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Working Party on Inland Water Transport

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

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Item 3 of the provisional agenda

Mutual recognition of boatmasters' certificates

Mutual recognition of boatmasters' certificates

Submitted by the International Sava River Basin Commission

I. Mandate

1. At its thirty-eighth session, the Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation (SC.3/WP.3) agreed to keep the item of mutual recognition of boatmasters' certificates on the agenda of its thirty-ninth session and invited the delegation of the European Union (EU) to report on the revision of the EU Directive 96/50/EC on harmonizing the conditions for obtaining national boatmaster's certificates for the carriage of goods and passengers by inland waterway in the Community. SC.3/WP.3 also supported the proposal of River Commissions to hold a special meeting on boatmasters' certificates during its next session to discuss a proposal of River Commissions which could become a basis for a UNECE contribution to the revision of the Directive (ECE/TRANS/SC.3/WP.3/76, para. 25).

2. In accordance with SC.3/WP.3's decision, the International Sava River Basin Commission presents below its proposal on further amendments to the revised Resolution No. 31 on Recommendations on Minimum Requirements for the Issuance of Boatmaster's Certificates in Inland Navigation with a view to their Reciprocal Recognition for International Traffic (ECE/TRANS/SC.3/184). The proposal was drafted based on a comparison of the relevant EU, River Commissions' and UNECE instruments and preliminary consultations held with the secretariat of the Danube Commission.

3. The Working Party may wish to discuss this proposal as a basis for UNECE's further input to revising the EU Directive 96/50/EC.

II. Proposed amendments to Resolution No. 31 on Minimum Requirements for the Issuance of Boatmaster's Certificates in Inland Navigation with a view to their Reciprocal Recognition for International Traffic¹

CHAPTER 1 - GENERAL PROVISIONS

Article 1.1 - Purpose and Scope²

1. The purpose of this text is to provide recommendations on minimum requirements for the issuance of boatmaster's certificates with a view to increasing the safety of navigation and protection of human life; ~~this text is not a substitute for national laws and regulations.~~

2. In general, these recommendations shall apply to boatmasters of **motorized** vessels **with the exception of:** ~~designed for carrying cargo or passengers on inland waterways, and shall include boatmasters of self-propelled ships, tugs, pushers, towed convoys, pushed convoys and side by side formations. Unless otherwise stated by the Administration, They shall not apply to the boatmasters of:~~

- (a) **seagoing vessels and sea-river vessels, unless otherwise stated by the competent authorities on inland waterways;**
- (b) ~~pleasure craft;~~
- ~~(c)~~ **(b) small craft, floating equipment, assembly of floating material and ferry-boats, as defined in the European Code for Inland Waterways (CEVNI);**
- ~~(d) special craft, such as hydrofoil craft and air-cushion vehicles.~~

~~1.1.3 Without prejudice to paragraph 1.1.2, the Administration may supplement these minimum requirements with additional ones:~~

- ~~(a) where special provisions relating to the type of vessel, to the waterway, to radar navigation and/or transport of dangerous goods and passengers so require under national regulations or international regulations;~~
- ~~(b) where operating experience clearly shows them to be justified;~~
- ~~(c) where vessels operate on waterways where a knowledge of local geography and of special regulations is indispensable and required.~~

Article 1.2 - Definitions

For the purposes of these recommendations:

- (a) "Administration" means the competent authorities empowered by the Government of a country to issue the boatmaster's **or radar** certificates;
- (b) "Boatmaster" means a person **referred to in article 1.02 of the European Code for Inland Waterways (CEVNI)** who has the required aptitude and qualifications to ensure that **she/he** can navigate a vessel on inland waterways and who assumes nautical responsibility on board;

¹ The additions to the original text are highlighted in bold and the text to be deleted is highlighted in strike-through. The changes in numbering are not highlighted.

² It is proposed to renumber this article as article 1.2.

