

Input received during the sector consultation event on 14 December 2021

Communication from the Secretariat

Reference documents:

- CESNI/QP (21)a 108 (draft agenda)
- [Press release](#)

The Secretariat would like to thank social partners from IWT Platform and ETF, Ms Herlinde Liégeois as Chair of the temporary working group CESNI/QP/Crew as well as Ms Christelle Rousseau from the European Commission for co-organising the sector consultation event - webinar on future manning regulations on 14 December 2021.

Special thanks go to the **more than 80 participants** who participated in the webinar, during which they exchanged and collected ideas on future European manning regulations.

This document aims at synthesizing questions and possible answers received during the meeting.

Reminder of the objectives

The meeting's key objective was to **present the roadmap to the sector, as it is one cornerstone of the** development of a legal framework at the European level.

The other main objective was to **consult the sector and to learn more about practical aspects**, especially regarding the “scope” and “flexibility” of future European manning regulations. **The sector consultation event was a great** opportunity to exchange ideas, as well as to collect **input on the open questions of the roadmap**.

Actions taken

The participants were welcomed by the Central Commission's new secretary general, Ms Lucia Luijten. She gave a brief overview of the history and background of the meeting. Several keynote speeches on the roadmap were also given during the webinar, in order to inform the participants who have the practical expertise on the working conditions and workload on board. The chair of CESNI/QP/Crew, Ms Herlinde Liégeois from the Belgian delegation, recalled the general content of the roadmap and moderated the exchanges. Ms Christelle Rousseau, from the European Commission, focused on the action envisaged at EU level, notably with the simultaneous achievement of the e-tools initiative and manning regulations. Lastly, Mr Jörg Rusche from the CESNI Secretariat, gave a short presentation on the elements of consensus, as well as the state of play for each particular aspect of the roadmap.

The social partners introduced the most relevant topics and the practical questions they had prepared, to be discussed during the webinar.

Input received during the meeting¹

I. Questions received after the presentation of the actions envisaged on EU level (Ms Christelle Rousseau)

How does the planning of the e-tools (implementation planned in 2028) correspond with the planning of e-FTI (2025)?

Ms ROUSSEAU explains that these are two different topics and two different initiatives. E-FTI also concerns inland waterways and documents. The e-FTI will already be in place and operational, it could also be used for other documentation that is not likely to be concerned by the e-tool initiative.

How does the European Commission understand the e-IWT single window in terms of sharing information with authorities? Is GDPR taken into account?

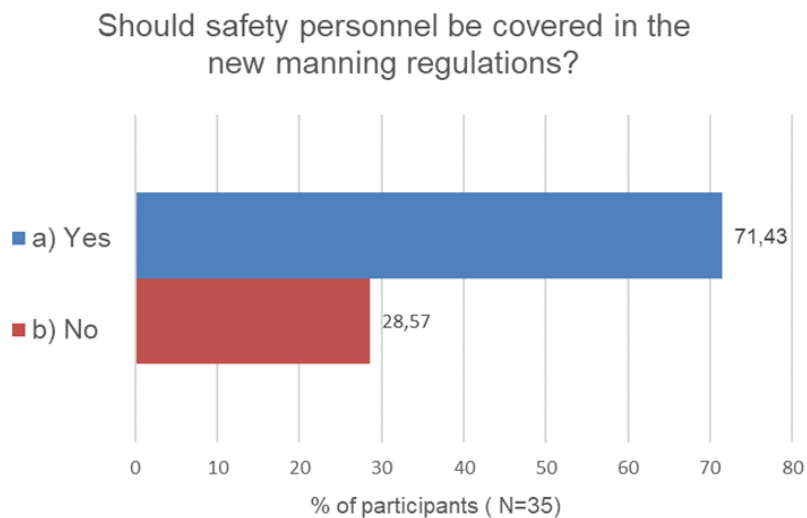
Ms ROUSSEAU states that if the issuing authorities or enforcements authorities can consult the information on the protected system with user rights, Commission and co-legislators will certainly act in full respect of all legislation on data protection.

II. Scope of manning regulations

KEYNOTE NO. 1: CONCERNED PERSONNEL - SAFETY PERSONNEL

Question 1: Should safety personnel be covered in the new manning regulations?

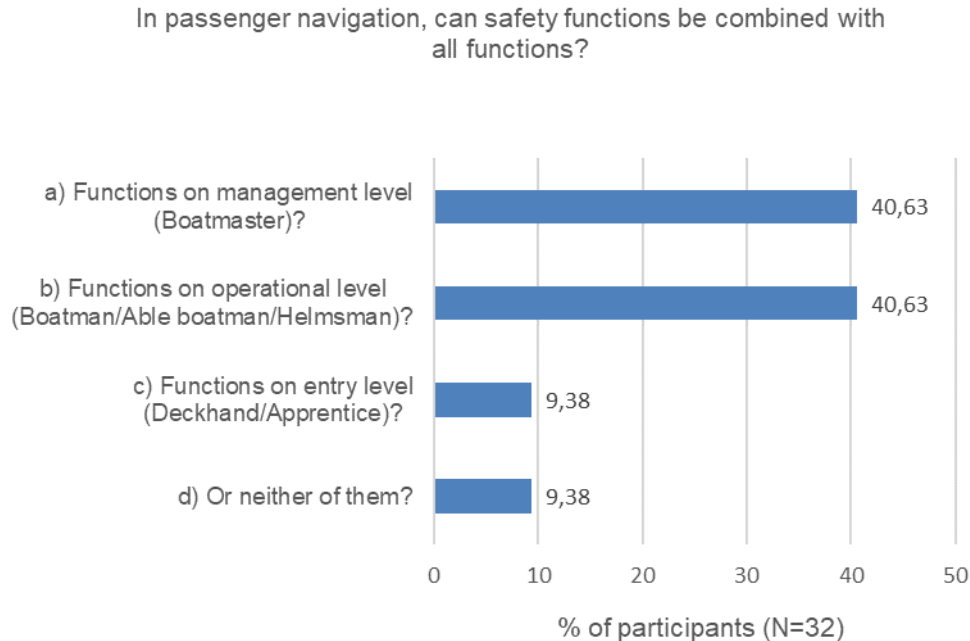
- a) Yes
- b) No



¹ Please note that the diagrams with the results from the sector consultation event are only available in English.

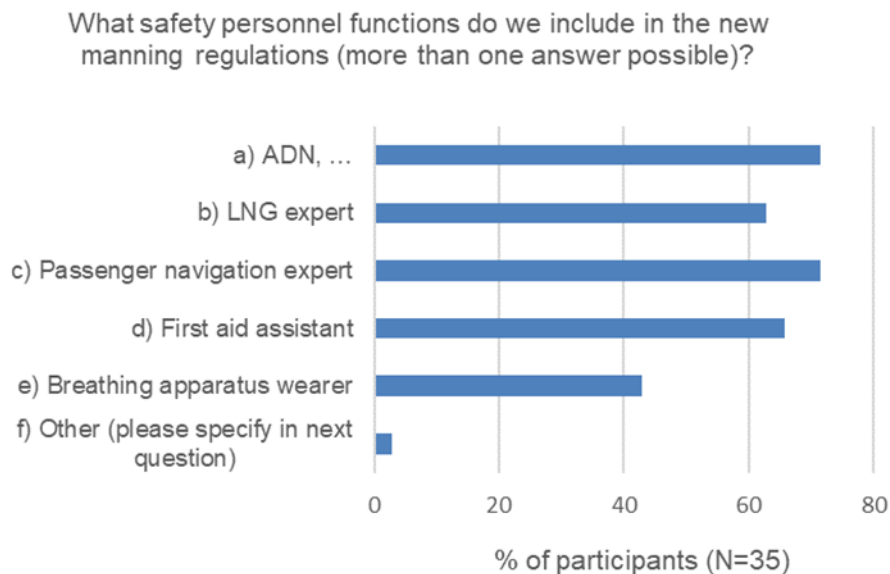
Question 2: In passenger navigation, can safety functions be combined with all functions?

- a) Functions on management level (Boatmaster)?
- b) Functions on operational level (Boatman/Able boatman/Helmsman)?
- c) Functions on entry level (Deckhand/Apprentice)?
- d) Or neither of them?



Question 3: What safety personnel functions do we include in the new manning regulations (more than one answer)?

