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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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Items 12 (a) and (b) of the provisional agenda

Recreational navigation:

International Certificate for Operators of Pleasure Craft (Resolution No. 40, fourth revision)

Questionnaire on education and training for operators of pleasure craft

Road Map for acceptance and implementation of the International Certificate for Operators of Pleasure Craft and the questionnaire on education and training for operators of pleasure craft

Note by the secretariat

Mandate

1. This document is submitted in line with cluster 5: Inland Waterway Transport, paragraph 5.1 of the programme of work 2018-2019 (ECE/TRANS/2018/21/Add.1) adopted by the Inland Transport Committee at its eightieth session (20-23 February 2018) (ECE/TRANS/274, para. 123).
2. At its third meeting held from 1 to 2 October 2018 in Geneva, the Informal Working Group on recreational navigation prepared (a) the road map on implementing resolution No. 40, International Certificate for Operators of Pleasure Craft to assist countries that wish to accept resolution No. 40, and (b) a draft questionnaire on the application of ICC, education and training for operators of pleasure craft with a view to identifying common practices and using this information in its further work. It is proposed that this questionnaire should be addressed to national governments, giving the option for them to nominate a national organisation overseeing training on their behalf to respond for them if they wish.

3. The Working Party on the Standardization of Technical and Safety Requirements in Inland Navigation (SC.3/WP.3) may wish to consider and approve the draft road map (annex I) and the draft questionnaire (annex II). SC.3/WP.3 may also wish to determine the list of member States whom this questionnaire should be addressed to, and complete it with countries outside the ECE region.

Annex I

Proposal for a Road Map for acceptance and implementation of resolution No. 40, “International Certificate for Operators of Pleasure Craft”

Introduction

The International Certificate for Operators of Pleasure Craft (ICC) issued according to resolution No. 40 of the Economic Commission for Europe (ECE) provides its holder with evidence of competence in an internationally recognisable format which can be presented to officials in foreign countries if required.

Resolution No. 40 was adopted by the Working Party on Inland Water Transport on 16 October 1998 and, since then, has been regularly updated. It is available in three official ECE languages – English, French and Russian. Revision 4 (ECE/TRANS/SC.3/147/Rev.4) is in force, supplemented by amendment No. 1 (ECE/TRANS/SC.3/147/Rev.4/Amend.1).

ICC complements, rather than replaces, any requirement the flag states may impose and does not replace the national certificate, however, its internationally recognizable format gives certain advantages to its holder. In many European countries the administration and companies including chartering companies require the ICC, and skippers being nationals or residents of countries that accepted resolution No. 40 use this advantage.

More information is available in the Guidelines to resolution No. 40.

Scope of application

Resolution No. 40 has a global scope and is therefore open for application by all United Nations Member States. As of September 2018, it is formally accepted by 23 countries: Austria, Belarus, Belgium, Bulgaria, Croatia, Czech Republic, Finland, Germany, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Poland, Romania, Serbia, Slovakia, South Africa, Switzerland, Ukraine and United Kingdom of Great Britain and Northern Ireland.



Formal acceptance means that a country has implemented the procedures stated in resolution No. 40, informed the Executive Secretary of ECE accordingly and provided the necessary documents. However, some countries that have not yet adopted resolution No. 40 will nonetheless readily accept and sometimes demand an ICC from visiting boaters as evidence of competence.

Legal status

Resolution No. 40 is not a legally binding instrument and has the status of recommendation. If a government has the intention to accept it, no ratification, accession or succession procedure is needed; the acceptance procedure is described below.

Acceptance steps

Formal and structured coordination at national level

Regulations for recreational navigation may be under the responsibility of different ministries or administrations. The responsible bodies need to be identified and their representatives should be invited to participate in the process of acceptance.

A list would include at least the competent authorities for authorization of ICC and the approved body(-ies) for issuing of ICC.

A state wishing to accept ICC should:

- Implement resolution No. 40 at a national level
- Designate competent authorities for the authorization of ICC
- Approve (designate) bodies responsible for the issuing of ICC and make sure they are appropriately trained and have appropriate procedures for the certificates they may have to deliver; these competencies may be attributed to the competent authorities responsible for authorization of ICC or delegated to other bodies
- Establish procedures and criteria for the issuance of ICC and, where applicable, approve the examination programme to prove the necessary competence for pleasure craft operation tests corresponding to annex I of resolution No. 40
- Approve the ICC model (models) of the chosen format corresponding to annex II or III of resolution No. 40
- Notify the Executive Secretary of ECE that it accepts resolution No. 40 and provide the necessary information and a sample of the ICC model.

