Recognition of professional qualifications in inland navigation

2016/0050(COD) - 18/02/2016 - Legislative proposal

PURPOSE: to facilitate labour mobility in the inland waterway transport sector by ensuring that skilled workers' qualifications are recognised throughout the Union.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: **inland waterway transport (IWT) is a cost-saving and energy-efficient transport mode** that could be used more efficiently to support the European Union's energy efficiency, growth and industrial development goals. However, its contribution is hampered by difficulties in terms of labour mobility, persistent vacancies and skills mismatches, which continue in spite of attempts by the sector to tackle the problems at bilateral and multilateral level.

Varying minimum requirements for professional qualifications across the Member States do not provide sufficient assurance for individual countries as regards the recognition of professional qualifications of crew from other Member States, in particular as this also affects the safety of navigation.

Based on over 19 years of experience with the implementation of Directives 96/50/EC and 91/672/EEC, the Commission considered it necessary to propose to extend the scope of recognition of professional qualifications beyond the level of boat masters to all crew involved in the operation of vessels, including on the Rhine river.

The initiative responds to long-standing calls from the sector and Member States to revise the existing outdated legal framework and replace it with a modern, competence-based framework. It has been prepared under the Commission's policy framework for promoting inland waterway transport, NAIADES II.

IMPACT ASSESSMENT: the policy option introducing **minimum competence requirements for boatmen and boat masters**, including examination standards for training institutes, has been chosen. This option is preferred as it offers a more effective way to improve labour mobility than the 'do nothing' and the 'voluntary measures' options.

CONTENT: the proposal repeals Directive 91/672/EEC and Directive 96/50/EC and provides for gradual phasing-in with transitional measures and **extends the requirements to cover all crew in inland navigation in the EU, including on the Rhine river**.

This Directive lays down the conditions and procedures for the certification of the qualifications of persons involved in the operation of a vessel for the carriage of goods and passengers by inland waterways in the Union, as well as the recognition of such qualifications in the Member States.

Union certificate of qualification: the proposal lays down:

- the obligation for **deck crew members, persons in charge of emergency situations** on board passenger vessels and persons involved in the bunkering of liquefied natural gas-fuelled vessels to hold certificates of qualification proving their qualifications;
- that boat masters sailing in circumstances presenting a **particular safety hazard** should hold a specific authorisation, in particular, for sailing large convoys, sailing liquefied natural gas-fuelled vessels, sailing in conditions of reduced visibility, sailing on waterways with a maritime character or sailing on waterways with specific risks for navigation. In order to obtain such authorisation, boat masters should be required to demonstrate **additional competences**.

For ensuring safety of navigation, Member States should **identify waterways with a maritime character**, in accordance with harmonised criteria. They should also have the possibility to identify the waterways entailing specific risks for navigation.

Member States should issue certificates of qualification only to persons that have the **minimum levels of competence, the minimum age, the minimum medical fitness and the navigation time** required for obtaining a specific qualification.

Recognition: certificates of qualification, service record books and logbooks, issued in accordance with the Rhine Navigation Personnel Regulation under the Revised Convention for Rhine Navigation which lay down requirements that are identical to those of this Directive should be valid on all Union inland waterways.

To instil the necessary confidence among the Member States in the mechanism for mutual recognition, the requirements in terms of quality standards with respect to **assessment of competences and skills, recognition of training programmes**.

The proposal includes information on certified qualifications in a database kept by the Commission or a designated body is necessary to streamline the exchange of information between the Member States and to ensure efficient implementation of the initiative.

DELEGATED ACT: the proposal contains provisions empowering the Commission to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union.