- a) ADN, ...
- b) LNG expert
- c) Passenger navigation expert
- d) First aid assistant
- e) Breathing apparatus wearer
- f) Other (please specify in next question)



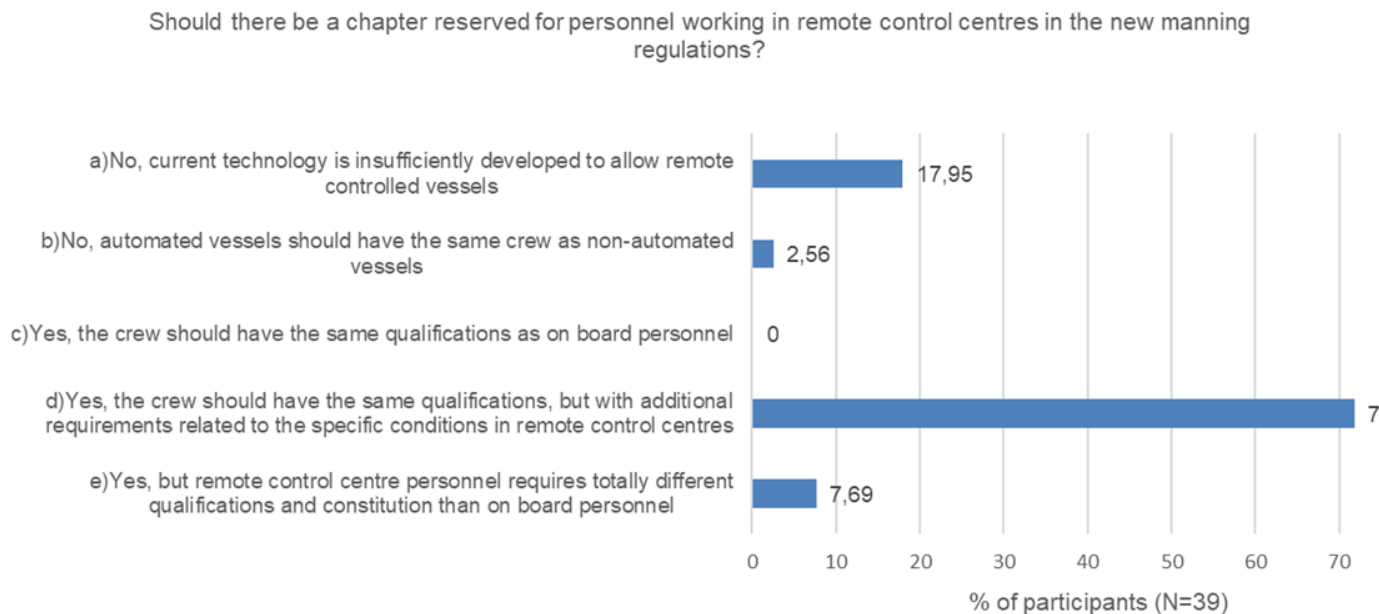
Question 4: If you chose other, could you please specify:

- Third parties can cover all
- All included in the safety rota
- Man overboard procedures

KEYNOTE NO. 2: CONCERNED PERSONNEL - REMOTE CONTROL CENTRE PERSONNEL

Question 5: Should there be a chapter reserved for personnel working in remote control centres in the new manning regulations?

- a) No, current technology is insufficiently developed to allow remote controlled vessels
- b) No, automated vessels should have the same crew as non-automated vessels
- c) Yes, the crew should have the same qualifications as on board personnel
- d) Yes, the crew should have the same qualifications, but with additional requirements related to the specific conditions in remote control centres
- e) Yes, but remote-control centre personnel requires totally different qualifications and constitution than on board personnel



Reactions received after keynote no. 2 “Remote control centre personnel”

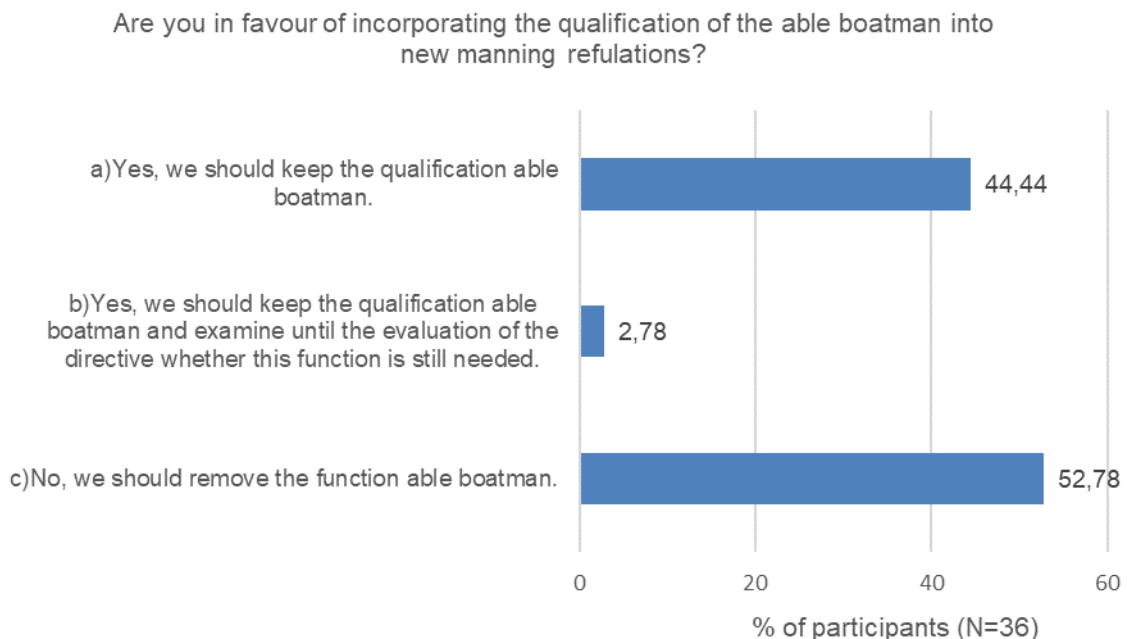
Mr VAN DAM, a shipowner, comments on his choice of option e) *yes, but remote-control centre personnel requires totally different qualifications and constitution than on board personnel*: The situations are different; as an example on the Albert Canal, a part of the crew is always present on board whereas the boatmaster in the remote-control centre must have good knowledge of the waterway in order to navigate safely. In his opinion, it is important to **differentiate between the qualifications of personnel on board and the qualifications of personnel in a remote-control centre** and have a look into the future.

Mr PIKAART, a shipowner and founding partner of SHIPPING TECHNOLOGY, explains why he chose option b) *No, automated vessels should have the same crew than non-automated vessels*: It will take some time until the new legal framework will enter into force. Remote control centres do not make the qualification of personnel on board useless. It is just **a part of work that can be done in the remote-control centre**.

KEYNOTE NO. 3: CONCERNED PERSONNEL - QUALIFICATIONS ON OPERATIONAL LEVEL

Question 6: Are you in favour of incorporating the qualification of the able boatman into new manning regulations?

- a) Yes, we should keep the qualification able boatman.
- b) Yes, we should keep the qualification able boatman and examine until the evaluation of the directive whether this function is still needed.
- c) No, we should remove the function able boatman.



Reactions received after keynote no. 3 “Qualifications on operational level”

Mr VAN DAM explains why he chose option c) *No, we should remove the function able boatman*. Most people chose this solution, this does not seem a surprise to him. The legal framework does not correspond to the practice, the work on board is becoming easier from the physical point of view. The able boatman could be excluded in future manning regulations. The employer needs to concentrate on the employee and can surely see after a short time, if a new person is skilled and motivated. If people are motivated, they usually want to become a helmsman. The able boatman often is just a ‘passage qualification’ before having collected sufficient navigation time to become a helmsman. Often people are able boatman just for one year, before taking the step towards a helmsman and he cannot believe that extra qualification like a radio operator certificate would be an obstacle for this. From an employer’s perspective, there is **no added value of the qualification able boatman**. From the employee’s side, there are **other possibilities to have more competences**, for instance as helmsman. For technical aspects, **more safety regulations need to be included in modern qualifications**.

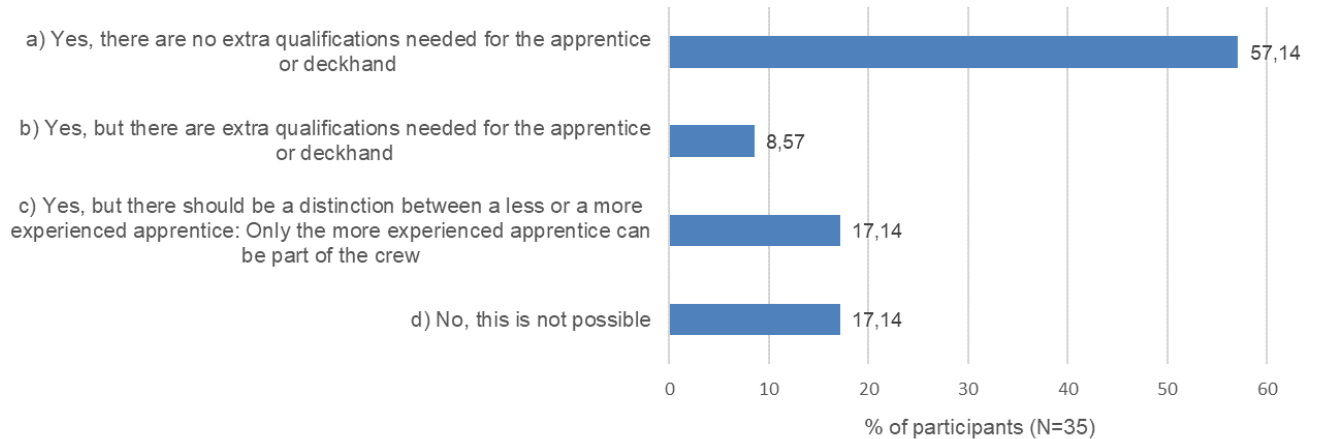
In the chat (Mr Verberght), it is also expressed that deleting the qualification of the able boatman in future manning regulations could be justified as until 2022, it took fewer navigation time to become a boatman in the Netherlands and Belgium.

KEYNOTE NO. 4: CONCERNED PERSONNEL - QUALIFICATIONS ON ENTRY LEVEL

Question 7: Can an apprentice or deckhand be the only crew member besides the boatmaster?

- a) Yes, there are no extra qualifications needed for the apprentice or deckhand
- b) Yes, but there are extra qualifications needed for the apprentice or deckhand
- c) Yes, but there should be a distinction between a less or a more experienced apprentice: Only the more experienced apprentice can be part of the crew
- d) No, this is not possible

Can an apprentice or deckhand be the only crew member besides the boatmaster?



Reactions received after keynote no. 4 “Qualifications on entry level”

Mr KERKHOF (ETF) explains why he chose option *a) Yes, there are no extra qualifications needed for the apprentice or deckhand*. It seems primordial to pay attention that the instructor of the apprentice has **competences to properly supervise** the apprentice or any other newcomer who has merely passed a basic safety training before starting work on board.