- (c) “Boatmaster's certificate” means a valid document, whatever its title, issued by an Administration and stating that the holder is qualified to navigate a vessel on inland waterways;
- (d) “Radiotelephone certificate” means a valid document, issued by ~~the competent authorities~~ **the Administration**, stating that holder is qualified to use a radiotelephone installation **on board of an inland waterway vessel**;
- (e) **“Vessel” means any inland waterway craft, including small craft and ferry-boats, as well as floating equipment and seagoing vessels;**³
- (f) **“Motorized vessel” means any craft using its own mechanical means of propulsion, except craft whose engines are used only to cover short distances (in harbours or at loading and unloading points) or to make them easier to handle while being towed or pushed;**⁴
- (g) **“Floating equipment” means floating structures carrying machinery used for work on waterways or in harbours (dredgers, elevators, derricks, cranes, etc.);**
- (h) **“Assembly of floating material” means a raft or any construction, assembly or object capable of navigation, other than a vessel or floating establishment;**
- (i) **“Inland waterway vessel” means a vessel intended solely or mainly for navigation on inland waterways;**⁵
- (j) **“Ferry-boat” means any vessel providing a transport service across a waterway, that is classed as a ferry-boat by the competent authorities. Vessels providing such a service which do not move independently shall in any case be classified as “ferry-boats”;**
- (k) **“Sea-going vessel” means vessel constructed and equipped to sail on the sea or coastal waters;**⁶
- (l) **“River-sea vessel” means vessel constructed and equipped to sail on the sea and inland waterways;**⁷
- (m) **“Passenger vessel” means a day-trip or cabin vessel constructed and equipped to carry more than 12 passengers;**
- (n) **“Day-trip vessel” passenger vessel without overnight passenger cabins;**⁸
- (o) **“Cabin vessel” means passenger vessel with overnight passenger cabins;**⁹
- (p) **“Convoy” means a towed convoy, a pushed convoy or a side-by-side formation;**
- (q) **“Towed convoy” means any group consisting of one or more vessels, floating establishments or assemblies of floating material towed by one or more**

³ If not indicated otherwise, the text of the proposed definitions is taken from the last edition of the European Code for Inland Waterways (CEVNI) (ECE/TRANS/SC.3/115/Rev.4).

⁴ The Working Party may wish to consider replacing the term “motorized vessel” with “self-propelled vessel” and “craft” with “vessel” in both in CEVNI and in the revised Resolution No. 31.

⁵ This definition is taken from Resolution No. 61 on Recommendations on Harmonized Europe-Wide Technical Requirements for Inland Navigation Vessels (ECE/TRANS/SC.3/172/Rev.1), hereafter Resolution No. 61.

⁶ This is a new definition.

⁷ This is a new definition.

⁸ This definition is taken from Resolution No. 61.

⁹ This definition is taken from Resolution No. 61.

- motorized vessels, the later forming part of the convoy and being known as tugs;
- (r) “Pushed convoy” means a rigid group of vessels, one at least of which is placed in front of the motorized vessel propelling the convoy and is known as a pusher. A convoy composed of a pusher and a pushed craft so as to permit guided articulation is also considered as rigid;
 - (s) “Side-by-side formation” means a group consisting of vessels coupled side-by-side, none of which is placed in front of the motorized vessel propelling the formation;
 - (t) “Small craft” means any vessel with a hull less than 20 m long without rudder or bowsprit, except vessels built or equipped to tow, push or propel vessels other than small craft in side-by-side formation and except craft authorized to carry more than 12 passengers, ferry-boats and pushed barges;
 - (u) “Member of the deck crew” means a person who regularly participates in sailing a vessel in inland navigation, including manning the tiller;¹⁰
 - (v) “Ordinary crewmen, engine minder, able crewman” means members of the deck crew with the qualification in accordance with the Chapter 23 of Resolution No. 61 on Recommendations on Harmonized Europe-Wide Technical Requirements for Inland Navigation Vessels (ECE/TRANS/SC.3/172/Rev.1);¹¹
 - (w) “Navigation by radar” means navigation, in conditions of reduced visibility, using the radar;
 - (x) “Radar Certificate” means a valid document, issued by the Administration, stating that holder is qualified to navigate by radar;¹²
 - (y) “Waterway” means any inland water open to navigation;
 - (z) “Waterway of a maritime character” means any waterway which was declared to be of a maritime character by the Administration.¹³

Article 1.3 - Obligation to carry a boatmaster certificate

A person, who wants to steer the vessels mentioned in article 1.1 on inland waterways, shall carry the boatmaster certificate issued in accordance with these recommendations and additional certificates in accordance with article 2.2 ter. For carriage of the dangerous goods Regulations annexed to the European Agreement Concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) shall apply.

