



# MSN 1879(M) Amendment 1

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## Directive (EU) 2016/1629 – Laying Down Technical Requirements for Inland Waterway Vessels

Notice to all owners and operators of inland waterway vessels, and navigation and harbour authorities

*This notice replaces MSN 1879(M) and should be read in conjunction with MSN 1880(M) Amendment 1 and MSN 1881(M).*

*See also MSN 1894(M) which replaces MSN 1805(M). MGN 461(M) is also cancelled.*

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### Summary

- This Notice makes provision in relation to Directive (EU) 2016/1629 which lays down technical requirements for inland waterway vessels.
- Vessels that only operate on UK inland waterways will have an authorised exemption from the Directive but will have to comply with UK technical requirements.
- The UK technical requirements with which such vessels are required to comply remain largely unchanged from those outlined in MSN 1824.
- For the UK, “inland waterways” means categorised waters A, B, C and D, as set out in Annex 1 to this Merchant Shipping Notice.
- For the European Union (EU) in general, “inland waterways” means the waters (of Zone 1, 2, 3 or 4) listed in Annex I to the Directive.
- The Directive will not normally apply to any vessels certificated for service at sea which are operating temporarily on inland waterways.
- The Directive is implemented in the UK by the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) (Amendment) Regulations 2019/160 as amended by the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) (Amendment) (No.2) Regulations 2019.
- This Notice has been amended to take into account the new technical standard underpinning the Directive (ES-TRIN 2019/1) which replaced ES-TRIN 2017/1 with effect from 1 January 2020.



## INTRODUCTION

### 1. Introduction/ Background

- 1.1 Directive (EU) 2016/1629 ('the Directive') lays down technical requirements for inland waterway vessels, including construction and equipment standards. It was adopted by the European Parliament and Council on 14 September 2016. The Directive can be viewed at and downloaded from <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32016L1629>
- 1.2 The purpose of the Directive is to further harmonise vessel standards across Member States in the interests of improving safety. Directive 2006/87/EC provided technical requirements for vessels operating on Community inland waterways. Separately, the Central Commission for Navigation on the Rhine (CCNR) also set technical standards for vessels navigating on the Rhine (and certain tributaries).
- 1.3 A difficulty has existed in ensuring consistency between the two legal regimes because each is governed by its own rules and procedures. In the interests of maintaining legal certainty and achieving a level playing field, progress towards a single, uniform set of technical standards was required.
- 1.4 The main reasons for repealing Directive 2006/87/EC and adopting the Directive were to streamline the decision-making process on the adoption of technical standards for inland waterway vessels and to harmonise those standards for both the EU and CCNR regimes.
- 1.5 To achieve this, the CCNR has set up an international body to draw up uniform technical standards for inland waterway vessels to be applied by both the EU and CCNR within their respective regulatory frameworks called CESNI (*Comité européen pour les standards dans le domaine de la navigation intérieure*). CESNI is open to attendance by Member States of both the EU and CCNR and adopted its first technical standard (ES-TRIN 2015/1) in time to be referred to in Annex II to the Directive at the time of its publication. This standard was replaced by ES-TRIN 2017/1 with effect from 7 October 2018, which itself is now replaced by ES-TRIN 2019/1 from 1 January 2020.
- 1.6 The Directive applies to:-
- a) vessels over 20 metres in length;
  - b) vessels having a volume of 100m<sup>3</sup> or more as calculated in accordance with Article 2.1(b) of the Directive including private pleasure vessels;
  - c) tugs and pusher craft (of any length) intended for towing or pushing or moving alongside craft referred to at a), b) or e);
  - d) passenger vessels (i.e. day trip or cabin vessels constructed and equipped to carry more than 12 passengers); and,
  - e) "floating equipment" (which means a floating installation carrying working gear such as cranes, dredging equipment, pile drivers or elevators).
- 1.7 The requirements of the Directive apply to any vessels referred to in paragraph 1.6 which operate on any of the inland waterways that are listed in Annex 1 to the Directive.
- 1.8 The Directive does not apply, whether a vessel is operating on UK or on other Union or Rhine waterways, to:-
- a) ferries;
  - b) naval vessels;



c) sea-going ships including sea-going tugs and pushers which operate or are based on tidal waters, or that are operating temporarily on inland waterways provided that they carry at least the certificates set out in Article 2.2(c) of the Directive.

1.9 In the UK, 'inland waterways' means any or all categorised waters, as laid down in the Merchant Shipping (Categorisation of Waters) Regulations 1992<sup>1</sup>, as defined and listed in Merchant Shipping Notice (MSN) 1837 (Amendment 2), and also covers any other waterways with the same characteristics, which have not been formally categorised.

## **2. EU inland waterway “Zones”**

2.1 In EU Member States, inland waterways are designated as “Zones” 1, 2, 3 or 4. Zone 1 is analogous to UK category D; Zone 2 to category C; Zone 3 to category B; and, Zone 4 to category A (although Zone 4 waters are not now listed in the Directive, and instead are treated as all other inland waterways which are not classified as category D, C or B (Zones 1, 2 or 3 respectively) and are subject to national requirements). The UK categories, and the corresponding European zones, are reproduced at Annex 1 to this Merchant Shipping Notice.

2.2 Many major waterways in Europe are largely designated as Zone 3, except for their tidal stretches. The standard technical requirements in the ES-TRIN standard relate to operation in Zone 3 waters, which can be thought of as the “default” Zone of the Directive.

2.3 The designated Union inland waterways, including those in the UK, are listed in Annex I to the Directive. The definitions according to which those inland waterways have been classified are reproduced at Annex 1 to this Merchant Shipping Notice. This list differs from that in Directive 2006/87/EC in that only waterways defined as Zones 1 to 3 are listed. Zone 4 waterways are no longer listed and instead Zone 4 is defined as all other inland waterways which can be navigated under the national law by craft which fall within the scope of the Directive.

## **VESSELS OPERATING IN EEA MEMBER STATES OTHER THAN THE UK**

### **3 Requirements imposed by the Directive for vessels operating on the inland waterways of EEA Member States other than the UK**

3.1 The principal technical requirements that vessels need to meet when operating on the inland waterways of Member States to which the Directive applies other than the UK, are set out in the ES-TRIN standard as referenced in Annex II to the Directive and published in MSN 1880 (M) Amendment 1. Chapters 1 to 18 of the ES-TRIN standard cover general requirements applicable to all vessels (e.g. Shipbuilding Requirements; Manoeuvrability). Chapters 19 to 31 cover more specific provisions (e.g. for passenger ships; container vessels), Chapters 32 and 33 provide transitional provisions for existing vessels.

3.2 Member States can require higher standards than those detailed in the ES-TRIN standard for vessels operating on their Zone 1 and 2 waterways, but only in respect of the elements listed at Annex III to the Directive (see Article 23.1 of the Directive). Higher standards can also be applied to passenger vessels operating on Zone 3 waters not linked to the inland waterways of another Member State but again only in respect of the elements listed at Annex III to the Directive (see Article 23.2 of the Directive).

3.3 Member States can also establish standards lower than those in the ES-TRIN standard, for appropriate vessels that operate only on their Zone 3 or 4 waterways. These reductions can

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<sup>1</sup> S.I. 1992/2356.



only be applied in respect of the elements listed in Annex IV to the Directive (see Article 23.4 of the Directive).

3.4 Note that several sets of requirements covered in Annex V to the Directive have yet to be developed or finalised, and are marked “left empty”. These will be addressed as part of the ongoing review and amendment process of the Directive referred to in section 16 below.

#### 4 Transitional provisions for existing vessels operating in other EEA Member States

4.1 The ES-TRIN standard contains transitional provisions for certain existing vessels, depending on when they were constructed and first certificated, and whether the certificates held are in respect of Rhine (“Zone R”) waterways, or other Union waterways. These transitional provisions set a date by which vessels must comply with particular requirements. The Transitional Provisions for vessels that operate on the Rhine are set out in Chapter 32 of the ES-TRIN standard; and those for vessels operating on non-Rhine waterways in Chapter 33.

