

## **Proposal for a Road Map for acceptance and implementation of UNECE Resolution No. 40, International Certificate for Operators of Pleasure Craft**

### **Introduction**

International Certificate for Operators of Pleasure Craft (ICC) issued according to resolution No. 40 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 UNECE 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, as an internationally recognized evidence of competence, it gives certain advantages to its holder. In most 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 is of 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 UNECE 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 a 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 the national level;
- Designate competent authorities for authorization of ICC;
- Approve (designate) bodies responsible for 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;
- 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) corresponding to Annexes II or III of resolution No. 40;
- Notify the Executive Secretary of UNECE that it accepts resolution No. 40 and provide the necessary information and a sample of the ICC model.

#### *Notifying UNECE*

Governments are requested to inform the Executive Secretary of UNECE 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 UNECE – 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;
- a sample of the ICC issued by them in electronic format for uploading into the UNECE database of ICC models.

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 ICC issued by other countries, this information shall be communicated to the secretariat.

UNECE does not require any documents other than 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 out 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.

(ICC sample)

#### *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 UNECE 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 UNECE 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](http://www.unece.org/trans/main/sc3/sc3res.html), or [www2.unece.org/wiki/display/TransportSustainableCEVNIv5](http://www2.unece.org/wiki/display/TransportSustainableCEVNIv5) (online version).

If an implementing government does not apply CEVNI on its territory, it can develop 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 UNECE 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.

Refresher tests for boaters not routinely using this knowledge tests 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 the ICC model on the UNECE website.

The database of ICC models is available on the UNECE website at [www.unece.org/trans/main/sc3/icc\\_resolution\\_40.html](http://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 models and other relevant information to the UNECE secretariat. This information will be included in the agenda of the nearest session of SC.3 or SC.3/WP.3.

Governments and 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 address [SC.3@unece.org](mailto:SC.3@unece.org), [SC.3@un.org](mailto:SC.3@un.org).

#### **References**

Resolution No. 40:  
[www.unece.org/fileadmin/DAM/trans/doc/2015/sc3wp3/ECE-TRANS-SC3-147r4e.pdf](http://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](http://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](http://www.unece.org/fileadmin/DAM/trans/doc/2013/sc3wp3/ECE-TRANS-SC3-164-Rev1e_01.pdf)

ICC model database:  
[www.unece.org/trans/main/sc3/icc\\_resolution\\_40.html](http://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](http://www.unece.org/trans/main/sc3/sc3_ig/group_recreational_navigation.html).

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