

Minutes – proposed actions and conclusions in bold type

1. WELCOME

All participants were welcomed and the main topics to be covered were announced:

- Technical Requirements for Inland Waterways (TRIWV)
- International Certificate of competence (ICC)
- European Recreational Navigation Observatory (ERNO)
- French inland waterways issues.

2. TRIWV:

There are now 2 European directives that can govern recreational craft: the Recreational Craft Directive (RCD) and the new TRIWV Directive. RCD covers craft up to 24 meters long, and TRIWV covers craft 20 meters long or more – hence a problematic overlap. RCD has been in force since 1994 and TRIWV since Dec 2006. However the latter is still under discussion, via the “comitology” procedure, basically in connection with possible anomalies between RCD and TRIWV. Comments concerning these were submitted to the European Council by the EBA and a representative will meet Wim Zondag from the EC to discuss them on 19/11/07.

It was reported that TRIWV was passed by the EC in December 2006 and now awaits transposing into national law in the countries concerned. Vessels, both new and existing, have until December 2008 to comply. Any modifications to the directive must at this stage be passed as amendments by the EC.

TRIWV, being an EU Directive, cannot transpose directly into national legislation – unlike the Central Commission for Navigation on the Rhine (CCNR), whose regulations have the force of law without further measures having to be taken. The CCNR, the Danube Commission (DC) and the Moselle Commission (MC) can all impose such regulations and they will do so with the TRIWV.

The EU can enforce modifications to craft, under chapter 24 of the directive, and all national governments whose waterways connect with other European countries must comply, plus, arguably, the UK, who could alternatively opt out like Ireland and Norway. It was not seen how existing vessels can comply by end-2008.

The question: Who in this room has, in their country, clubs for large boats likely to be affected, was posed and responses were made as follows:-

TRIWV covers boats other than those over 20 metres, i.e. those with 100 cu.m. displacement, of which there are many in the Netherlands. Consequently, a Dutch Secretary of State will bring up the matter at the Council of Europe.

Our association was not seriously concerned but the boat charterers are. It is possible in one part of Germany to charter boats over 20 metres without a license but their speed is limited.

Is there some way other clubs can show support for Dutch Sec. of State? Perhaps through their MEP's?

This will serve no purpose – the decision is at Council level.

TRIWV is modelled on regulation of CCNR. Its regulations apply to commercials on Rhine and are not appropriate to recreational vessels e.g. article 5.06 says engines must be capable of 13 km/h!

3 bodies issue regulations – CCNR, EU (whose directives have force of law only when enacted by national governments) and UN, who issue recommendations.

CCNR rules will be transformed into DC and MC regulations and are imposed on other German waterways. EU participates in CCNR and watches over the DC and MC. Thus CCNR is guiding.

EU certification is valid on the Rhine.

Maybe EBA should ask CCNR why they impose rules on recreational craft and suggest that, if they deem it necessary to do so, they should consult recreational users.

CCNR directives have force of law without EU intervention.

CCNR works differently from EU, in that CCNR has its own professional technical experts in its own staff and permanent working groups with technical experts from outside, such as, previously, himself.

Same system is now used by EU such as Zondag. It was agreed that EBA should put pressure on technical experts at the CCNR. Chief Engineer at CCNR, agrees to the presence of EBA at CCNR meetings.

It was agreed to follow this up.

CCNR recognises the need to consult because they have a big problem with pleasure boat accidents, involving an average of 4 deaths per year simply on the Rhine!

It was suggested that EBA propose to CCNR that they accept a representative of EBA as a technical expert with the following responses:-

This will require a budget.

Does not believe this would be useful.

Should there not be a UK representative on inland waterways at EBA?

RYA represents UK inland waterways in connection with navigation regulations at national level. There is no overlap with Inland Waterways Association (IWA).

3. ICC

A paper was circulated to all participants, which outlined the difference between the ICC for continental European waterway users and that for pleasure boaters at sea.

Resolution 40 governing ICC concerning the issue of ICC certificates to foreigners resident in the issuing country: the Maritime Coastguard Authority (MCA), for whom the RYA acts, defines resident as someone who lives in the country and “makes a financial contribution” (i.e., presumably, pays taxes), which eliminates anyone who does not have a registered address in the country. This leads to the anomaly that some schools will charge foreign students for the course knowing that they cannot issue them a certificate;

It is rumoured that schools in Germany train people to pass the British short-range radio certificate (SRC).

A British SRC licence can only be used on a UK-registered vessel.

Belgian authorities do not recognise an SRC license on Belgian vessels. It has to be exchanged for a Belgian certificate.

In Bulgaria we have 2 certificates for recreational vessels, dependent on size. When we opened to the West we asked EBA and others what types of certificates were normal and based our system on that.

Can EBA ask every country for a list of organisations who issue ICCs, like MCA/RYA and British Waterski association in UK, and the criteria by which they are accepted, and who can carry out the examinations.