#### 5 Equivalences for existing vessels operating in EEA Member States other than the UK

5.1 The Directive includes, at Article 25, a provision by which equivalences in respect of a vessel’s construction or equipment, may be authorised. It should be understood that this is not a way of avoiding the technical requirements laid down in the ES-TRIN standard. Details of any feature of a vessel’s construction or equipment, that a Member State considers equivalent to the relevant technical requirement/s must be considered by a committee of national experts at European Commission level.

5.2 If that committee approves a feature of a vessel’s construction or equipment, that differs from the requirements laid down in the Directive, as an equivalence, it may be formally accepted as such by the European Commission. In that case, the Commission will advise Member States about the equivalence.

5.3 Any equivalence that is granted has to be shown on the vessel’s Union inland navigation certificate.

#### 6 Survey and certification of UK vessels operating in other Member States

6.1 A UK inland waterway vessel to which the Directive applies, that is to be operated on non-UK Union inland waterways (as listed in Annex I to the Directive) will normally need to carry a Union inland navigation certificate, or a Rhine navigation certificate (if appropriate). To obtain one, it will need to be surveyed in accordance with the relevant technical requirements laid down in the ES-TRIN standard, and, in certain cases, in accordance with any additional technical requirements imposed by the relevant authorities for the waterways over which the vessel is to be operated.

| <b>Waterways vessel to operate on</b>   | <b>Type of certification required</b>   |
|---|---|
| All of the Rhine and its tributaries – “Zone R” waterways.<br>(All aspects of navigation on these waterways falls under the jurisdiction of the Central Commission for Navigation on the Rhine – “CCNR”.) | A Rhine navigation certificate (issued under Article 22 of the Revised Convention for Rhine Navigation) or;<br>A Union inland navigation certificate (see Article 7(a) of the Directive).                             |
| Other waterways that are listed in Annex I to the Directive, <u>except</u> those within the UK.   | A Union inland navigation certificate or a Rhine navigation certificate, or a certificate (issued under Article 22 of the Revised Convention for Rhine Navigation (see Article 7(b) of the Directive) including where |



|  |   |
|--|---|
|  | applicable any Supplementary Union inland navigation certificate. |
|--|---|

- 6.2 As the derogation in Article 24.1 of the Directive applies to vessels which only operate on UK inland waterways, the UK is not proposing to establish a competent authority for the purposes of issuing or replacing certificates in accordance with the Directive (Articles 6 and 13 of the Directive) or to carry out technical inspections of vessels prior to the issuing of certificates (Article 6.4 of the Directive).
- 6.3 Those wishing to operate UK vessels on the inland waterways in mainland Europe will therefore need to make arrangements for survey and certification with the relevant authorities in a Member State other than the UK. (NB In the Directive, the term “technical inspection” is used to denote survey.)
- 6.4 Please note that, in mainland Europe, inland waterways are not necessarily dealt with by the country’s maritime administration, and often come under the jurisdiction of separate inland waterway, or river authorities.
- 6.5 There are two major international inland navigation authorities. The Central Commission for Navigation on the Rhine (CCNR) has legal and operational jurisdiction over all aspects of navigation on the River Rhine and its tributaries (together with the Leck and the Waal). There are five full Member States of the CCNR: Belgium; France; Germany; Netherlands; and Switzerland. The Danube Commission has broadly similar functions and scope in respect of the Danube, and its Member States are: Austria; Bulgaria; Croatia; Germany; Hungary; Moldova; Romania; Russia; Serbia; Slovakia; and Ukraine. The rivers Sava and Moselle also have their own River Commissions.
- 6.6 Contact details for the above River Commissions, and relevant National Administrations are given at Annex 2 to this Merchant Shipping Notice.

## **7 European Vessel Identification Number**

- 7.1 A European Vessel Identification Number (ENI) is a requirement for every vessel to which the Directive applies. However, because of the Article 24.1 derogation, for the UK, this will only apply to vessels which are intending to operate in mainland Europe, and is not a requirement for vessels which remain only in the UK. The ENI is required as an entry on the Union inland navigation certificate. It is unique to the vessel and remains unchanged throughout the lifetime of the vessel. The issue of an ENI of itself does not indicate any assessment of seaworthiness or hull condition, so attracts no liability with regard to the condition of the vessel.
- 7.2 Pursuant to a Memorandum of Understanding (MoU) dated 7 November 2018, the MCA has appointed the Royal Yachting Association (RYA) as the Competent Authority in the UK for the purposes of assigning and issuing unique ENIs in accordance with Article 18.4 of the Directive.
- 7.3 The MCA has accordingly notified the European Commission, in accordance with Article 18.4 of the Directive, that the RYA is the Competent Authority responsible for assigning and issuing unique ENIs.

The RYA contact address for ENI’s is:

Technical Department  
RYA House  
Ensign Way  
Hamble



SO31 4YA

UK

Tel: (local rate) 0845 345 0383

Tel: (national rate) 023 8060 4202

Email: [technical@rya.org.uk](mailto:technical@rya.org.uk)

7.4 However, in accordance with Article 2.18 of Annex V to the Directive, if a vessel is presented for survey without an ENI, the number should be assigned by the Competent Authority in the country which is issuing the Union inland navigation certificate.

## **8 European Hull Data Base**

8.1 The European Commission is responsible for maintaining the European Hull Data Base (EHDB) in accordance with Article 19 of the Directive.

8.2 Competent Authorities in the Member States are required to input data identifying the craft in accordance with the Directive, including details of any certificates issued. The Competent Authority for updating the EHDB in the UK is the RYA, in accordance with the MoU dated 7 November 2018.

8.3 In view of the UK's approach to the implementation of the Directive, in that we will not be responsible for the survey and subsequent issue of the Union inland navigation certificate, the RYA is only responsible for entering the assigned ENI and minimum hull data for the identification of the vessel in accordance with Article 19.2(a) of the Directive and Annex 2A to the ES-TRIN standard, and any subsequent amendments to that data in accordance with Article 19.2(e).

## **VESSELS WHICH ONLY OPERATE IN THE UK**

### **9 UK derogation in accordance with Article 24 of the Directive**

9.1 Under Article 24.1, the UK is permitted to authorise derogations from the Directive for craft which only operate in the UK. Accordingly, regulation 4 of the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) Regulations 2010<sup>2</sup> ('the 2010 Regulations') (as amended by regulation 5 of the Merchant Shipping (Technical Requirements for Inland Waterway Vessels) (Amendment) Regulations 2019<sup>3</sup> ('the 2019 Regulations') permits the Secretary of State to exempt from some or all of the requirements of those Regulations, vessels which only operate on UK inland waterways. Details of the exemption granted by the UK are set out in Annex 3 to this Merchant Shipping Notice.

9.2 The vessels to which the UK's exemption applies are described in section A of Annex 3 to this Notice. The vessels covered by the exemption are those to which the Directive would have otherwise applied but for the fact that they only operate on UK inland waterways.

9.3 Vessels subject to the exemption under section A of Annex 3 to this Notice must comply with the UK technical requirements specified in section B of that annex.

9.4 Article 24.2 of the Directive enables Member States to authorise derogations from the Directive for vessels operating limited journeys of local interest or in harbour areas. Accordingly, regulation 5 of the 2010 Regulations<sup>4</sup> (as amended by regulation 6 of the 2019

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<sup>2</sup> S.I. 2010/1075.

<sup>3</sup> S.I. 2019/ 160.

<sup>4</sup> S.I. 2010/1075.



Regulations<sup>5</sup>) permits the Secretary of State to grant exemptions from some or all of the requirements of those Regulations.

9.5 On some UK inland waterways, vessels may be subject to local technical requirements, that are in place under a navigation or harbour authority's local regulations. The requirement to comply with such local requirements is set out in paragraph 7 of section B of Annex 3 to this Merchant Shipping Notice.

## **10 Passenger vessels which only operate on UK inland waterways**

10.1 All passenger vessels which only operate on UK inland waterways must operate in accordance with the requirements set out in section B of Annex 3 to this Merchant Shipping Notice.