Notifying ECE

Governments are requested to inform the Executive Secretary of ECE that they accept this resolution and its annexes and communicate to the secretariat:

- The names of the competent authorities and/or the approved bodies (in the official national language (languages) and one of official languages of ECE – English, French or Russian) and their contact information
- Information about national legal acts regulating this issue and where they can be found
- The chosen format (annex II or III) of ICC
- That the documents are only issued if the applicant has proved that the requirements of annex I are satisfied
- The procedure for issuing ICC

- The outline police regulations applying to visiting operators of pleasure craft and where they can be found
- Specimen(-s) of all ICC models issued by them in electronic format for uploading into the ICC database maintained by ECE.

If there are any restrictions on the type or size of pleasure craft or limitations related to the acceptance of resolution No. 40 imposed by governments when issuing ICC and the recognition of the ICC issued by other countries, this information shall be communicated to the secretariat.

ECE does not require any documents other than those mentioned above (they are listed in resolution No. 40) or translation of national legal acts into its official languages.

ICC model

An ICC model should be made in the official national language or languages, the title of the document being given, if possible, in two of the three languages: English, French and Russian. However, some Administrations provide the English translation of the whole certificate.

It is strongly advisable to provide the translation of special conditions of the applicability of ICC, if any, on the certificate, or inform the secretariat accordingly.¹

Renewal of ICC

The government should determine the renewal procedure of ICC. Common practice is to renew an ICC without re-testing the ICC holder skills.

Recognition of ICC

According to resolution No. 40, governments are requested within their national shipping police regulations to recognize in their territory the documents issued by the competent authorities or by bodies approved by governments of other countries.

ICC is also accepted in many other countries which have not formally stated their intentions through the acceptance of resolution No. 40. Some details concerning the recognition of the ICC can be found on the ECE website.

Additional implementation issues

CEVNI knowledge tests and refresher tests

If ICC is issued for inland waterways, the knowledge of the European Code for Inland Waterways (CEVNI) shall be tested. CEVNI was adopted by ECE resolution No. 24 and has been regularly revised. Since 2015, the fifth revised edition of CEVNI is applied. It can be downloaded at www.unece.org/trans/main/sc3/sc3res.html, or www2.unece.org/wiki/display/TransportSustainableCEVNIv5 (online version).

If an implementing government does not apply CEVNI on its territory, it can develop its own CEVNI knowledge tests or recognize the outcome of the CEVNI test adopted in another country. The Informal Working Group on Recreational Navigation is currently working on a ECE database of questions that could be used by administrations to aid them when considering how to test knowledge of CEVNI and, ultimately, for elaborating their own tests.

¹ The Working Party may wish to add an ICC sample (samples) here.

Refresher tests for boaters not routinely using this knowledge are developed and applied by some implementing governments.

Availability of information

The list of competent authorities and approved bodies is given in annex IV to resolution No. 40 and is regularly updated.

When the secretariat receives the notification from a government about the acceptance of resolution No. 40, it includes this information and in annex IV and uploads ICC specimen(-s) on the ECE website.

The ICC database is available on the ECE website at www.unece.org/trans/main/sc3/icc_resolution_40.html.

Follow up and next steps

Governments are invited to provide updates on the list of competent authorities and approved bodies, the contact information, the legislation, ICC specimens and other relevant information to the ECE secretariat. This information will be included in the agenda of the nearest session of SC.3 or SC.3/WP.3.

Governments, authorized and approved bodies for ICC are invited to participate in the activities of the Informal Working Group on Recreational Navigation.

The secretariat will be glad to provide more details by e-mail: sc.3@un.org.

References

Resolution No. 40:

www.unece.org/fileadmin/DAM/trans/doc/2015/sc3wp3/ECE-TRANS-SC3-147r4e.pdf and

Guidelines for resolution No. 40:

www.unece.org/fileadmin/DAM/trans/doc/2015/sc3wp3/Guidelines_to_Resolution_No_40_e.pdf

European Recreational Inland Navigation Network – Resolution No. 52:

www.unece.org/fileadmin/DAM/trans/doc/2013/sc3wp3/ECE-TRANS-SC3-164-Rev1e_01.pdf

ICC database:

www.unece.org/trans/main/sc3/icc_resolution_40.html

Web page of the Informal Working Group on Recreational Navigation:

www.unece.org/trans/main/sc3/sc3_ig/group_recreational_navigation.html.

