

Basic information

2021/0039(COD)

COD - Ordinary legislative procedure (ex-codecision procedure)
Directive

Recognition of professional qualifications in inland navigation:
transitional measures for the recognition of third countries certificates

Amending Directive 2017/2397 [2016/0050\(COD\)](#)

Subject

3.20.04 Inland waterway transport

4.15.06 Professional qualifications, recognition of qualifications



Procedure completed

Key players

European Parliament	Committee responsible		Rapporteur	Appointed
	TRAN Transport and Tourism		AMERIKS Andris (S&D)	18/03/2021
			Shadow rapporteur MARKEY Colm (EPP) NAGTEGAAL Caroline (Renew)	
	Committee for opinion		Rapporteur for opinion	Appointed
	EMPL Employment and Social Affairs		The committee decided not to give an opinion.	
	JURI Legal Affairs		The committee decided not to give an opinion.	
Council of the European Union				
European Commission	Commission DG		Commissioner	
	Mobility and Transport		VĂLEAN Adina	
European Economic and Social Committee				
European Committee of the Regions				

Key events


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Date	Event	Reference	Summary
18/02/2021	Legislative proposal published	COM(2021)0071 	Summary
08/03/2021	Committee referral announced in Parliament, 1st reading		
17/06/2021	Vote in committee, 1st reading		
21/06/2021	Committee report tabled for plenary, 1st reading	A9-0210/2021	
06/07/2021	Decision by Parliament, 1st reading	T9-0320/2021	Summary
06/07/2021	Results of vote in Parliament		
13/07/2021	Act adopted by Council after Parliament's 1st reading		
14/07/2021	Final act signed		
30/07/2021	Final act published in Official Journal		

Technical information	
Procedure reference	2021/0039(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Amending Directive 2017/2397 2016/0050(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 091-p1
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/9/05427

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee draft report		PE691.074	24/03/2021	
Amendments tabled in committee		PE692.897	19/05/2021	
Committee report tabled for plenary, 1st reading/single reading		A9-0210/2021	21/06/2021	
Text adopted by Parliament, 1st reading/single reading		T9-0320/2021	06/07/2021	Summary
Council of the EU				
Document type	Reference	Date	Summary	
Draft final act	00055/2021/LEX	14/07/2021		

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2021)0071 	18/02/2021	Summary
Commission response to text adopted in plenary	SP(2021)525	04/08/2021	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES1205/2021	24/03/2021	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

[Directive 2021/1233](#)
[OJ L 274 30.07.2021, p. 0052](#)

Recognition of professional qualifications in inland navigation: transitional measures for the recognition of third countries certificates

2021/0039(COD) - 18/02/2021 - Legislative proposal

PURPOSE: to amend the transitional provisions of Directive (EU) 2017/2397 on the recognition of professional qualifications in inland navigation to cover certificates of qualification, service record books and logbooks issued by third countries.

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: [Directive \(EU\) 2017/2397](#) lays down transitional measures concerning the certificates of qualification, service record books and logbooks issued before 18 January 2022 (the day following the expiry of the period for the transposition of the Directive). In general, the documents concerned remain valid on the EU inland waterways for which they were valid before that date, for a maximum of 10 years.

However, apart from the Rhine navigation licences referred to in Directive 96/50/EC, those transitional measures do not apply to the certificates of qualification, service record books and logbooks issued by third countries that are currently recognised by Member States under their national requirements established before the entry into force of the Directive or their international agreements.

Consequently, from 17 January 2022, third country documents will be recognised in the EU only once the Commission has adopted an implementing act under the Directive granting recognition in the EU to the documents issued by that third country.

Given that the procedure for recognition of third country documents is based on the assessment of the certification systems in the requesting third country, it is unlikely that the recognition procedure will be completed before 17 January 2022.

The Commission therefore considers it necessary to introduce transitional provisions applicable to third country documents recognised in certain Member States before 18 January 2022, in order to ensure a smooth transition to the system of recognition of third country documents provided for in Directive (EU) 2017/2397 and to avoid any disruption of the labour market in the inland waterway transport sector.

CONTENT: the proposal provides for the possibility for Member States to continue to recognise third country documents based on their national requirements established before the entry into force of Directive (EU) 2017/2397 (16 January 2018). The recognition should be limited to inland waterways situated in the territory of the Member State concerned and should not apply beyond 17 January 2032. The scope of this transitional measure could only cover documents issued by a third country before the cut-off date (18 January 2023).

The proposed amendment clarifies that certificates of qualification issued by a third country in exchange for the certificates covered by the transitional arrangements should be valid on all inland EU waterways, provided that the third country concerned has obtained recognition in accordance with Directive (EU) 2017/2397 and that the requirements for the exchange applied by that third country have been found to be identical to those laid down in the Directive with regard to the Member States.

Recognition of professional qualifications in inland navigation: transitional measures for the recognition of third countries certificates

2021/0039(COD) - 06/07/2021 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 646 votes to 24, with 25 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council amending Directive (EU) 2017/2397 as regards the transitional measures for the recognition of third countries certificates.

The purpose of the proposal is to amend the transitional provisions of Directive (EU) 2017/2397 on the recognition of professional qualifications in inland navigation to cover certificates of qualification, service record books and logbooks issued by third countries.

However, apart from the Rhine navigation licences referred to in Directive 96/50/EC, those transitional measures do not apply to the certificates of qualification, service record books and logbooks issued by third countries that are currently recognised by Member States under their national requirements established before the entry into force of the Directive or their international agreements.

Consequently, from 17 January 2022, third country documents will be recognised in the EU only once the Commission has adopted an implementing act under the Directive granting recognition in the EU to the documents issued by that third country.

In order to ensure a smooth transition to the system of recognition of third country documents provided for in Directive (EU) 2017/2397, the proposed amendment provides for transitional measures that allow third countries the necessary time to align their requirements with those of that Directive, as well as to allow the Commission to assess their certification systems and, if necessary, to adopt an implementing act under that Directive.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the Commission's proposal as follows.

Recognition

Any certificate of qualification, service record book or logbook that has been issued in accordance with the national rules of a third country laying down requirements that are identical to those in Directive (EU) 2017/2397 should be valid on all Union inland waterways, subject to the procedure and the conditions laid down in that Directive.

Transitional provisions

Until 17 January 2032, Member States may continue to recognise, on the basis of their national requirements, or international agreements, applicable before 16 January 2018, certificates of qualification, service record books and logbooks that have been issued by a third country before **18 January 2024**. The recognition should be limited to the inland waterways on the territory of the Member State concerned.

Member States where inland navigation is technically impossible should not be obliged to transpose the Directive. This derogation should apply to the Directive, *mutatis mutandis*.