## **11 Non-passenger vessels which only operate on UK inland waterways**

11.1 Within the scope of application of the Directive, the term "non-passenger vessels" means all inland waterway vessels that are not passenger vessels. It therefore includes:

- freight vessels;
- tankers;
- tugs and pushers;
- workboats (of various types); and floating equipment.

11.2 Owing to the Directive applying to vessels having a length of 20 metres or more, or having a volume of 100m<sup>3</sup> or more, the Directive also applies to pleasure vessels (recreational craft) for which, see Section 12 below.

11.3 All non-passenger vessels which only operate on UK inland waterways will operate under the exemption set out in Annex 3 to this Merchant Shipping Notice.

11.4 Inland waterway non-passenger vessels which only operate in the UK must comply with the applicable UK technical requirements as set out in section B of Annex 3 to this Merchant Shipping Notice.

11.5 In the UK, inland waterway non-passenger vessels fall within "Class IX(A)" or, in the case of tankers, "Class IX(A)(T)". Currently, the only UK technical requirements for these vessels relate to the carriage of life saving, and fire-fighting appliances. There is currently no survey or certification regime for these vessels.

## **12 Pleasure vessels which only operate on UK inland waterways**

12.1 The most recent definition of "pleasure vessel" used in UK legislation is given at Annex 5 to this Merchant Shipping Notice. However, it should be noted that definitions of pleasure vessel in UK legislation are not entirely consistent and there are others which diverge slightly from the example provided.

12.2 The Directive applies to pleasure vessels where they are over 20m in length, or more than 100m<sup>3</sup> volume. Where they only operate on UK inland waterways, such vessels will come within the scope of the derogation under Article 24.1 of the Directive and the exemption under regulation 4 of the 2010 Regulations<sup>6</sup> (as amended) as set out in section A of Annex 3 to this Notice. There are no specific UK technical requirements for pleasure vessels in Section B of Annex 3.

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<sup>5</sup> S.I. 2019/ 160.

<sup>6</sup> S.I. 2010/1075.



12.3 Seagoing pleasure vessels over 20m in length or more than 100m<sup>3</sup> volume, are not covered by the Directive providing they only operate temporarily on inland waterways and have the certificates referred to in Article 2.2(c) of the Directive.

## **VESSELS WHICH DO NOT ONLY OPERATE IN THE UK**

### **13 Passenger vessels holding a Union inland navigation certificate or Rhine navigation certificate**

13.1 An inland waterway passenger vessel from another EEA Member State may operate on UK zone 1,2 and 3 inland waterways where-

(a) the vessel holds a Union inland navigation certificate, or a Rhine navigation certificate showing compliance with the relevant technical requirements in the ES-TRIN standard and Annex V to the Directive, and

(b) the vessel also holds a Supplementary Union inland navigation certificate showing compliance with the additional UK technical requirements as set out in section B of Annex 3 to this Merchant Shipping Notice relevant to such vessels.

13.2 For convenience, the details of the UK technical requirements set out in Annex 3 to this Notice are set out in detail in Annex 4 where those requirements relate to:-

- the carriage of Life Saving Appliances (LSA), particularly liferafts; and
- wheelhouse visibility.

13.3 Passenger vessels with all the relevant certificates referred to in paragraph 13.1 of this Merchant Shipping Notice may have those certificates inspected but will not then be subject to further technical inspection. Passenger vessels which do not hold certificates showing that the vessel satisfies the additional UK technical requirements may be subject to a technical inspection to check whether the vessel complies with the requirements set out in Annex 3.

13.4 Existing passenger vessels with Union or Rhine navigation certificates may fall within the scope of the Transitional Provisions that are set out at Chapter 32 (for Rhine vessels) and Chapter 33 (for non-Rhine vessels) of Part IV of the ES-TRIN standard when they are operating on inland waterways other than those of the UK. However, for operation in the UK, such vessels must fully satisfy all the relevant technical requirements in the ES-TRIN standard, and the UK technical requirements referred to in Annex 3 to this Merchant Shipping Notice. This is because the Transitional Provisions in Chapter 32 and 33 would result in a reduction in the UK's technical requirements for such vessels.

### **14 Non-Passenger vessels holding a Union inland navigation certificate or Rhine navigation certificate**

14.1 Inland waterway non-passenger vessels that carry Union inland navigation certificates or Rhine navigation certificates (because they do not only operate on UK inland waterways) will be deemed fully compliant with the UK's statutory requirements. This is because the Union and Rhine certificates cover a much wider range of requirements, including construction standards, than the current UK rules for Class IX(A) and IX(A)(T) vessels. Such vessels will be able to operate within the UK without having to meet any additional UK technical requirements, except for any local requirements.





## **15 Pleasure vessels holding a Union inland navigation certificate or Rhine navigation certificate**

15.1 Where such vessels also operate on other Union inland waterways listed in Annex I to the Directive they have to comply with the relevant certification requirements of Chapter 26 of the ES-TRIN standard for their construction and equipment. Article 26.01(1) of the ES-TRIN standard covers vessels not subject to the Recreational Craft Directive (Directive 2013/53/EU); Article 26.01(2) covers vessels that are subject to that Directive.

15.2 Seagoing pleasure vessels over 20m in length or more than 100m<sup>3</sup> volume, are not covered by the Directive providing they only operate temporarily on inland waterways and have the certificates referred to in Article 2.2(c) of the Directive.

### **GENERAL**

## **16 Ongoing amendment**

16.1 The Directive will be periodically reviewed and the ES-TRIN standard will be amended by CESNI every two years so that it remains up to date with advances in vessel construction and equipment technology, and developments in best-practice. With reference to paragraph 3.4 above, those parts of the Directive that are still under development, will also be finalised via this process.

16.2 The version of the ES-TRIN standard that is referenced in the Directive is standard 2015/1. Subsequent updates developed by CESNI will be incorporated into EU legislation by the European Commission (EC) by means of Delegated Act. Subject to concurrent approval by the European Parliament, the EC will only update the reference applicable to the Standard and decide upon its date of application.

16.3 The EC published Commission Delegated Directive (EU) 2019/xxx on dd/mm/yr. This amends Annex II of the Directive by stating that the technical requirements applicable to craft are those set out in ES-TRIN 2019/1.



## **More Information**

Vessel Standards Branch  
Maritime and Coastguard Agency  
Bay 2/23  
Spring Place  
105 Commercial Road  
Southampton  
SO15 1EG

Website Address: [www.gov.uk/government/organisations/maritime-and-coastguard-agency](http://www.gov.uk/government/organisations/maritime-and-coastguard-agency)

General Enquiries: [infoline@mcga.gov.uk](mailto:infoline@mcga.gov.uk)

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## Annex 1

### UK Inland Water Categories and EU Inland Water Zones

| UK inland water Categories   | Corresponding EU inland water Zones  |
|--|--------------------------------------|
| <b>A</b> - Narrow Rivers and canals where the depth of water is generally less than 1.5 metres.  | <b>4</b> (uncategorised)             |
| <b>B</b> - Wider rivers and canals where the depth of water is generally 1.5 metres <b>or more</b> and where the significant wave height could not be expected to exceed 0.6 metres at any time. | <b>3</b> – Wave height of up to 0.6m |
| <b>C</b> - Tidal rivers and estuaries and large, deep lakes and lochs where the significant wave height could not be expected to exceed 1.2 metres at any time.                                  | <b>2</b> – Wave height of up to 1.2m |
| <b>D</b> - Tidal rivers and estuaries where the significant wave height could not be expected to exceed 2.0 metres at any time.  | <b>1</b> – Wave height of up to 2.0m |

- For more information about categorised waters in the UK, please see MSN 1837(M)Amendment 2, or contact the MCA's Navigation Safety Branch.

- See also Annex I to the Directive, which lists the designated Union inland waterways, including those in the UK.



