

Fifth meeting of the Common Expert Group on professional qualifications and training standards in inland navigation

Meeting Minutes

Time and place

January 31st, 2013, Strasbourg

1. Welcome words by M. Vanderhaegen, Ports and Inland Navigation, DG MOVE

Mr. Vanderhaegen welcomes the participants and reports on recent developments. The meeting is chaired by DG MOVE with the CCNR secretariat acting as associate-chair. Mr. Vanderhaegen expects that the proposal for a legal instrument on qualifications can be adopted by the Commission in autumn 2013.

2. Knowledge of Unusual Situations (KUS)

- Suggestion for a Definition

Some participants expressed the view that the term KUS was not precise/satisfactory. The adjective "unusual" should be replaced by "specific". The new name would be more inclusive with regard to navigation on waterways with maritime character which in itself is not unusual but might be unusual for some boatmasters on IWT vessels. Other participants feel that the current system of boatmaster licences "A" and "B" for waterways with or without maritime character is appropriate. The COM Representative (COM) states that the new wording will be taken into account and "unusual" might be changed to "specific".

- Criteria for checking the necessity of any given KUS – relevance criteria

The European Commission clarifies that the definition provides various requirements for KUS on river stretches, divided into:

- 1) Hydro morphology of the sector / river basin;
- 2) Absence of functioning marker system on the waterway;
- 3) Areas with frequent occurrence of climatic conditions influencing safety of navigation;
- 4) Areas with exceptionally high traffic density, which can influence safety of navigation.

According to the Sava Commissions Representative, KUS should be restricted to the smallest share of waterways possible. These are only operational areas where general knowledge is not sufficient. Moreover, participants expressed some doubts with respect to criteria 3 and 4 in the document concerning the procedure and verification and the minimum standards of Training related to acquiring of KUS. With respect to the definition of KUS and in particular

the question how to deal with waterways of a maritime character, COM stated that there is a general agreement on the method as described in the concept documents.

- **Procedure / Verification**

The German and French delegations stressed that the decision whether a certain stretch should be subject to LKR, should remain within the responsibility of the individual MS, since it is their *obligation to maintain appropriate conditions for safe navigation on the waterway and abate havaries*. Concerning the Rhine river, the German delegation underlined the fact that the most demanding sections of the river are located on German territory.

Some participants observed that there might be problems with national KUS regulations since many river stretches are borders, also between EU and non-EU countries. Other participants noted that such issues have been solved by bilateral agreements between the affected countries. The Commission took note of the concerns expressed by some delegations with respect to the earlier envisaged procedure to define areas of LKR in the comitology procedure. The proposal to develop a list of criteria for LKR is welcomed by all participants who see a chance for more transparency and better preparation for the LKR exams.

- **Minimum standards of training related to acquiring of KUS**

This chapter should define a common methodology for identifying the training requirements associated with specific, unusual situations. There are two options, either EU-wide harmonised provisions related to acquiring and proving the possession of KUS by candidates should be introduced, or minimum requirements need to be established in a case by case approach based upon request/proposal of a MS.

The delegations of France and Germany expressed doubts that common training standards are desirable. The aim should be a set of common examination criteria.

The COM Representative summarised the discussion by stating that first of all standards for examination should be defined. In the next step, when the transparency on the examination requirements is achieved, these standards will provide a tool to examine all existing KUS in combination with practical experience requirements existing for the current KUS.

3. Presentation of the practical aspects and application of a possible future concept with regard to the Electronic Service Record Books (eSRB)

The presentation focuses on the functions and problems concerning paper SRB and the benefits of e-SRB. The e-SRB is analysed as a stand-alone solution or in combination with other electronic means.

The group welcomes the idea of an eSRB. The Austrian delegation mentions, that the actual system of several levels of qualifications should be maintained, furthermore an eSRB has to

be designed in a manner that is hindering fraud. The Representative of the ITF observes that presented mode of data recording includes the sphere of an electronic control of working time which has nothing to do with sailing time and which Social Partners have agreed to register separately for each individual on the grounds of the Social Partner agreement on working time of 15 February 2012.

The COM Representative clarifies that the registration of qualification by means of eSRB is a possibility as well. The aim is to modernise the SRB. However, it should be taken into consideration that the eSRB is relevant for both aspects the modernisation of the system of professional qualifications and the registration of sailing time.

4. Information about Public Consultation

On the request of the French delegation indicating that additional time is needed for the translation of the public consultation questionnaire, the COM representative offered two extra weeks for receiving replies. As a result the online public consultation will be running for 14 instead of previously planned 12 weeks. The COM would appreciate assistance when it comes to dissemination of the questionnaire. The Social Partner renewed their readiness to promote the questionnaire. The COM announced that open questions may be answered in Dutch, English, French, German and a few more EU languages. Additional feedback should be provided in one week, at the latest until the 8th of February 2013, 17:00 o'clock and should be directly submitted to the COM.

5. Draft of concept/proposal for an EU legal instrument on the recognition of professional qualifications and training standards in inland navigation.

The representative of the Sava Commission states that the scope could exclude some waterways which are not connected with the networks of another state. The Dutch delegation misses the statement that one can obtain the qualification of boatman by sailing time only. With respect to medical standards, some remarks of the last meeting have not been incorporated. Furthermore, the option to become a boatman after a practical examination needs to be incorporated. The Netherlands is currently discussing the minimum age requirements. The representatives of ETF and ESO stated that the number of effective sailing days counting as one year should be verified.

The European Commission indicated to organise the next meeting around the 15th of March in Brussels and will propose a schedule for several additional meetings. EC considered the meeting as a significant step forward as there has been an active and valuable input from the participants during the meeting.