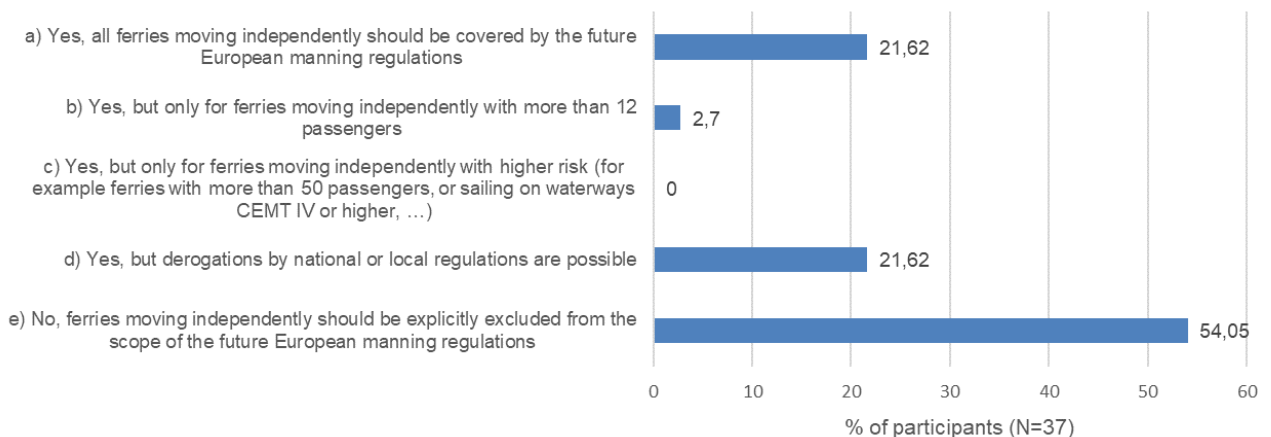
Mr VAN DAM states that on board, people with **practical competences** are needed, it is not necessary that all crew members have high skills and knowledge. Vessels that are smaller than 55m (and can be sailed by one person only in the Netherlands and Belgium) could offer an internship and could have an advantage if the boatmaster (as supervisor) said he would remain on board with a family member. Temporal limits for the trainees (apprentice) should exist, the length of the vessel/convoy should be taken into account. The question that has been asked was unfortunately a little too vague. The IWT sector needs a lot of people, the burdens to join the sector should be low.

KEYNOTE NO. 5: CONCERNED CRAFT OR VESSELS - EXEMPTION FOR FERRIES

Question 8: Should there be a chapter reserved for ferries moving independently in the new manning regulations?

- a) Yes, all ferries moving independently should be covered by the future European manning regulations
- b) Yes, but only for ferries moving independently with more than 12 passengers
- c) Yes, but only for ferries moving independently with higher risk (for example ferries with more than 50 passengers, or sailing on waterways CEMT IV or higher, ...)
- d) Yes, but derogations by national or local regulations are possible
- e) No, ferries moving independently should be explicitly excluded from the scope of the future European manning regulations

Should there be a chapter reserved for ferries moving independently in the new manning regulations?



Reactions received after keynote no. 5 “Exemption for ferries”

Mr POHL, shipowner from ferry company on the Rhine, explains why he chose option d) *Yes, but derogations by national or local regulations are possible*. **Type and area of use of ferries are very diverse, sometimes ferries do not even cross the main waterway**, thus national rules seem more adapted.

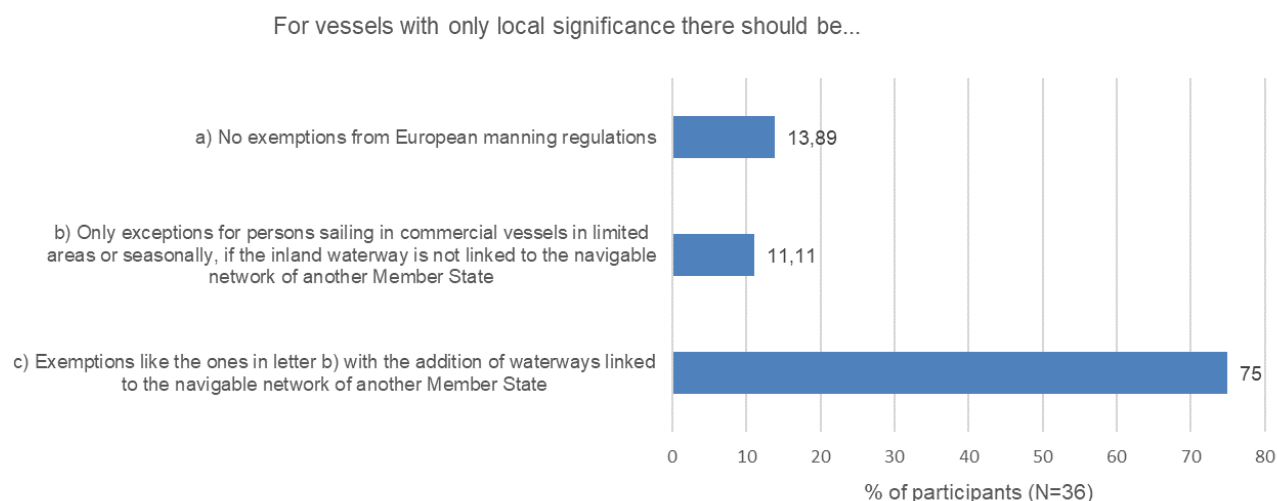
Mr VAN TOOR, shipowner, explains that ferries are different from other vessels as they are **part of the infrastructure**, they are sailing bridges. Almost all ferries **work locally**, the navigation of a ferry is different from classical inland navigation. There are no requirements to have a service record book and ferries hardly fall under the existing international regulations. As Mr Pohl, he also favours the exclusion of ferries from European manning regulations.

Mr DROSSAERS who drives ferries in Amsterdam states that he is also for the exclusion of ferries from future European manning regulations, there should be a **local training for apprentices** and a specific training for personnel working onboard ferries. This tailor-made training would be better suited than using the certificate of qualification as a boatmaster for ferries.

KEYNOTE NO. 6: CONCERNED CRAFT OR VESSELS - EXEMPTION FOR VESSELS WITH ONLY LOCAL SIGNIFICANCE

Question 9: For vessels with only local significance there should be

- a) No exemptions from European manning regulations
- b) Only exceptions for persons sailing in commercial vessels in limited areas or seasonally, if the inland waterway is not linked to the navigable network of another Member State
- c) Exemptions like the ones in letter b) with the addition of waterways linked to the navigable network of another Member State



Reactions received after keynote no. 6 “Exemption for vessels with only local significance”

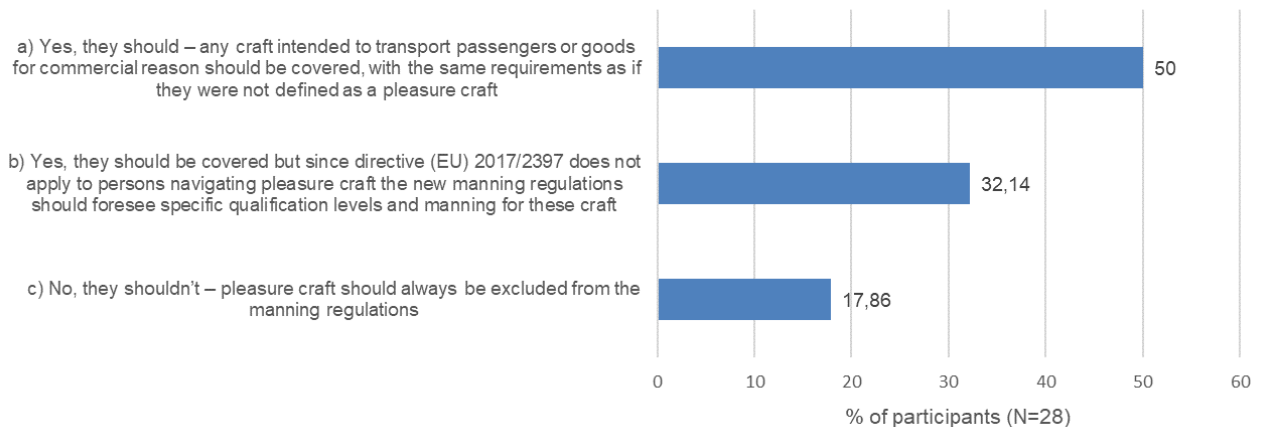
Ms SCHELSTRAETE, representative from a passenger navigation organisation in Flanders, explains why she chose option c) *Exemptions like the ones in letter b) with the addition of waterways linked to the navigable network of another Member State*. It seems important to have the existing exemptions because of the local and seasonal characters for small enterprises. The **sector should be protected** in this respect.

KEYNOTE NO. 7: CONCERNED CRAFT OR VESSELS - PLEASURE CRAFT USED FOR COMMERCIAL REASONS

Question 10: Should pleasure craft used for commercial reasons be covered in the new manning regulations?

- a) Yes, they should – any craft intended to transport passengers or goods for commercial reason should be covered, with the same requirements as if they were not defined as a pleasure craft
- b) Yes, they should be covered but since directive (EU) 2017/2397 does not apply to persons navigating pleasure craft the new manning regulations should foresee specific qualification levels and manning for these craft
- c) No, they shouldn't – pleasure craft should always be excluded from the manning regulations

Should pleasure craft used for commercial reasons be covered in the new manning regulations?



Reactions received after keynote no. 7 “Pleasure craft used for commercial reasons”

Participants are puzzled by the wording of the question.