## Annex 2

### Contact details for waterway Authorities in other Member States with Union inland waterways

#### **The River Rhine and its tributaries**

Central Commission for Navigation on the Rhine  
Palais du Rhin  
2, place de la République  
67082 STRASBOURG Cedex  
(France)

Tel: 00 33 (0)3 88 52 20 10  
F. 00 33 (0)3 88 32 10 72  
e-mail: [ccnr@ccr-zkr.org](mailto:ccnr@ccr-zkr.org)  
website: [www.ccr-zkr.org](http://www.ccr-zkr.org)

#### **The River Danube**

Danube Commission  
Hongrie-1068 Budapest  
Beczúr utca 25  
(Hungary)

Tel: 00 36 (0)1 461 8010  
F. 00 36 (0)1 352 1839  
e-mail: [secretariat@danubecom-intern.org](mailto:secretariat@danubecom-intern.org)  
website: <http://www.danubecommission.org/dc/en/>

#### **The River Moselle**

The Secretariat  
Moselle Commission  
Franz-Ludwig-Str. 21  
D-54290 Trier  
Federal Republic of Germany

Tel: 00 49 (0) 651 97 94 16-0  
Fax: 00 49 (0) 651 97 94 16-20  
e-mail: [info@moselkommission.org](mailto:info@moselkommission.org)  
website: [www.moselkommission.org](http://www.moselkommission.org)

#### **Other waterways**

As mentioned at paragraph 6.4 above, many inland waterways within mainland Europe (apart from the Rhine and Danube) fall under the jurisdiction of regional navigation or river authorities. UK operators considering operating in mainland Europe will need to contact the relevant authority/ies there. The following contact details are for the European government departments that cover inland waterway transport. They will be able to give advice as to who operators should contact about particular waterways.

#### **Austria**

Bundesministerium für Verkehr Innovation und Technologie  
Oberste Schifffahrtsbehörde  
Radetzkystrasse, 2  
A-1030  
WIEN

Tel: 00 43 1 71162 65 0  
Fax: 00 43 1 71162 5999G

#### **Belgium**

Federale Overheidsdienst  
Mobiliteit en Vervoer  
Dienst Scheepvaart-veiligheid  
Tavernierkaai, 3  
B-2000 Antwerpen

e-mail: [info.trans@mobiliteit.fgov.be](mailto:info.trans@mobiliteit.fgov.be)  
web: [www.mobiliteit.fgov.be](http://www.mobiliteit.fgov.be)

#### **Bulgaria**

Ministry of Transport  
Maritime Administration  
9, Dyakon Ignatij Str.  
Sofia 1000  
Republic of Bulgaria

Tel: 00 359 (0) 2 930 09 10  
Fax: 00 359 (0) 2 930 09 20  
e-mail: [bma@marad.bg](mailto:bma@marad.bg)  
web: [www.marad.bg](http://www.marad.bg)

#### **Czech Republic**

Ministry of Transport  
nabr. Ludvika Svobody 12/1222  
110 15 Prague 1

Tel: 00 420 225 131 111  
Fax: 00 420 225 131 184  
e-mail: [posta@mdcr.cz](mailto:posta@mdcr.cz)  
<https://www.mdcr.cz/?lang=en-GB>



## France

Ministère de L'écologie, de L'énergie du  
developpment durable et de la mer  
Grande Arche  
Tour Pascal A et B  
92055 La Défence  
Cedex Paris

Tel : 00 01 40 81 21 22  
<https://www.ecologique-solidaire.gouv.fr/>

## Germany

Bundesministerium für Verkehr,  
Bau und Stadtentwicklung  
Referat WS26 Invalidenstrasse 44  
10115 Berlin

Tel: 00 49 30 18300 3060  
e-mail: [buengerinfo@BMVBS.bund.de](mailto:buengerinfo@BMVBS.bund.de)  
[www.bmvi.de](http://www.bmvi.de)

## Hungary

Ministry of Transport, Telecommunications  
and Energy  
H-1054 Budapest  
Akademia utca 3  
Republic of Hungary

Tel: 00 36 1 475 34 34  
Fax: 00 36 1 475 34 35  
e-mail: [ugyfelszolgalat@khem.gov.hu](mailto:ugyfelszolgalat@khem.gov.hu)  
<http://www.kormany.hu/en>

## Italy

Department of transport  
Via Caraci, 36  
00157 Roma

Tel: 00 06 4158 6649 – 6650  
Fax: 00 06 4158 3606  
e-mail: [dt.segr@mit.gov.it](mailto:dt.segr@mit.gov.it)  
[www.mit.gov.it](http://www.mit.gov.it)

## Lithuania

Ministry of Transport and Communications  
Gedimino Avenue 17  
LT-2679 Vilnius  
Lithuania

Tel : 00 8 5 261 2363  
Fax 00 8 5 212 4335

## Grand Duchy of Luxembourg

Département des Transports  
19-21 boulevard Royal  
L-2449 Luxembourg

Tel: 00 352 247 84400  
Fax: 00 352 22 85 68  
Email: [info@mt.public.lu](mailto:info@mt.public.lu)  
[www.mt.public.lu](http://www.mt.public.lu)

## Netherlands

Ministry of Transport, Public Works  
and Water Management  
Plesmanweg 1-6  
2597 JG Den Haag  
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Tel: 00 31 70 351 61 71  
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## Poland

Ministry of Infrastructure  
(Department for Maritime Transport  
and Inland Navigation)  
4-6 Chalubinski Street  
00 928 Warsaw

Tel: 00 48 22 630 15 40  
fax: 00 48 22 630 15 49  
[www.mr.gov.pl](http://www.mr.gov.pl)

## Romania

Ministry of Public Works, Transport  
and Housing  
38, Bvd. Dinicu Golescu  
Sector 1  
Bucharest

[www.mt.gov.ro](http://www.mt.gov.ro)

## Slovakia

Ministry of Transport, Post and  
Telecom SK  
Namestie slobody c. 6  
P.O. Box 100  
81005 Bratislava

Tel: 00 421 2 5949 4111  
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## **Republic of Slovenia**

Ministry of Transport  
Langusova 4  
SI-1000 Ljubljana

Tel: 00 386 1 478 80 00  
Fax: 00 386 1 478 81 39  
e-mail: [gp.mzp@gov.si](mailto:gp.mzp@gov.si)  
[www.mzp.gov.si](http://www.mzp.gov.si)

There are several European amenity and trade organizations who may also be able to provide advice and to UK vessel owners/operators who wish to operate in mainland Europe.

## **Commercial vessels**

### **Inland Navigation Europe**

Office 9G40,  
Koning Albert II-iaan 20,  
1000 Brussels  
Belgium  
Tel: 00 32 (0)2 553 62 70  
Fax 00 32 (0)2 553 62 72  
e-mail: [info@inlandnavigation.org](mailto:info@inlandnavigation.org)  
website: <http://www.inlandnavigation.eu/home/>

### **Pleasure vessels**

#### **DBA - the Barge Association**

"Cormorant"  
Spade Oak Reach  
Cookham, Maidenhead  
SL6 9RQ

Tel: +44 (0) 303 6660636  
e-mail: [info@barges.org](mailto:info@barges.org)  
[www.barges.org](http://www.barges.org)

#### **The Inland Waterways Association**

Island House  
Moor Lane  
Chesham  
HP5 1WA

Tel: 01494 783453  
Email: [iwa@waterways.org.uk](mailto:iwa@waterways.org.uk)  
<https://www.waterways.org.uk/>

### **The European Barge Union**

Vasteland 78  
3011 BN Rotterdam  
The Netherlands

Tel: 00 31 (0) 10 798 9880  
Fax 00 31 (0) 10 412 9091  
e-mail: [info@ebu-uenf.org](mailto:info@ebu-uenf.org)  
<http://www.ebu-uenf.org/>

#### **European Boating Association (EBA)**

EBA Secretariat  
C/O Royal Yachting Association  
RYA House  
Ensign Way, Hamble  
Southampton  
SO31 4YA

Tel: +44 23 8060 4230 (or 4100)  
Fax: +44 23 8060 4296 (or 4299)  
e-mail: [secretary@eba.eu.com](mailto:secretary@eba.eu.com)  
<http://www.eba.eu.com/>

#### **Inland Waterways International**

BP 90093  
59559 Comines Cedex  
France

email: [info@inlandwaterwaysinternational.org](mailto:info@inlandwaterwaysinternational.org)  
<https://inlandwaterwaysinternational.org/>



## Annex 3

### Derogation under Article 24.1 of Directive (EU) 2016/1629/exemption under Regulation 4 of the 2010 Regulations<sup>7</sup>

