











Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed 2016/0050(COD)
Recognition of professional qualifications in inland navigation Repealing Directive 96/50/EC Amended by	1994/0196(SYN) 2021/0039(COD)
Subject 3.20.04 Inland waterway transport 4.15.06 Professional qualifications, recognition of qualifications	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	TRAN Transport and Tourism		02/05/2016
		 MEISSNER Gesine	
		Shadow rapporteur	
		 MUSELIER Renaud	
		 APARDEL Claudia	
		 VAN DALEN Peter	
		 TAYLOR Keith	
		 AIUTO Daniela	
		 ARNAUTU Marie-Christine	
	Committee for opinion	Rapporteur for opinion	Appointed
	EMPL Employment and Social Affairs (Associated committee)		
	IMCO Internal Market and Consumer Protection	The committee decided not to give an opinion.	
	JURI Legal Affairs		15/03/2016
		 BERGERON Joëlle	
Council of the European Union	Council configuration	Meeting	Date
	Transport, Telecommunications and Energy	3581	04/12/2017

European Commission	Transport, Telecommunications and Energy	3472	06/06/2016
	Commission DG Mobility and Transport	Commissioner BULC Violeta	
European Economic and Social Committee European Committee of the Regions			

Key events			
18/02/2016	Legislative proposal published	COM(2016)0082	Summary
11/04/2016	Committee referral announced in Parliament, 1st reading		
06/06/2016	Debate in Council	3472	
15/09/2016	Referral to associated committees announced in Parliament		
10/11/2016	Vote in committee, 1st reading		
10/11/2016	Committee decision to open interinstitutional negotiations with report adopted in committee		
28/11/2016	Committee report tabled for plenary, 1st reading	A8-0338/2016	
11/07/2017	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE609.546 GEDA/A/(2017)007961	
13/11/2017	Debate in Parliament		
14/11/2017	Results of vote in Parliament		
14/11/2017	Decision by Parliament, 1st reading	T8-0425/2017	Summary
04/12/2017	Act adopted by Council after Parliament's 1st reading		
05/12/2017	Final act signed		
12/12/2017	End of procedure in Parliament		
27/12/2017	Final act published in Official Journal		

Technical information	
Procedure reference	2016/0050(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
	Repealing Directive 96/50/EC 1994/0196(SYN) Amended by 2021/0039(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 091-p1
Other legal basis	Rules of Procedure EP 159
Mandatory consultation of other institutions	European Economic and Social Committee

Stage reached in procedure

Procedure completed

Committee dossier

TRAN/8/05827

Documentation gateway

Legislative proposal		COM(2016)0082	18/02/2016	EC	Summary
Document attached to the procedure		SWD(2016)0035	18/02/2016	EC	
Document attached to the procedure		SWD(2016)0036	18/02/2016	EC	
Committee opinion	JURI	PE582.398	13/07/2016	EP	
Economic and Social Committee: opinion, report		CES2684/2016	13/07/2016	ESC	
Committee draft report		PE585.776	13/09/2016	EP	
Committee opinion	EMPL	PE585.569	13/10/2016	EP	
Amendments tabled in committee		PE592.172	17/10/2016	EP	
Committee report tabled for plenary, 1st reading/single reading		A8-0338/2016	28/11/2016	EP	Summary
Coreper letter confirming interinstitutional agreement		GEDA/A/(2017)007961	30/06/2017	CSL	
Text agreed during interinstitutional negotiations		PE609.546	30/06/2017	EP	
Text adopted by Parliament, 1st reading/single reading		T8-0425/2017	14/11/2017	EP	Summary
Draft final act		00042/2017/LEX	13/12/2017	CSL	
Commission response to text adopted in plenary		SP(2018)8	10/01/2018	EC	

Additional information

Research document	Briefing
Research document	Briefing

Final act

[Directive 2017/2397](#)[OJ L 345 27.12.2017, p. 0053](#) Summary

Final legislative act with provisions for delegated acts

Delegated acts

2020/2528(DEA)	Examination of delegated act
2019/2780(DEA)	Examination of delegated act
2021/2993(DEA)	Examination of delegated act

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 Unions 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 Commissions 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.

Recognition of professional qualifications in inland navigation

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.

Recognition of professional qualifications in inland navigation

PURPOSE: promote inland navigation by ensuring the mutual recognition of professions.

LEGISLATIVE ACT: Directive (EU) 2017/2397 of the European Parliament and of the Council on the recognition of professional qualifications in inland navigation and repealing Council Directives 91/672/EEC and 96/50/EC.

CONTENT: the Directive lays down the conditions and procedures for the certification of the qualifications of persons involved in the operation

of a craft navigating on Union inland waterways, as well as for the recognition of such qualifications in the Member States. Workers in the EU inland navigation sector will thus have a single certification system that will allow them to operate throughout Europe.

Scope: the single certification system applies to all deck crewmembers, liquefied natural gas experts and passenger navigation experts. It does not apply to persons navigating in a Member State where none of the inland waterways are linked to the navigable network of another Member State, or those navigating limited journeys of local interest, or navigating seasonally.

From a geographical point of view, the system will apply to activities on the EU inland waterways falling within the scope of the Directive, including the Rhine.

Union certificates of qualification: the Directive provides for:

- the obligation for deck crew members and for navigation experts with passengers and persons involved in the refuelling of vessels operating on liquefied natural gas navigating the inland waterways of the Union, to possess a Union certificate of qualification;
- the obligation for boat masters to hold specific authorisations if: (i) they navigate on waterways that have been identified as sections of inland waterways with specific risks; (ii) they are navigating by radar; (iii) they operate vessels operating on liquefied natural gas; iv) if they are sailing large convoys.

Recognition: Union certificates of qualification and service record books and logbooks issued by the competent authorities in accordance with the Directive will be valid on all inland waterways of the Union.

In addition, any third country may submit to the Commission an application for recognition of the certificates, service record books or logbooks issued by its authorities. Every eight years the Commission will assess the conformity of the certification scheme in the requesting third country with the requirements of the Directive.

Certification of qualifications: Member States should ensure that persons receiving certificates of qualification have the corresponding minimum levels of competence, verified following an appropriate assessment. Such assessments could take the form of an administrative examination, or could form part of approved training programmes carried out in accordance with common standards in order to ensure a comparable minimum level of competence in all Member States for various qualifications.

The existence of approved training programs may facilitate the entry into the professional inland navigation market of workers from other sectors and with prior experience.

Approved simulators may be used for practical testing to make the assessment of competencies easier.

The Directive stresses the importance of the ability to use an on-board radio to ensure the safety of inland navigation. Any deck crewmember who may be required to navigate a craft will be encouraged to undergo training and certification on the use of such radios. This training and certification will be mandatory for boat masters and helmsmen.

ENTRY INTO FORCE: 16.1.2018.

TRANSPOSITION: by 17.1.2022.

DELEGATED ACTS: the Commission may adopt delegated acts in respect of the setting of standards of competence, standards for medical fitness, standards for practical examinations, standards for the approval of simulators and standards defining the characteristics and conditions of use for the database to be managed by the Commission. The power to adopt such acts is conferred on the Commission for a period of five years from 16 January 2018. The European Parliament or the Council may object to a delegated act within a period of two months (which may be extended by two months) from the notification of the act.