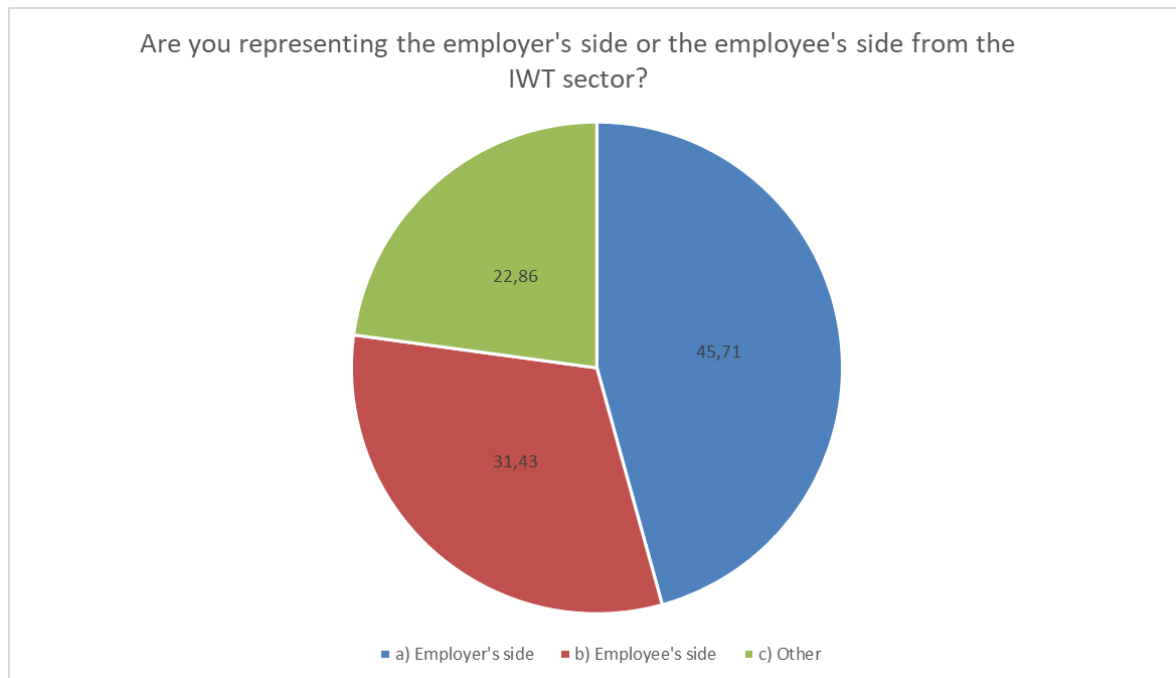


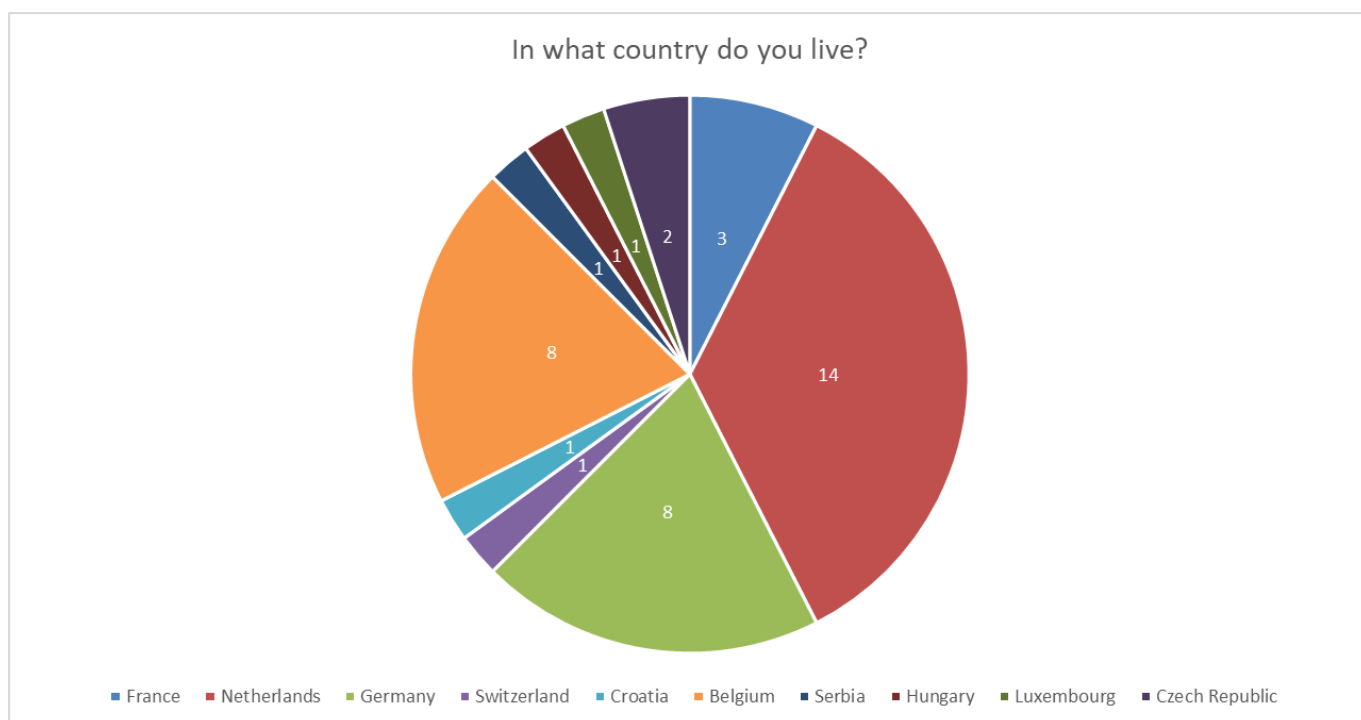
## KEY TAKEAWAYS FROM THE SECTOR CONSULTATION 2.0 (14 December 2022)

At the beginning 35 participants answered the following question:



Note: only employers and employees were requested to answer to the questions.

40 participants answered the following question:

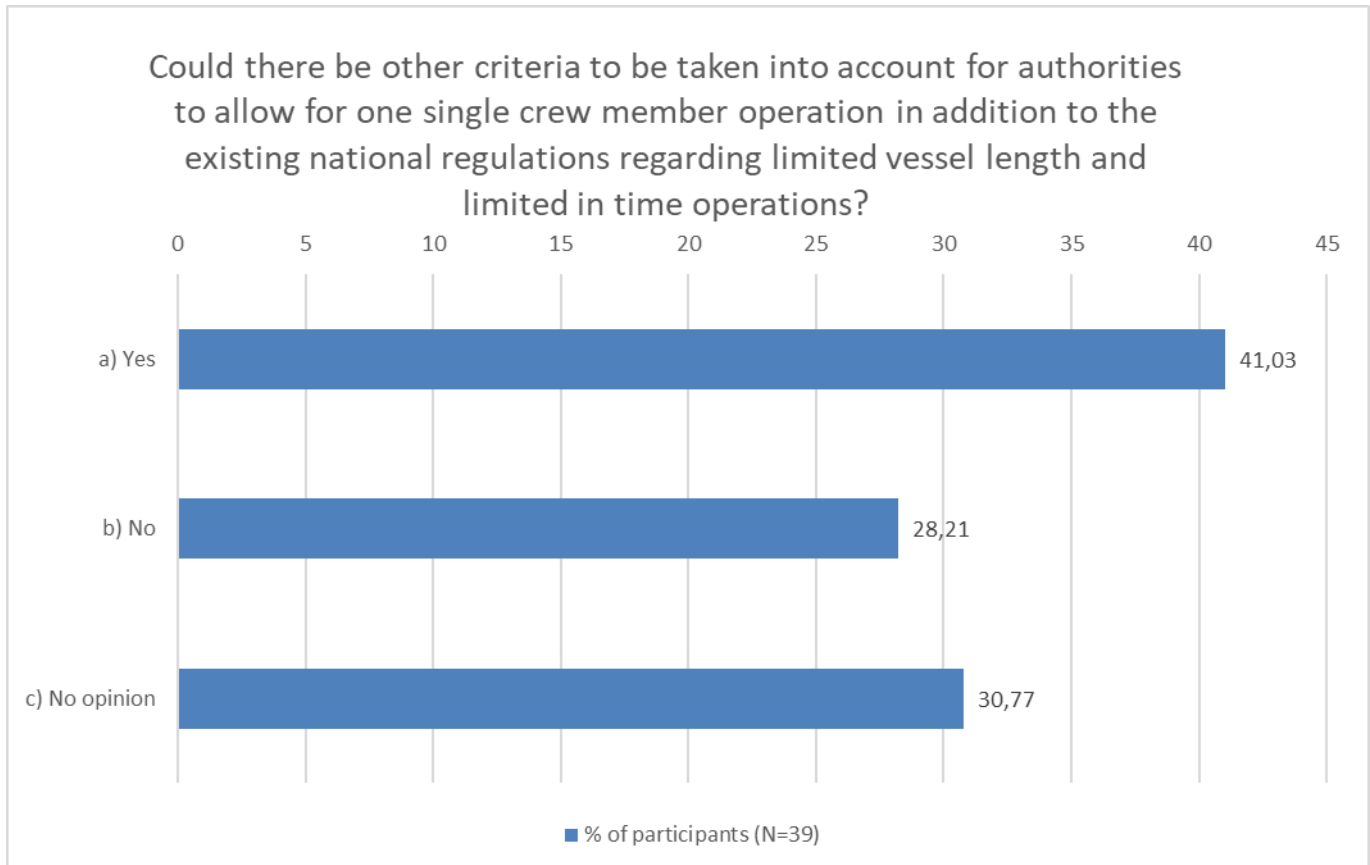


Annex

## KEYNOTE 1: ONE SINGLE CREW MEMBER

**Question 1:** Could there be other criteria to be taken into account for authorities to allow/give permission for one single crew member operation in addition to the existing national regulations regarding limited vessel length (less than 55m) and limited in time operations (bunkering/bilge)?

- a) Yes
- b) No
- c) No opinion

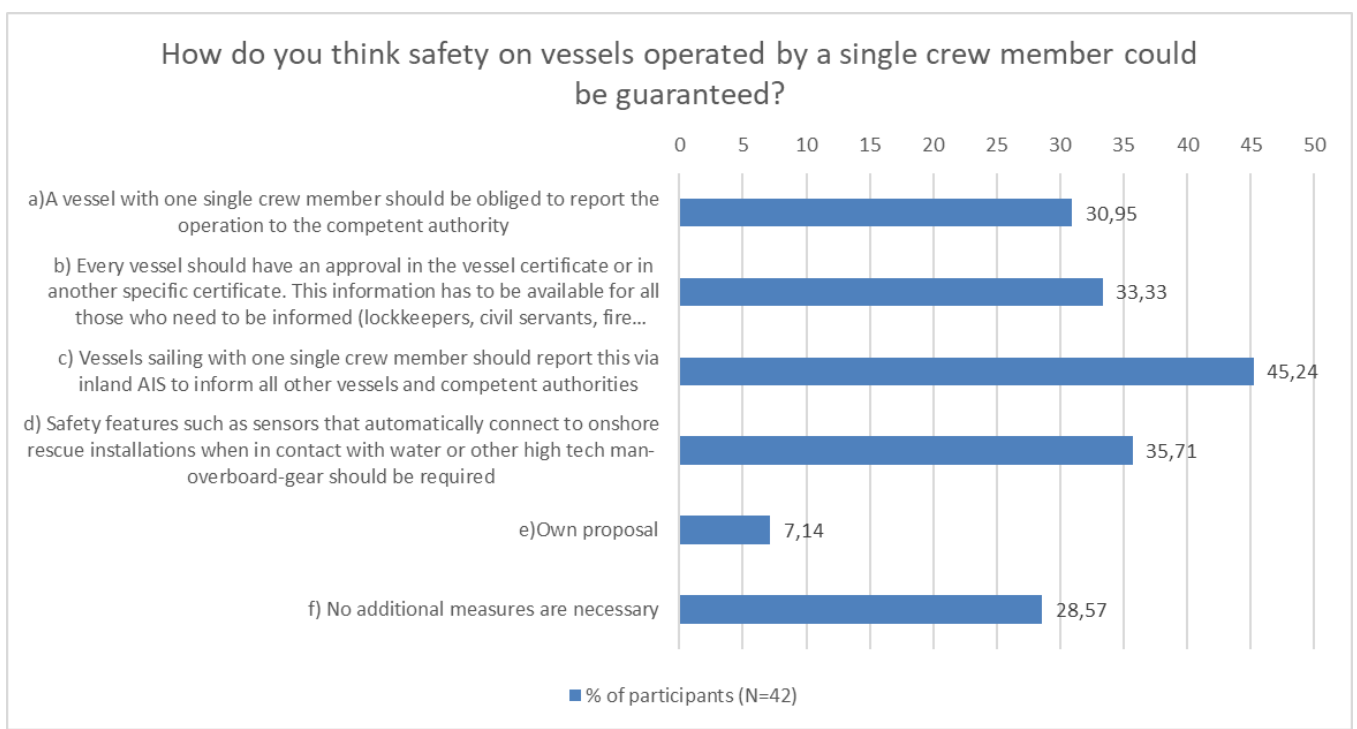


**Question 2:** If you chose “yes”, which criteria could be taken into account?

- Automation/ degree of automation
- Limited range of operation – e.g. radius of 10kms
- Horse power
- Safety features
- Dead man switch
- Location device man overboard
- Safety
- Additional control
- Tow truck, crane barges
- Use of a shore control center
- Ship docked
- National exemptions, local port regulations
- Installed power especially for the tugs that have small dimensions and a lot of power
- Type of ship unable to accommodate more crew
- Location if man over board