#### Section A – List of classes and types of vessels covered by the UK’s derogation under Article 24.1 of Directive (EU) 2016/1629/exemption under regulation 4 of the 2010 Regulations<sup>8</sup>

|                |   |
|----------------|---|
| Class IV       | Ships engaged only on voyages in Category A, B, C or D waters   |
| Class V        | Ships engaged only on voyages in Category A, B and C waters   |
| Class VI       | Ships engaged only on voyages with not more than 250 passengers on board, to sea, or in category A, B, C or D (Zone 4, 3, 2 or 1) waters, in all cases in favourable weather and during restricted periods, in the course of which the ships are at no time more than 15 miles, exclusive of any category A, B, C or D waters, from their point of departure nor more than 3 miles from land. |
| Class IX(A)    | Ships (other than ships of Classes IV to VI inclusive) which do not proceed to sea  |
| Class IX(A)(T) | Tankers which do not proceed to sea   |
| Class XII      | Pleasure vessels of 13.7 meters in length or over   |

1. Vessels falling into one of the above classes, which only operate on UK inland waters are exempt from the requirements of the Directive and are required to comply with the relevant UK technical requirements set out in the remainder of this Annex.

#### Section B –The UK technical requirements

##### Introductory

1. This section of this Annex sets out the UK technical requirements which apply to vessels which only operate on UK inland waterways.
2. “UK technical requirements” means the requirements set out in the following paragraphs which are relevant to the vessel in question.

##### Passenger vessels

##### New passenger vessels

3. The UK technical requirements relevant to a passenger vessel which is a “new passenger ship” as defined in regulation 3 of the Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010 (S.I. 2010/680) (“the Safety Code Regulations”) are the requirements of the “Safety Code for Passenger Ships Operating Solely in UK Categorised waters” which is set out in Merchant Shipping Notice 1823(M) Edition 2.

##### Existing passenger vessels

4. The UK technical requirements relevant to a passenger vessel which is not a new passenger ship as defined in the Safety Code Regulations are the requirements of the following Regulations–

<sup>7</sup> S.I. 2010/1075 (as amended by S.I. 2019/160).

<sup>8</sup> S.I. 2010/1075 (as amended by S.I. 2019/160).



1. The Merchant Shipping (Emergency Information for Passengers) Regulations 1990 (S.I.1990/660)
2. The Merchant Shipping (Survey and Certification) Regulations 2015 (S.I. 2015/508)
3. The Merchant Shipping (Passenger Ship Construction: Ships of Classes III to VI(A) Regulations 1998 (S.I. 1998/2515)
4. The Merchant Shipping (Fire Protection: Small Ships) Regulations 1998 (S.I. 1998/1011)
5. The Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) Regulations 1999 (S.I. 1999/1869)
6. The Merchant Shipping (Life-Saving Appliances For Passenger Ships of Classes III to VI(A) Regulations 1999 (S.I. 1999/2723)
7. The Merchant Shipping (Passenger Ships on Domestic Voyages) Regulations 2000 (S.I. 2000/2687)
8. The Merchant Shipping (Domestic Passenger Ships) (Safety Management Code) Regulations 2001 (S.I. 2001/3209)
9. The Merchant Shipping (Safety of Navigation) Regulations 2002 (S.I. 2002/1473)
10. The Merchant Shipping (Bridge Visibility) (Small Passenger Ships) Regulations 2005 (S.I. 2005/2286)
11. The Merchant Shipping (High Speed Craft) Regulations 2004 (S.I. 2004/302)

### **Non-passenger vessels**

5. The UK technical requirements relevant to a vessel which is not a passenger vessel or a pleasure vessel are the requirements of the following Regulations-

1. The Merchant Shipping (Life-Saving Appliances For Ships Other Than Ships Of Classes III To VI(A)) Regulations 1999 (S.I. 1999/2721)

2. The Merchant Shipping (Fire Protection: Small Ships) Regulations 1998 (S.I.1998/1011)

6. These UK technical requirements are the requirements for "Class IX(A)" or, in the case of tankers, "Class IX(A)(T)" vessels, which relate to the carriage of life saving, and fire-fighting, appliances. (NB There is currently no survey or certification regime for these vessels, or other non-passenger vessels.)

### **All vessels**

#### Local requirements

7. All vessels are required to comply with any local requirements in place under a navigation or harbour authority's local legislation.





## Annex 4

### **Additional UK technical requirements for vessels with Union (or Rhine) certification operating in the UK**

1. The additional United Kingdom technical requirements referred to in regulation 6 of the 2010 Regulations<sup>9</sup> (as substituted by regulation 7 of the 2019 Regulations<sup>10</sup>) for vessels carrying Union or Rhine navigation certificates operating on Zone 1 and 2 waterways (and in the case of passenger vessels Zone 3) in the UK are those specified in Annex 3 of this document as 'UK technical requirements'. While Annex 3 covers UK technical requirements for non-passenger vessels, vessels of this nature carrying Union inland navigation certificates or Rhine navigation certificates will be deemed fully compliant with the UK's requirements because the Union and Rhine certificates cover a much wider range of requirements, including construction standards, than the current UK requirements for Class IX(A) and IX(A)(T) vessels. The UK technical requirements for passenger vessels, however, are more stringent than Union or Rhine requirements for these vessels and these vessels will need to meet the additional United Kingdom technical requirements when operating on Zone 1, 2 and 3 waterways in the UK.

2. A vessel which holds a valid Union inland navigation certificate or Rhine navigation certificate and a supplementary Union inland navigation certificate which attests compliance with the relevant additional United Kingdom technical requirements is not required to comply with any requirement referred to in the following paragraphs which would require that vessel to hold a certificate other than a Union inland navigation certificate, Rhine navigation certificate or supplementary Union inland navigation certificate.

3. Below are further details of the additional United Kingdom technical requirements that will be applied to passenger vessels that hold Union (or Rhine) certification and operate on Zone 1, 2 and 3 waterways within the UK. These are the safety requirements that UK passenger vessels have to satisfy, and to which no requirements in the ES-TRIN standard of the Directive can be deemed equivalent.

4. Two types of requirements are covered:-

- technical requirements covering construction and equipment standards; and,
- operational requirements concerning arrangements for running vessels in a way that underpins safety principles, and does not damage the environment.

5. The operational requirements are an important part of the UK's safety regime for inland waterway passenger vessels, and have to be met before those vessels can be certificated to operate. The relevant legislation and guidance is listed at the end of this Annex.

6. If passenger vessels with Union (or Rhine) certification can demonstrate that they have equivalent operational arrangements in place, that will be taken fully into account.

7. There are slightly different additional United Kingdom technical requirements for existing passenger vessels, and new passenger vessels.

8. Existing passenger vessels with Union or Rhine certificates will need to meet the additional United Kingdom technical requirements in accordance with the relevant Regulations, listed in Annex 3, comprising the UK's safety regime for inland waterway passenger vessels.

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<sup>9</sup> S.I. 2010/1075.

<sup>10</sup> S.I. 2019/160.



9. New passenger vessels are subject to corresponding additional United Kingdom technical requirements but in accordance with the UK Safety Code for Passenger Ships Operating Solely in UK Categorised Waters (Merchant Shipping Notice 1823 (M) Edition 2).

