

Amendments to articles 4.05 and 4.06 of CEVNI

A. Proposal transmitted by Austria¹

The discussion on the amendments to article 4.05 held at the thirty-fourth meeting of the CEVNI Expert Group has shown the need to clarify that the old paragraph 3 of Article 4.05 would be a deviation from the new paragraph 3. While ferry boats and motorized floating equipment are indeed motorized vessels and therefore falling under the new paragraph 3, the old paragraph 3 is containing a deviation. They do not need a radiotelephone installation that is capable of being ready on two channels at the same time. The old paragraph 3 should therefore become paragraph 4 as indicated below.

Article 4.05 – Radiotelephony

1. Every radiotelephone installation carried on board a vessel, an assembly of floating material or a floating establishment shall conform to the Regional Arrangement concerning the Radiotelephone Service on Inland Waterways and shall be used in accordance with the provisions of this Arrangement. Details of these provisions are provided in the Radiotelephony guide for inland navigation.

Vessels navigating in inland waterways not covered by the provisions of the above-mentioned Regional Arrangement shall carry on board a radiotelephone installation operated in accordance with the requirements of the local competent authorities.

2. Radiocommunication channels for service categories ship-to-ship, ship-to-port authorities, nautical information, on board communications and public correspondence may only be used in accordance with the provisions of the Guide concerning the radiotelephone service on Inland Waterways, the regional part, or the relevant regulations of the competent authorities.

3. Motorized vessels excluding small craft may navigate only if they are equipped with a radiotelephone installation in proper working order for ship-to-ship, nautical information and ship-to-port-authority networks. When under way, the radiotelephone installation for the ship-to-ship and nautical information channels must be permanently in a ready-to-transmit and ready-to-receive state. The channel allocated to nautical information may only be left for a short time in order to transmit or receive information on other channels.

The radiotelephone installation shall be capable of monitoring two of these networks simultaneously.

¹ *Note by the secretariat:* the proposed modification is highlighted red; the modifications agreed by the CEVNI Expert Group at its thirty-fourth meeting are incorporated in the text.

The ship station used in the radiotelephone service for inland waterways may consist of either separate equipment for each of the service categories or equipment for combinations of several of those.

~~3-4.~~ **By derogation from paragraph 3 above**, ferry-boats and motorized floating equipment may only sail if they are equipped with a radiotelephone installation in proper working order. When under way, the radiotelephone installation for the ship-to-ship channel must be permanently in a ready to-transmit and ready to receive state. This channel may only be left for a short time in order to transmit or receive information on other channels. The first and the second sentence shall also apply during operation.

~~4.~~ **5.** Motorized vessels under way, with the exception of small craft, must have the radiotelephone installation switched to the listening watch on the channel allocated to the ship-to-ship network and, only in specific justified circumstances, on the channel allocated to another network, and must transmit information necessary for navigation safety on the channels allocated to the ship-to-ship and nautical information networks.

The radiotelephone installation must be switched to the listening watch on the ship-to-ship and nautical information networks simultaneously.

~~4-6.~~ Each vessel equipped with a radiotelephone installation shall make reports on the channel allocated to the ship-to-ship network before entering blind sections, narrow channels or bridge openings and the sections determined by the competent authorities.

~~5~~ **7.** Sign B.11 (Annex 7) shall indicate that the competent authority requires the use of radiotelephone communications.

Article 4.06 – Radar

1. ~~Vessels may only use radar~~ **Vessels shall only navigate by radar if:**

(a) They are fitted with a stand-alone radar and a rate-of-turn indicator, or with radar equipment and, if appropriate, connected to Inland ECDIS equipment in navigation mode with radar image overlay. This equipment shall be in proper working order and of a type approved for the needs of inland navigation in accordance with the requirements of the competent authorities concerned as well as in accordance with the general technical requirements for radar equipment as set out in Part III of appendix 7 to the annex of resolution No. 61, “Recommendations on Harmonized Europe-Wide Technical Requirements for Inland Navigation Vessels”. However, ferry-boats not moving independently shall not be required to be fitted with a rate-of-turn indicator;

(b) A person holding a certificate of competence to use radar in accordance with the requirements of the competent authorities is on board. Notwithstanding the provisions of article 1.09, paragraph 3, the radar may be used for training purposes in good visibility by day and by night, even when there is no such person on board;

(c) They are equipped with a device for emitting the three-tone signal with the exception of small craft and ferry-boats unless the competent authorities do not prescribe such a system.

Notwithstanding the provisions of article 4.05, small craft shall also be equipped with a radiotelephone in proper working order for the ship-to-ship network.

2. In pushed convoys and side-by-side formations, the requirements of paragraph 1 above shall apply only to the vessel carrying the boatmaster of the convoy.
3. High-speed vessels under way shall use radar.
4. Notwithstanding the provisions of article 4.05, small craft using radar shall also be equipped with a radiotelephone in proper working order for the ship-to-ship network.
5. In case of simultaneous target tracking by means of radar and AIS, radar information should be considered as only reliable.

B. Additional proposal to Article 4.05 transmitted by the Russian Federation

The Russian Federation has no principal objections to the modifications proposed by Austria. In case the CEVNI Expert Group agrees to keep the existing paragraph 3 in Article 4.05 (renumbered as paragraph 4), the last sentence may require the clarification in the last sentence:

~~3.~~**4. By derogation from paragraph 3 above**, ferry-boats and motorized floating equipment may only sail if they are equipped with a radiotelephone installation in proper working order. When under way, the radiotelephone installation for the ship-to-ship channel must be permanently in a ready to-transmit and ready to receive state. This channel may only be left for a short time in order to transmit or receive information on other channels. The first and the second sentence shall also apply during operation **of the vessels mentioned above**.