Article 1.4 - Obligation to carry a radar certificate

A person who wants to steer, navigating by radar, the vessels mentioned in article 1.1 on inland waterways, in addition to the boatmaster certificate mentioned in article 1.3, shall carry radar certificate issued in accordance with these recommendations.

¹⁰ This is a new definition.

¹¹ This is a new definition.

¹² This is a new definition.

¹³ This is a new definition.

Article 1.5 - Types of certificates

1. **Types of the boatmasters certificates are:**
 - (a) **Type “A” - valid for all vessels and convoys, except for convoys formed of five or more vessels which are not small craft, cabin vessels and day-trip vessels registered for carriage of more than 250 passengers;**
 - (b) **Type “B” - valid for vessels less than 35 m long, except passenger vessels, when vessel is not engaged in towing, pushing or propelling side by side formation;**
 - (c) **Type “C” - valid for all vessels and convoys.¹⁴**
2. **Radar certificate is valid for navigating the vessel with the aid of radar.**

CHAPTER 2 - MINIMUM REQUIREMENTS FOR THE ISSUANCE OF
BOATMASTER'S CERTIFICATES

Article 2.1 – Scope

~~This chapter is exclusively concerned with boatmaster's certificates for the international carriage of cargo or passengers on inland waterways.~~

Article 2.1 - General Provisions Boatmaster Certificate of type “A”

The issuance of boatmaster's certificates **of type “A”** shall be contingent on the applicant's satisfying the following minimum requirements:

- (a) The applicant must be not less than 21 year of age;^{*}

¹⁴ Under the proposed wording of Article 1.5, waterways of the maritime character shall be special sectors in accordance with the 2.2 *ter* and there will be no maritime navigation in the programme of examination. There are two alternatives to this proposal:

- (a) Maritime navigation can be made obligatory for every candidate in the examination programme and waterways of the maritime character shall not be special sectors in accordance with the 2.2 *ter*;
- (b) For each type of certificate (an additional type (Amar, Bmar, Cmar) can be introduced, as follows:
 - (i) Type “A” – valid on all waterways, with the exception of the waterways of a maritime character, for all vessels and convoys, except for convoys formed of five or more vessels which are not small craft, cabin vessels and day-trip vessels registered for carriage of more than 250 passengers;
 - (ii) Type “Am” (*Amar*) - valid on all waterways for all vessels and convoys, except for convoys formed of five or more vessels which are not small craft, cabin vessels and day-trip vessels registered for carriage of more than 250 passengers;
 - (iii) Type “B” – valid on all waterways, with the exception of the waterways of a maritime character, for vessels less than 35 m long, except passenger vessels, when vessel is not engaged in towing, pushing or propelling side by side formation;
 - (iv) Type “Bm” (*Bmar*) – valid on all waterways for vessels less than 35 m long, except passenger vessels, when vessel is not engaged in towing, pushing or propelling side by side formation;
 - (v) Type “C” – valid on all waterways, with the exception of the waterways of a maritime character, for all vessels and convoys;
 - (vi) Type “Cm” (*Cmar*) – valid on all waterways for all vessels and convoys.

Maritime navigation in the programme of exam will be obligatory for the candidate for types Am and Bm. Waterways of the maritime character shall not be special sectors in accordance with the 2.2 *ter*.