10. The additional United Kingdom technical requirements concern two areas: the carriage of Life Saving Appliances (LSA); and, Wheelhouse visibility. They are listed below:



### Carriage of Life Saving Appliances (LSA)

#### Existing passenger vessels operating on Zone 1 (UK Category D) waters – Class IV vessels

The figures shown in column 1 refer to regulations within **The UK Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI (A)) Regulations 1999<sup>11</sup>** (as amended). The figures shown in column 2 refer to Articles within **ES-TRIN 2019/1**.

| The UK Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI (A)) 1999 <sup>12</sup> (as amended)   | ES-TRIN 2019/1  | Comment   |
|--|---|---|
| Regulation 6 – Ships of Class IV   | Article 13.07 – Ship's boats<br>Article 13.08 – Lifebuoys and lifejackets<br>Article 19.09 – Life-saving equipment  |   |
| Regulation 6(2)<br><br>In accordance with the table of UK life-saving appliance and vessel survivability requirements in Regulation 6(2), reproduced at Annex D.   | No equivalent requirements in Directive.  | <b>Additional UK technical requirement</b><br><br>UK Regulation 6(2) requires every passenger vessel to carry lifeboats, liferafts or open reversible liferafts, and buoyant apparatus.   |
| Regulation 6(3)<br><br>At least one rescue boat or inflated boat shall be provided. The number of lifeboats, rescue boats or inflated boats shall be sufficient to ensure that, in providing for abandonment by the total number of persons the ship is certified to carry, not more than nine liferafts or open reversible liferafts need be marshalled by each lifeboat or rescue boat or inflated boat. | Article 13.07 Section 1(d)<br><br>1. The following craft shall carry a ship's boat according to European standard EN 1914: 2016:<br><br>(a) motor vessels and barges exceeding 150 t deadweight;<br><br>(b) tugs and pushers with a water displacement of more than 150 m <sup>3</sup> ;<br><br>(c) floating equipment;<br><br>(d) passenger vessels.<br><br>Article 19.09 Section 10 | <b>Additional UK technical requirement</b><br><br>UK Regulation 6(3) requires that not more than nine liferafts or open reversible liferafts need be marshalled by each lifeboat, dinghy (rescue boat) or inflated boat.<br><br>Directive requires a dinghy or “ship’s boat” (termed rescue boat or inflated boat in UK requirements) similar to the UK requirement for at least one rescue boat or inflated boat on all passenger ships but does not specify further requirements, apart from an engine and searchlight.<br><br>Directive requirements not equivalent. |

<sup>11</sup> UK S.I 1999/2723.

<sup>12</sup> UK S.I 1999/2723.



| The UK Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI (A)) 1999 <sup>12</sup> (as amended) | ES-TRIN 2019/1  | Comment |
|--|---|---------|
|  | The ship's boat shall be equipped with an engine and a searchlight. |         |



## Existing passenger vessels operating on Zone 2 and 3 (UK Category C and B) waters - Class V vessels

The figures shown in column 1 refer to regulations within **The Merchant Shipping (Life Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 1999**<sup>13</sup> (as amended). The Figures shown in column 2 refer to Articles within **ES-TRIN 2019/1**.

| The UK Merchant Shipping (Life-Saving Appliances for Passenger Ships of Classes III to VI(A)) Regulations 1999 <sup>14</sup> (as amended)  | ES-TRIN 2019/1   | Comment   |
|--|--|---|
| Regulation 7 – Ships of Class V  | Article 13.07 – Ship’s boats<br>Article 13.08 – Lifebuoys and lifejackets<br>Article 19.09 – Life-saving equipment |   |
| Regulation 7(4)(a) – Zone 3 (UK Category B)<br><br>In accordance with the table of UK life-saving appliance, and vessel survivability requirements in Regulation 7 (4)(a), reproduced at Annex D.  | No equivalent requirements in above Articles   | <b>Additional UK technical requirement</b><br><br>UK Regulation 7(4)(a) requires every passenger vessel to carry lifeboats, liferafts or open reversible liferafts, or/and buoyant apparatus, depending on the vessel’s survivability standard and the number of passengers it carries. |
| Regulation 7(8)(a) – Zone 2 (UK Category C)<br><br>In accordance with the table of UK life-saving appliance and vessel survivability requirements from Regulation 7 (8)(a), reproduced at Annex D. | No equivalent requirements in above Articles   | <b>Additional UK technical requirement</b><br><br>UK Regulation 7(8)(a) requires every passenger vessel to carry lifeboats, liferafts or open reversible liferafts, or/and buoyant apparatus, depending on the vessel’s survivability standard and the number of passengers it carries. |

<sup>13</sup> S.I. 1999/2723.

<sup>14</sup> S.I. 1999/2723.





|  |  |   |
|--|--|---|
| <p>Table 1; and Paragraph 12.4.2 - Primary &amp; portable communications)</p> <p>(1) Primary Communications</p> <p>All ships shall carry suitable means of contacting emergency services for the area of operation. This shall normally be by VHF/DSC, unless operating in areas without suitable VHF coverage. In such circumstances, primary communication shall normally be by mobile phone or other communication system that can be shown to be a reliable connection at all times. In category C and D waters, the ship's VHF DSC radio shall be fixed. Where fitted, the VHF DSC radio shall have a suitable position input which may be either by a global positioning system or by regular manual input.</p> <p>(2) Portable Communication</p> <p>A portable VHF shall be provided for each liferaft, where carried, subject to adequate coverage as outlined in sub-paragraph (1) above. These are to be portable, waterproof and shall be stowed in a protected and easily accessible position.</p> | <p>No equivalent requirement in above Articles</p> | <p><b>Additional UK technical requirement</b></p> <p>UK requires all vessels to carry means of contacting emergency services via VHF/DSC, and portable VHF for liferafts, where carried.</p> <p>Directive requires radiotelephone installation on vessel.</p> <p>Directive requirement not equivalent</p> |
|--|--|---|



## Wheelhouse Visibility

### Existing passenger vessels less than 45m in length operating on Zone 1, 2 or 3 (UK Category D, C or B) waters

The figures shown in column 1 refer to regulations within **The Merchant Shipping (Bridge Visibility) (Small Passenger Ships) Regulations 2005<sup>16</sup>** (as amended).

The figures in column 2 refer to Articles within **ES-TRIN 2019/1**.

| The Merchant Shipping (Bridge Visibility) (Small Passenger Ships) Regulations 2005 <sup>17</sup>   | ES-TRIN 2019/1  | Comment   |
|--|---|---|
| <b>Regulation 4 - Visibility from the bridge</b>   | <b>Article 7.02 – Unobstructed view</b>   |   |
| 4(1) The steering position of a new ship shall be situated above all decked superstructures other than the wheelhouse (if any) in which it is situated.                                      |   |   |
| 4(2) Subject to regulations 6 and 7, the steering position of a ship shall be so sited and any wheelhouse shall be so constructed –  |   |   |
| (a) as to provide the helmsman at the steering position with all round visibility, and   | Article 7.02 (1)<br>There shall be an adequately unobstructed view in all directions from the steering position.<br><br>Article 7.02 (3) (first paragraph)<br>The helmsman's field of unobstructed vision at his normal position shall be at least 240° of the horizon and at least 140° within the forward semicircle. | <b>Additional UK technical requirement</b><br><br>Directive requirements in Article 7.02 not equivalent                           |
| (b) that the helmsman at the steering position can, if necessary by moving across a level and unobstructed deck within the permitted limits–   |   |   |
| (b) (ii) see an object situated 4 metres above the surface of the water at a distance of 200 metres from the stern of the ship, over the arc from abeam on either side through right astern. | No equivalent requirement in Article 7.02.  | <b>Additional UK technical requirement</b><br><br>Visibility astern not explicitly required under Article 7.02 in ES-TRIN 2019/1. |

<sup>16</sup> S.I. 2005/2286.