Mr KLEINE states that the following rule should apply: if a vessel is used for commercial reasons, it needs to correspond to the rules.

Mr HOHENBILD explains why he chose option a) *Yes, they should – any craft intended to transport passengers or goods for commercial reason should be covered, with the same requirements as if they were not defined as a pleasure craft*. Pleasure craft who carry passengers in a commercial way are in concurrence with commercial daily trip vessels. Consequently, there should not be any difference in the manning regulations. Ms BECKSCHÄFER and Mr NAUHEIMER report that in Germany, there are indeed commercial craft transporting more than 12 passengers that are not treated in the same way as day trip vessels both in terms of equipment and qualification of the crew (e.g. with respect to VHF).

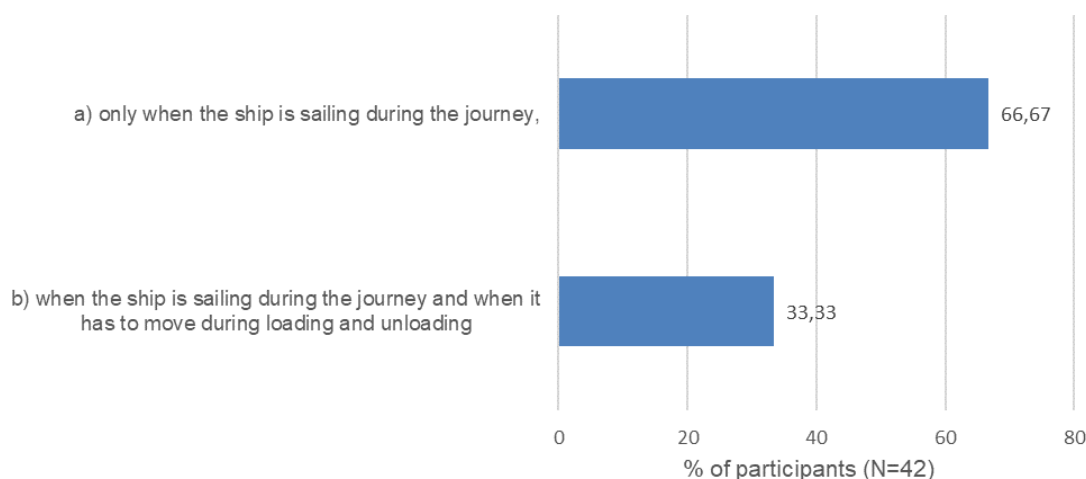
PARTICIPANTS agree that a good definition of the term “passenger vessel” will be necessary to clearly cover all cases where safety of passengers is concerned in a similar as onboard vessels with more than 12 passengers.

KEYNOTE NO. 8: PERIODS OF TIME TO WHICH EUROPEAN MANNING REGULATIONS SHALL APPLY - CREW NEEDED ON A NON-SAILING SHIP

Question 11: The minimum crew should be on board

- a) only when the ship is sailing during the journey,
- b) when the ship is sailing during the journey and when it has to move during loading and unloading

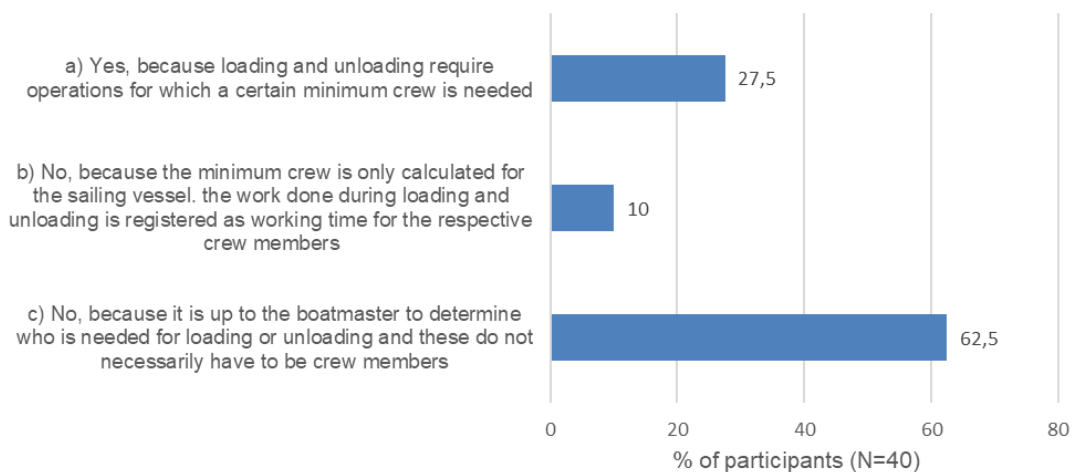
The minimum crew should be on board...



Question 12: Do we need a separate provision for a minimum crew during loading and unloading?

- a) Yes, because loading and unloading require operations for which a certain minimum crew is needed
- b) No, because the minimum crew is only calculated for the sailing vessel. the work done during loading and unloading is registered as working time for the respective crew members
- c) No, because it is up to the boatmaster to determine who is needed for loading or unloading and these do not necessarily have to be crew members

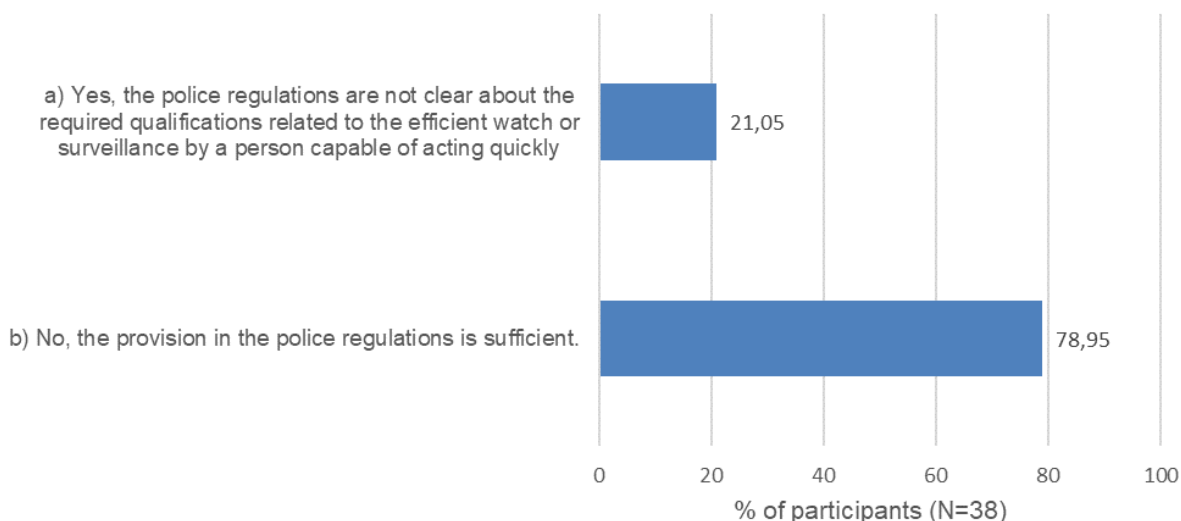
Do we need a separate provision for a minimum crew during loading and unloading?



Question 13: Do we need a separate provision for a minimum crew for the ship at rest?

- a) Yes, the police regulations are not clear about the required qualifications related to the efficient watch or surveillance by a person capable of acting quickly
- b) No, the provision in the police regulations is sufficient.

Do we need a separate provision for a minimum crew for the ship at rest?



Reactions received after keynote no. 8 “Periods of time to which European manning regulations shall apply - crew needed on a non-sailing vessel”

Mr KERKHOF highlights that concerning question 11 (when the minimum crew should be on board), the answer also depends on the number of crew and the length of the vessel.

Mr GORIN, representative of the Seafarers Union of Russia, explains that in the Russian practice at the same time there are different levels of qualification in inland navigation also concerning watchkeeping. From the Russian practice of river navigation regarding the minimum of the crew there are still in existence dual positions: master (boatmaster) – chief engineer, second mate – second engineer, third mate – third engineer, seaman (boatman) – motorman.

Mr VAN DAM emphasises safety on board. In practice, in an emergency situation, a boatmaster acts himself if he needs to act. It would be necessary to reflect whether crew should be on board when the vessel is not sailing. This can be a problem for family businesses.

Mr HOHENBILD states that minimum crew should only apply for sailing time. Push barges without a push boat also have no crew on board during loading and unloading.

Mr PIKAART and Ms PATER-GROOT stress the importance of anticipating expected developments when drawing up regulations. **Regulations should facilitate innovation.**

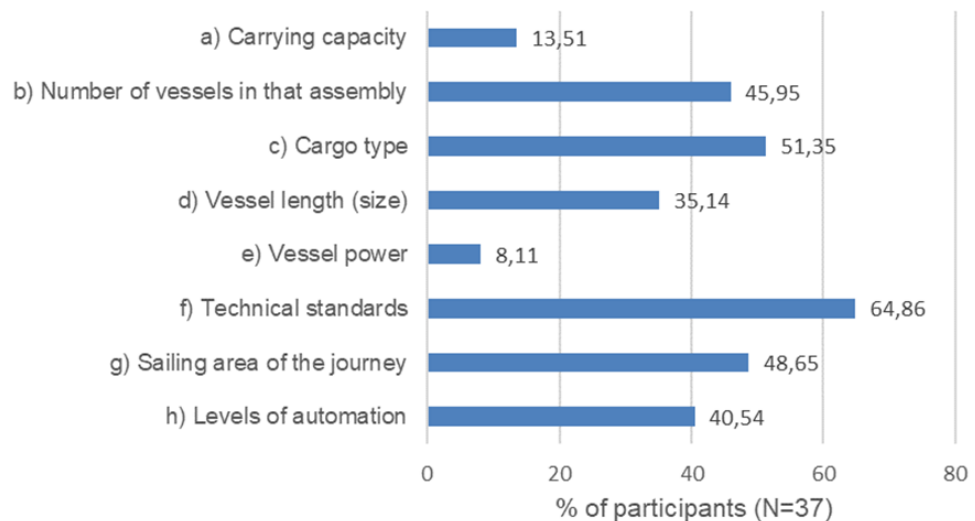
III. Flexibility of manning regulations

KEYNOTE NO. 9: WHAT ELEMENTS INFLUENCE WORKLOAD

Question 14: Which 1-3 element(s), for cargo vessels, has/have the biggest effect on workload on entry and operational level (deckhand, apprentice, boatman, able boatman) on board?

