



**Economic and Social
Council**

Distr.
GENERAL

TRANS/SC.3/WP.3/2002/4/Add.2
4 January 2002

Original: ENGLISH

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
(Twenty-third session, 19-21 March 2002,
agenda item 7)

**MINIMUM MANNING REQUIREMENTS AND WORKING AND REST HOURS OF
CREWS OF VESSELS IN INLAND NAVIGATION**

Addendum 2

Transmitted by the Governments of Germany and the Netherlands



ENG

GERMANY

Re Article 1 (4) – General –

On the Rhine, and in the future also on the other German inland waterways, it is only necessary for an entry to be made in the ship's certificate on the crew and operating mode in the cases provided for in Article 14 (Minimum crews for other vessels). For self-propelled cargo vessels, pushers, self-propelled pusher vessels, pushed convoys, abreast formations and other rigid formations, and passenger vessels and passenger cabin vessels, the crews have to comply with the requirements of Articles 10 to 12, and the operating mode has to be entered in the ship's log. For this reason, an entry in the ship's certificate is not necessary for these categories of vessel. It is thus recommended either that paragraph 4 be deleted or that the following phrase be added: "unless the competent authority decides otherwise".

Re Article 2 (2) – Crew members –

According to the wording of the first sentence of paragraph 2, each administration is responsible for laying down its own requirements regarding the qualifications and minimum ages for leading crewmen, able crewmen, ordinary crewmen, engineers and engine-minders.

Reciprocal recognition of the manning requirements is thus only possible if

- a) the national requirements of each administration regarding qualifications and minimum ages are known and
- b) the administration ascertains that the qualification requirements are equivalent to those in its own country.

The same also applies to boatmaster's licences. The wording on the qualifications of boatmasters in the second sentence of paragraph 2 presupposes a revision of Resolution 31 of 12 November 1992. Account also has to be taken of Council Directive 96/50/EC on the harmonization of the conditions for obtaining national boatmasters' certificates.

Re Article 4 – Proof of qualifications – Service record –

The introduction of a service record is welcomed. We agree to the additional paragraph (no. 6), as it clarifies matters.

Re Article 6 – Mandatory rest period –

It is recommended that the text in the first square brackets be deleted.

The proposed wording of the third entry of paragraph 1, reading "In operating mode B, all crew members shall have 12 hours' rest time per 24-hour period, including at least a 6-hour period of uninterrupted rest." could only be accepted if the minimum crew numbers required under Articles 10 to 12 for operating mode B were twice those required for operating mode A₁. However, as this will not regularly be the case, the boatmaster or the owner of the vessel must be given a possibility to make arrangements for flexible service hours of the crew, regard being taken of the mandatory rest period. The time framework provided for this purpose, i.e. 12 hours per 24-hour period, is too short.

(cf. Document TRANS/SC.3/WP.3/2001/4)

Re Article 7 – Change of operating mode

The proposal made in the first sentence of paragraph 1 (d) is welcomed. It completes the list of possible change-overs.

The second sentence should apply to all changes of operating mode, not just to the change-over from operating mode A₁ to A₂ to mode B, as stated in the document. For this reason, the text should be included as paragraph 2, applicable to all changes of operating mode, and should commence as follows: "In all cases of change of operating mode ...".

Since it is also possible to change from operating mode A₁ to A₁ or from A₂ to A₂, this was taken into consideration when revising the manning requirements for vessels on the Rhine. For this reason, it is proposed that a new sub-paragraph ("e") be included, with the following text:

"(e) Immediately following a voyage in operating mode A₁ or A₂, a vessel may make another voyage in operating mode A₁ or A₂ if the crew has been entirely replaced and the new crew members have completed, immediately prior to the start of the second A₁ or A₂ voyage, 8-hour and 6-hour uninterrupted rest periods, respectively, outside sailing time and provide proof that they have done so.

As a result of the inclusion of sub-paragraph (e), the word "repeat" should be added to the heading.

Re Article 8 – Ship's log, Tachograph –

The ship's log is used to verify that the minimum rest periods of the crew members have been observed. The text in the square brackets in paragraph 1 should be deleted.

