

European Committee for drawing up standards in the field of inland navigation
(CESNI)



Rules of Procedure

Edition 2016

**Rules of Procedure of the European Committee
for drawing up standards in the field of inland navigation –
CESNI**

adopted by resolution 2015-I-3

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**Rules of Procedure of the European Committee
for drawing up standards in the field of inland navigation – CESNI**

Article 1

Mission

The European Committee for drawing up standards in the field of inland navigation (“the Committee”) is created under the auspices of the Central Commission for the Navigation of the Rhine (“the CCNR”). Article 44 ter of the Revised Convention for Rhine Navigation does not apply to this Committee. Its mission shall include in particular:

- adopting technical standards in various fields, in particular as regards vessels, information technology and crew, to which the respective regulations at the European and international level, including those of the European Union (“the EU”) and the CCNR, may refer with a view to their application;
- deliberating on the uniform interpretation and application of the said standards, on the method for applying and implementing the corresponding procedures, on procedures for exchanging information, and on the supervisory mechanisms among the Member States;
- deliberating on derogations and equivalences of technical requirements for a specific craft;
- deliberating on priority topics regarding safety of navigation, protection of the environment, and other areas of inland navigation.

Article 2

Composition

1. The Committee shall be composed of experts of the Member States of the CCNR and of the EU. The Member States of the CCNR and of the EU (“the Members”) shall participate with voting rights on the basis of one vote per State.
2. The EU, represented by the European Commission, as well as representatives of international organisations whose mission covers the areas concerned, may participate in the work of the Committee, without voting rights.
3. The following experts may participate in the work of the Committee as observers, without voting rights:
 - a) representatives of international non-governmental organisations approved by the Committee;
 - b) representatives of States that are not members of either the EU or the CCNR, at the invitation of the Committee;
 - c) representatives of classification societies, at the invitation of the Committee;
 - d) individual experts on a particular topic, at the invitation of the Committee.

Article 3

Chair

1. The Committee shall elect its own Chair and Vice-Chair from among the experts of its Members.
2. The Chair and Vice-Chair shall be occupied for two-year terms of office.
3. The Vice-Chair shall act as Chair if the Chair is unable to attend or the post is vacant. In the absence of the Chair and Vice-Chair at a particular meeting, the Committee shall designate the Chair of that meeting from among the Members present.

Article 4

Secretariat

The Secretariat of the CCNR shall fulfill the following functions:

- preparing the Committee's meetings and ensuring their smooth functioning;
- providing research, analysis, preparatory studies and impact studies as needed;
- maintaining a list of the representatives of Members and observers referred to in Article 2;
- supplying the logistical assistance necessary for organising meetings of the Committee and its working groups, including the translation of documents and the provision of interpreting services in the working languages of the Committee;
- operating a specific webpage on which information concerning the Committee may be consulted;
- carrying out any other tasks that may be necessary to ensure the proper functioning of the Committee.

Article 5

Meetings

1. The Secretariat, at the request of the Chair, shall convene meetings of the Committee at least once a year, or at any other frequency decided by the Committee.
2. An extraordinary meeting shall be convened by the Chair upon request by at least five Members.
3. The Committee may decide to meet only in the presence of representatives of the Members and of the EU represented by the European Commission, as well as representatives of international organisations as referred to in Article 2, paragraph 2.
4. The Committee shall normally meet in Strasbourg. It may meet elsewhere if a Member or other institution offers to host the meeting.
5. The expenses of Members and of the observers referred to in Article 2, paragraph 3, a), b) and d) who attend a meeting of the Committee or its working groups shall be reimbursed in accordance with the rules applied by the European Commission, within the limits of the financing arrangement referred to in Article 11, paragraph 1.

Article 6

Work programme

The Committee shall adopt its work programme for a multi-annual period on the basis of proposed strategic guidelines prepared by the Secretariat of the CCNR and the competent Directorate of the European Commission. The work programme shall describe the work to be carried out and include general indications of deadlines to be met, the organisation of the activities, and the resources necessary for carrying out the work. It shall specify the priorities and propose any requirements as to research, analysis, preparatory studies or appropriate impact studies.

Article 7

Working languages

The working languages of the Committee shall be Dutch, English, French and German.

Article 8

Working groups

The Committee may set up any standing or temporary working group it may deem necessary for the execution of its multi-annual work programme.

Article 9

Decision-making

1. The Committee shall adopt standards by unanimity of the votes of those Members present at the meeting.
2. The Committee shall strive to reach a consensus regarding the decision to put draft standards on the agenda for adoption. In the absence of a consensus, the Committee shall decide on this matter by a two-thirds majority of the votes of those Members present at the meeting.
3. The Committee shall adopt decisions on any other matter than those referred to in paragraph 1 or 2 by a simple majority of the votes of those Members present at the meeting.