<sup>17</sup> S.I. 2005/2286.





|  |   |   |
|--|---|---|
| <b>Regulation 5 - Sight lines</b>  |   |   |
| (2) Where a sight line, required to be clear to meet the requirements of regulation 4, passes through an after facing window, that window shall be of not less than 450 mm depth (height) centred at 1675 mm above the deck at the steering position.  | No equivalent requirement in Article 7.02 | <b>Additional UK technical requirement</b>  |
| (4) In new ships, and where practicable in existing ships, any sight line which passes over an open passenger deck shall be such that it would pass over the heads of any passengers occupying seats on that deck.   | No equivalent requirement in Article 7.02 | <b>Additional UK technical requirement</b>  |
| (5) Should the activities of standing passengers on an open passenger deck cause a serious obstruction to visibility from the steering position, a dedicated lookout must be provided in accordance with regulation 6(2) in such a manner as to overcome the effects of such obstruction.  | No equivalent requirement in Article 7.02 | <b>Additional UK technical requirement</b>  |
| <b>Regulation 6 - Dedicated lookout</b>  |   |   |
| 6. —(1) Where an existing ship –<br><br>(a) does not comply fully with the requirements of regulation 4(2)(a), or<br><br>(b) does not comply fully with the requirements of regulation 4(2)(b)(ii) and it is not practicable for the ship so to comply, those requirements shall not apply to the ship if a dedicated lookout is provided at all times when the ship is under way. |   | The UK requires passenger vessels to have a dedicated lookout person where all-round visibility is not possible from the steering position, and the requirements of Regulation 4 are not therefore met.<br><br>UK does not permit the use of optical or electronic devices in order to obtain all round visibility. |



|   |   |   |
|---|---|---|
| (2) The dedicated lookout shall   |   |   |
| (a) have the sole duty, while the ship is underway, of maintaining a lookout,   | No equivalent requirement in Article 7.02.        | <b>Additional UK technical requirement</b>                  |
| (b) be positioned outside the passenger spaces, and   | No equivalent requirement in Article 7.02.        | <b>Additional UK technical requirement</b>                  |
| (c) be instructed by the master to keep a continuous lookout astern, and in particular over any or all (as the case may be) of the areas referred to in regulation 4(2)(a), (2)(b)(ii) and (3) which the helmsman cannot see. | No equivalent requirement in Article 7.02         | <b>Additional UK technical requirement where applicable</b> |
| (3) The dedicated lookout may be in the wheelhouse, but if positioned outside the wheelhouse and remote from the helmsman he shall be provided with a wired telephone communication link to the helmsman.                     | No equivalent requirement in Directive            | <b>Additional UK technical requirement where applicable</b> |
| <b>Other lookout arrangements</b><br>7. The requirements of regulations 4 and 6 do not apply to a ship which is operated with bridge manning levels which include a helmsman and an officer of the watch, if                  |   |   |
| (a) the helmsman is able to see the water surface at no more than two ship's lengths ahead and has an unobstructed view to 60 degrees on either bow, and  | No equivalent requirement in Directive            | <b>Additional UK technical requirement where applicable</b> |
| (b) the officer of the watch is able to obtain all round visibility by horizontal movement within the navigation work area.   | No equivalent requirement in Directive            | <b>Additional UK technical requirement where applicable</b> |
| <b>Regulation 8 – Windows</b>   |   |   |
| (2) the height of the lower edge of the forward facing windows of the wheelhouse shall be as low as practicable.  | No explicitly equivalent requirement in Directive | <b>Additional UK technical requirement where applicable</b> |



## Existing passenger vessels 55m or more in length operating on Zone 1, 2 or 3 (UK Category D, C or B) waters

The figures shown in column 1 refer to paragraphs within the UK Maritime and Coastguard Agency's (MCA's) **2002 SOLAS Chapter V publication "Safety of Navigation, Implementing SOLAS Chapter V, 2002" (2007 revision), Regulation 22 – Navigation bridge visibility**. This was implemented in UK law by **The Merchant Shipping (Safety of Navigation) Regulations 2002<sup>18</sup>** (as amended). The figures in column 2 refer to Articles within **ES-TRIN 2019/1**.

| - The Merchant Shipping (Safety of Navigation) Regulations 2002 <sup>19</sup> which implement MCA's 2002 SOLAS V publication "Safety of Navigation, Implementing SOLAS Chapter V, 2002" (as amended)  | ES-TRIN 2019/1  | Comment   |
|---|---|---|
| <b>(Regulation 22 – Navigation bridge visibility)</b>   | <b>Article 7.02 – Unobstructed view</b>   |   |
| 1 Ships of not less than 55 m in length, as defined in regulation 2.4, constructed on or after 1 July 1998, shall meet the following requirements:  |   |   |
| 1.3 The horizontal field of vision from the conning position shall extend over an arc of not less than 225°, that is from right ahead to not less than 22.5°, abaft the beam on either side of the ship;  | Article 7.02 (3) (first paragraph)<br><br>The helmsman's field of unobstructed vision at his normal position shall be at least 240° of the horizon and at least 140° within the forward semicircle. | <b>Additional UK technical requirement</b><br><br>Directive requirements not equivalent.  |
| 1.4 From each bridge wing the horizontal field of vision shall extend over an arc at least 225°, that is from at least 45° on the opposite bow through right ahead and then from right ahead to right astern through 180° on the same side of the ship; | No equivalent requirement in Article 7.02   | <b>Additional UK technical requirement.</b><br><br>Where a vessel does not have bridge wings as such, this requirement applies to the views available from each side of the wheelhouse. |
| 1.6 The ship's side shall be visible from the bridge wing;  | No equivalent requirement in Article 7.02   | <b>Additional UK technical requirement</b><br><br>Directive assumes stationary helmsman, with no requirement for bridge wings from which the ship's side is visible                     |

<sup>18</sup> S.I. 2002/1473.

<sup>19</sup> S.I. 2002 /1473.



| The Merchant Shipping (Safety of Navigation) Regulations <sup>7</sup> which implement MCA's 2002 SOLAS V publication "Safety of Navigation, Implementing SOLAS Chapter V, 2002" (as amended)   | ES-TRIN 2019/1                            | Comment  |
|--|---|--|
| 1.7 The height of the lower edge of the navigation bridge front windows above the bridge deck shall be kept as low as possible. In no case shall the lower edge present an obstruction to the forward view as described in this regulation | No equivalent requirement in Article 7.02 | <b>Additional UK technical requirement where applicable.</b> |

### High Speed Vessels

Under the UK Merchant Shipping (High Speed Craft) Regulations 2004 (S.I. 2004/302), high speed passenger vessels operating on Union inland waterways of Zone 1, 2 or 3 in the United Kingdom, will be required to comply with Chapter 2 of the International Code of Safety for High Speed Craft - Buoyancy, Stability and Subdivision.

High speed vessels are those capable of reaching speeds over 40 km/h in relation to water, as per ES-TRIN 2019/1, Chapter 1, Article 1.01 (1.22).



**New passenger vessels of any length operating in Zone 1, 2 or 3 (UK Category D, C or B) waters**

The figures shown in column 1 refer to sections and paragraphs within the UK **Safety Code for Passenger Ships Operating Solely in UK Categorised Waters**<sup>20</sup>.

The figures shown in column 2 refer to Articles within **ES-TRIN 2019/1**.

| New Safety Code For Passenger Ships Operating Solely Within UK Categorised Waters  | ES-TRIN 2019/1                                 | Comment |
|--|--|---------|
| <p style="text-align: center;"><b>Section 19.2 - Bridge Visibility</b></p> <p>Rationale: Bridge visibility requirements shall apply to all ships, not just those operating in tidal waters. The application in Category A and B waters allows for alternative arrangements as necessary.</p> <p><b>19.2.1 Definitions</b></p> <p><b>(1) In this Section –</b></p> <p>"visibility" means visibility and line of sight over a horizontal arc, and "all-round visibility" means visibility and line of sight over an arc of 360 degrees,</p> <p>"the permitted limits" are –</p> <ul style="list-style-type: none"> <li>(a) for a ship with a single steering position, up to 1 metre either side of the steering position, or</li> <li>(b) for a ship with two steering positions within the wheelhouse (or wings), between these two positions, or</li> <li>(c) for a ship with a mobile controller from which an operator is able to steer the ship from any part of the wheelhouse and bridge wings as appropriate ("wandering lead control"), from side to side of the ship, or the maximum reach of the wandering lead if this is a lesser distance.</li> <li>(d) The "permitted limits" shall not apply to arrangements where the helmsman is permanently seated and/or is not able to move freely within these limits.</li> </ul> | <p><b>Article 7.02 – unobstructed view</b></p> |         |

<sup>20</sup> This Code is published as UK Merchant Shipping Notice (MSN) 1823 (Edition 2) and given Legal force by the Merchant Shipping (Passenger Ships) (Safety Code for UK Categorised Waters) Regulations 2010 (S.I. 2010/680).