**Question 3:** How do you think safety on vessels operated by a single crew member could be guaranteed?

- a) A vessel with one single crew member should be obliged to report the operation to the competent authority
- b) Every vessel should have an approval in the vessel certificate or in another specific certificate. This information has to be available for all those who need to be informed (lockkeepers, civil servants, fire brigade, etc.)
- c) Vessels sailing with one single crew member should report this via inland AIS to inform all other vessels and competent authorities
- d) Safety features such as sensors that automatically connect to onshore rescue installations when in contact with water or other high tech man-overboard-gear should be required
- e) Own proposal
- f) No additional measures are necessary



**Question 4:** If you chose “own proposal”, please clarify your own proposal:

- Possibly an automatic tightening device
- B and D supplemented by deadman button
- Automation of processes
- Backup of a shore control centre

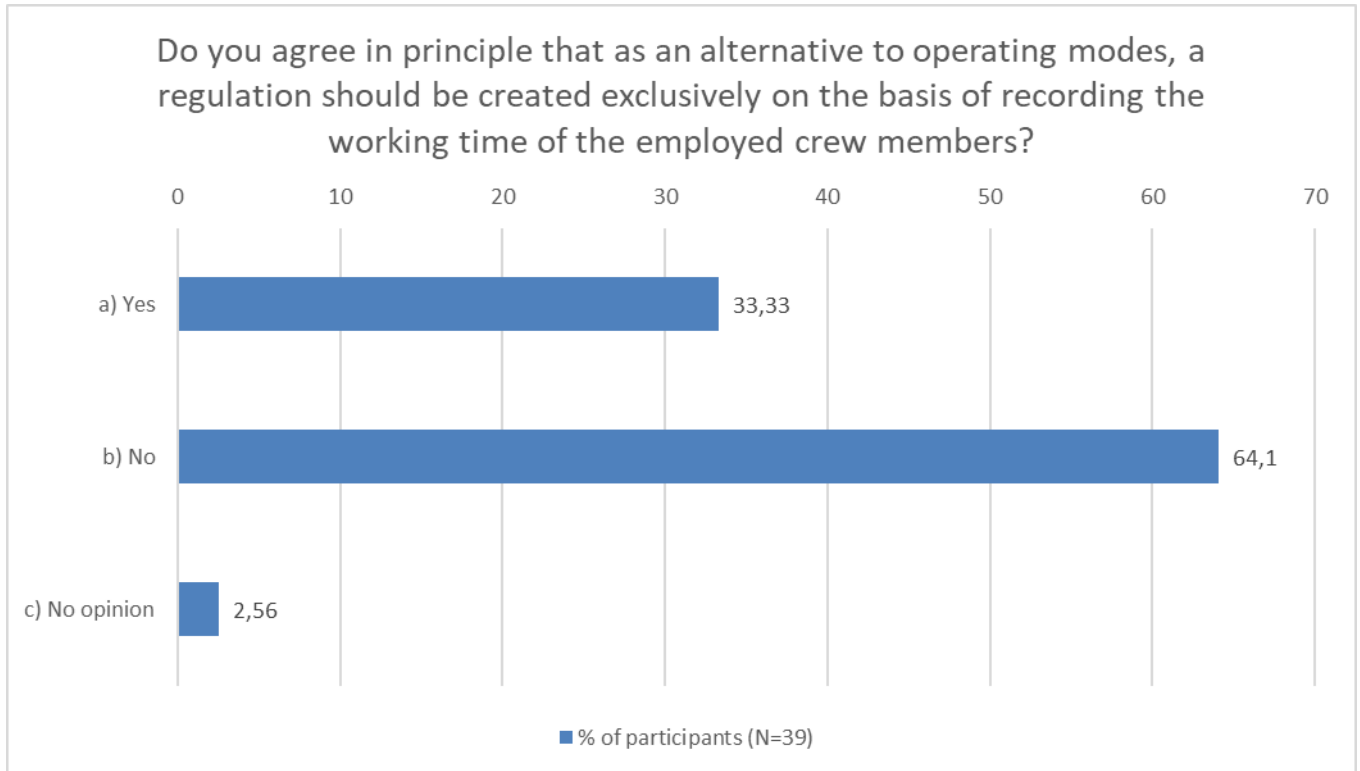
#### KEY TAKEAWAYS – ONE SINGLE CREW MEMBER

- **Respondents are rather open (41%) to the possibility of establishing other criteria to allow one-person vessel operations;**
- This rather under additional measures to ensure safety;
- The preferred measure would be the **report via inland AIS** but other measures mentioned should be examined;
- 1/3 of participants did not express an opinion on the question;
- In the exchange, it was expressed that tugboats and towage vessels should be excluded from such derogations.

## KEYNOTE 2: ADDITIONAL ALTERNATIVE TO OPERATING MODES

**Question 5:** Do you agree in principle that as an alternative to operating modes, a regulation should be created exclusively on the basis of recording the working time of the employed crew members?

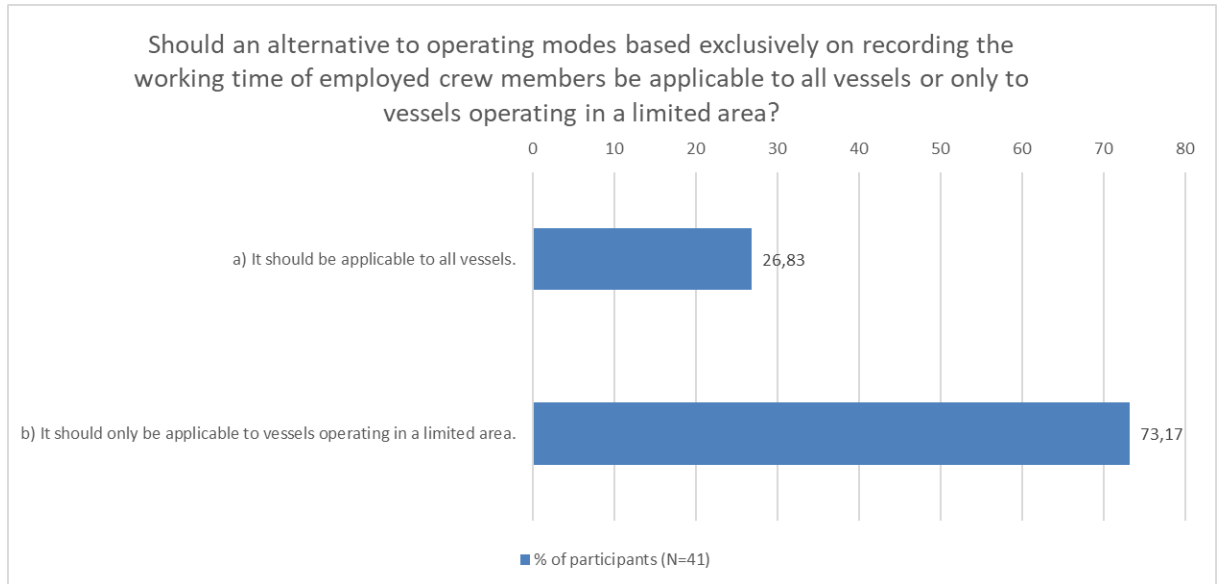
- a) Yes
- b) No
- c) No opinion



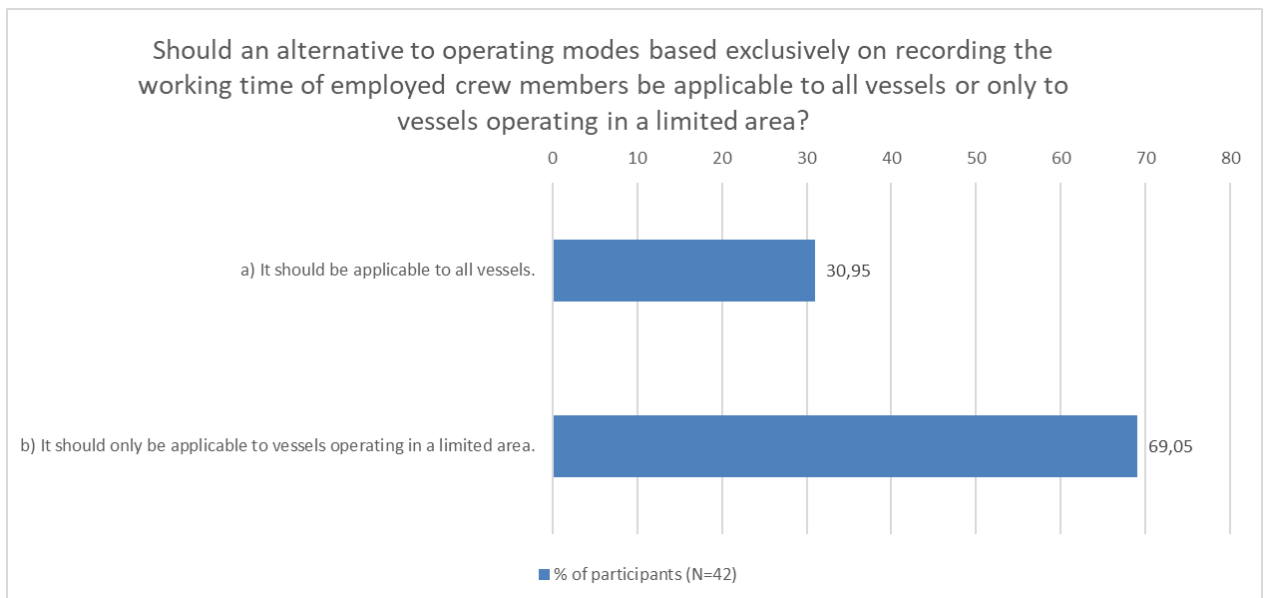
**Question 6:** Should an alternative to operating modes based exclusively on recording the working time of employed crew members be applicable to all vessels or only to vessels operating in a limited area?

- a) It should be applicable to all vessels.
- b) It should only be applicable to vessels operating in a limited area.

