



Amendments to Directive 2006/87/EC Laying Down Technical Requirements for Inland Waterway Vessels

Notice to all Ship owners, ship operators, Masters, Navigation Authorities, Harbour Authorities, inland waterway freight shippers and surveyors.

*This notice should be read in conjunction with MSN 1824
This MIN expires 31 August 2014*

Summary

- This Marine Information Note provides information on the latest amendments to Directive 2006/87/EC laying down technical requirements for inland waterway vessels.
- A reminder is also provided of the approach taken in the United Kingdom's implementation of the Directive.

1. Background

1.1 The United Kingdom has transposed Directive 2006/87/EC through The Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010 (SI 2010/1075). The Regulations entered into force on 20 April 2010.

1.2 As part of the transposition process, the United Kingdom took advantage of Article 7.1 of the Directive whereby Member States may authorise derogations from all or part of the Directive for vessels operating on navigable inland waterways not linked by inland waterway to the waterways of other Member States. Details of the derogation made under Article 7.1, and in accordance with Regulation 4 of The Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010 are contained in Annex 3 of Merchant Shipping Notice 1824(M). In order to comply with the conditions set out in Annex 3, all vessels to which the derogation and exemption apply must comply with the UK technical requirements specified in Section B of Annex 3.

1.3 The effect of the derogation is that vessels operating solely in categorised waters in the United Kingdom do not have to comply with the requirements of the Directive. However, if such vessels do enter the inland waterways system of mainland Europe, then they will be subject to the requirements of the Directive.

1.4 For those vessels that are subject to the technical requirements of the Directive, compliance is signified by the issue of a Union Inland Navigation Certificate ("UINC") by a



competent authority of a Member State. The Directive also requires a unique European Vessel Identification Number (“ENI”) to be entered on the UINC certificate. The competent authority in the UK for issuing ENIs is the Royal Yachting Association. More information is provided in MGN 461(M). The United Kingdom does not issue UINCs. Instead, certification will need to be arranged through an appropriate competent authority of a Member State. Annex 2 to MSN 1824(M) provides a list of contact details for inland waterway authorities in other EU Member States that have Community inland waterways. UINCs will be recognised for Port State Control purposes when inland waterway vessels from a Member State visit ports in this country. The same principle applies to a vessel that comes to the United Kingdom with a Rhine Navigation Certificate, issued by the Central Commission for Navigation of the Rhine (CCNR).

2. Implementation of 2012/48/EU and 2012/49/EU

2.1 The Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010 make provision for a purpose mentioned in section 2(2) of the European Communities Act 1972, whereby *“it appears to the Secretary of State that it is expedient for references to Annexes to Directive 2006/87/EC of 12th December 2006 of the European Parliament and of the Council laying down technical requirements for inland waterway vessels and repealing Council Directive 82/714/EEC to be construed as references to those Annexes as amended from time to time.”*

2.2 This statement refers to the provision contained in paragraph 1A of Schedule 2 to the European Communities Act (ECA) 1972, which was inserted by the Legislative and Reform Act 2006, and allows ambulatory references in Statutory Instruments making provisions under section 2(2) of ECA 1972. Additionally, Regulation 2 (Interpretation) and specifically 2(2)(b) of the Regulations states *“a reference to an Annex to Directive 2006/87/EC is a reference to that Annex as amended from time to time.”*

2.3 The effect of this wording is that as and when any amendments are made to the Annexes to the Directive, those annexes are given immediate effect without the need to amend the existing legislation. Therefore, the technical requirements contained in 2012/48/EU and 2012/49/EU become automatically applicable to United Kingdom inland waterway vessels when those vessels are operating on the inland waterway system of mainland Europe.

2.4 In view of this, if you have an interest in understanding the detailed requirements of these Directives, you are strongly encouraged to acquaint yourselves with the new standards and the possible implications for your vessel(s).

3. The new technical requirements in 2012/48/EU and 2012/49/EU

3.1 2012/48/EU introduces amendments to Annex II (Minimum technical requirements applicable to vessels on inland waterways of Zones 1, 2, 3 and 4); Annex VII (Classification Societies); and, Annex IX (Requirements to sight lights, radar installations and rate of turn indicators).

3.2 The amendments to Annex II include additions and editorial amendments to the following chapters: Chapter 1 (General); Chapter 2 (Procedure); Chapter 3 (Shipbuilding Requirements); Chapter 6 (Steering System); Chapter 7 (Wheelhouse); Chapter 8 (Engine Design); Chapter 10 (Equipment); Chapter 11 (Safety at Work Stations); Chapter 14 (Liquified Gas Installations for Domestic Purposes); Chapter 15 (Specific Requirements Applicable to Passenger Vessels); Chapter 22 (Stability of Vessels Carrying Containers); Chapter 24 (Transitional and Final Provisions); and amendments to Appendix I and II of Annex II.

3.3 The amendments to Annex VII include a revision to the list of approved Classification Societies. The Directive already lists Bureau Veritas, Germanischer Lloyd and Lloyd’s Register of Shipping. This has now extended to include Polski Rejestr Statkow SA, Russian Maritime



Register of Shipping and RINA SpA. In accordance with the approval process, Classification Societies already approved and authorised by a Member State in accordance with Council Directive 2009/15/EC on common rules and standards for ship inspection and survey organisations, in accordance with Article 9 of the Directive will also be recognised for those vessels which operate exclusively on the waterways of that Member State. With respect to the UK, this would therefore extend the list to include American Bureau of Shipping, Class NK and Det Norske Veritas, as these three are part of the UK Recognised Organisations. The impact of this amendment is that for inland waterway vessels visiting United Kingdom ports from mainland Europe which may be carrying certification issued in accordance with the Directive by either Polski Rejistr Statkow SA or the Russian Maritime Register of Shipping, such certification will need to be accepted in the United Kingdom, but for the purposes of compliance with this Directive only.

3.4 Finally, Annex IX has been completely replaced by a new Annex consisting of the following sections:

Part I: Minimum requirements and test conditions for radar installations used for navigation on board inland waterway vessels;

Part II: Minimum requirements and test conditions for rate-of-turn indicators used on board inland waterway vessels;

Part III: Requirements for installation and performance tests for radar equipment and rate-of-turn indicators used on board inland waterway vessels;

Part IV: Installation and performance certificate for radar equipment and rate-of-turn indicators used on board inland waterway vessels;

Part V: Register of competent authorities, technical services, approved radar navigation equipment and rate-of-turn indicators and approved specialised firms; and

Part VI: Equivalent equipment.

3.5 2012/49/EU introduces further amendments to Annex II by introducing a new Chapter 14a dealing with on-board sewage treatment plants for passenger vessels operating on inland waterways. This Directive introduces discharge standards and procedures for testing, certifying, and monitoring of sewage treatment plants and importantly, it introduces 'random sample measurement/special test'. It also demands grey water treatment.

3.6 The new requirements specify the allowable concentration limits that sewage treatment plants must achieve during operation with respect to biochemical oxygen demand, chemical oxygen demand and total organic carbon concentration. Additionally, arrangements for the application for a type approval certificate and the type approval process are set out.



More Information

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