resolution No. 31</i>	<i>Directive (EU) 2017/2397</i>	<i>ES-QIN</i>
Article 2.2 – General Provisions	<p>Article 4 – Obligation to carry a Union certificate of qualification as a deck crew member</p> <p>Article 5 – Obligation to carry a Union certificate of qualification for specific operations</p> <p>Article 6 – Obligation for boatmasters to hold specific authorisations</p> <p>Article 8 – Classification of inland waterways with a maritime character</p> <p>Article 9 – Stretches of inland waterways with specific risks</p> <p>Article 11 – Issuing and validity of Union certificates of qualification</p> <p>Article 16 – Requirements for competences</p> <p>Article 17 – Assessment of competences</p> <p>Article 23 – Medical fitness</p> <p>Annex I – Minimum Requirements For Age, Administrative Compliance, Competence and Navigation Time</p> <p>Annex III – Essential Requirements Regarding Medical Fitness</p>	Part IV: Standards for medical fitness
Article 2.3 – Special provisions concerning professional experience	<p>Article 22 – Service record book and logbook</p> <p>Annex I – Minimum Requirements For Age, Administrative Compliance, Competence and Navigation Time</p>	Part V: Standards for models of crew-related documents, Chapter 4: Standards for the service record book; Chapter 5: Standards for the logbook
Article 2.4 – Special provisions concerning the examination of professional knowledge	<p>Article 17 – Assessment of competences</p> <p>Article 18 – Examination under the responsibility of an administrative authority</p> <p>Article 19 – Approval of training programmes</p> <p>Article 20 – Assessment of competences for specific risks</p> <p>Article 21 – Use of simulators</p>	Part II: Standards for practical examination, Chapter 4: Standards for practical examination for obtaining a certificate of qualification as a boatmaster; Chapter 5: Standards for the additional module on supervision in the context of the practical examination for obtaining a certificate of qualification as a boatmaster
Article 2.5 – Information contained in the boatmaster’s certificates	Article 11 – Issuing and validity of Union certificates of qualification	Part V: Standards for models of crew-related document, Chapter 1: Standards for certificates of

<i>Resolution No. 31</i>	<i>Directive (EU) 2017/2397</i>	<i>ES-QIN</i>
		qualification as a boatmaster and for certificates of qualification as a liquefied natural gas (LNG) expert and as a passenger navigation expert
Chapter 3 – Recognition of the Boatmaster’s Certificates	Article 25 – Registers	
Article 3.1 – Acceptance of the minimum requirements for the issuance of boatmaster’s certificates		
Article 3.2 – Mutual Recognition of boatmaster’s certificates	Article 10 – Recognition	
Article 3.3 – Issuance of boatmaster’s certificates to applicants of less than 21 years of age and their recognition	Annex I – Minimum Requirements For Age, Administrative Compliance, Competence and Navigation Time	
Article 3.4 – Recognition of general and special boatmaster’s certificates	Article 10 – Recognition Annex II – Essential Competence Requirements	
Annex I – Content of the Boatmaster’s Certificates		Part V: Standards for models of crew-related documents, Chapter 1: Standards for certificates of qualification as a boatmaster and for certificates of qualification as a liquefied natural gas (LNG) expert and as a passenger navigation expert
Annex II – Professional Knowledge Required to Obtain a Boatmaster’s Certificate	Annex II – Essential Competence Requirements	Part I: Standards for competences, Chapter 2: Standards of competence for the management level; Chapter 3: Standards of competence for sailing on inland waterways with a maritime character; Chapter 4: Standards of competence for sailing with the aid of radar; Chapter 5: Standards of competence for passenger navigation experts; Chapter 6: Standards of competence for liquefied natural gas (LNG) experts