**Results from 1<sup>st</sup> round:**

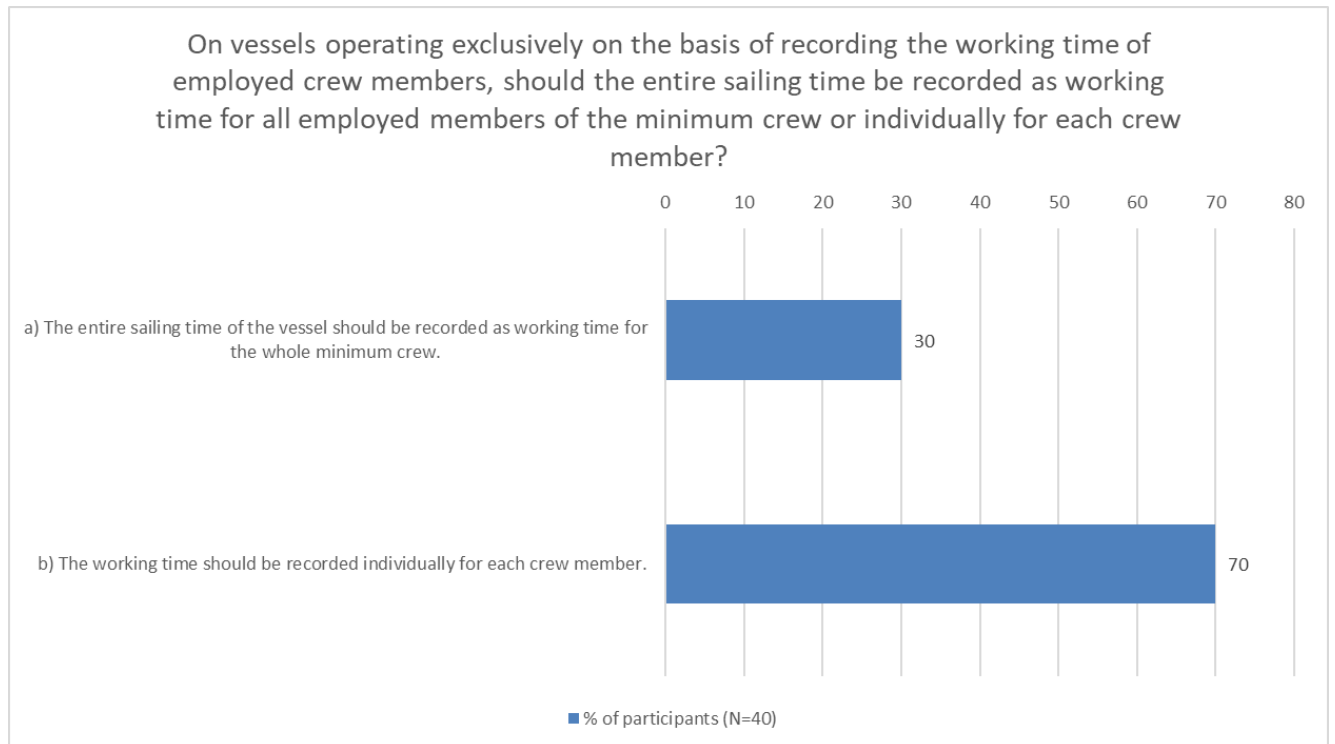


**Results from 2<sup>nd</sup> round:**



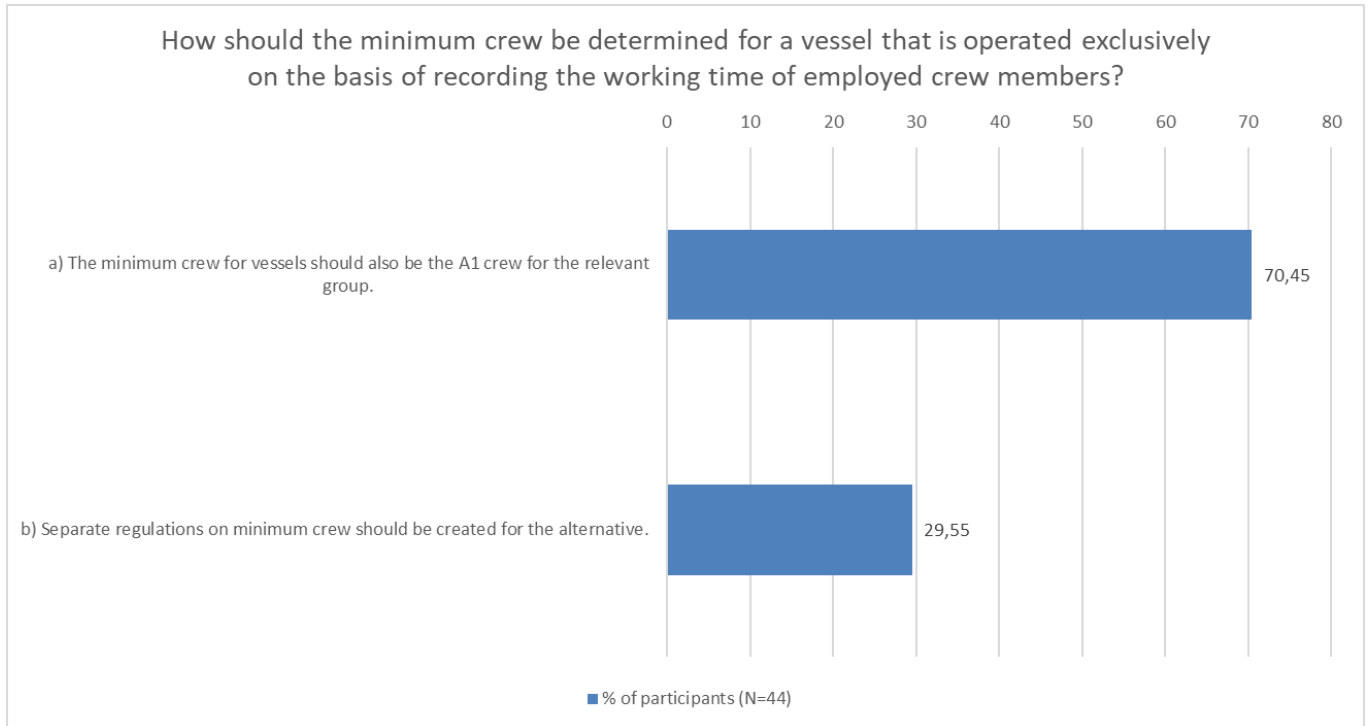
**Question 7:** On vessels operating exclusively on the basis of recording the working time of employed crew members, should the entire sailing time be recorded as working time for all employed members of the minimum crew or should the working time be recorded individually for each crew member?

- a) The entire sailing time of the vessel should be recorded as working time for the whole minimum crew.
- b) The working time should be recorded individually for each crew member.



**Question 8:** How should the minimum crew be determined for a vessel that is operated exclusively on the basis of recording the working time of employed crew members?

- a) The minimum crew for vessels should also be the A1 crew for the relevant group.
- b) Separate regulations on minimum crew should be created for the alternative.



#### KEY TAKEAWAYS - ADDITIONAL ALTERNATIVE TO OPERATING MODES

- **2/3 of the respondents are not in favour of a regulation that is exclusively based on the recording the working time of the employed crew members;**
- If such an alternative would exist, it should be limited to vessels operating in a limited area, the working time should be recorded individually for each crew member, the minimum crew should also be A1;
- Working time should not be mixed with sailing time: it would have hard consequences in practical if it was the case.

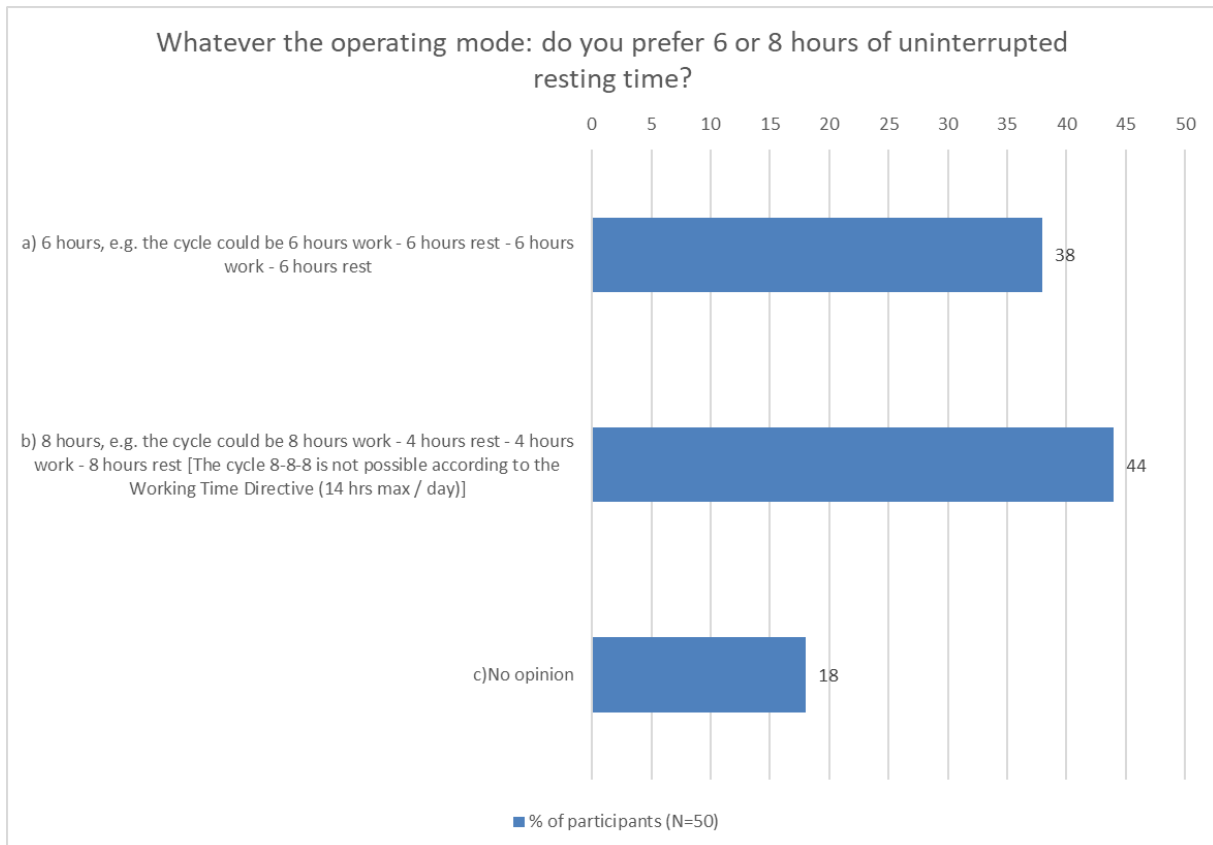


### KEYNOTE 3: MANDATORY RESTING TIME

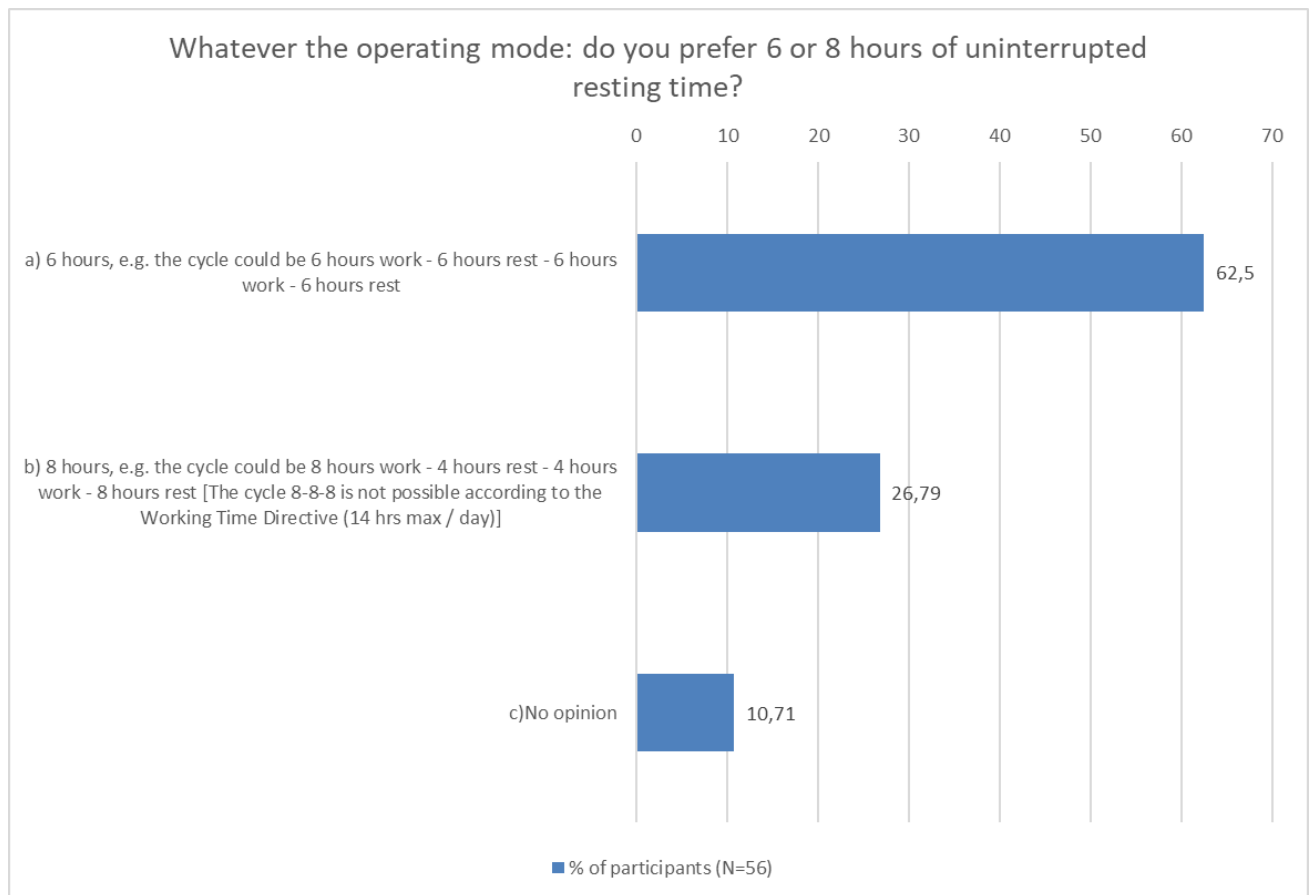
**Question 9:** Whatever the operating mode: do you prefer 6 or 8 hours of uninterrupted resting time?