- a) Carrying capacity
- b) Number of vessels in that assembly
- c) Cargo type
- d) Vessel length (size)
- e) Vessel power
- f) Technical standards
- g) Sailing area of the journey
- h) Levels of automation

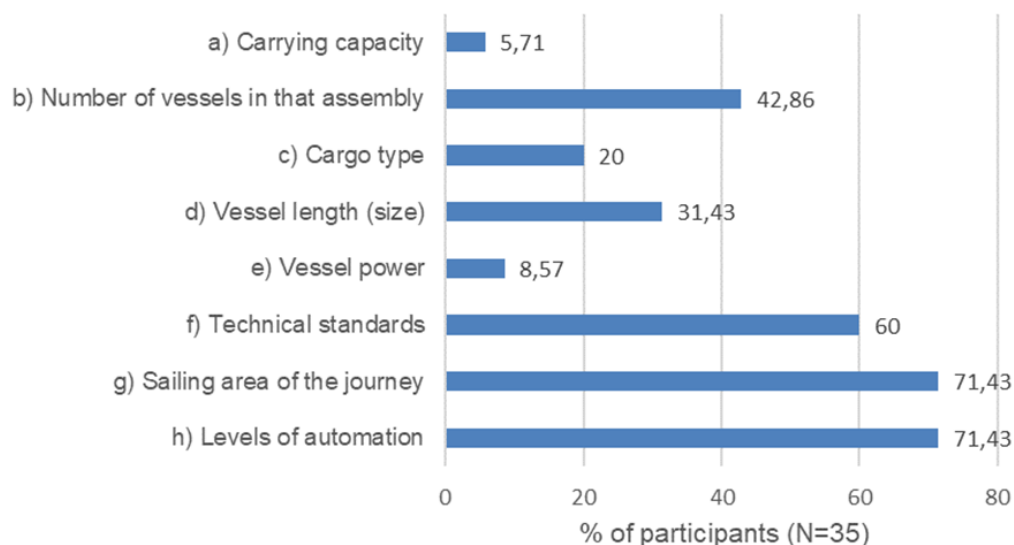
Which 1-3 element(s), for cargo vessels, has/have the biggest effect on workload on entry and operational level (deckhand, apprentice, boatman, able boatman) on board?



Question 15: Which 1-3 element(s), for cargo vessels, has/have the biggest effect on workload on management level (boatmaster) on board?

- a) Carrying capacity
- b) Number of vessels in that assembly
- c) Cargo type
- d) Vessel length (size)
- e) Vessel power
- f) Technical standards
- g) Sailing area of the journey
- h) Levels of automation

Which 1-3 element(s), for cargo vessels, has/have the biggest effect on workload on management level (boatmaster) on board?



Reactions received after keynote no. 9 “What elements influence workload”

Workload on cargo vessels

Mr PIKAART explains that for operational level, on cargo vessels, the number of vessels in that assembly is a very decisive factor. It also seems logical that the technical equipment as well as loading and unloading influence the workload for operational level and management level. The current focus might be a little too much on the nautical process of vessel command when it comes to automation, whereas there are also other tasks which can be automated.

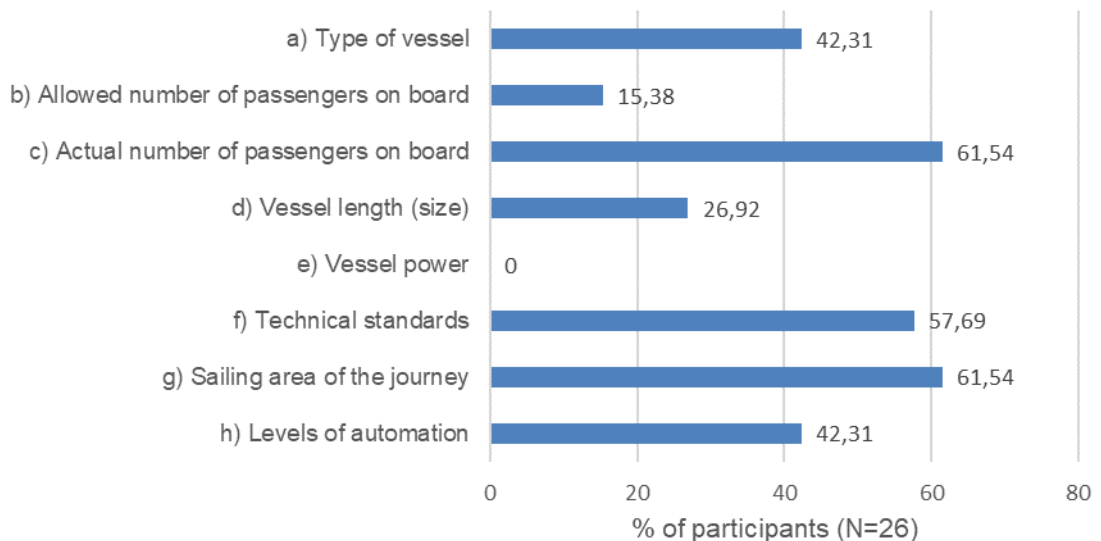
Participants agree that it seems important to regularly revise manning regulations to keep track with evolving technologies.

Mr KERKHOF states that generally, workload increases with the length of the vessels, but the area of journey is also a very important aspect. Boatmasters who navigate for 14 hours without having competent colleagues on board are less motivated and technical rules will not entirely solve this problem.

Question 16: Which 1-3 element(s), for passenger vessels, has/ have the biggest effect on workload on entry and operational level (deckhand, apprentice, boatman, able boatman) on board?

- a) Type of vessel
- b) Allowed number of passengers on board
- c) Actual number of passengers on board
- d) Vessel length (size)
- e) Vessel power
- f) Technical standards
- g) Sailing area of the journey
- h) Levels of automation

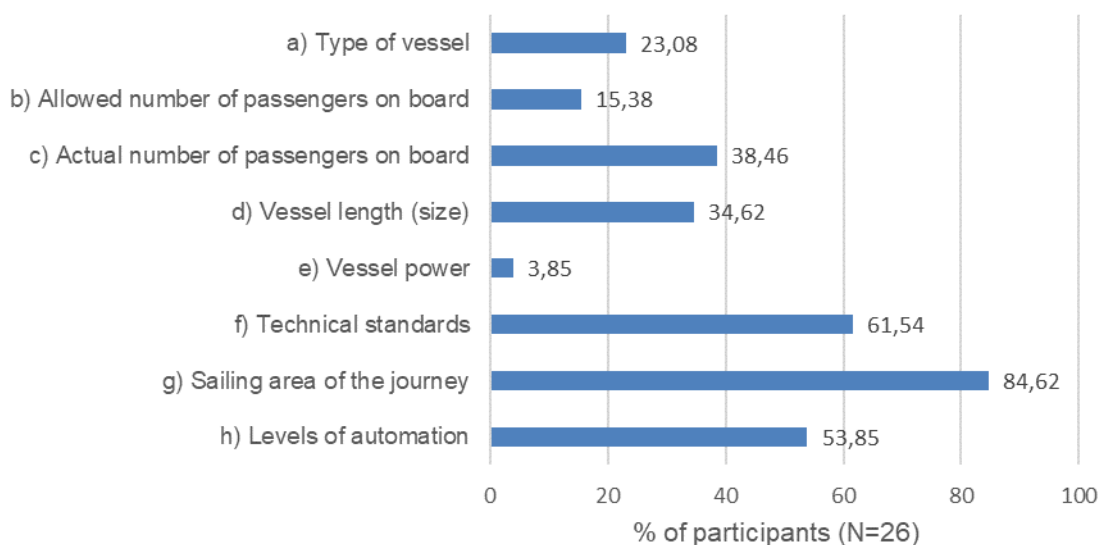
Which 1-3 element(s), for passenger vessels, has/ have the biggest effect on workload on entry and operational level (deckhand, apprentice, boatman, able boatman) on board?



Question 17: Which 1-3 elements, for passenger vessels, has/have the biggest effect on workload on management level (boatmaster) and the crew needed on board?

- a) Type of vessel
- b) Allowed number of passengers on board
- c) Actual number of passengers on board
- d) Vessel length (size)
- e) Vessel power
- f) Technical standards
- g) Sailing area of the journey
- h) Levels of automation

Which 1-3 elements, for passenger vessels, has/have the biggest effect on workload on management level (boatmaster) and the crew needed on board?



Reactions received after keynote no. 9 “What elements influence workload”

Workload on passenger vessels

Mr POHL states that the question on workload on passenger vessels should have been divided into day-trip vessels and passenger cabin vessels. As the number of passengers on day trip vessels is constantly changing, there may be a need to respond more specifically to incidents.

Participants agree that safety needs to be in the first place and that the number of passengers and the number of rooms to monitor matter more than vessel length.

