

EUROPEAN CODE FOR INLAND WATERWAYS (CEVNI)

Comments on the proposed amendments to CEVNI

Note by the secretariat

This informal document contains the comments received from Member States and River Commissions on the amendment proposals to CEVNI, as presented in the official document for the thirty-fifth session of the Working Party. Comments from the Central Commission for the Navigation of the Rhine will be presented separately.

	Document	Paragraph	Comment
1.	ECE/TRANS/SC.3/ WP.3/2008/15/Rev.1	Paragraph 2, point b	Belgium: correction of term: «pushed barges» and not «push barges »
2.		Paragraph 2, point l	Russian Federation: replace “seen” by “when moving”
3.		Paragraph 2, point 0	1) Belgium : Belgium proposes to modify the text to include vessels that were not constructed and equipped for transporting more than 12 passages. This would allow us to include ferryboats and cargo vessels which carry passengers and oblige them to comply with article 1.07.3. The new proposal is as follows: The term ‘passenger vessel’ means a day-trip or cabin vessel constructed and equipped to carry more than 12 passengers or a vessel used for carrying more than 12 passengers. 2) Czech Republic : proposes to delete “day-trip or cabin”
4.		N/A	Additional proposals for definitions to be included in Article 1.01 Belgium : 1) Belgium proposes to improve the definition of small craft in the following manner: The term “small craft” means any vessel with a hull less than 20 m long, except vessels built or equipped to tow, push or propel in side-by-side

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			<p>formation vessels other than small craft, and except craft authorized to carry more than 12 passengers and ferry-boats;</p> <p>2) Belgium proposes to add a definition of « Large vessels », which would make it possible to avoid (as in article 6.16.7¹) expressions «other vessels» and “vessels which are not small craft ». This would facilitate understanding the provisions of CEVNI</p> <p>3) Czech Republic proposes to use the definitions from Directive 2006/87/EC for the following terms:</p> <ol style="list-style-type: none"> a. Floating equipment b. Pushed barges c. Small craft
5.		Paragraph 9, point a	<p>1) Belgium understands the intention behind the new proposal but, in Belgium’s opinion, it does not seem wise to establish a list of document which it is obligatory to have on board. On one hand, it means that CEVNI needs to be modified every time a new document is required by the technical or dangerous goods requirements. On the other hand, such a list risks being incomplete. Finally, it should be mentioned that not all the documents listed in the current draft are compulsory in all cases (gaz installation certificate, tachygraphe, what about barges ?).</p> <p>Belgium avoided this problem by using the following text:</p> <p><i>Art 1.10 Documents on board of a vessel</i> <i>1. Vessels and convoys shall carry inter alias the following documents, provided that they are required by the applicable regulations:</i></p> <ol style="list-style-type: none"> <i>a) Measurement certificate, community certificate or authorization to navigate a fixed distance without the measurement certificate</i> <i>b) Documents which certify the compliance with technical prescriptions</i> <i>c) Documents prescribed for the transport of dangerous goods, that are referred to in ADNR, as far as the vessel, cargo and crew are concerned</i> <i>d) Documents describing the nature and the quantity of cargo</i>

¹ 6.16.7 The provisions of paragraphs 1 to 3 shall not apply to small craft in relation to other vessels, nor shall those of paragraph 4 apply to vessels which are not small craft in relation to small craft. The provisions of paragraph 2 shall not apply to small craft among themselves

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			<p><i>On pushed barges :</i></p> <ul style="list-style-type: none"> - Documents referred to in paragraphs a), b) and c) can be replaced by a copy; - Documents referred to in paragraph b) can be replaced by an affixed plate which specifies, at least, the official number of the vessel, number of the community certificate or inspection certificate etc.. [] <p>2. The documents required to be carried on board shall be produced whenever requested by the control officer. If needed, the boatmaster will come onshore to satisfy these requirements</p> <p>If, nevertheless, it is decided to keep this list, Belgium have the following comments:</p> <ol style="list-style-type: none"> 1. Para. a): community certificate is not mentioned 2. In accordance with para b), vessels cannot navigate without a measurement certificate. But in Belgium vessels are authorize to navigate to the construction site without this certificate. Therefore, there should be a possibility for administration to waiver this obligation , 3. In para. t), in French, “batiment” should be replaced by “bateau”. 4. It is possible to use the expression “if equipped” Example: in para. g) “If the vessels is equipped with tachographe” 5. What is the content of the ship’s article? <p>2) Russian Federation</p> <ol style="list-style-type: none"> 1. Paragraphs o), w) and m) duplicate the information contained in the ship’s certificate and the engine certificate 2. Paragraph t) is only applicable to the container ships <p>In the light of the abovementioned points, RF proposes not to extend paragraph 1 of Article 1.9, but instead:</p> <ul style="list-style-type: none"> - Maintain the current text with the correction of point b) as initially proposed by the working group and with the addition of the certificate on preventing the oil pollution from vessel <u>and</u> - Include in Article 9.02 the following text: “Competent authorities may require the presence of board of additional documents”
6.		Paragraph 9, point c	Belgium is not in favour of deleting paragraph 2, as in Belgium measurement certificates are not issued to the recreational vessels with the length less than 15 m.