^{*} ~~Not less than 18 years of age in certain cases.~~

- (b) The applicant must demonstrate his/her physical fitness by passing a medical examination which tests among other things eyesight, hearing and the ability to distinguish colours. The medical examination must be carried out by a doctor appointed by the competent authority. ~~The Administration may require an additional and/or regular medical examination after reaching a certain age;~~
- (c) The applicant must have a minimum of ~~four~~ **three** years' professional experience, ~~acquired in the deck department on board of an inland navigation vessel, at least as a rating;~~ **acquired as a member of the deck crew on board of a motorized inland waterway vessel except the small craft, ferry-boats and assembly of floating material, of which at least two years of navigation service as a engine minder or ordinary crewman or at least one year as able crewman or boatmaster holding a certificate of type "B". Calculation of the duration of the navigation service shall be done in accordance with Article 2.3.**
- (d) The applicant must have passed the examination of professional knowledge **which comprises the minimum subjects listed in Annex II** ~~to the satisfaction of the Administration;~~
- (e) The applicant must possess a radiotelephone certificate.

Article 2.2 - Boatmaster certificate of type "B"

The issuance of boatmaster's certificate of type "B" shall be contingent on the applicant's satisfying the following minimum requirements:

- (a) **The applicant must be not less than 21 year of age.**
- (b) **The applicant must possess a radiotelephone certificate.**
- (c) **The applicant must demonstrate his/her physical fitness by passing a medical examination which tests among other things eyesight, hearing and the ability to distinguish colours. The medical examination must be carried out by a doctor appointed by the competent authority;**
- (d) **The applicant must have passed the examination of professional knowledge which comprises the minimum subjects listed in the Annex II.**
- (e) **The applicant must have a minimum of three years navigation service in inland navigation, acquired as a member of the deck crew on board of a motorized inland waterway vessel except the small craft, ferry-boats and assembly of floating material, of which at least one year of navigation service as a engine minder or ordinary crewman. Calculation of the duration of the navigation service shall be done in accordance with Article 2.3.**

Article 2.2 bis – Boatmaster certificate of type "C"

The issuance of boatmaster's certificate of type "C" shall be contingent on the applicant's satisfying the following minimum requirements:

- (a) **The applicant must possess a boatmaster certificate type A.**
- (b) **The applicant must demonstrate his/her physical fitness by passing a medical examination which tests among other things eyesight, hearing and the ability to distinguish colours. The medical examination must be carried out by a doctor appointed by the competent authority;**
- (c) **The applicant must have a minimum of three years navigation service as a boatmaster in inland navigation, acquired on board of a vessel which requires**

boatmaster holding a type “A” certificate. Additionally the applicant must have a minimum of one year navigation service acquired in steering of a vessel which requires boatmaster holding a certificate of type “C” for navigation. Calculation of the duration of the navigation service shall be done in accordance with Article 2.3.

Article 2.2 ter - Sectors of the waterways on which the special knowledge is necessary

Without prejudice to articles 2.1, 2.2 and 2.2 *bis*, the Administration may, for some special sectors of the waterways on their territories, supplement these minimum requirements with additional ones:

- (a) where operating experience clearly shows them to be justified;
- (b) where vessels operate on waterways where a knowledge of some regulation for the maritime navigation, local geography and of special regulations is indispensable and required.

Article 2.3 - Special provisions concerning ~~professional experience~~ navigation service

1. In order to be taken into consideration, the professional experience must have been validated and/or approved by the Administration using a personal service record referred to in Annex 5 of the UNECE Resolution No. 61, “Recommendations on Harmonized Europe-Wide Technical Requirements for Inland Navigation Vessels” or an equivalent certificate. It may have been acquired on any inland waterway without distinction as to area.

~~2.3.2 The minimum duration of the professional experience stipulated in paragraph 2.2. (c) may be reduced by maximum 3 years:~~

- ~~(a) when the administration requires special training which may be considered as equivalent and which covers the subjects listed in annex II;~~
- ~~(b) when the applicant holds a diploma of specialized inland navigation training which comprises a period of mandatory on board service and which covers the subjects listed in annex II.~~

As navigation service stipulated in articles 2.1 and 2.2 the Administration can calculate:

- (a) maximum up to 3 years of education, when the applicant holds a diploma of a specialized inland navigation school or training, approved by the Administration, which comprises a period of mandatory on-board service and which covers the subjects listed in Annex II;
- (b) maximum up to 2 years, when applicant acquired navigation service on sea-going vessels.

