

Inland waterway vessels: technical requirements

2013/0302(COD) - 14/09/2016 - Final act

PURPOSE: to a set of set of technical standards to ensure the safety of vessels navigating the inland waterways of the EU.

LEGISLATIVE ACT: Directive (EU) 2016/1629 of the European Parliament and of the Council laying down technical requirements for inland waterway vessels, amending Directive 2009/100/EC and repealing Directive 2006/87/EC.

CONTENT: the Directive replaces Directive 2006/87/EC of the European Parliament and of the Council. It establishes **the technical requirements necessary to ensure the safety of craft navigating on the inland waterways of the EU**, and the classification of those inland waterways.

It does not apply to Member States **where there are no inland waterways** or to those whose inland waterways are little used, these being Denmark, Estonia, Ireland, Greece, Spain, Cyprus, Latvia, Malta, Portugal, Slovenia and Finland.

The new Directive contains thematic chapters on the following: (i) the scope of application, definitions, and classification of inland waterways; (ii) navigation certificates; (iii) final provisions.

Objectives of the new Directive: the previous Directive 2006/87/EC laid down technical requirements for vessels operating on the EU's inland waterway network. The Central Commission for Navigation on the Rhine (CCNR), defined the technical requirements for vessels navigating the on the Rhine in the framework of the Revised Convention for Rhine Navigation.

Directive 2006/87/EC was designed to ensure safe navigation under conditions equivalent to those covered by the Rhine rules. The Directive also aimed to ensure that Union inland navigation certificates attesting that all types of craft are fully compliant with technical requirements are valid on all EU inland waterways, including the Rhine, and that Rhine certificates are valid on all EU inland waterways.

However, it was **difficult to ensure consistency between the two legal regimes**, as each is governed by its own rules and procedures.

In the interests of maintaining legal certainty and achieving a level playing field, this Directive aims to: (i) **streamline decision-making** on the adoption of technical standards for inland waterway vessels, and (ii) **standardise technical standards** for both the EU and the CCNR regimes.

The Directive also aims to **reduce administrative burdens** for the sector and delays involved in updating technical requirements for inland waterway vessels, and encourages the safe use of new and innovative technologies.

Obtaining a navigation certificate: the new Directive provides that inland waterway vessels that want to obtain a Union certificate and navigate on Europe's inland waterways will have to **comply with technical standards developed by the European Committee for drawing up standards in the field of inland navigation (CESNI)**. CESNI was set up under the auspices of the Central Commission for Navigation of the Rhine (CCNR) in June 2015.

CESNI adopted a first standard for inland waterway vessels in November 2015, which will be incorporated into EU law by the revised Directive. The reference to the applicable European Standard

laying down Technical Requirements for Inland Navigation vessels (**ES-TRIN standard**) in this Directive should be kept up to date. The Commission will through delegated acts, update the reference to the most recent version of the ES-TRIN standard and set the date of its application.

Review: the Commission shall submit, before 7 October 2021, a report to the European Parliament and to the Council reviewing the effectiveness of the measures introduced by this Directive, particularly as regards the harmonisation of technical requirements and the development of technical standards for inland navigation.

ENTRY INTO FORCE: 06.10.2016.

TRANPOSITION: by 7.10.2018.

DELEGATED ACTS: the Commission may adopt delegated acts in respect of the amendment of the classification of a waterway and updating the reference to the most recent version of the ES-TRIN standard and setting the date of its application. The power to adopt such acts is conferred on the Commission for a **period of five years (which may be tacitly extended) from 6 October 2016**. The European Parliament or the Council may raise objections to the delegated act within six months of notification (which may be extended by two months). If Parliament or Council raise objections, the delegated act will not come into force.