Annex II

Draft questionnaire on the application of the International Certificate for Operators of Pleasure Craft, education and training for operators of pleasure craft

The Working Party on Inland Water Transport of the United Nations Economic Commission for Europe (ECE) Inland Transport Committee has recently introduced an Informal Working Group on Recreational Navigation which is tasked to look at the scope of application of resolution No. 40, the issue and recognition of ICC and more generally on matters relating to recreational navigation on European inland waterways.

Noting that in the Ministerial Declaration adopted on 18 April 2018 in Wroclaw, Poland, Ministers acknowledged the role played by recreational navigation, and in order to facilitate its work on promoting recreational navigation on inland waterways and in coastal waters in accordance with resolution No. 40, the Group is investigating education and training for operators of pleasure craft throughout the ECE member States, with a view to identifying common practices.

The purpose of this questionnaire is to collect information about national practice on the evidence of competence for pleasure craft operators, applicability of ICC and education and training principles. You are kindly requested to complete and to send them to:

1. Response on behalf of [insert name of the country] _____
Name of government department _____

Name and position of respondent _____
Contact email address _____
2. Does the operator of a pleasure craft require evidence of competence in accordance with your national legislation?
 Yes
 No
If YES, please state the requirements: _____

3. Does this requirement also apply to foreign flagged (registered) pleasure craft operated within your territorial and/or internal waters?
 Yes
 No
If YES, please provide details: _____

If YES, is the International Certificate for Operators of Pleasure Craft (ICC) issued according to resolution No. 40,² acceptable for the operation of a foreign flagged (registered) pleasure craft within your territorial and/or internal waters?

4. Is ICC acceptable for the operation of a nationally flagged (registered) pleasure craft hired (i.e. on bareboat charter) within your territorial and/or internal waters?

- Yes
- No

Please provide additional information, if necessary: _____

5. Are there any restrictions on the acceptance of ICC in your country?

- Yes
- No

If YES, please indicate if restrictions relate to the nationality of the certificate holder, the size or type of vessel in respect of:

- Nationally flagged pleasure craft: _____
- Foreign flagged pleasure craft: _____

6. Is education and training for operators of pleasure craft available in your country?

- Yes
- No

If YES, is this:

- A government-led scheme
- A private scheme operated with a Government approval and/or issuing certificates that are recognized by the Government
- A private scheme with no Government approval
- Other (please provide details): _____

7. Please indicate what subjects are covered in your training course and whether the teaching of each subject is in theory or practical:

Theory/Practical _____

² Resolution No. 40 is available at www.unece.org/fileadmin/DAM/trans/doc/2015/sc3wp3/ECE-TRANS-SC3-147r4e.pdf and www.unece.org/fileadmin/DAM/trans/doc/2017/sc3wp3/ECE-TRANS-SC3-147r4-Amend1e.pdf.

Theory/Practical _____

Theory/Practical _____

Theory/Practical _____

Not applicable _____

8. Does the applicant for a certificate valid for the operation of a pleasure craft need to present a medical certificate in order to be issued with the certificate?

9. When a certificate is issued, is it valid for the holder's lifetime or must it be renewed periodically and, if so, at what interval?

Is the holder re-examined?

Yes

No

10. Are there any other restrictions for the issue of certificate valid for the operation of a pleasure craft?

11. Does your Government issue ICC in accordance with resolution No. 40?

Yes

No

If YES, is this issued on presentation of a national certificate?

Yes

No

12. Does the national certificate demonstrate the knowledge of the European Code for Inland Waterways (CEVNI)?

Yes

No

If NO, how is knowledge of CEVNI tested for the issue of ICC valid for inland waters?

13. Is it possible to obtain an ICC in your country by passing an examination in accordance with annex I, part II of resolution No. 40?

Yes

No

14. How long is an ICC issued on behalf of your government valid for?

15. Can an ICC be converted to your national certificate valid for the operation of a pleasure craft?

- Yes
- Only if ICC was issued by this Government
- No

16. Please provide any further comments you may have on the ICC including suggestions for improvements to the governance of the ICC or ways in which harmonisation of education and training for operators of pleasure craft might improve safety:

Please provide the contact details of officials:

- Responsible for recreational navigation in your country

Who take or will take part in the activities of the Informal Working Group on Recreational Navigation?

Thank you for your attention!