Article 10

Publication of standards

1. Each version of a standard shall be given a unique reference number by the Secretary General of the CCNR and be listed and published in an appropriate fashion in the Committee's working languages.
2. For each version of a standard, the Committee shall propose a date for entry into force, in order to ensure as far as possible its simultaneous application on the Rhine and the entire network of inland waterways in the EU.

3. The Secretary General of the CCNR shall transmit each version of an adopted standard to the Members, the competent Directorate of the European Commission and international organisations with regulatory powers, together with the recommended date for its entry into force. The adopted standard shall be published on the webpage of the Committee.
4. Adoption of standards by the Committee shall not prejudice their implementation by the CCNR, the EU, the Member States of the CCNR, or the Member States of the EU, which shall remain at liberty to refer to them or not in their respective legislation. Adopted standards are not *per se* binding.

Article 11

Financing of the Committee's work

1. The funds necessary for ensuring the appropriate work of the Committee shall be the subject of a multi-annual financing arrangement between the CCNR and the European Commission.
2. The Secretary General of the CCNR shall suspend all or part of the Committee's activities if insufficient EU-funds are available, and shall inform the Committee, the CCNR and the European Commission of his/her decision.

Article 12

Amendment of the Rules of Procedure of the Committee and Adoption of Internal Regulations

1. The CCNR shall consult the Committee on any amendment to the present Rules of Procedure it intends to adopt.
2. At the proposal of the Secretariat, the Committee may adopt Internal Regulations in compliance with the present Rules of Procedure.

INTERNAL REGULATIONS ON WORKING GROUPS (UNDER ARTICLE 12 PARAGRAPH 2 OF RULES OF PROCEDURE OF THE CESNI)

Article 1 General provisions

1. These internal regulations on the working groups of the European Committee for drawing up Standard in the field of Inland Navigation (referred to hereinafter as “the Committee”) shall only apply subsidiarily to those matters not governed by Rules of Procedure of the CESNI, in compliance with which they have been defined. Unless specifically stated otherwise, the following provisions shall apply to both permanent and temporary working groups.
2. The permanent working groups shall be tasked with preparing standards in their respective fields of competence. The composition of the working groups is based on the principle of representativeness equivalent to that of the Committee.
3. Temporary working groups shall be tasked to work temporarily on specific matters, analyses or activities. These working groups shall be composed according to the competencies of their participants in their respective fields and shall function according to a working method adapted to the task in hand.

Article 2 Creation, remits and financing

1. Working groups shall be set up by the Committee in accordance with Article 8 of its Rules of Procedure.
2. A working group shall be set up by means of a Resolution adopted by the Committee. In its Resolution, the Committee shall determine the following details:
 - a) the working group's mission,
 - b) the number and frequency of the working group's meetings,
 - c) requirements regarding reports by the working group's Chair,
 - d) the recipient of reports and proposals¹,
 - e) unanimously the working language of the temporary working group.

For temporary working groups, section a) shall also include the composition and schedule of the working group, together with the level of support from the Secretariat.

3. A permanent working group may propose to the Committee the setting up of a temporary working group. A permanent working group that has proposed the setting up of a temporary working group shall be responsible for supervising the latter's work.
4. Working groups shall only be authorised to operate within the framework laid down by the Committee, in accordance with the multi-year financial arrangement between the CCNR and the European Commission under Article 11 of Rules of Procedure of the CESNI.

¹ In the case of a temporary working group, the recipient may be a permanent working group, if the Committee deems examination by the permanent working group necessary.

Article 3 Operation

1. Working groups shall appoint their own Chair and Vice-Chair, unless these have been appointed by the Committee.
2. Working parties shall determine the dates and agendas for their meetings, on the basis of proposals from their Chair and in consultation with the CCNR Secretariat.
3. In accordance with Article 4 of the Rules of Procedure of the CESNI, the CCNR Secretariat shall assist the working groups in particular:
 - a) by drafting agendas in accordance with paragraph 2 above;
 - b) with circulating documents;
 - c) with preparing meetings;
 - d) and with drafting minutes .
4. The Chair or, should he/she be unable to attend, the Vice-Chair shall direct the working group's work. It shall be incumbent on the working group's Chair to provide regular progress reports on its work to the recipient referred to in Article 2, paragraph 2, d).

