Recognition of professional qualifications in inland navigation

2016/0050(COD) - 14/11/2017 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 609 votes to 32, with 44 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council on the recognition of professional qualifications in inland navigation and repealing Council Directive 96/50/EC and Council Directive 91/672 /EEC.

Scope: Parliament excluded from the scope of the Directive:

persons sailing for sporting or recreational purposes or involved in the operation of bins that do not move independently, and in navigation by the armed forces or emergency services;

persons navigating in Member States which **do not have inland waterways connected to the waterway network of another Member State** and who: (i) make only limited journeys in a small geographical area; or ii) operate only on a seasonal basis.

Members of the deck crew: the amended text specified that these persons should also be able to carry out tasks related to the control of the operation of the vessel, the transport of passengers, the naval machinery, the communication, the health and safety, and the protection of the environment.

Exemptions: Member States shall have the possibility of **not making Union certificates of qualification compulsory** on national inland waterways that are not linked to a navigable inland waterway of another Member State

A Member State that grants exemptions may issue certificates of qualification to persons under conditions that differ from the general conditions set out in this Directive, provided that such certificates ensure an **adequate level of safety**. The recognition of those certificates in other Member States shall be governed by Directive 2005/36/EC or Directive 2005/45/EC of the European Parliament and of the Council, as applicable.

Member States shall inform **the Commission of the exemptions granted in accordance with paragraph 1. The Commission shall make information on those granted exemptions publicly available.**

Special risk stretches: Member States that identify stretches of inland waterways with specific risks in their territories shall specify the additional competence required from boatmasters navigating on those stretches of inland waterways, and shall specify the means necessary to prove that such requirements are met. Member States should, subject to the consent of the Member State in which a stretch of inland waterway with specific risks is located, be allowed to assess the competences necessary for navigating on that specific stretch of inland waterway.

Recognition of certificates issued by a third country: the text provides that any third country may submit to the Commission a request for recognition of certificates, service record books or logbooks that have been issued by its authorities. When a Member State considers that a third country no longer complies with the requirements of this Article, it shall notify the Commission immediately, giving substantiated reasons for its contention.

Every eight years, the Commission shall assess the compliance of the certification system in the third country with the requirements laid down in this Directive.

Competence assessment: a **practical examination certificate** shall be issued to applicants who have passed the practical test where that examination took place on a **simulator** approved by another Member State. Certificates issued by the competent authorities of other Member States shall be recognised without further requirements or assessments. Examiners and qualified supervisors shall be free from **conflicts of interest**.

Any Member State may temporarily suspend a Union certificate of qualification where it considers that such suspension is necessary for reasons of safety or public order.

Approval of training programmes: Member States may establish training programmes leading to diplomas or certificates that demonstrate compliance with the standards of competence are **approved** by the competent authorities of the Member States in whose territory the relevant education or training institute conducts its training programmes.

The quality assessment and assurance of the training programmes shall be ensured by the application of a **national or international quality standard**.

Member States shall recognise any diplomas or certificates awarded after the completion of training programmes approved by other Member States.

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

Where the conditions laid down in the Directive are met, the Commission shall refer to CESNI (**Comité Européen pour l'Élaboration de Standards dans le Domaine de Navigation Intérieure**) standards when adopting implementing and delegated acts in accordance with this Directive.

Radio operating skills: the amended text stressed the importance of skills to operate the on-board radio to ensure the safety of inland navigation. It is important that Member States encourage any deck crew member who might need to navigate the craft to have training and certification regarding the operation of such radios. For boatmasters and helmsmen, such training and certification is compulsory

Essential competence requirements: Parliament also added other competences which they considered essential for obtaining the qualification of boatmaster:

- give instructions to other deck crew members and supervise the tasks they exercise;
- apply knowledge of the applicable rules on the manning of craft, including knowledge on resting time and on deck crew members composition;
- sail and manoeuvre, ensuring the safe operation of the craft in all conditions on inland waterways, including in situations that involve high traffic density or where other craft carry dangerous goods;
- plan and ensure the safe transport of and care for passengers during the voyage, including providing direct assistance to disabled persons and persons with reduced mobility.

Passenger navigation expert: every applicant shall be able to communicate in elementary English.

Member States must apply the Directive within **4 years** of entry into force.