Ms SCHELSTRAETE is surprised that for the workload on operational level, the participants have voted for the “actual number of passengers”. For smaller day-trip-vessels there is not a lot of personnel on board, she does not understand how this can be taken into account for the bigger day-trip vessels. There are nautical activities that remain the same even when a lot of passengers are present. The **administrative provisions** that need to be respected increase the workload for personnel on passenger vessels.

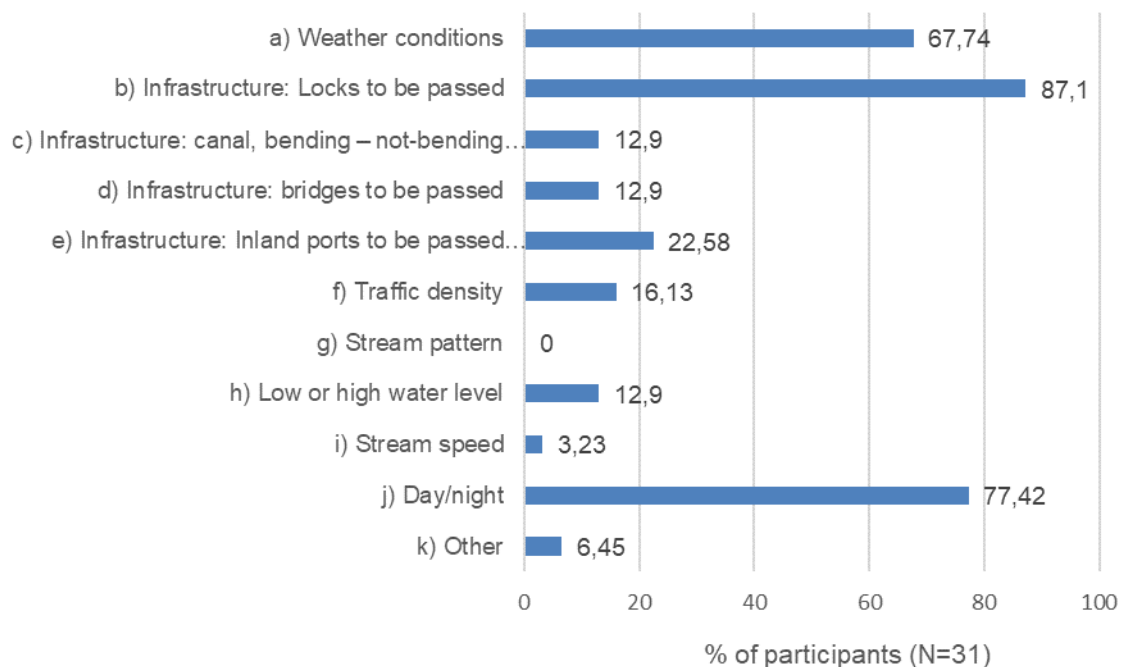
Mr POHL underlines the difference between a cabin cruise vessel with defined number of passengers or a day-trip-vessel with changing passenger numbers. On a day-trip-vessel you cannot know the number of passengers unless you have a charter trip.

Participants agree that administrative work may become less with the introduction of an e-tool when entries in service record books and logbooks may become less time consuming.

Question 18: Which 1-3 area circumstances may influence the workload on entry and operational level (deckhand, apprentice, boatman, able boatman) during a journey?

- a) Weather conditions
- b) Infrastructure: Locks to be passed
- c) Infrastructure: canal, bending – not-bending waterway
- d) Infrastructure: bridges to be passed
- e) Infrastructure: Inland ports to be passed (departure/ arrival)
- f) Traffic density
- g) Stream pattern
- h) Low or high water level
- i) Stream speed
- j) Day/night
- k) Other

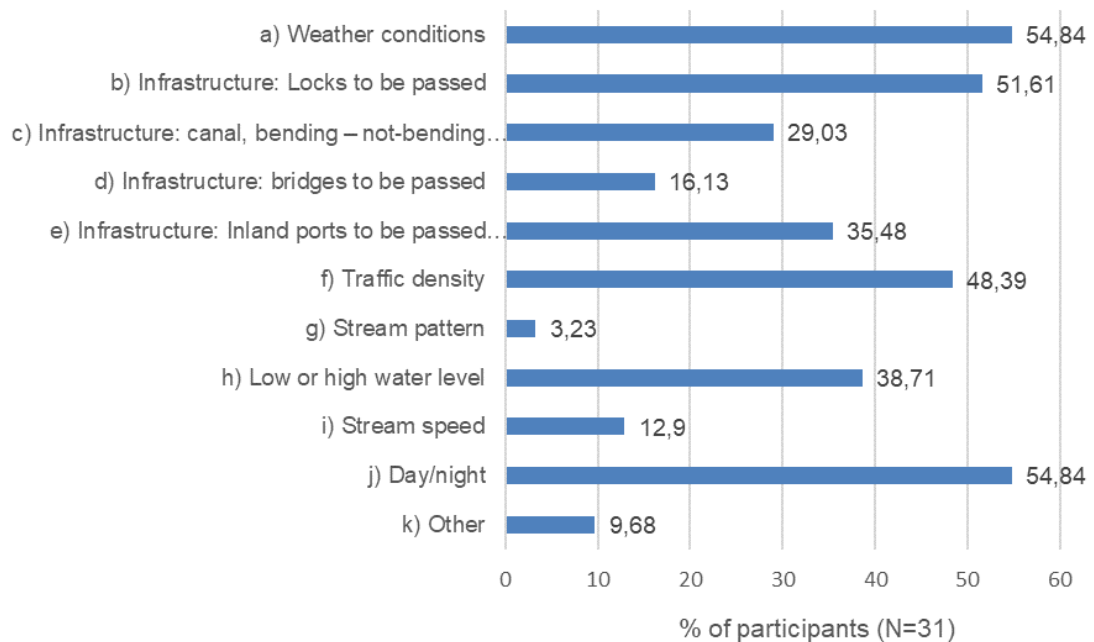
Which 1-3 area circumstances may influence the workload on entry and operational level (deckhand, apprentice, boatman, able boatman) during a journey?



Question 19: Which 1-3 area circumstances may influence the workload on management level (boatmaster) during a journey?

- a) Weather conditions
- b) Infrastructure: Locks to be passed
- c) Infrastructure: canal, bending – not-bending waterway
- d) Infrastructure: bridges to be passed
- e) Infrastructure: Inland ports to be passed (departure/arrival)
- f) Traffic density
- g) Stream pattern
- h) Low or high water level
- i) Stream speed
- j) Day/night
- k) Other

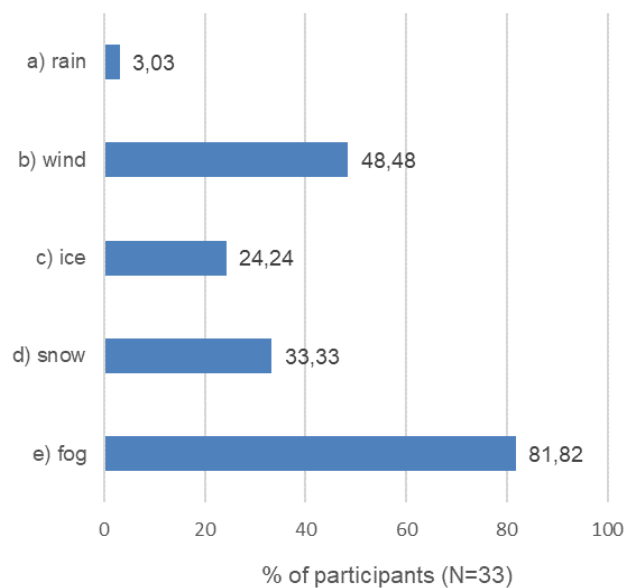
Which 1-3 area circumstances may influence the workload on management level (boatmaster) during a journey?



Question 20: Which weather conditions do have the most impact on workload during a journey?

- a) rain
- b) wind
- c) ice
- d) snow
- e) fog

Which weather conditions do have the most impact on workload during a journey?

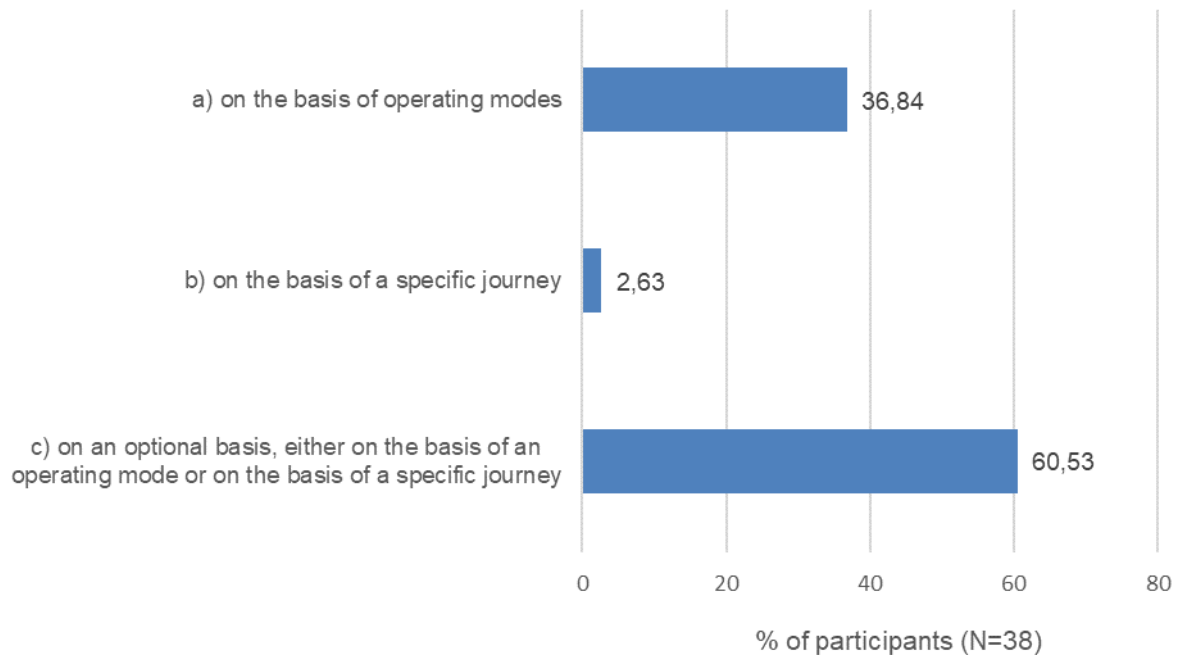


KEYNOTE NO. 10: OPERATING MODES

Question 21: Should the minimum crew be calculated

- a) on the basis of operating modes,
- b) on the basis of a specific journey,
- c) on an optional basis, either on the basis of an operating mode or on the basis of a specific journey.