- a) 6 hours, e.g. the cycle could be 6 hours work - 6 hours rest - 6 hours work - 6 hours rest
- b) 8 hours, e.g. the cycle could be 8 hours work - 4 hours rest - 4 hours work - 8 hours rest [The cycle 8-8-8 is not possible according to the Working Time Directive (14 hrs max / day)]
- c) No opinion

**Result from 1<sup>st</sup> round:**



## Result from 2<sup>nd</sup> round:



### KEY TAKEAWAYS - MANDATORY RESTING TIME

- **2/3 of the respondents are in favour of a minimum uninterrupted resting time of 6 hours**;
- This allows for more flexibility in the organisation of work on board; 8 hours would not be easily compatible with the current operating modes;
- Many participants expressed their confidence in the crew members to organise themselves as they wish on board, considering the needs/preferences of each crew member (*remark during the MoV: the organisation of resting time of crew members on board is under the responsibility of the boatmaster*).

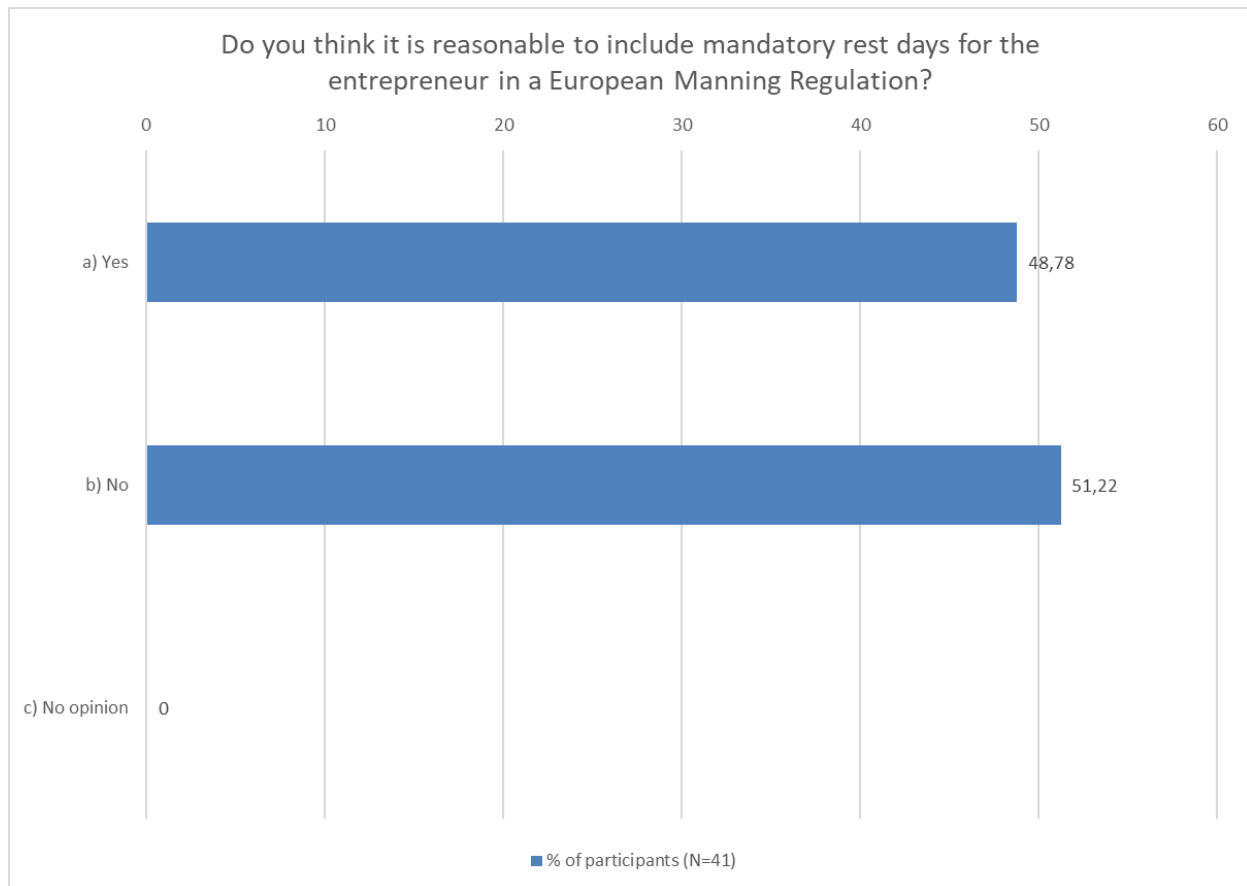
#### KEYNOTE 4: MANDATORY RESTING DAYS

**Question 10:** Today, an owner operator is theoretically allowed to sail his/her vessel 365 days a year. This does not seem appropriate from a safety point of view.

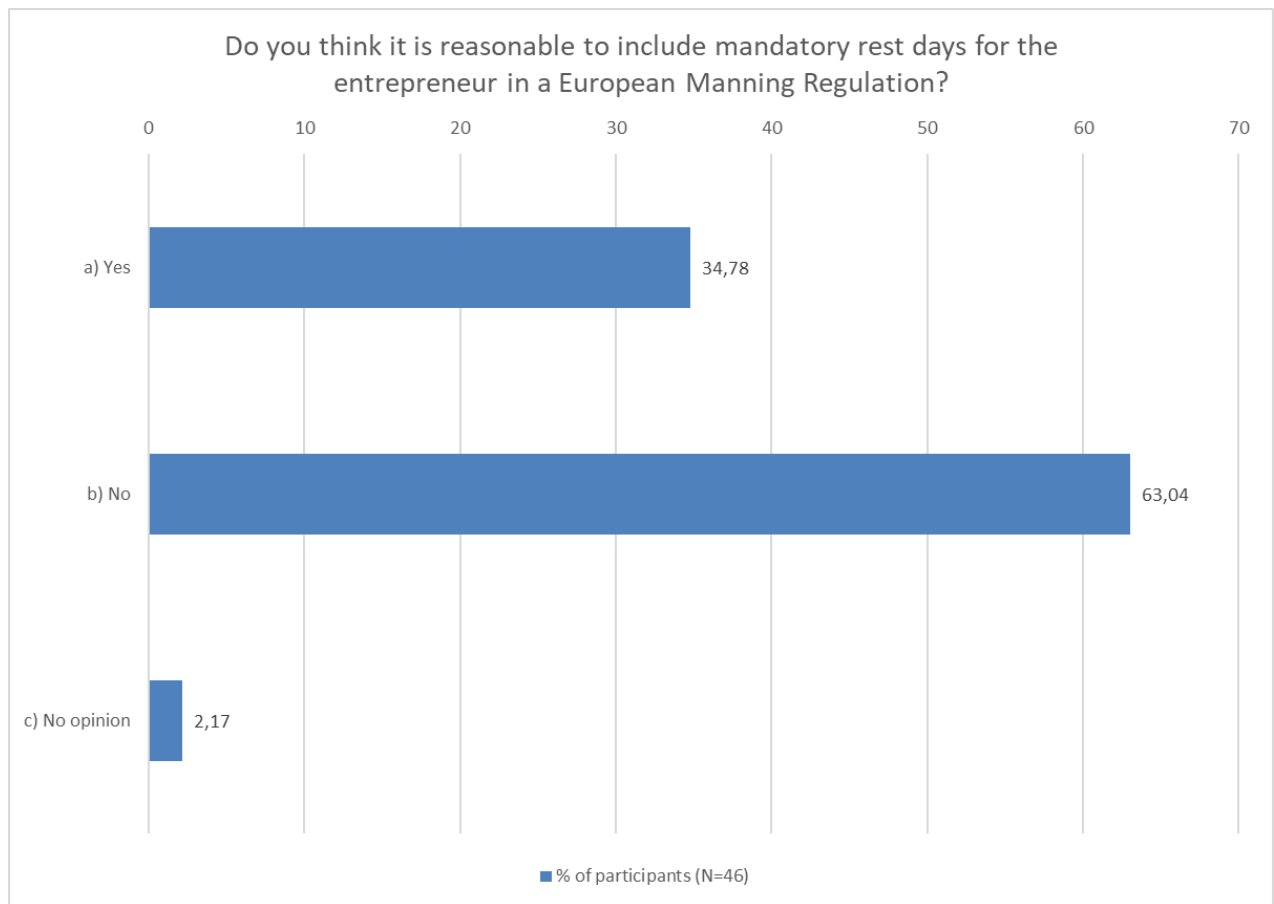
Hence, do you think it is reasonable to include mandatory rest days for the entrepreneur in a European Manning Regulation?