This question was asked of members and received 10 replies which were sent to RYA for processing.

The RYA is in the process of collating them.

It was suggested adjourning further discussion of this to plenary session or the regulatory committee

Belgium doesn't recognise ICCs or examine for them for their own nationals, although they recognize them for foreigners. Belgian clubs simply issue an international version of their own certificates of competence.

The discussion was continued in the plenary session.

4. ERNO

It was suggested that this appears to be a very expensive system devised by Voies Navigables d'Europe (VNE) to get money from the EU, the following responses were recorded:

EBA is proposing a much cheaper system fed continually by users (like Wikipedia). **A meeting between DBA users and other EBA or other clubs who might be interested in contributing could be organised**

This is not the way to go. If the project is to be a success and achieve its aims then the money needs to be found to do the project properly.

Interested in the ERNO project but reserved about it because German authorities don't (wouldn't?) feed the system. However, we would be in favour of donating members' information to a supra-national system. As a member of the Association of European Waterways and Ports, it is known that they have such a system for commercials which collect data from all over Europe, which could be fed into ERNO. There is also a report for locks prepared on the Eastern region of Germany, which is continually updatable by users.

In favour of such a system as a general idea.

It was explained that the Dutch Rijkswaterstaat (waterway authority) provides good up-to-date information in translation on internet, which could be connected to ERNO.

Any system must be usable from a mobile phone or a computer equipped with wi-fi for people cruising at no great cost.

It was asked what is the present status of the ERNO proposal. Had it been submitted to Interregs 3 at the EC? With the following responses:-

Not yet but probably next year.

In Austria, the authorities issue information but for money, so it could not be made available free through web links.

A technical meeting with Rijkswaterstaat will be arranged.

5. FRENCH CANALS

It was explained the threat to canals as VNF (Voies Navigables de France) hands over smaller canals to local authorities. They risk either being closed down as too expensive to maintain or becoming unusable through neglect.

It was explained there is a similar problem in Germany where it is proposed to hand over recreational canals from a federal agency to the Länder, where shipping is treated under the Economics ministries and water under the Environment ministries. German boating organisations are lobbying central government to treat recreational boating like commercial

The question was asked when this will happen in France.

The handover to local authorities is happening now, and closure of canals could come about in 3 or 4 years. **The EBA should use its weight more often to protect our interests and publicize our achievements.** An example was when the VNF planned to close a lock on the Rhine for repair and let through at night only commercial shipping, and EBA insisted that recreational craft should be allowed through too. This was accepted.

It was explained that the problem in Denmark with French waterways is there is no consistency in what documents they ask for – it seems to vary from one place to another (*even from one individual to another*)

6. POSTSCRIPT

In response to the question asked in the preparatory documents - What proportion of your organisation's time is spent on inland waterways matters. The following responses were received:-

Max 5% - regulations only

70% in total – 100% for motor boats,

At the moment less than 10% but more and more sailors are going to Europe, especially France. The sailing association spends much time helping sailors who go to France, and runs forums on the internet on inland waterways.

IWA 100%. RYA also provides plenty of information on cruising on the Continent.

5% max.

80% but lots of it on lakes. Poles sail less and less on the Baltic and more on the Mediterranean and the Black Sea.

5%

Following accident investigations, RYA is currently preparing a passenger boat code and also an inland hire boat code. It has been proposed that MCA become the national organisation for inland waterways regulations and the RYA would support this and would then be more involved. See minutes of the meetings on the RYA website for new safety categories for ISAF. Overall, it was estimated that 5% of time was spent on I/W matters.

90% for motor boats, 30% for sailing boats

Nearly 5% time on lobbying for use of motor boats on Danube. Many boaters go to the Adriatic.

Very little – 5% max

5% max

Post script: : Storm on Mazurian lakes this summer, winds 11-13 Beaufort, caused 40 boats to sink and 12 people died, provoking questions on lack of warning, safety preparations, reasons for boats sinking, etc.

Postscript: A flyer for Klassieke Schepen meeting of LVBHV in Enkhuizen 10-11 November was distributed.

7. RECOMMENDATIONS TO PLENARY

EBA should ask CCNR why they impose rules on recreational craft and suggest that, if they deem it necessary to do so, they should consult recreational users.

Suggest we propose to CCNR that they accept a representative of EBA as technical expert.

The EBA should ask every country for a list of organisations who issue ICCs, as MCA/RYA and British water-ski association in UK, the criteria by which they are accepted and who can carry out the examinations.

A meeting between DBA users and other EBA or other clubs who might be interested in contributing to ERNO could be organised.

Organise a technical meeting on ERNO with Rijkswaterstaat.

The EBA should use its weight more often to protect our interests in Inland Waterways and publicize our achievements.

Inland Waterways meetings should be organised at future EBA meetings, open to relevant representatives.