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## **Working Party on Inland Water Transport**

### **Sixtieth session**

Geneva, 2–4 November 2016

Item 11 (a) of the provisional agenda

### **Workshop “Recreational navigation and water tourism”**

## **Application of Resolution No. 40, International Certificate for Operators of Pleasure Craft**

### **I. Norwegian Maritime Authority**

Norway adopted Resolution No. 40 in 2011. Since then we have issued ICC certificates for coastal waters. We decided not to issue ICC for inland waterways, based on the fact that Norway doesn't have inland waterways that require the knowledge of CEVNI regulations.

The Norwegian Maritime Authority regularly receives requests from Norwegian citizens who want to travel with their yacht on foreign inland waterways and therefore need an ICC certificate for that purpose. Furthermore, we were informed that Ireland had issued an ICC certificate to a Norwegian citizen who had no qualifications mentioned in section G in the Guidelines to the Resolution.

If we interpret the provisions of Resolution No. 40 correctly, Norwegian citizens cannot get an ICC certificate in other country, and therefore they have no opportunity to get this certificate in case Norway does not issue it, according to section G of the Guidelines to the resolution.

This is very unfortunate and it was not our intention when we chose an option of issuing the ICC for coastal waters only. We would like to consult with you whether there are any possibilities to improve this situation.

In our opinion, an alternative approach is that Norwegian citizens can pass the examination of their knowledge of CEVNI in other country that applies Resolution No. 40. Norway will approve the test and a certificate for inland waterways could be issued if other criteria are met.

In future Norway will consider a possibility of developing and conducting CEVNI examination in the country. We want to come up with a faster solution to resolve this in the short term and to see how many of our citizens actually desire to get this certificate. We assume that ICC for inland waterways will apply only to a small audience, but we still do not wish to prevent this audience to get issued a certificate for inland waterways if they are in need of one.

What are your views on the subject how to interpret section G of the Guidelines to Resolution No. 40, and can Norway approve CEVNI test for inland waterways passed in other country that implemented Resolution No. 40 as explained?

We have also received an inquiry from a Norwegian citizen who asks us if we can approve a CEVNI-test for inland waterways from Denmark. Denmark has not adopted Resolution no. 40. Can Norway approve a test for inland waterways from Denmark even though Denmark has not adopted Resolution no. 40. Norway in the first instance wishes to only approve the test from a nation that offers this. The rest of the elements that are required for issuing this certificate will still be done in Norway. What are your views on that matter?

## **II. Lithuanian Maritime Safety Administration**

With reference to the provisions of UNECE Resolution No. 40 on International Certificate for Operators of Pleasure Craft the Lithuanian Maritime Safety Administration as a competent authority responsible for issuance of international certificates for operators of pleasure craft (hereafter-ICC's) is seeking clarifications regarding the use of standard formats as prescribed by said resolution.

The Resolution itself states that “international certificate should conform to the models in Annexes II or III to this resolution”. The model ICC requires that the validity of the certificate for inland waters and/or coastal waters is indicated, but there are no additional explanations of “coastal waters” in the Resolution, nor is it possible to extent the validity of an ICC beyond “coastal waters”, so that the sailing area is “unlimited/unrestricted”.

The Lithuanian Maritime Safety Administration issues ICC's for operators of motorized pleasure craft and, taking into account the necessary competence proved by the operator of pleasure craft, indicates the validity of ICC for inland waters and/or coastal waters and/or all waters. Indication “all waters” in the ICC issued notes that holder of such certificate may navigate without any limitations of the sailing area/cruising range.

Although Resolution No. 40 per se does not address said issue, we have observed that in practice competent authorities of other States applying Resolution No. 40 also deviate slightly from the model ICC layouts, most commonly by inserting certain limitations in ICC's issued or indicating that the sailing area is unrestricted/no limitations applies. We kindly seek your advice whether such practices are to be considered as being in line with the requirements of Resolution No. 40.

We also kindly request you provide us with the view of the UNECE Inland Transport Committee regarding the meaning of “coastal waters” within the context of Resolution No. 40. May the operator of a pleasure craft holding ICC valid for “coastal waters” navigate worldwide?

## **III. Canada**

I am a Canadian citizen and will be working in Greece. My employer (a UK company) requires I obtain my ICC. However, I am unsure if there are any Canadian equivalencies for this certification. I currently hold a Pleasure Craft Operators card, issued by Transport Canada. My question is how might I determine the transferability of this, and can I obtain my ICC through any avenues in Canada?

## **IV. Israel**

I am an authorized skipper (inland and offshore/international) for more than 10 years. The Israeli license is issued by the government after a test by a tester from the government (and not by the sailing school).

I have some questions about the new regulation of the ICC.

1. Is my license good enough to charter bareboat in Europe? (both, accept/not accept the regulation?)

2. I am sailing worldwide with my friends with their private yacht. Can we keep on doing that with our Israeli certificate ?
3. If my license is not sufficient, how do I get an authorized ICC?

## V. Germany<sup>1</sup>

We have a boat school in Germany and have question from our clients about the rules for certification of Operators of Pleasure Craft in Spain.

Can you confirm us whether the following statements are true or not:

UNECE Resolution No. 40 "International Certificate for Operators of Pleasure Craft (ICC)" is not applied by Spain.

At the same time, Spain recognizes the following official German sports boat licenses on Spanish waters issued to German citizens residing in Germany:

- official German Certificate for Operators of sports craft for lakes (with ICC for costal waters) for all coastal waters;
- official German Certificate for Operators of sports craft for inland waters (with ICC for inland waters) on all inland waterways.

Are there any exceptions or additions?

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<sup>1</sup> Translated from German by the secretariat.