- a) Yes
- b) No
- c) No opinion

#### Results from 1<sup>st</sup> round:

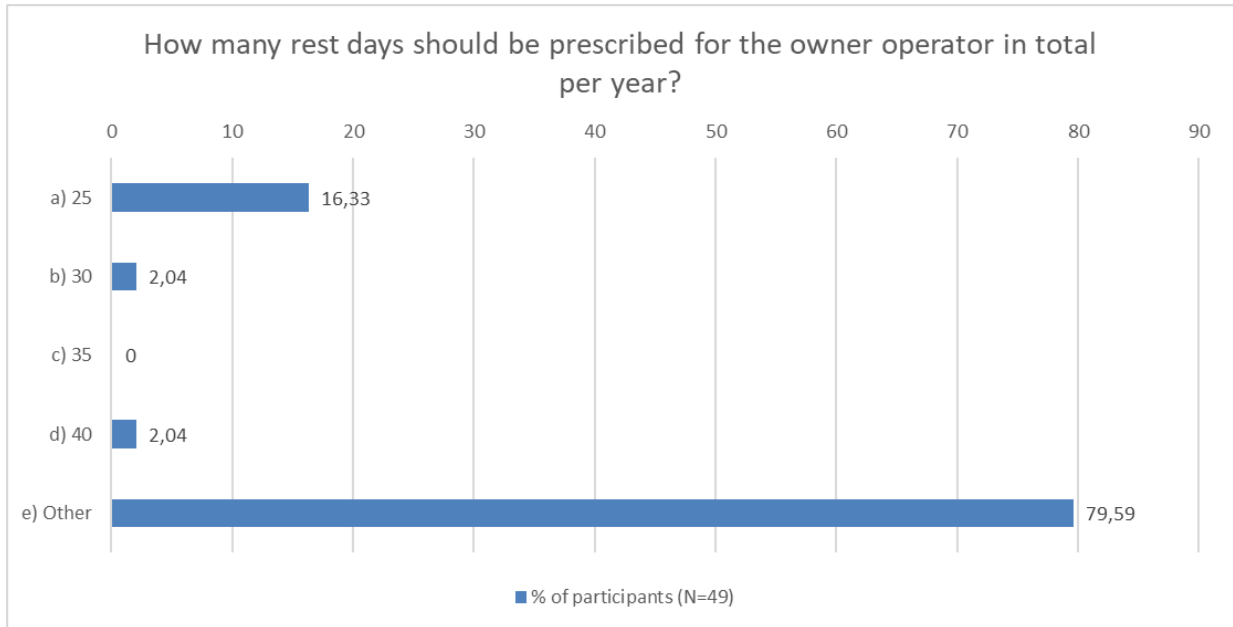


**Results from 2<sup>nd</sup> round:**



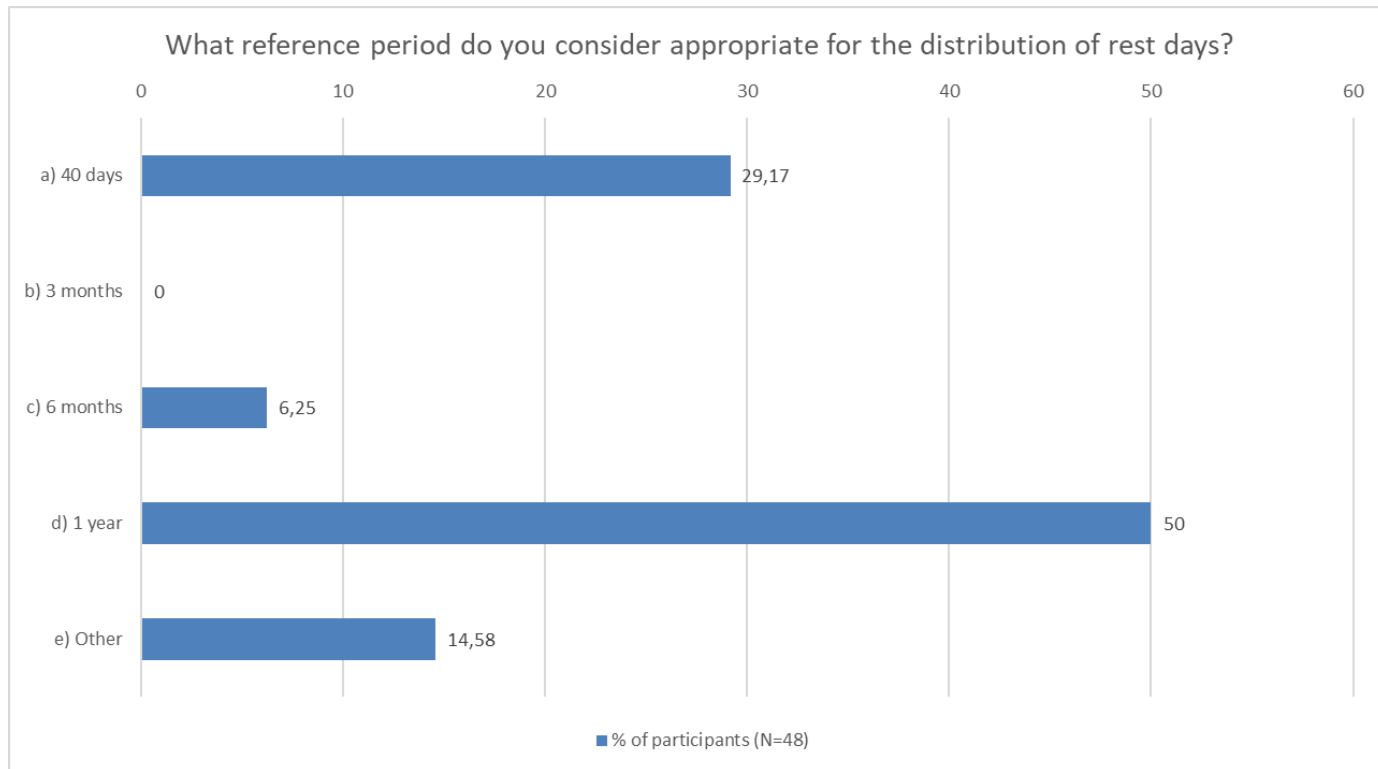
**Question 11:** How many rest days should be prescribed for the owner operator in total per year?

- a) 25
- b) 30
- c) 35
- d) 40
- e) Other



**Question 12:** What reference period do you consider appropriate for the distribution of rest days?

- a) 40 days
- b) 3 months
- c) 6 months
- d) 1 year
- e) Other



#### KEY TAKEAWAYS – MANDATORY RESTING DAYS

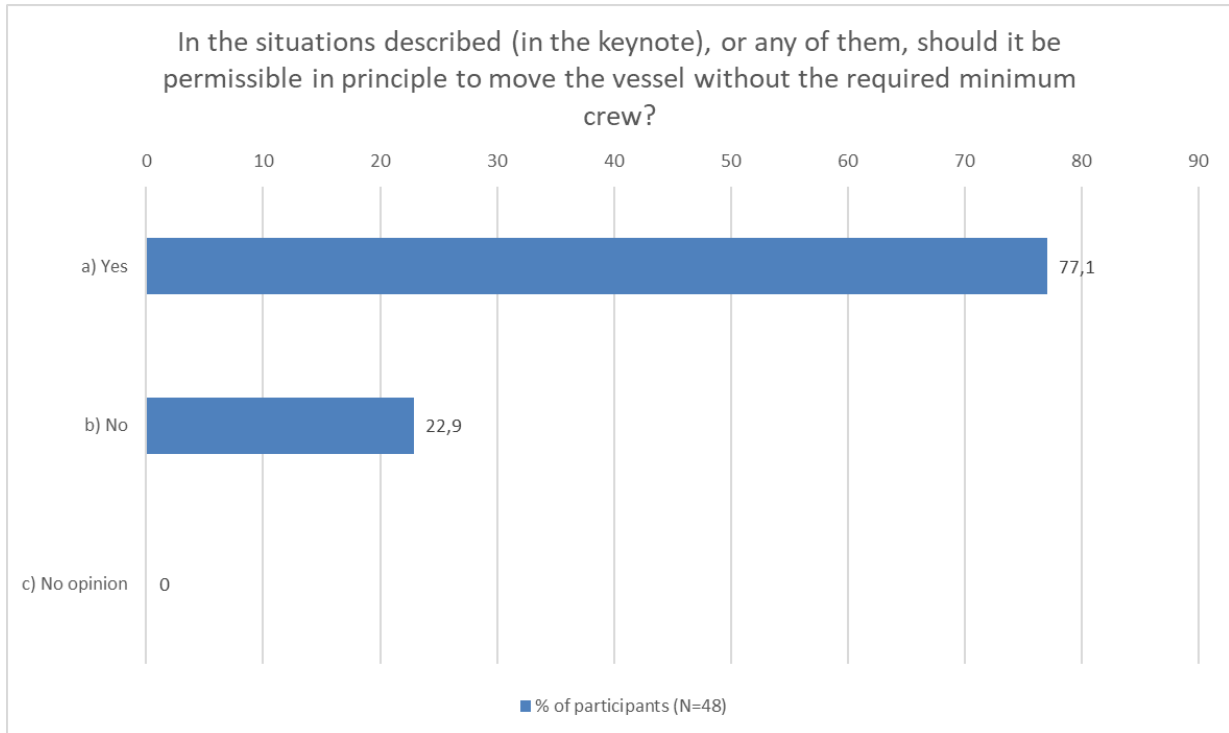
- **After the second round, 2/3 of the respondents are not in favour of mandatory resting days for self-employed**; if this was the case, respondents were asking for a high flexibility: it should be a minimum spread over a period of one year and respondents chose a minimum of 20 days (this was the smallest number proposed);
- Participants made the following points:
  - need to ensure the freedom of the entrepreneur to organise his/her activity
  - there is no 365 days/ year activity: they take holidays, are off at weekends if the terminals are closed
  - there could be a practical problem with berthing places: there are not enough of them today, what if self-employed people had to berth a minimum of resting days?
  - there would be problems of replacement to ensure the activity of the vessel during these days (given that the self-employed would accept/be in capacity to recruit a crew).

## KEYNOTE 5: MINIMUM CREW DURING LOADING/UNLOADING AND SIMILAR OPERATIONS

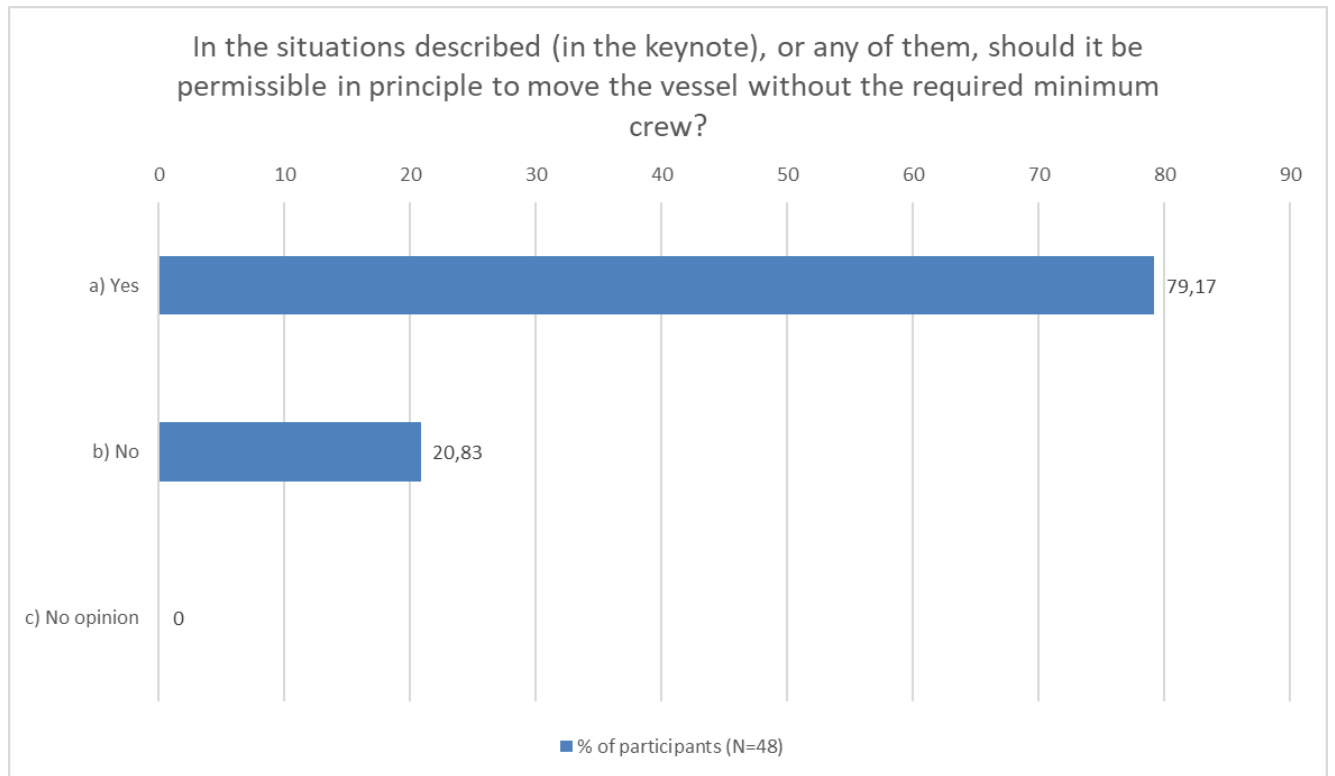
**Question 13:** In the situations described (in the keynote), or any of them, should it be permissible in principle to move the vessel without the required minimum crew?