|   |   |  |
|---|---|--|
| <b>19.2.2 Visibility from the Bridge</b>  |   |  |
| (2) The steering position of a ship shall be so sited and any wheelhouse shall be so constructed, without taking any visual aids into account -   |   |  |
| (a) as to provide the person in charge of the navigation at the steering position with all round visibility, and  | No equivalent requirement in Article 7.02 | <b>Additional UK requirement.</b><br><br>UK Code requires all round (360°) visibility from the steering position. The Directive requires unobstructed view of 140° within forward semicircle, and 240° of the horizon. |
| (b) that the helmsman at the steering position can, if necessary by moving across a level and unobstructed deck within the permitted limits-  |   |  |
| (ii) (a) for ships less than 24 metres in length, see an object situated 1 metre above the surface of the water at a distance of 200 metres from the stern of the ship, over the arc from abeam on either side through right astern as shown in figure 1<br><b>See Figure 1 below</b> | No equivalent requirement in Article 7.02 | <b>Additional UK requirement</b>   |
| (b) for a ship over 24 meters in length, see an object situated 4 meters above the surface of the water at a distance of 200 meters from the stern of the ship, over the arc from abeam on either side through right astern as shown in figure 2.<br><b>See Figure 2 below</b>        | No equivalent requirement in Article 7.02 | <b>Additional UK requirement</b>   |
| (4) If the requirements of 19.2.2.(2)(a) and 19.2.2.(2)(b) cannot be met, a dedicated lookout must be provided. In Category A & B waters where the requirements cannot be met because of restricted air draught alternative arrangements may be considered by the surveyor.           | No equivalent requirement in Article 7.02 | <b>Additional UK requirement where applicable</b>  |



|  |   |   |
|--|---|---|
| <b>19.2.3 Bridge Visibility on Category A and B waters</b>   |   |   |
| 19.2.3.(1) In Category A and B waters, where the requirements of 19.2.2.(2)(a) and 19.2.2.(2)(b) cannot be met, because of restricted air draught alternative arrangements may be considered by the surveyor.  | No equivalent requirement in Article 7.02 | <b>Additional UK requirement where applicable</b> |
| <b>19.2.4 Dedicated lookout</b>  |   |   |
| (1) Any dedicated lookout shall –<br>(a) have the sole duty, while the ship is underway, of maintaining a lookout,<br>(b) be positioned outside the passenger spaces, and<br>(c) be instructed by the master to keep a continuous lookout, and in particular over any or all additional areas where the helmsman cannot see.         | No equivalent requirement in Article 7.02 | <b>Additional UK requirement where applicable</b> |
| (2) The dedicated lookout may be in the wheelhouse, but if positioned outside the wheelhouse and remote from the helmsman, the lookout shall be provided with a suitable and effective means of communication with the helmsman.   | No equivalent requirement in Article 7.02 | <b>Additional UK requirement where applicable</b> |
| <b>19.2.5 Sight lines</b>  |   |   |
| (2) Where a sight line, passes through an after facing window, that window shall be of not less than 450 mm depth (height) centered at 1675 mm above the deck at the steering position.<br><br>Where the ship is helmed from a seated position, the height of eye shall be adjusted accordingly to the satisfaction of the surveyor. | No equivalent requirement in Article 7.02 | <b>Additional UK requirement where applicable</b> |
| (4) Any sight line which passes over an open passenger deck shall be such that it would pass over the heads of any passengers occupying seats on that deck.  | No equivalent requirement in Article 7.02 | <b>Additional UK requirement where applicable</b> |
| (5) Should the activities of standing passengers on an open passenger deck cause a serious obstruction to visibility from the steering position, a dedicated lookout must be provided.   | No equivalent requirement in Article 7.02 | <b>Additional UK requirement where applicable</b> |



Figure 1

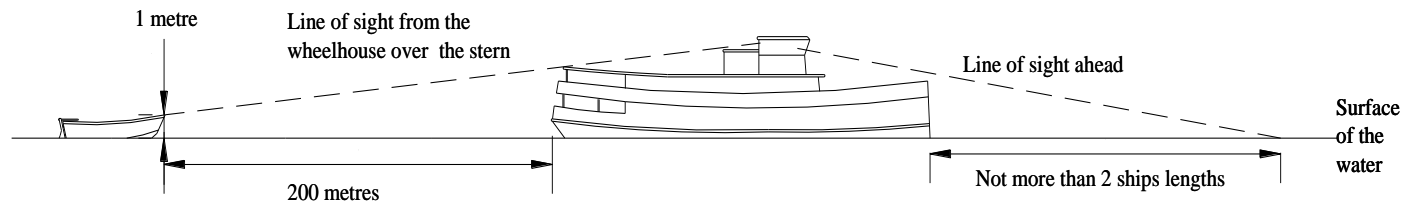
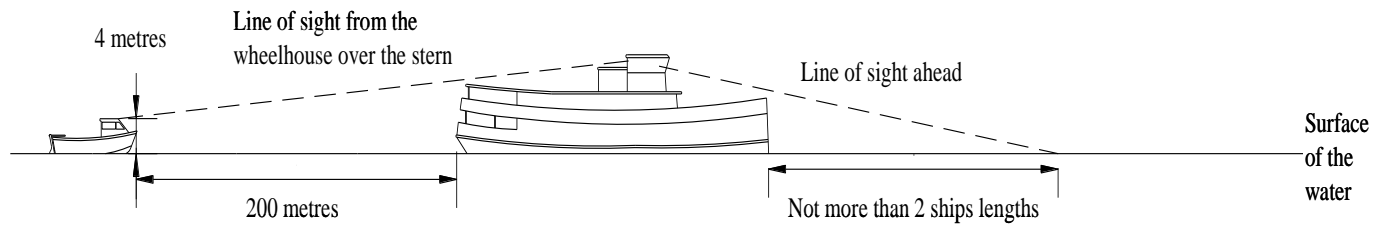


Figure 2





## **UK Operational requirements for passenger vessels operating on Zone 1, 2 or 3 (UK Category D, C or B) waters**

### Domestic Safety Management Code (DSM)

The Merchant Shipping (Domestic Passenger Ships) (Safety Management Code) Regulations 2001 (S.I. 2001/3209)

MSN 1869 - Safety Management Code for Domestic Passenger Ships

MGN 536 – Safety Management Code For Domestic Passenger Ships

### Search and Rescue (SAR) plans

The Merchant Shipping (Safety of Navigation) Regulations 2002 (S.I. 2002/1473)

MSN 1783 Arrangements for the Carriage of Agreed Search and Rescue Co-operation Plans Aboard UK Passenger Vessels

### Passenger counting systems

The Merchant Shipping (Counting and Registration of Persons on Board Passenger Ships) Regulations 1999 (S.I. 1999/1869)

MSN 1794 - Passenger Counting Systems



## Annex 5

### Pleasure Vessels – definition of “pleasure vessel”<sup>21</sup>

(NB. In the Directive, pleasure vessels fall within the term “recreational craft”.)

*“pleasure vessel” means—*

*(a) any vessel which at the time it is being used is—*

*(i) in the case of a vessel wholly owned by—*

*(aa) an individual or individuals, used only for the sport or pleasure of the owner or the immediate family or friends of the owner; or*

*(bb) a body corporate, used only for sport or pleasure and on which the persons on board are employees or officers of the body corporate, or their immediate family or friends; and*

*(ii) on a voyage or excursion which is one for which the owner does not receive money for or in connection with operating the vessel or carrying any person, other than as a contribution to the direct expenses of the operation of the vessel incurred during the voyage or excursion; or*

*(b) any vessel wholly owned by or on behalf of a members’ club formed for the purpose of sport or pleasure which, at the time it is being used, is used only for the sport or pleasure of members of that club or their immediate family, and for the use of which any charges levied are paid into club funds and applied for the general use of the club,*

*where, in the case of any vessel referred to in paragraph (a) or (b), no other payments are made by or on behalf of users of the vessel, other than by the owner; and in this definition “immediate family” means, in relation to an individual, the spouse or civil partner of the individual, and a relative of the individual or the individual’s spouse or civil partner; and “relative” means brother, sister, ancestor or lineal descendant;”*

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<sup>21</sup> See regulation 3(1) of the Merchant Shipping (Working Time: Inland Waterways) (Amendment) Regulations 2017 (S.I. 2017/1149).