Both the ship's log and the tachograph serve the purpose of verifying the operating times of the vessel prescribed under Article 5 as well as the observance of the mandatory rest periods of the individual crew members prescribed under Article 6.

If the ship's log served only the purpose of verifying the vessel's operating times, the current proposal would be justified. However, as the observance of the minimum rest periods of the individual crew members, including the boatmaster, is to be verified with the help of the ship's log, the wording in document TRANS/SC.3/WP.3/2000/4 must be retained.

(cf. document TRANS/SC.3/WP.3/2001/4).

Re Article 10 – Minimum crews for self-propelled cargo vessels –

The words "and pushers" should be added to the heading of Article 10. Self-propelled pushers should be treated in exactly the same way as self-propelled cargo vessels when determining the minimum crew.

In the second line of the table, the sign "70 ≤" should be amended to read "70 <".

Re Article 13 – Manning of vessels whose minimum equipment referred to in article 9 is incomplete –

According to Article 9 (2), the conformity or non-conformity of a vessel with the "equipment of vessels" requirements is certified in the ship's certificate. If the vessel conforms with the requirements, it can operate with the minimum crew as defined in Articles 10 to 12. If one of the technical requirements listed in Article 9 (1) is not met, additional crew members are required.

The current wording in the first sentence – "in respect of [one or two] shipwide operating devices and systems" – is open to interpretation as to when the vessel has to operate with one or two additional crew members.

This ambiguous wording is not accepted by Germany and should thus be deleted.

Nor is it apparent why, under the aforementioned conditions, an additional one or two engine-minders are required, especially since the second sentence makes provision for replacing one able crewman by an engineer or engine-minder.

It is suggested that the proposal agreed on at the 19th meeting of the Working Party regarding additional crew members if technical requirements are not met be adopted (cf. document TRANS/SC.3/WP.3/2001/1).

Re Article 14 – Minimum crews for other vessels –

The rules laid down in paragraph 1 are adequate. Supplementary rules, such as those provided for in paragraph 2, are deemed unnecessary.

The text in square brackets in paragraph 2 should thus be deleted.

NETHERLANDS

In document TRANS/SC.3/WP.3/2002/1 dated 21 May 2001, governments and river commissions are invited to transmit their comments and proposals on the draft recommendations in this document concerning minimum manning requirements etc. in inland navigation, as well as on the form of a model of a service record annexed to the recommendations.

General remarks:

On behalf of the government of the Netherlands I shall inform you about the following comments and proposals concerning this document.

An important development we want to mention is that from 01-07-2002 new manning requirements of the Central Commission for the Navigation of the Rhine (CCNR) will be in operation. The Netherlands strongly believe that the recommendations of the ECE should be in accordance with the new regulations of the CCNR.

In details:

Article 1, paragraph 4, proposes to include in the ship's certificate an indication of the minimum size of crew necessary to ensure the safe operation for each of the modes of operation.

This paragraph should be deleted, because the minimum size of the crew for each mode of operation follows from the entries in the ship's log (article 8) in combination with the manning table from article 10. For the same reason, an identical paragraph was on 01-04-1988 deleted from the manning requirements of the CCNR.

Article 4: Paragraph 2. In accordance with the new regulations of the CCNR we propose to include the possibility for a leading crewman to abstain from the obligation to have the record certified at least once in the course of a 12-month period. This under the condition that he has no wish to become a boatmaster, and he has therefore no need to certify sailing time.

Article 5: Foot note 3 should be adapted as follows:, and if the members of the minimum crew include one holder of the boatmaster's licence and a leading crewman (vide: the new text of the regulation of the CCNR).

Article 6: In accordance with our wish for maximum agreement with the regulations of the CCNR we prefer the second alternative for operating mode B, i.e. 24 hours' rest time per 48-hour period.

Annex: Model of a service record:

On page 22, 23 and 24 we propose to remove the files F (Number of days of voyage on the Rhine) and G (Number of days of voyage other than on the Rhine). The reason for this is that a distinction between experience in sailing on the river Rhine or outside the river Rhine has no longer practical significance. For instance in the new regulations of the CCNR the only experience that matters for a function of leading crewman will be experience in inland navigation, and no longer experience in navigation on the river Rhine. For the same reason on page 27 under 3.3. the explanatory remarks by the files F and G should be removed.