- a) Yes
- b) No
- c) No opinion

### Results from 1<sup>st</sup> round:



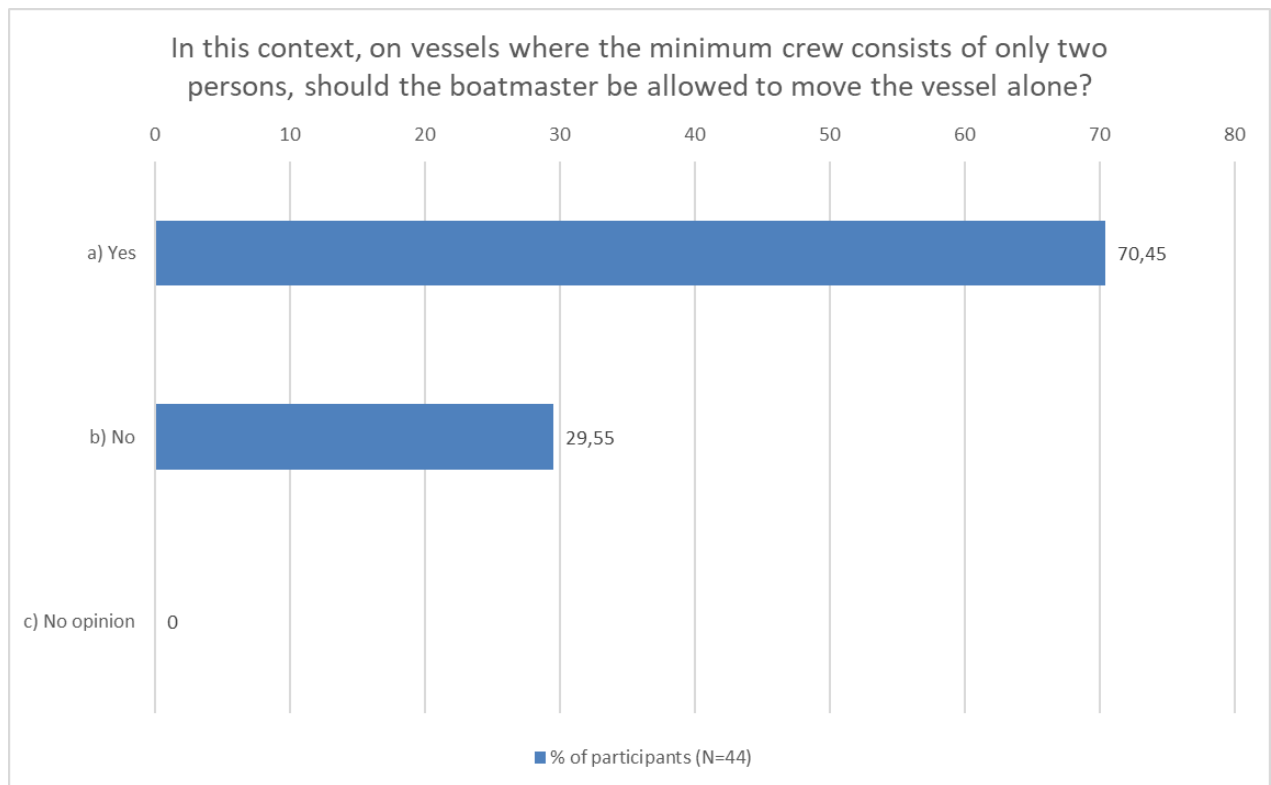
**Results from 2<sup>nd</sup> round:**





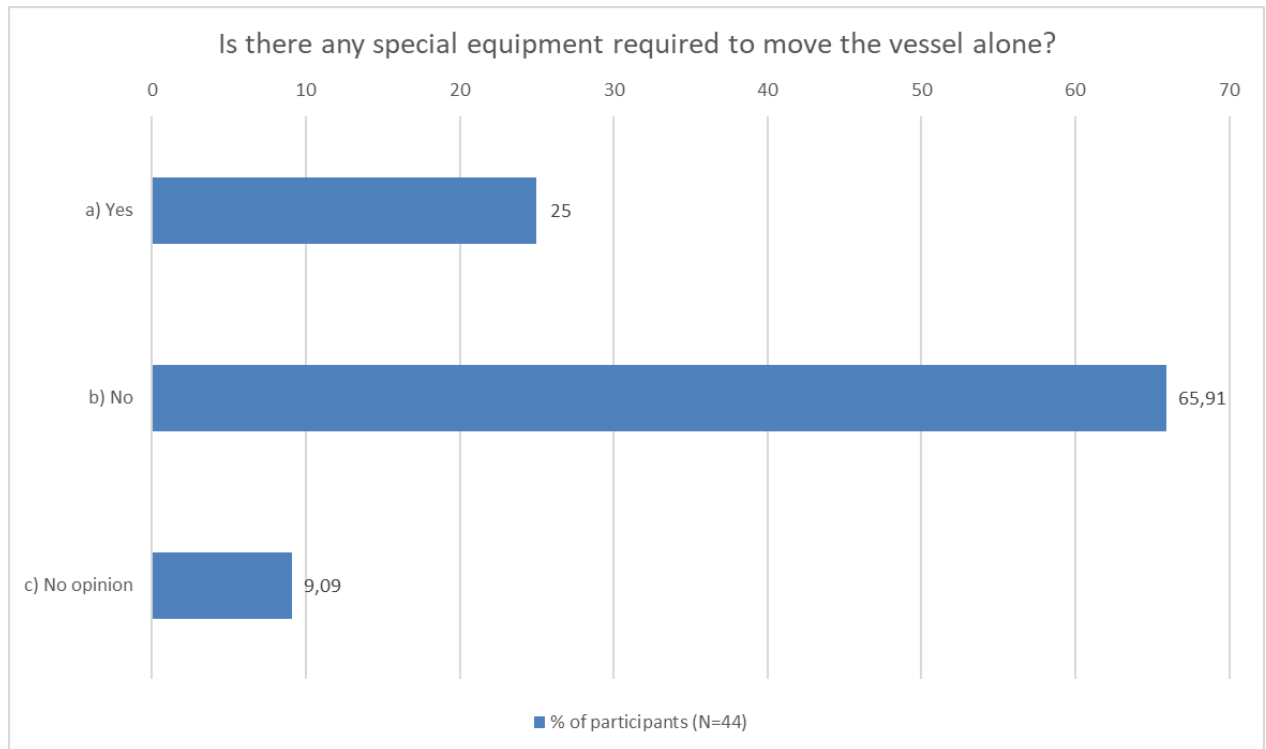
**Question 14:** In this context, on vessels where the minimum crew consists of only two persons, should the boatmaster be allowed to move the vessel alone?

- a) Yes
- b) No
- c) No opinion



**Question 15:** Is there any special equipment required to move the vessel alone?

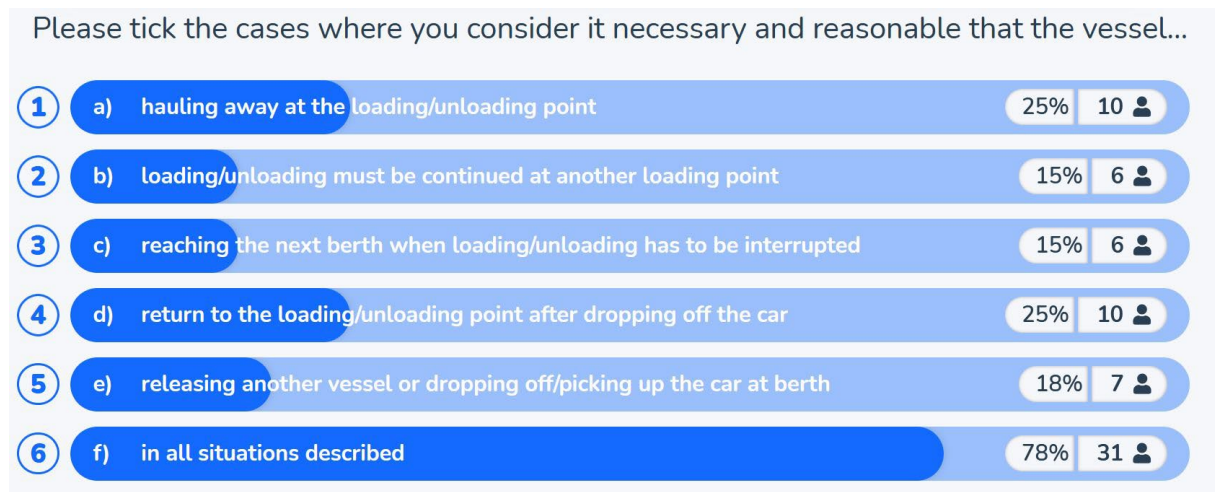
- a) Yes
- b) No
- c) No opinion



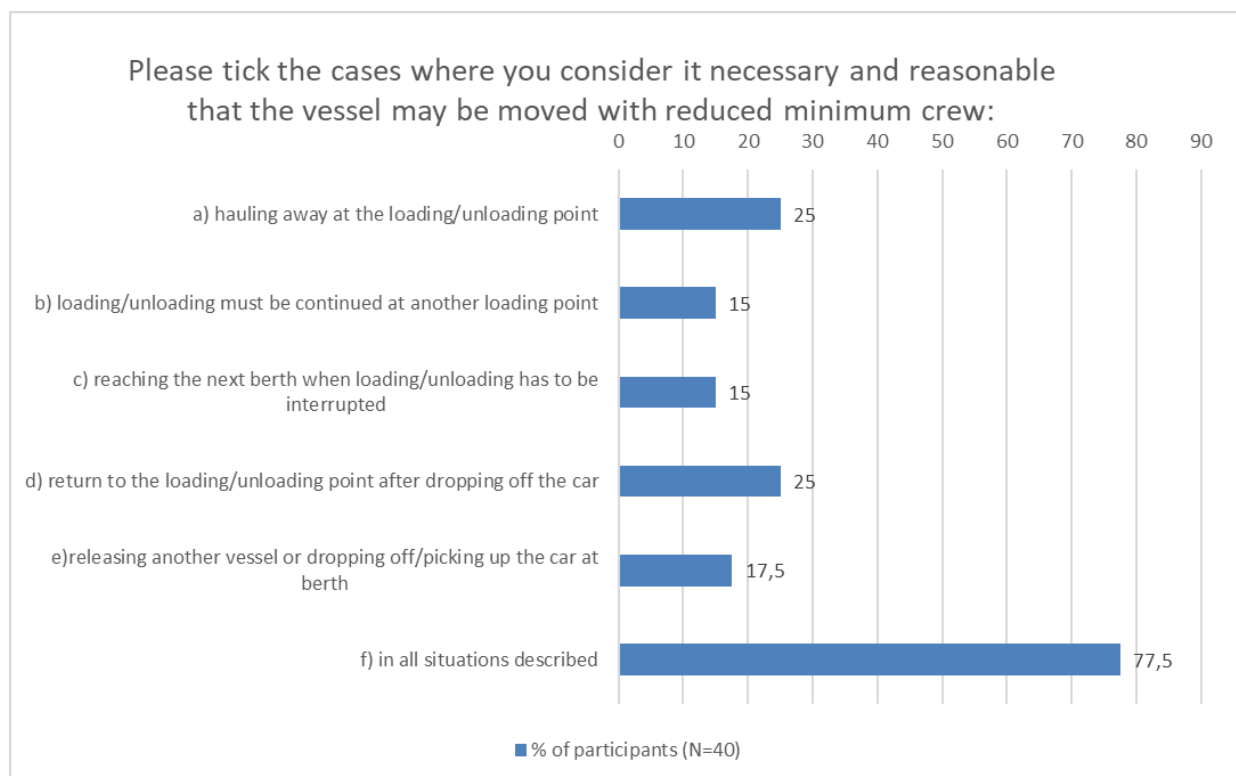
**Question 16:** Please tick the cases where you consider it necessary and reasonable that the vessel may be moved with reduced minimum crew:

- a) hauling away at the loading/unloading point
- b) loading/unloading must be continued at another loading point
- c) reaching the next berth when loading/unloading has to be interrupted
- d) return to the loading/unloading point after dropping off the car
- e) releasing another vessel or dropping off/picking up the car at berth
- f) in all situations described

**Results from 1<sup>st</sup> round:**

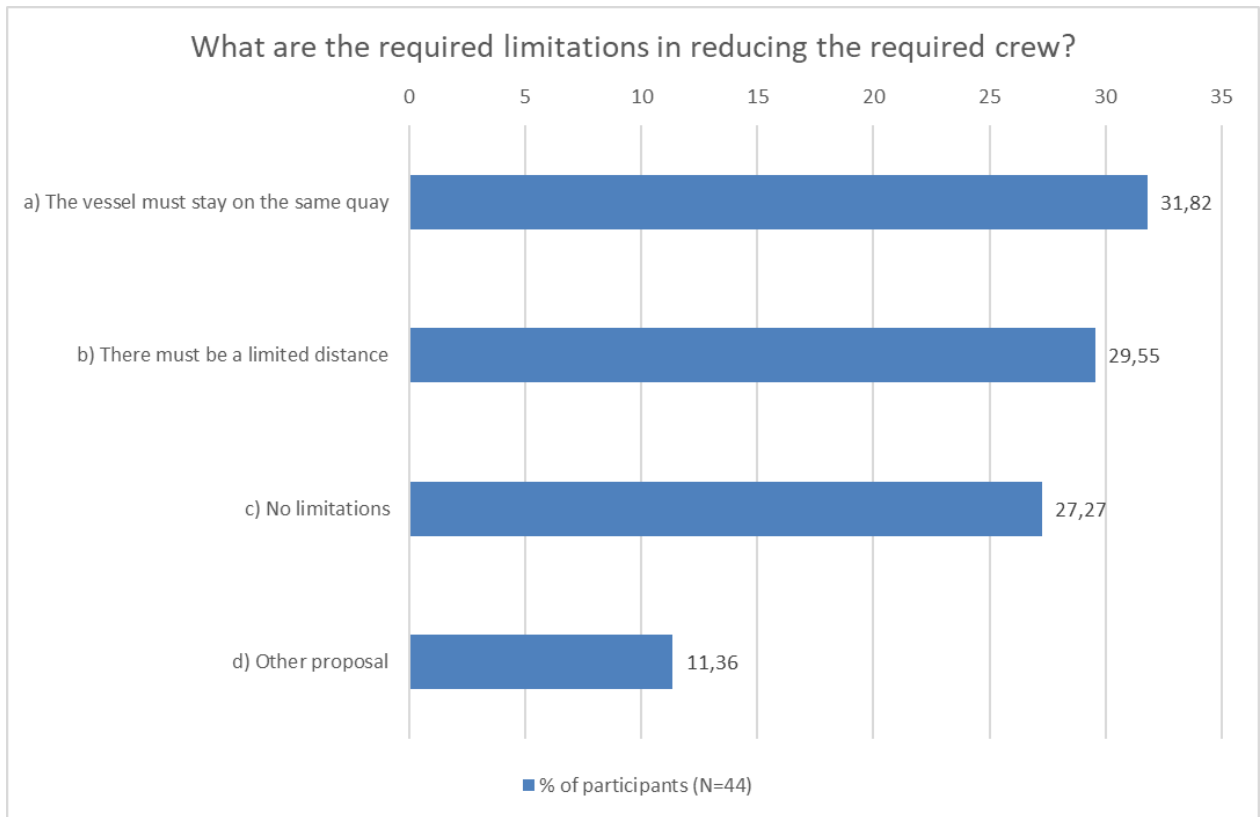


**Results from 2<sup>nd</sup> round:**



**Question 17:** What are the required limitations in reducing the required crew?

- a) The vessel must stay on the same quay
- b) There must be a limited distance
- c) No limitations
- d) Other proposal