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7.		Paragraph 13, point a	Belgium 1. As in the case of article 1.10, Belgium is not in favor of establishing a list of conditions, based on which administration can prohibit vessels to navigate. Such a list risks being incomplete or inapplicable to all vessels. 2. According to CEVNI, small craft without a ship's certificate has to be stopped. Belgium does not issue certificates for small craft and wishes to maintain this situation. 3. "certificate of registry" should be replaced with "an inspection or a community certificate" 4. For container vessels, a stability certificate has to be listed. In the absence of the stability calculations, the vessel presents a danger and should be stopped.
8.	ECE/TRANS/SC.3/WP.3/2008/16/Rev.1		Belgium: the case of vessels with rectangular stem is not addressed, if the name is affixed on the sides, it is not readable, so the name should also be inscribed on the front.
9.		Paragraph 3, point c	Russian Federation repeats its comment that, since a pushed barge is not a motorized vessel, there is no need to add the words "except for the pushed barges"
10.		Paragraph 4, point c	Belgium is not in favor of deleting footnote 22 unless it is included in Chapter 9 (article 9.03). Belgium is against putting the owner's name and address on small craft, as ill-intentioned people could get the address and rob the owner's house when the boat is not in the port. Belgium would like to be able to make exceptions to this rule.
11.	ECE/TRANS/SC.3/WP.3/2009/3/Rev.1	Paragraph 1, point d	1) Belgium proposes to add the following text: "the height of lights and marks should be applied in accordance with the rectangle of navigation (in particular depending on the ship's air draught and the waterway's bridge clearance)" 2) Austria/DC : replace « hull waterline » with « waterline »
12.		Paragraph 3, point a	Czech Republic needs to allow a general reduction to 4 m
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14.		Paragraph 3, point d	Russian Federation proposes moving footnote 25 to Chapter 9
15.		Paragraph 11, point a) and b)	Belgium : a) and b) are redundant Romania : a) can be deleted
16.		Paragraph 12	Austria/DC: Add in article 3.20 para 4. "and need not carry the black ball by day".
17.	ECE/TRANS/SC.3/WP.3/2009/4/Rev.1	N/A	Belgium: Chapter 4 does not mention that the sound signals are more important than the use of radiotelephony. It is important to state this.
18.		Paragraph 4, point e	Secretariat: the reference to RAINWATT agreement could be included in Chapter 9

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19.	ECE/TRANS/SC.3/ WP.3/2009/6/Rev.1	Paragraph 1, point c	Belgium : - in French, replace <i>amont</i> with <i>montant</i> - Add the definition of downstream
20.		Paragraph 3, point a	Belgium : Column II deals with class 2 and cannot be deleted. Vessels in waterways of Class I are subject to currents, while vessels of class II are not or very little. Different navigation conditions call for different rules and Class II cannot be abolished.
21.		Paragraph 4, point a	Belgium : Column II deals with class 2 and cannot be deleted. Vessels in waterways of Class I are subject to currents, while vessels of class II are not or very little. Different navigation conditions call for different rules and Class II cannot be abolished.
22.		Paragraph 13, point b	Belgium: Why is the second sentence deleted ? Often vessels navigate on narrow waterways or are unable to turn around because of the current. Belgium wants to maintain this paragraph for these particular cases.
23.		Paragraph 14, point a	Belgium: add «a community certificate ».
24.		Paragraph 15, point a	Belgium : 1. The way the text is worded, it can be interpreted as requiring that both conditions a and b need to be completed for a pushed barge to be moved. Therefore, Belgium proposes using « either or » 2. it is not clear to how the new paragraph c) is different from a), perhaps one of the paragraphs should be deleted. However, Belgium would be in favor of a new paragraph which would allow pushed barges to move by its own means on a short distance. This would enable a barge, which will have to be separated from convoy to go through a lock, to come in independently without the help of another pusher. The barge could propel itself using its stem's screw (<i>vis d'étrave</i>).
25.		Paragraph 18, point c	Belgium: This is a traffic management rule, not a navigation rule. Belgium would like to mention that many bridges are remotely operated and no operator is present. For areas without a significant traffic installing a radar is not useful. A camera surveillance could be sufficient and less costly.
26.		Paragraph 22, point a	Belgium : Column II deals with class 2 and cannot be deleted. Vessels in waterways of Class I are subject to currents, while vessels of class II are not or very little. Different navigation conditions call for different rules and Class II cannot be abolished.
27.		Paragraph 23, point a	Belgium : Column II deals with class 2 and cannot be deleted. Vessels in waterways of Class I are subject to currents,