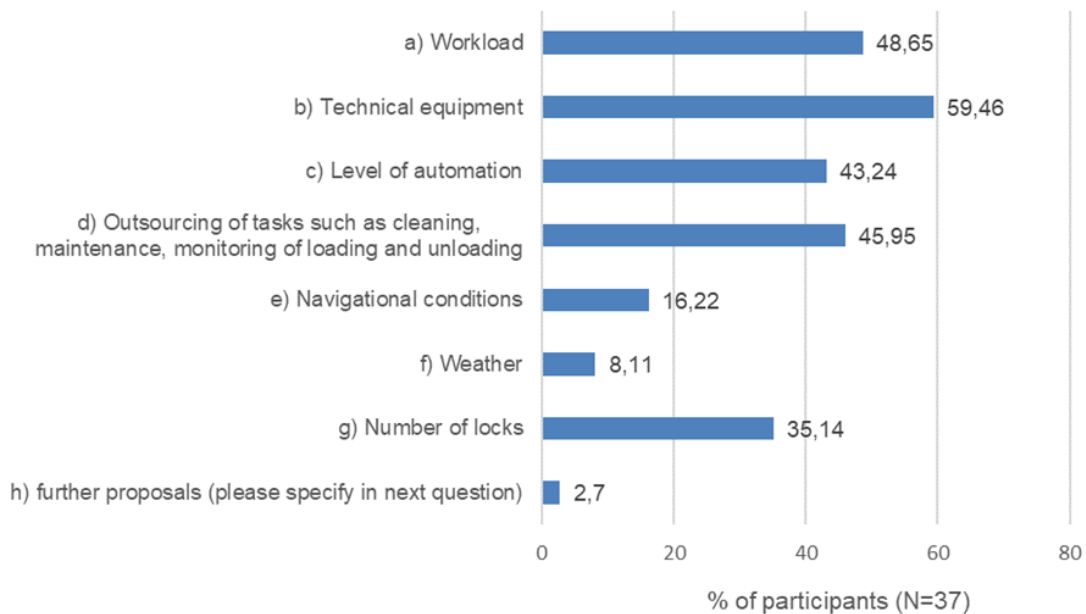
Should the minimum crew be calculated ...



Question 22: If you calculate the crew on the basis of a specific journey, which parameters could lead to a change in the crew?

- a) Workload,
- b) Technical equipment,
- c) Level of automation,
- d) Outsourcing of tasks such as cleaning, maintenance, monitoring of loading and unloading,
- e) Navigational conditions,
- f) Weather
- g) Number of locks
- h) further proposals (please specify in next question)

If you calculate the crew on the basis of a specific journey, which parameters could lead to a change in the crew?



Question 23: If you chose “further proposals”, could you please specify what other elements or circumstances during the journey can have an impact on the crew needed on board:

- safety at work
- language and communication
- combination of automated processes on board
- difference between day vessels and cabin vessels
- maintenance
- remote control centre
- other types of vessels in the port

Reactions received after keynote no. 10 “Operating modes”

Mr KERKHOF stresses that safe working conditions are necessary, including predictable workload in operating schemes.

Mr SCHNEIDLER adds that the social skills of knowing how to work together are important. Fixed crews, smoothly working together, have advantages for both employees and employers.

Feedback received on the format of the webinar

Some participants regret that the results of the pools cannot be viewed to be entirely representative as there were more employers present than employees. However, as there was a discussion on all questions, arguments could be properly presented by all participants.

Some participants liked the format as it allowed them to participate whereas they would not have participated in an event in presence.

Next steps to be taken

More information on next steps is included in the planning sections of Ms Rousseau's and Ms Liégeois' presentations.

Annex: Keynotes from Social partners (EN only)

Annex to document CESNI/QP/Crew (21) 114 (EN only)

Keynotes

1. SCOPE

KEYNOTE NO. 1: CONCERNED PERSONNEL - SAFETY PERSONNEL

Which safety personnel should be covered?

“safety personnel” means “personnel who fulfils a safety function on vessels for example vessels transporting dangerous goods (ADN), vessels using LNG or passenger vessels”.

Background

In the draft roadmap for European manning regulations (CESNI (21) 20) one of the main elements on which consensus was reached after analysis and discussion of the results of the TASCs study was:

“The future manning requirements should reflect the competence of crew members and safety personnel.”

Some additional qualifications of safety personnel are currently not addressed in Directive (EU) 2017/2397 such as first aid assistants for cargo vessels (as e.g. in Austria) and/or passenger vessels (as e.g. in RPN) and breathing apparatus for cabin vessels (as e.g. in RPN).

Experts also agree that safety qualifications on board of vessels carrying dangerous goods and vessels using LNG as a fuel as addressed in Directive (EU) 2017/2397 should be covered by manning regulations.

Possible solutions

- Safety personnel defined as “personnel who fulfils a safety function on vessels for example vessels transporting dangerous goods (ADN), vessels using LNG or passenger vessels” is not covered in the manning regulations and remains the subject of separate legislations.
- Both crew members and safety personnel should be covered by the manning regulations, but in different ways. The additional qualifications of safety personnel do not require an additional crew member, but the function can be performed by a member of the minimum crew and possibly on passenger vessels also by a member of the board personnel.

KEYNOTE NO. 2: CONCERNED PERSONNEL - REMOTE CONTROL CENTRE PERSONNEL

Whether and what issues need to be addressed regarding remote control centre personnel?

Background

In the draft roadmap for European manning regulations (CESNI (21) 20) one of the main elements on which consensus was reached after analysis and discussion of the results of the TASCs study was:

“Experts agree that the handling and steering of the craft from a remote-control centre requires high qualification of the crew to achieve the current high safety level in inland navigation. The experts wish to investigate the possibilities to include the crew in remote control centres in the manning requirements.”

Currently remote-control centre personnel is not covered in manning regulations.

Possible solutions

- Personnel working in remote control centres will not be covered in the new manning requirements
- Personnel working in remote control centres will be covered separately in the manning regulations, manning on the craft their controlling complies with the general manning rules
- Personnel working in remote control centres will be covered separately in the manning regulations, manning on the craft their controlling will be part of the separate regulation
- Personnel working in remote control centres must have the same qualifications and manning requirements as required for the ship they are controlling

Other questions to initiate further discussion

- Which tasks and competences are needed in a remote-control centre that exceed current manning regulations?
- Which tasks and competences are always needed on board regardless of whether the craft is controlled from an remote control centre in order to assure the current high safety level especially in emergency situations?

KEYNOTE NO. 3: CONCERNED PERSONNEL - QUALIFICATIONS ON OPERATIONAL LEVEL

Should all current qualifications on operational level be included in European manning regulations?

Background:

On operational level, Directive (EU) 2017/2397 contains requirements for the qualifications of boatman, able boatman and helmsman. They only differ in the duration of the navigation time, but the essential competence requirements set out in the ES-QIN are the same for all these qualifications, with the exception that the helmsman must hold a VHF certificate.

In CESNI/QP/Crew, we had agreed to keep all functions at the operational level, as it is the case in RPN. The reason was on the one hand that the members of a deck crew should have possibilities for advancement and, on the other hand, that the manning regulations should cover all deck crew qualifications regulated by the Directive. Recently, however, a discussion had arisen about whether the able boatman should be removed.

Possible solutions:

- We keep the functions boatman, able boatman and helmsman.
- We do without the function able boatman and only take boatman and helmsman.
- We keep the able boatman and examine until the evaluation of the directive whether this function is still needed, in order to obtain a uniform regulation in both systems of rules.

KEYNOTE NO. 4: CONCERNED PERSONNEL - QUALIFICATIONS ON ENTRY LEVEL

Can an apprentice or deckhand be the only crew member besides the boatmaster?

Background

Directive (EU) 2017/2397 on the recognition of professional qualifications in inland navigation covers three major levels: entry level, operational level and management level.

On the entry level a deckhand and apprentice are defined. The qualifications of deckhands and apprentices are considered to be at the same level.

The current Regulations for Rhine navigation personnel considers only the apprentices as being full crew members in defining the minimum manning rules although depending on the exploitation mode and technical standards (S1-S2) an apprentice can be replaced by a deckhand.

Since Directive (EU) 2017/2397 considers the qualifications of deckhands and apprentices to be at the same level it makes sense to also consider them in the manning rules on the same level.

In the roadmap during CESNI/QP/Crew, experts agreed that the apprentice and the deckhand should remain part of the minimum crew.

In the new ES-QIN standards, there are competences for the boatmaster, related to supervision.