**Question 18:** If you chose "other proposal", please specify:

- Time limitation
- Discretion of the boatmaster
- The areas are to be differentiated into still water area and stream area
- The route length as well as the quay distance should be included

### KEY TAKEAWAYS - MINIMUM CREW DURING LOADING/UNLOADING AND SIMILAR OPERATIONS

- **Almost 80% of the respondents are in favour to make it permissible in principle to move the vessel without the required minimum crew; 80% can approve that the boatmaster could be allowed to move the vessel alone if the minimum crew is composed of two crew members;**
- A large majority also considers that the vessel may be moved alone in all the situations described under question 16. During the exchanges, the situation of the car on land was mentioned several times: the loading/unloading platform of the car is almost never on the loading/unloading site, which implies manoeuvres in the port;
- During the exchange, it was also mentioned that it is not necessarily the boatmaster who may move the vessel alone, it may be for example the helmsman;
- For 66%, there is no need of special equipment for this derogation;
- There were deeper discussions on the limitations; many factors have to be considered: weather, port size, water streaming, type of vessel, loading/unloading conditions
- It was recalled that many of these situations are tolerated today but not regulated, however, no incident was observed, also in ports with high traffic of seagoing vessels like Rotterdam. Therefore, some participants pleaded to keep the current flexibility and have practicable rules;
- Until now, we rely on the boatmaster's assessment of the situation;
- Time limitation or limited area may be appropriate limitations; time limitation (1 hour was mentioned) could be controllable by AIS.
- The definition of "sailing time", requiring a minimum crew, would be useful to make the distinction from these situations which are not part of the sailing time.

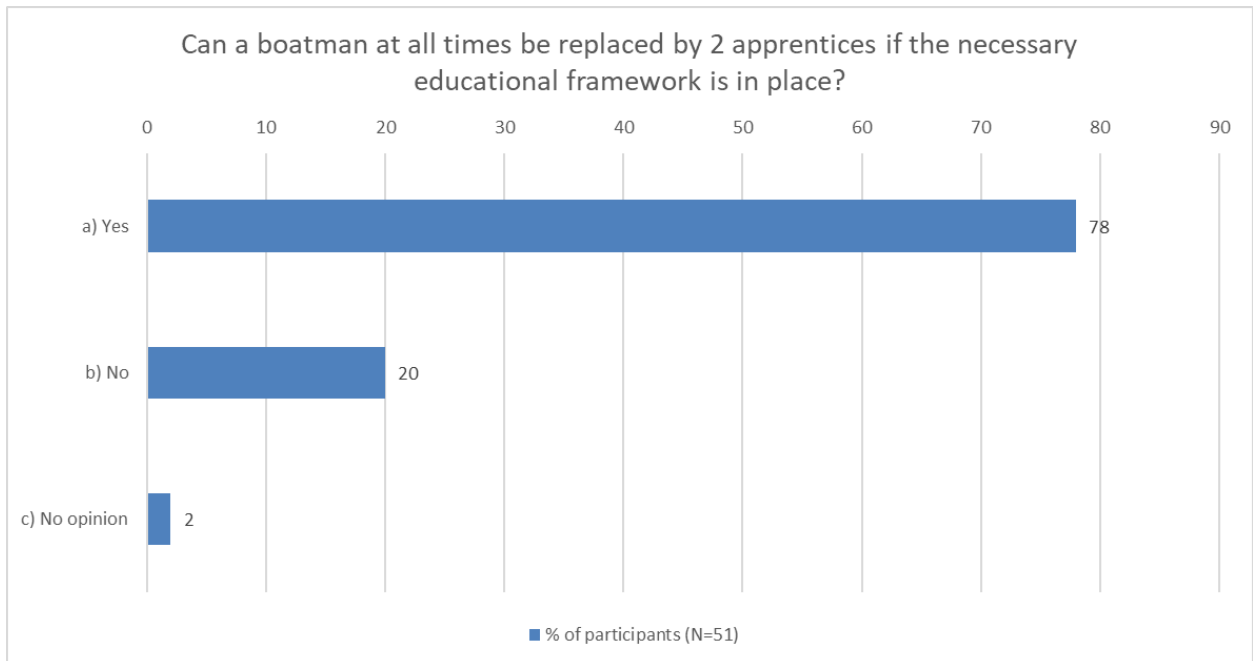


## KEYNOTE 7: ENTRY LEVEL

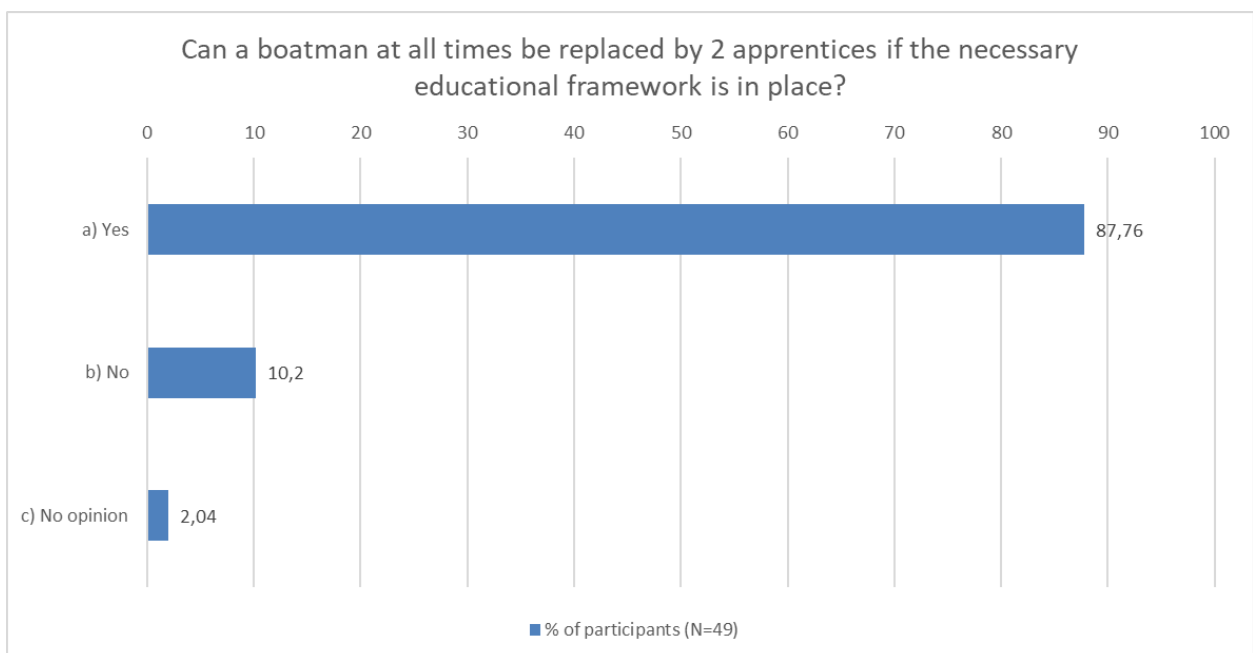
**Question 20:** Can a boatman at all times be replaced by 2 apprentices if the necessary educational framework is in place?

- a) Yes
- b) No
- c) No opinion

### Results from 1<sup>st</sup> round:



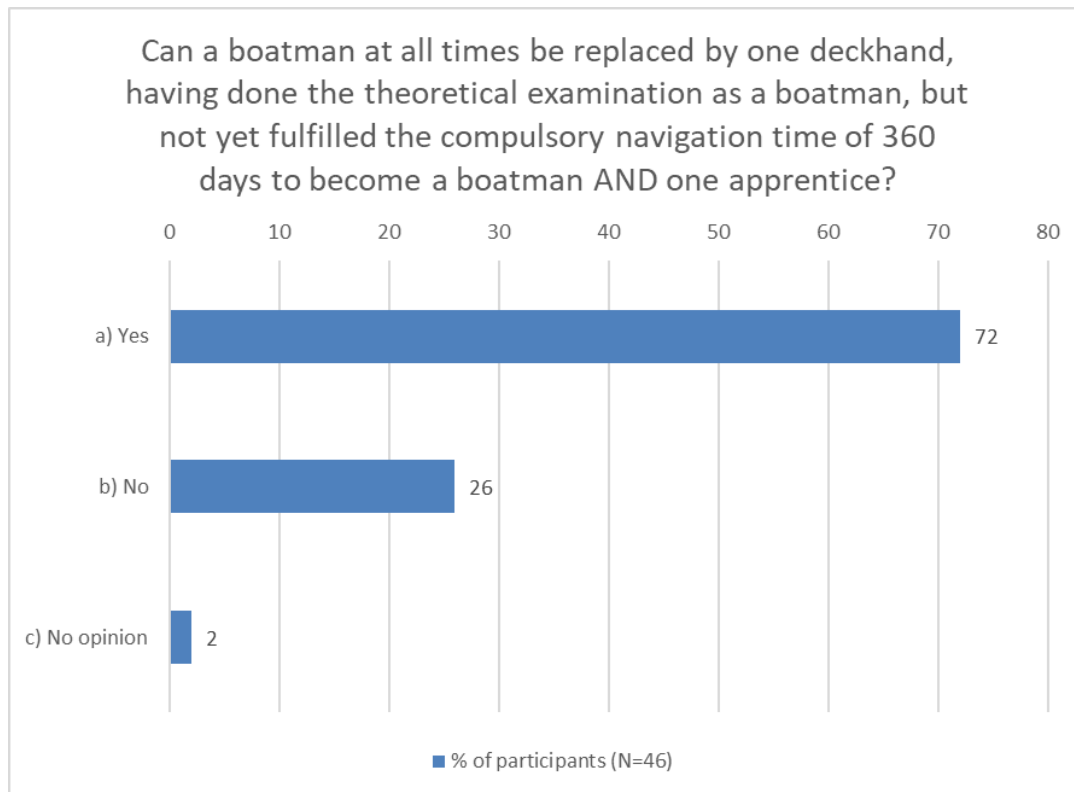
### Results from 2<sup>nd</sup> round:



**Question 21:** Can a boatman at all times be replaced by one deckhand, having done the theoretical examination as a boatman, but not yet fulfilled the compulsory navigation time of 360 days to become a boatman AND one apprentice?