~~2.3.3 The Administration may also take into account to some extent professional experience on a seagoing vessel as a member of the deck crew. The minimum duration of the professional experience may be reduced by maximum two years.~~

2. The **duration of navigation service** ~~time~~ is calculated as follows:

- (a) 180 days of actual inland waterway voyage are counted as one year of navigation. Over a period of 365 consecutive days, a maximum of 180 days may be taken into account;

- (b) 250 days of actual ~~maritime~~ navigation are counted as one year of navigation **service**. Over a period of 365 consecutive days, a maximum of 250 days may be taken into account.

Article 2.4 - Special provisions concerning the examination of professional knowledge

1. For the issuance of the boatmaster's certificates **of type "A" and "B"**, the examination of professional knowledge shall cover at least the general subjects set out in ~~Section A of Annex II~~ to these recommendations. **The examination shall be theoretical and practical. Practical part of the examination shall be done on board of the vessel mentioned in the paragraph 2 of article 1.1.**

2. **The Administration shall designate one or more Examination Committees responsible for administering the appropriate examination of professional knowledge. The Examination Committee shall be composed of the president, who is a staff member from the Administration, and minimum of two more members. The president and members shall have sufficient professional knowledge and minimum one member shall have the boatmaster certificate of type "A".**

~~2.4.2 In so far as it deems necessary the Administration shall supplement the examination syllabus mentioned in paragraph 2.2. (d) with particular and/or additional subjects in order to meet the requirements of paragraph 1.1.3. In this case, the Administration shall specify in the boatmaster's certificate its field of application and/or issue a special certificate. In particular, Administration shall require that:~~

- (a) ~~On passenger vessels, either the boatmaster or another member of the crew be in possession of a special certificate issued by the competent authority as proof of his/her having passed an examination of professional knowledge in the subjects referred to in Section B of Annex II;~~
- (b) ~~In order to be authorized to navigate with the aid of radar, the boatmaster hold a special attestation delivered by the competent authority as proof that he or she has passed the examination covering professional knowledge of the subjects referred to in Section C of Annex II.~~
- (c) ~~On vessels transporting dangerous goods either the boatmaster or another member of the crew be in possession of a special certificate issued by the competent authority as proof of his/her having passed an examination of professional knowledge in the subjects referred to in Section D of Annex II.~~

~~2.4.3 The Administration shall designate the Examination Committee responsible for administering the appropriate examination of professional knowledge.~~

2.4.4 3. The Administration or the Examination Committee duly mandated by it shall establish the procedure and conditions of the examinations so as to enable the theoretical and practical knowledge required for the operation of vessels on inland waterways to be verified.

Article 2.5 - Information contained in the boatmaster's certificates

The ~~competent authorities~~ **Administration** shall specify in the boatmaster's certificates that they deliver **minimum** the items listed in annex I.

Article 2.6 - Physical fitness

1. On reaching 50 years of age, the holder of a certificate must, in the following three months and subsequently every five years, undergo the medical examination referred to in Articles 2.1, 2.2 and 2.2 bis.
2. On reaching 65 years of age, the holder of a certificate must, in the following three months and subsequently every year, undergo the examination referred to in Articles 2.1, 2.2 and 2.2 bis.
3. Fulfilment of the requirements referred to in paragraphs 1 and 2 hereof shall be proven by valid certificate of medical fitness issued by the recognized health institute.

CHAPTER 3 - MINIMUM REQUIREMENTS FOR THE ISSUANCE OF RADAR CERTIFICATES**Article 3.1 – General requirements**

The issuance of radar certificate shall be contingent on the applicant's satisfying the following minimum requirements:

- (a) The applicant must be not less than 21 year of age.
- (b) The applicant must possess a radiotelephone certificate.
- (c) The applicant must possess a boatmaster certificate.
- (d) The applicant must have passed the examination of professional knowledge which comprises the minimum subjects listed in the Annex III.