Possible solutions

- The current distinction between deckhands and apprentices remains the same in the new manning rules
- The current distinction between deckhands and apprentices gets further elaborated in the new manning rules adjusted to new technical standards/operational modes/workload considerations
- The current distinction and regulation between deckhands and apprentices disappear in the new manning rules. All personnel on entry level is considered on the same level

Other questions to initiate further discussion

- What conditions (workload/composition) must the crew meet to qualify as a training place?
- Must a ship meet specific technical standards to qualify as a training/apprenticeship site?
- Does it depend on the operational mode if a ship can qualify as a training/apprenticeship site?

KEYNOTE NO. 5: CONCERNED CRAFT OR VESSELS - EXEMPTION FOR FERRIES

Should there be an exemption for ferries in the European manning regulations?

Background

Directive (EU) 2017/2397 also applies to ferries moving independently. In police regulations, ferries are understood as vessels [providing a transport service across a waterway, that is classed as a ferryboat by the competent authorities](#). That means, that even if a ferry only performs a strictly limited task in a strictly limited area, it could be included in the new manning regulations.

This would lead to the circumstance that national exemptions for ferries, even for that strictly limited area, would no longer be regulable.

European manning regulations should cover everything that can best be regulated at European level. But it should be taken into account that there are aspects which can be better defined at national or local level without risking the safety of European inland navigation.

If ferry crew members would be also covered by the European manning regulations, it will be very difficult to find suitable personnel. This circumstance could cause major problems for the ferries.

Possible solutions

- Ferries moving independently will be covered by the future manning regulations, so that the relevant regulations will be defined generally at European level.
- Ferries moving independently are explicitly excluded from the scope of the European manning regulations.
- There is both – Ferries moving independently are included in the manning regulations with the minimum requirements, but the possible exemptions by national or local regulations is regulated.

Other questions to initiate further discussion

- What is your opinion on the possible solutions shown?
- Are there any other suggestions that have not been considered?
- Is it really necessary for crew members on ferries moving independently to be covered by the European manning regulations, or would a national exemption, that demonstrates that a crew member is qualified to safely navigate a ferry, also be sufficient?

KEYNOTE NO. 6: CONCERNED CRAFT OR VESSELS - EXEMPTION FOR VESSELS WITH ONLY LOCAL SIGNIFICANCE

Should there be an exemption for commercial vessels serving in limited areas?

Background

According to its article 2(3), Directive (EU) 2017/2397 does also not apply to persons navigating in Member States with no inland waterways linked to the navigable network of another Member State and who exclusively navigate limited journeys of local interest where the distance from the departure point is at no time ten kilometres or when persons navigate seasonally (not more than six months each year). In these areas national or local rules apply for professional qualifications in inland navigation. This also means that the qualifications according to the new legal framework apply, if a person is navigating on an inland waterway that is linked to the navigable network of another Member State.

It is important “to keep a sense of proportion” and to regulate at European level what needs to be regulated at European level to ensure safe navigation but not to exclude local use on national waterways even if they are linked to the international network (e.g. lakes).

It must also be considered that there are geographically small areas which have connected waterways, but where national regulations may be better suited to guarantee the safety of navigation. Here, European manning regulations may not always be sufficient.

Possible solutions

- There should be no exemption for commercial vessels serving in limited areas.
- Only the exceptions of Directive (EU) 2017/2397 should be taken over for the manning regulations.
- The exceptions of Directive (EU) 2017/2397 should also be extended to waterways linked to the navigable network of another Member State for the manning regulations.

Other questions for further discussion

- What is your opinion on the possible solutions shown?
- Are there any other suggestions that have not been considered?
- Is it necessary that European manning regulations also apply in the case where navigation takes place on connected waterways, but only in a limited local area? Or could national regulations take precedence in such a case, because these can be more appropriate with regard to the locality?

KEYNOTE NO. 7: CONCERNED CRAFT OR VESSELS - PLEASURE CRAFT USED FOR COMMERCIAL REASONS

Do pleasure craft used for commercial reasons need to be covered by the new manning regulations?

Background

For the **scope** of new European manning regulations experts agreed that in general, commercial crafts intended for the transport of goods and passengers should be covered by the new manning requirements. In both types of commercial transports, the concrete use of the vessel may influence the manning requirements.

Experts also agreed that craft excluded by the Directive (EU) 2017/2397 should not be covered by European manning regulations.

Directive (EU) 2017/2397 does not apply to persons navigating for sport or pleasure.

A clear definition is needed for sports craft, pleasure craft, passenger vessel and the impact of commercial use.

Possible solutions

- Pleasure craft used for commercial reasons are not covered by the new manning regulations
- Pleasure craft used for commercial reasons are covered by the new manning regulations with the same requirements as if they were not defined as a pleasure craft
- Pleasure crafts used for commercial reasons are covered by the new manning regulations with a separate set of standards and requirements

Other questions to initiate further discussion

- Is it feasible to require the same boat master certificate for the boatmaster of a passenger vessel and a pleasure craft used for commercial reasons?
- If not, would the inclusion make the regulations unnecessary complicated because it would require additional levels of qualification not covered in Directive (EU) 2017/2397?
- Is in this case the area in which the crafts are operating a better determining factor whether they fall in the scope of the new manning regulations or the craft itself?
- Are there other factors that could determine whether such craft should be covered in the new regulations or not? (safety/traffic density/navigational issues)

KEYNOTE NO. 8: PERIODS OF TIME TO WHICH EUROPEAN MANNING REGULATIONS SHALL APPLY - CREW NEEDED ON A NON-SAILING SHIP

Should manning regulations only apply during sailing time or also during not-sailing time? Should loading and unloading be part of the sailing time? Should manning regulations apply on supervision requirements during the not-sailing time?

Background

The RPN regulates in article 2.02 that the crew and safety personnel prescribed for the respective operating mode and operating time of the vessel must be on board at all times during the journey. According to article 3.10, the operation mode corresponds to a certain number of hours of "navigation" of the vessel.

This means that the minimum crew must always be on board when the ship is navigating. This may also be the case during loading and unloading. However, it may also be that the vessel is moored during loading or unloading and no navigation is required. Then today the minimum crew does not need to be on board.

According to article 7.08 of the RPN, an operable watch must be on board at all times. This shall

consist of one member of the crew.

Possible solutions

There are a few questions raised at the same time. Therefore, we should perhaps look at what is to be regulated in the matter rather than at terms.

On board a ship there should always be the crew members who are necessary for the safety of the ship in the respective status of the ship.

This can be answered differently for the different operations of the ship. It therefore seems not reasonable to ask whether loading and unloading is part of the sailing time, but which personnel is required during loading and unloading.

During the voyage of the vessel the minimum crew is determined according to the workload and the tasks to be performed on the vessel and the crew members required to sail the vessel safely for a certain extended period of time. Perhaps the same could be done for a ship that is loading and unloading and has to navigate while doing so, for a ship that lies while loading and unloading and for a ship that lies completely at rest

Other questions to initiate further discussion

- Is it sufficient if the minimum crew must be on board when the ship is sailing, i.e. during the journey and when navigating during loading and unloading?
- Do further periods need to be defined in which the minimum crew must be on board?
- Do you need a special minimum crew for loading and unloading?
- Should the question of supervision on a lying ship be subject of manning regulations?

2. FLEXIBILITY

KEYNOTE NO. 9: WHAT ELEMENTS INFLUENCE WORKLOAD

What elements influence workload?

Background

In the draft roadmap for European manning regulations (CESNI (21) 20) one of the main elements on which consensus was reached after analysis and discussion of the results of the TASCs study was:

“The future manning requirements should reflect the workload of personnel and its ever faster changing development.”

Today, in most European countries, elements such as technical equipment and length of the vessel are the only criteria considered to determine the required crew. In the future the workload on board will be included as criteria.

Together with manning tables with more decisive factors (e.g. workload) that add to flexibility, more flexibility may also be envisaged for situations when in a specific journey, an agreed set of standards with alleviating or aggravating factors can be applied to replace the more general manning tables.

Possible solutions

- Workload is covered in the new manning requirements which in itself is an element of flexibility more flexibility by adding specific standards to evaluate a specific journey is not opportune.
- Workload will also be covered by adding specific standards in the manning regulations as an alleviating or aggravating factor to replace the more general manning tables in a specific journey
- Workload as the key element in the new manning regulations allows manning requirements to be adjusted for each and every voyage

Questions to initiate further discussion

- Which tasks determine the workload on a vessel?
- Could risk assessment be applied to allow adjustments on the general manning tables?
- Fatigue Risk Management System (FRMS) has already been introduced in other branches of the transport sector, e.g. in aviation, on the railways and on the road. Could tailor-made fatigue management have an impact? Is less crew possible if there is a fatigue management system in place?

KEYNOTE NO. 10: OPERATING MODES

Operating modes and/or calculation of crew for a particular voyage

Background

The RPN bases the calculation of the minimum crew on operating modes. This means that it regulates which minimum crew must be on board for a period of 14, 18 or 24 hours of operating time.

The TASCs study proposed to calculate the crew on the basis of a specific voyage, using criteria such as physical workload and cognitive level of attention, characteristics of the stretch such as the number of locks to be passed, navigation conditions or a fatigue risk management system.

Possible solutions

- The minimum crew is calculated on the basis of operating modes, whereby these could be changed compared to today or also made more flexible.
- The minimum crew is calculated only on the basis of the respective journey.
- There is both - a fixed crew based on operating mode and the possibility of a flexible calculation based on a specific journey.

Other questions to initiate further discussion

- Which parameters are suitable for flexibly determining the minimum crew on the basis of a specific voyage?
- What is your opinion on the possible solutions shown?
- Are there any other suggestions that have not been considered?