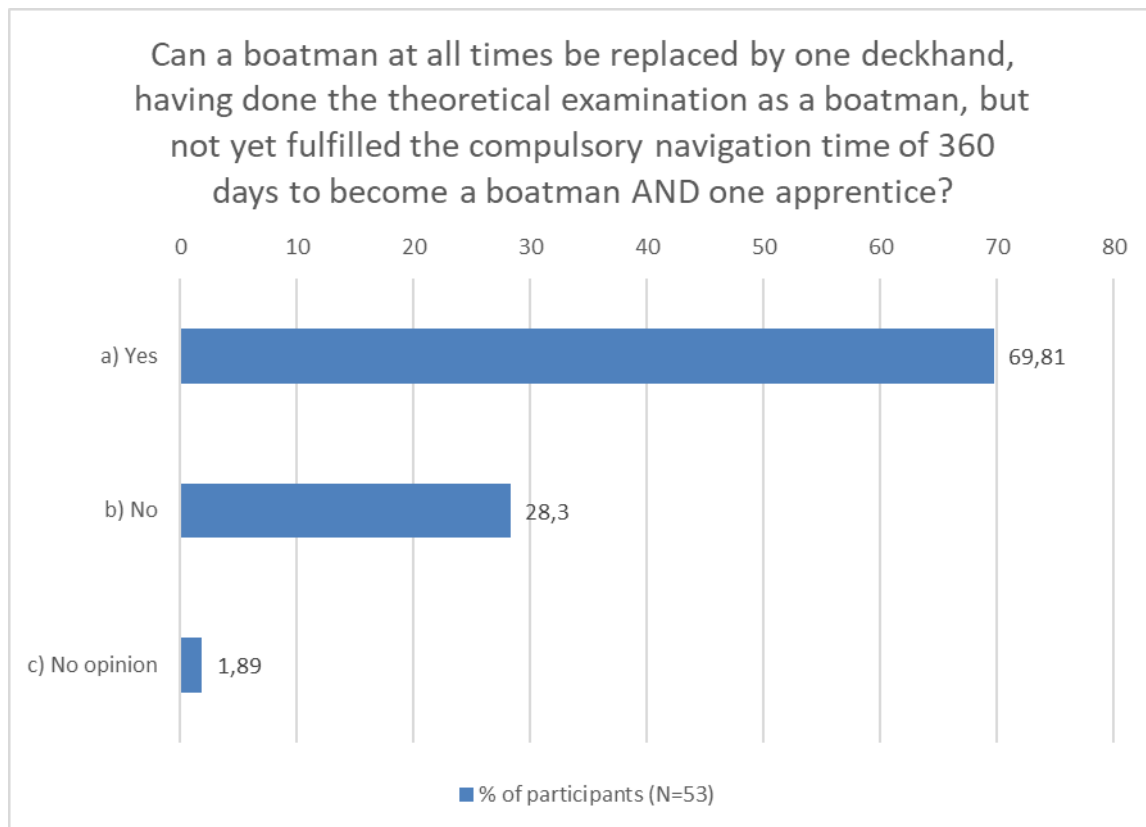
- a) Yes
- b) No
- c) No opinion

**Results from 1<sup>st</sup> round:**



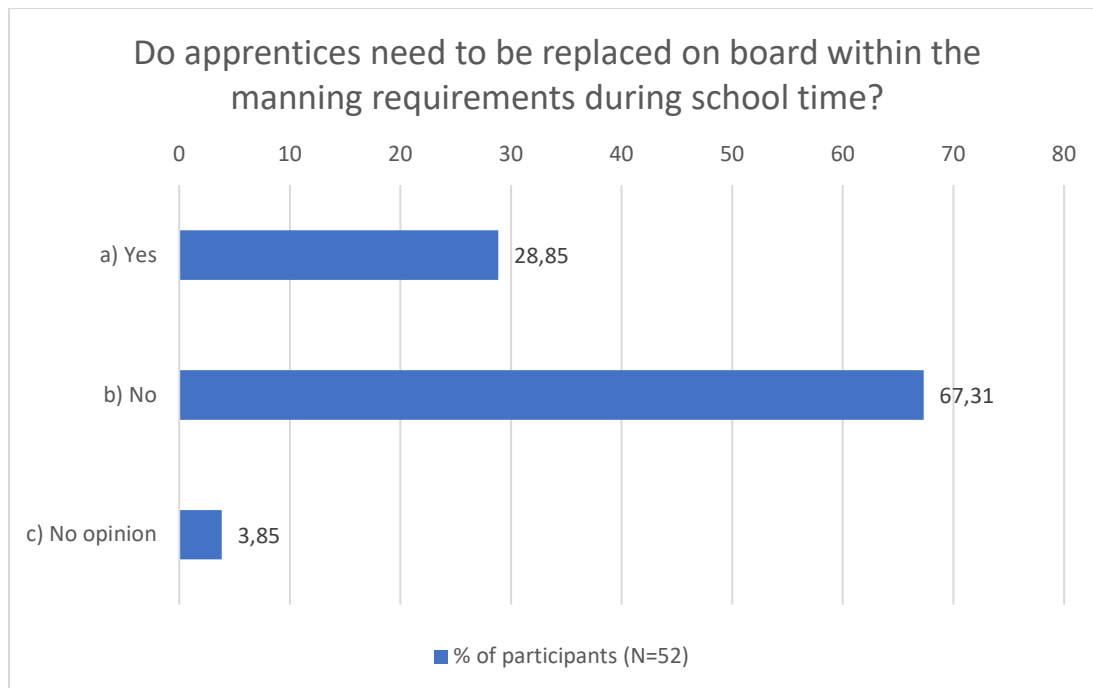


**Results from 2<sup>nd</sup> round:**



**Question 22:** Do apprentices need to be replaced on board within the manning requirements during school time?

- a) Yes
- b) No
- c) No opinion



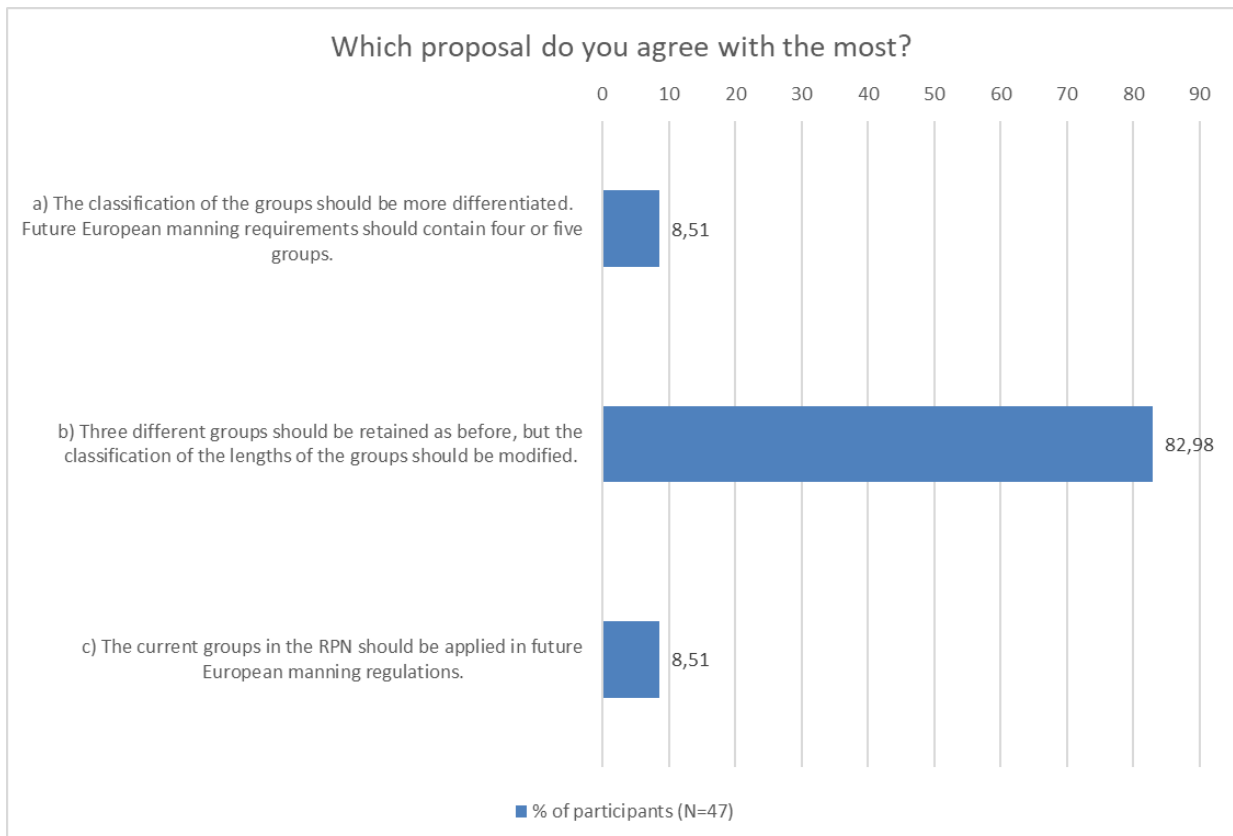
#### KEY TAKEAWAYS – ENTRY LEVEL

- The sector agrees on the 3 following affirmations:
  - that a boatman can be replaced at all times by 2 apprentices when the educational framework is in place;
  - a boatman can be replaced at all times by 1 deckhand (having done the theoretical examination as a boatman but not yet fulfilled the compulsory navigation time of 360 days) and 1 apprentice (but subject to a legal check)
  - there is no need to replace apprentices during school time.
- In general, participants felt that **considering an apprentice as a full member of the [minimum] crew is a strong attractiveness factor**, which the sector needs in order to cope with the shortage of personnel;
- it is also a **factor in faster learning**, because of their position, apprentices are more committed to their training... but provided that training is provided in an appropriate manner, measures for training should perhaps also be considered in this regard;
- some participants recalled that the new framework for qualifications now requires 360 navigation days to become a boatman; it may seem very long for the young people, integrating them into the minimum crew allows them to feel rewarded and encouraged.

## KEYNOTE 8: CLASSIFICATION OF THE GROUPS ACCORDING TO VESSEL LENGTH

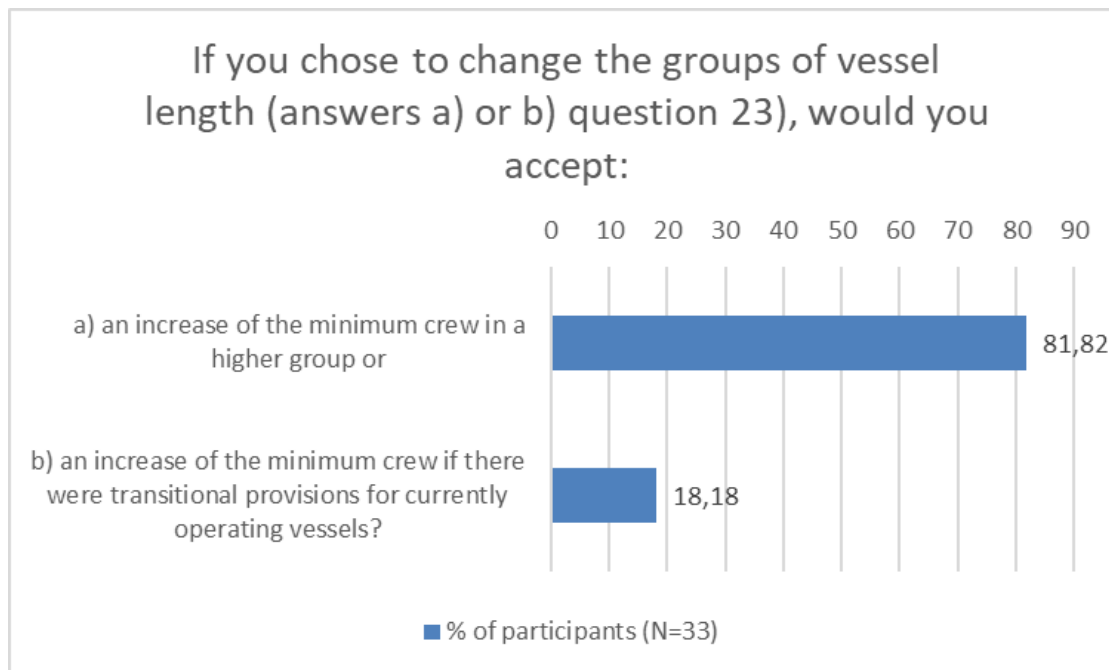
**Question 23:** Which proposal do you agree with the most?

- a) The classification of the groups should be more differentiated. Future European manning requirements should contain four or five groups.
- b) Three different groups should be retained as before, but the classification of the lengths of the groups should be modified.
- c) The current groups in the RPN should be applied in future European manning regulations.



**Question 24:** If you chose to change the groups of vessel length (answers a) or b) question 23), would you accept:

- a) an increase of the minimum crew in a higher group or
- b) an increase of the minimum crew if there were transitional provisions for currently operating vessels?



#### KEY TAKEAWAYS – CLASSIFICATION OF THE GROUPS ACCORDING TO VESSEL LENGTH

- More than 80% of the respondents are **in favour of keeping 3 categories but revisiting them**; the following categories were mentioned: 0-86m / 86-110m and >110m.
- During the discussions, **other factors than length were mentioned: width, tonnage** (reflects mathematically many factors) ... ;
- More than 80% of the respondents would **accept an increase of the minimum crew in a higher group** (no need of transitional provisions);
- A special attention should be given to **tugboats** of maritime ports, it should be examined if they need to be included in or should be excluded from the manning standards.

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