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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

Thirtieth session
Geneva, 6-8 June 2006
Agenda item 3

**FURTHER AMENDMENT OF THE EUROPEAN CODE
FOR INLAND WATERWAYS (CEVNI)**

**Transmitted by the Governments of Belarus and the Netherlands,
the Danube Commission and the secretariat**

Note: At its twenty-ninth session the Working Party provisionally agreed on a series of amendments to CEVNI, as reflected in document TRANS/SC.3/WP.3/58/Add.1, and requested Governments and River Commissions to submit comments and proposals on the text by its next session (TRANS/SC.3/WP.3/58, paras. 24-43).

Comments and proposals from the Governments of Belarus and the Netherlands, proposals from the Danube Commission and clarifications by the secretariat of the United Nations Economic Commission for Europe appear below. The Working Party may wish to view the draft amendments to CEVNI presented in document TRANS/SC.3/WP.3/58/Add.1, taking into account the following considerations.

BELARUS

Article 1.01

1. The delegation of Belarus proposes changing the definition of the term “safe speed” in article 1.01 of CEVNI, as follows:

“(ee) The term ‘safe speed’ means a speed permitting safe navigation, manoeuvring and stopping of the vessel, convoy or side-by-side formation within the distance required by the prevailing circumstances and conditions.”

DANUBE COMMISSION

Article 1.01

2. In the definition of “safe speed” in TRANS/SC.3/WP.3/58/Add.1, replace the words “vessel or convoy can” with the words “**vessel, convoy or side-by-side formation can**”.

THE NETHERLANDS

Article 1.01

3. The delegation of the Netherlands proposes adding a footnote to the definition of “high-speed vessels” in paragraph (cc) of article 1.01, as follows:

“(cc) Competent authorities may supplement this definition with their interpretation as to the applicability of the term to vessels navigating on particular inland waterways or stretches thereof, for example, when the vessels have to limit their speed.”

DANUBE COMMISSION

Article 1.09

4. Replace “of not less than 18 years of age” in article 1.09, paragraph 4, of TRANS/SC.3/115/Rev.2/Amend.1 with “**not younger than 21 years of age**”.

Article 1.10

5. Make the wording of paragraph 1 (e) given in TRANS/SC.3/WP.3/58/Add.1 clearer, as follows:

“(e) Crewed vessels must have on board the documents required under paragraphs 8.1.2.1, 8.1.2.2 and 8.1.2.3, of ADN, the ‘boatmaster’s licence’ and, for crew members requiring them, duly completed ‘service records’.”

SECRETARIAT

Article 3.32

7. The secretariat points out that the delegation of Belarus had previously proposed changing article 3.32 (1) (b) in the part of TRANS/SC.3/115/Rev.2/Amend.1 describing boards marking the prohibition of smoking or the use of an unprotected light or flame, as follows:

“circular white boards bordered with red, with a red diagonal **across a picture of** a cigarette emitting smoke”.

and to change sketch 66 in annex 3 (TRANS/SC.3/WP.3/2005/5, para. 6) accordingly. At its twenty-ninth session, the Working Party requested the secretariat to provide it with information on similar prohibitory signs used in different organizations and legal documents so that it could once again take up this question in 2006 (TRANS/SC.3/WP.3/58, para. 30).

When considering this question, the Working Party may wish to consider that the various legal documents provide for the corresponding prohibitory signs as follows:

The Vienna Convention on Road Signs and Signals of 1968: In certain cases the red diagonal crossbar is placed above the symbol for the prohibited action or object (e.g. signs C, 1^b - “NO ENTRY”; C, 11^a, C, 11^b and C, 12 - “NO LEFT TURN”, “NO RIGHT TURN” and “NO U-TURNS”, and C, 15 - “USE OF AUDIBLE WARNING DEVICES PROHIBITED”), while in others the symbol for the prohibited action or object appears above the red diagonal crossbar (signs C, 3 and C, 4, prohibiting entry for various transport vehicles or pedestrians, and sign C, 13, prohibiting overtaking);

CEVNI, RPNR and DFND: The symbol for the prohibited action or object appears above the red diagonal crossbar;

ISO: The red diagonal crossbar appears above the symbol for the prohibited action or object (see ISO standards 6309:1987 and 7010:2003). This applies in particular to signs prohibiting smoking or the use of open flames and smoking.