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			while vessels of class II are not or very little. Different navigation conditions call for different rules and Class II cannot be abolished.
28.		Paragraph 24, point a	Belgium : Column II deals with class 2 and cannot be deleted. Vessels in waterways of Class I are subject to currents, while vessels of class II are not or very little. Different navigation conditions call for different rules and Class II cannot be abolished.
29.		Paragraph 24, point b	1) Romania proposes to keep the words "in reduced visibility " and modify the text as follows In reduced visibility, vessels and convoys not navigating by radar shall immediately proceed to the nearest safe berth. 2) Belgium : Add « Safe berthing or anchoring areas”
30.		Paragraph 24, point d	Belgium : the phrase is not clear
31.		Paragraph 27, point a	Belgium: para 1 needs to be reworded. It is not understandable anymore
32.	ECE/TRANS/SC.3/WP.3/2009/15	Paragraph 3, point c	Belgium : Add, “if there are passengers on board” There is no need for a watch if no one is on board
33.	ECE/TRANS/SC.3/WP.3/2009/16	Paragraph 1, point a	Russian Federation: proposes the title «Signaling And Reporting Requirements In Transport Of Dangerous Goods”, as it matches better the content of the chapter
34.		Paragraph 1, point a	Austria/DC: amend para 1 according to CCNR and DFND
35.		Paragraph 1, point b	Russian Federation considers that the content of the new sentence is already covered by para 4 (d).
36.		Paragraph 3, point a	Russian Federation 1. To avoid radio- and vessel management- overload with excessive information, RF proposes not to extend the list of vessels subject to the reporting requirements. 2. RF proposes to draft the list of the required data based on paragraph 7.1.5.8 of ADN. This would harmonize the requirements of CEVNI and ADN and the data transmission by captains. The new proposal is as follows “Boatmaster of a vessel transporting dangerous goods shall report the following particulars to the competent authority of the State in which the voyage has started: <ul style="list-style-type: none"> – name of the vessel; – official number; – dead-weight tonnage; – description of the dangerous goods carried as given in the transport document (UN number or substance identification number, the shipping name, class and,

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			<p>where appropriate, packing group) together with the quantity in each case</p> <ul style="list-style-type: none"> - number of persons on board; - port of destination; and - planned shipping route. <p>This reporting duty shall apply in each State territory once to both passages upstream and downstream so far as the competent authorities so require.</p> <p>When passing the other traffic control stations designated by the competent authority, the following particulars shall be reported:</p> <ul style="list-style-type: none"> - name of the vessel; - official number; - dead-weight tonnage”
37.	ECE/TRANS/SC.3/WP.3/2009/18		Russian Federation: Chapter 9 should include the content of the supplement to CEVNI on national rules in Belarus, Kazakhstan, Moldova etc
38.	ECE/TRANS/SC.3/WP.3/2009/19	Paragraph 4	<p>Austria/DC</p> <ul style="list-style-type: none"> - 42b add a picture with two black balls - 46, by day: delete the black balls in the second row of barges
39.		Paragraph 6	The Netherlands prefers to keep the requirements for Navigation Lights in the Annexes to CEVNI.
40.		Paragraph 7	The Netherlands prefers to keep the requirements for Navigation Lights in the Annexes to CEVNI.
41.		Paragraph 8	<p>Belgium :</p> <p>Column II deals with class 2 and cannot be deleted. Vessels in waterways of Class I are subject to currents, while vessels of class II are not or very little. Different navigation conditions call for different rules and Class II cannot be abolished.</p>
42.		Paragraph 9	<p>Belgium :</p> <p>Column II deals with class 2 and cannot be deleted. Vessels in waterways of Class I are subject to currents, while vessels of class II are not or very little. Different navigation conditions call for different rules and Class II cannot be abolished.</p>
43.		Paragraph 23	The Netherlands prefers to keep the requirements for Radar Equipment in the Annexes to CEVNI.