Article 3.2 - Special provisions concerning the examination of professional knowledge

1. For the issuance of the radar certificates, the examination of professional knowledge shall cover at least the general subjects set out in Section A of Annex III to these recommendations. The examination shall be theoretical and practical. Practical part of the examination shall be done on board of the vessel mentioned in the paragraph 2 of article 1.1 or on the radar simulator dully certified by the Administration.
2. The Administration shall designate one or more Examination Committees responsible for administering the appropriate examination of professional knowledge. The Examination Committee shall be composed of the president, who is a staff member from the Administration, and minimum of two more members. The president and members shall have sufficient professional knowledge.
3. The member of the Committee responsible for the practical part of the examination shall have a valid radar certificate in accordance with these recommendations.

Article 3.3 - Information contained in the radar certificates

The Administration shall specify in the radar certificates that they deliver at minimum the items listed in annex IV.

CHAPTER 3 4 - RECOGNITION OF THE BOATMASTER'S AND RADAR CERTIFICATES

Article 4.1 - Acceptance of the minimum requirements for the issuance of boatmaster's and radar certificates

By accepting Resolution No. 31, the competent authorities confirm that their regulations include the minimum requirements for the issuance of boatmaster's **and radar** certificates, set out in Chapters 2 **and 3**.

Article 4.2 - Mutual Recognition of boatmaster's and radar certificates

~~3.2.1. Countries, which have accepted **Resolution No. 31 shall mutually recognize their boatmaster's and radar certificates except for the sectors mentioned in Article 2.2** ter the minimum requirements for the issuance of boatmaster's certificates may conclude bilateral or multilateral agreements on the mutual recognition of their certificates.~~

~~3.2.2. These agreements shall specify:~~

- ~~(a) The conditions of the recognition, including, in particular, the requirements on the knowledge of local conditions;~~
- ~~(b) The names of competent authorities issuing the boatmaster's certificates;~~
- ~~(c) Mechanisms for regular exchange of information on the evolution of national regulations, as well as on control, examination, implementation and other practical issues;~~
- ~~(d) Mechanisms for communicating information on the withdrawal, suspension or annulment of the delivered certificates;~~
- ~~(e) Other issues, as considered appropriate.~~

Article 3.3 - Issuance of boatmaster's certificates to applicants of less than 21 years of age and their recognition

~~3.3.1. States which issue the boatmaster's certificate as from the age of 21 years shall recognize foreign certificates issued by States which issue the boatmaster's certificate as from the age of 18 years when the boatmaster reaches the age of 21 years.~~

~~3.3.2. States which issue the boatmaster's certificate as from the age of 18 years shall recognize foreign certificates issued for that age.~~

Article 3.4 - Recognition of general and special boatmaster's certificates

~~3.4.1. States which issue general certificates for navigating cargo and passenger vessels recognize general certificates issued by other States under the same conditions for navigating passenger vessels, as well as special certificates issued for navigating passenger vessels.~~

~~3.4.2. States which issue the special certificates for passenger vessels recognize, in international traffic, general certificates for navigating passenger vessels on their territory and take them duly into account when issuing special certificates required for the operation of a passenger vessel on their territory.~~

Annex I: Content of the boatmaster's certificates

The competent authorities shall specify in the boatmaster's certificates that they deliver the following items:

- (a) Holder's name
- (b) First name(s)
- (c) Date, **state** and place of birth
- (d) Date of issue of the certificate
- (e) Issue number
- (f) Photograph of the holder
- (g) Holder's signature
- (h) Waterways covered by the certificate
- (i) Radar certificate
- (j) Expiry date
- (k) Endorsement(s)
- (l) Restriction(s)

Annex II: Professional knowledge required to obtain a boatmaster's certificate¹⁵

Annex III: Content of the radar certificate¹⁶

Annex IV: Professional knowledge required to obtain a radar certificate¹⁷

¹⁵ Proposal to be elaborated.

¹⁶ Proposal to be elaborated.

¹⁷ Proposal to be elaborated.