Article 4.05

6. In the footnote to article 4.05, paragraph 3, of TRANS/SC.3/115/Rev.2/Amend.1, the Russian expression for “rate of turn indicator” should be brought into line with the one used in paragraph 1 (a) of the article.

NETHERLANDS

Article 6.01 bis

8. The delegation of the Netherlands informed the secretariat that it had no proposals relating to the possible amendment of article 6.01 bis in TRANS/SC.3/115/Rev.2/Amend.1.

SECRETARIAT

Article 6.01 bis

9. Considering the discussion at the twenty-ninth session of the Working Party about the possibility of amending articles 6.01 bis and 6.02 (2) to make them logically consistent (see TRANS/SC.3/WP.3/58, para. 33), the secretariat presents below, for the information of the Working Party, the corresponding articles of RPNR:

“Article 6.01 - High-speed vessels

High-speed vessels must avoid all other vessels.”

“Article 6.02 - Conduct of small vessels in respect of other vessels

Small vessels navigating alone, and convoys or side-by-side formations consisting exclusively of small vessels, must leave enough room for all other vessels, including high-speed vessels, to hold their course and manoeuvre.”

The Working Party may wish to consider the possibility of bringing articles 6.01 bis and 6.02 (2) of CEVNI in TRANS/SC.3/115/Rev.2/Amend.1 into line with articles 6.01 and 6.02 (1) of RPNR, cited above, and to return to the proposal by the Danube Commission that the words “**under way**” should be added following “high-speed vessels” in articles 6.01 bis and 6.02 (2) of CEVNI.

DANUBE COMMISSION

Article 6.07

10. Add a new paragraph 3 to article 6.07, as follows:

“3. Small vessels shall be subject only to paragraph 1 (a) of this article.”

Article 6.08

11. In article 6.08, paragraph 1, of TRANS/SC.3/WP.3/58/Add.1, change the names of signs A.4 (a) and A.4 (b) to **A.4 and A.4.1**, by analogy with signs A.5 and A.5.1.

Article 8.01

12. Modify article 8.01, paragraph 1, of TRANS/SC.3/WP.3/58/Add.1 as follows:

“1. In case of incidents or accidents that may result in leakage of the dangerous substances carried, **it is imperative to activate the ‘Do not approach’ signal:**

(a) **On tankers required to carry the markings referred to in paragraph 1 or 2 of article 3.14, if the crew cannot avert the attendant danger to human life or navigation resulting from the leakage of dangerous substances; and**

(b) **On vessels required to carry the markings referred to in paragraph 3 of article 3.14 if the crew cannot avert the attendant danger to human life or navigation resulting from the leakage of dangerous substances.**

This provision does not apply to pushed barges and **similar** non-self-propelled vessels. Nevertheless, if they are part of a convoy or **side-by-side formation**, the 'Do not approach' **signal** shall be **given** by the vessel with the boatmaster of the convoy or **side-by-side formation** on board.

Article 8.02

13. Modify article 8.02 (1), subparagraph (1), of TRANS/SC.3/WP.3/58/Add.1 as follows:

“(1) The description of the dangerous substances carried given in the transport document (UN number or identification number, proper shipping name, class and, if required, packing group and/or classification code), and the quantity of each substance. For class 1 substances, the gross weight of the packaging containing the substance and articles must be declared, along with the net weight of explosive substances or explosive substances contained in the articles.”

SECRETARIAT

Article 9.06

14. Correct a typographical error in article 9.06, paragraph 2, of TRANS/SC.3/115/Rev.2/Amend.1, labelling the subparagraphs (a), (b), (c) and (d), accordingly.