Article 4 Proposals drawn up by the working groups

1. If so required by their terms of reference, the working groups shall draw up proposals for standards that shall be submitted for decision. They may also submit to the Committee proposals for further work to be carried out.
2. Working groups shall make every effort to draw up their proposals on the basis of consensus. In the absence of consensus, decisions shall be made by a simple majority of the votes cast by those Members present at the meeting. In this case, the Chair shall prepare a summary of the various points of view for the recipient referred to in Article 2, paragraph 2, d).
3. The proposals drawn up by the working groups must be communicated to the recipient as referred to in Article 2, paragraph 2, d) in good time and at any event no later than one month before the date of the relevant Committee meeting.

INTERNAL REGULATIONS ON THE STATUS OF APPROVED NON-GOVERNMENTAL ORGANISATIONS

Article 1 Granting of approval

1. The non-governmental organisations which could be approved are those which represent:
 - a) either the inland navigation professions;
 - b) or activities that are directly associated with inland navigation;
 - c) or interests affected by an aspect specific to or of importance for inland navigation.

2. The organisations must at one and the same time:
 - a) be of an international nature;
 - b) represent a significant proportion of the national organisations in their sector in a number of member states of the European Committee for drawing up Standard in the field of Inland Navigation (referred to hereinafter as “the Committee”) and be authorised to speak on their behalf;
 - c) hold responsibilities or be in possession of information related to CESNI's activities and in particular its tasks as defined in Article 1 of its Rules of Procedure;
 - d) and have a permanent structure.

3. The candidate organisation for approval shall submit a written request including:
 - a) a description of the organisation, its members, its responsibilities and its experience;
 - b) the reasons for its request;
 - c) the contribution it intends to make to the work of the Committee;
 - d) acceptance of the rules governing the status of approved organisation within the Committee.

4. Approval shall be granted by decision of the Committee. This decision will stipulate the period for which this approval has been granted. It will specify the CESNI fields of activity to which the approved organisation has access.

5. The non-governmental organisations already approved
 - a) by the CCNR in the context of the activities of its Inspection Regulations Committee (RV) and within its Committee on social questions, employment and training (STF) and within the RV/G and STF/G working groups assigned to them; or
 - b) by the European Commission in the context of the activities of the Joint Working Group responsible for technical matters (JWG) and the Joint Working Group responsible for professional qualifications and training standards in inland navigation (CEG)shall be deemed approved organisations according to this rule of procedure provided that they undertake in writing to comply with the requirements of Article 3.

6. The CCNR Secretariat holds a list of the non-governmental organisations approved by the Committee.

Article 2
Prerogatives associated with the approval of an organisation

1. The approved organisation may, in accordance with Article 2 (3) of Rules of Procedure of the CESNI, take part in the work of the Committee as an observer, and as such:
 - a) take part in CESNI meetings, without voting rights;
 - b) take part in meetings of the permanent working groups set up by CESNI, in the areas of activity referred to by the decision granting it the approval, without voting rights;
 - c) be invited to temporary working groups set up by CESNI subject to the conditions defined by CESNI.

Article 3
Undertakings associated with approval of an organisation

1. The approved organisation notifies to the Committee the names and status of the individuals authorised to represent it. The latter must be proficient in one of CESNI's working languages.
2. The organisation undertakes to:
 - a) abide by the rules laid down by the Committee governing the participation of the approved non-governmental organisations;
 - b) comply with the rules governing the working bodies in which it is taking part, and in particular with the instructions of the chairmen of the bodies in question;
 - c) handle in a confidential manner documents or information relating to the work of the Committee and of its working groups, in other words not use this information or these documents for any purpose other than that of conducting its prerogatives and commitments;
 - d) provide the Committee and its working groups with any information that may assist the latter's work and in particular ensure that it complies with any requests for consultation made to it.
3. Its collaboration with CESNI and its working groups must be sincere and objective. It must contribute to seeking beneficial solutions for promoting inland navigation.

Article 4
Group of recognised classification societies

For the group of recognised classification societies constituted on the basis of the provisions of paragraph 14 of Appendix VII of Directive 2006/87/EC, only Articles 2 and 3 are applicable.

Article 5
Withdrawal of the status of approved organisation

The status of approved organisation shall be withdrawn by decision of the Committee after consultation with the organisation in question, in the following cases:

- a) if the organisation no longer satisfies the criteria listed in Article 1 of these Internal Regulations;
- b) in the event of a major conflict between the Committee and the organisation in question;
- c) if the organisation does not abide by its undertakings as an approved organisation, in particular as concerns the confidentiality of the work of the Committee and that of its working groups;
- d) if the organisation does not take sufficient part in the work of the Committee in the areas of activity for which it has been approved.