



21.6.2016

AMENDMENTS

12 - 71

Draft opinion

Joëlle Bergeron

(PE582.398v01-00)

on the proposal for a directive of the European Parliament and of the Council on the recognition of professional qualifications in inland navigation and repealing Council Directive 96/50/EC and Council Directive 91/6728/EEC

Proposal for a directive

(COM(2016)0082 – C8-0061/2016 – 2016/0050(COD))

Amendment 12
Daniel Buda

Proposal for a directive
Recital 4

Text proposed by the Commission

(4) An evaluation study carried out by the Commission in 2014 highlighted the fact that the limitation of the scope of Directives 91/672/EEC and 96/50/EC to boatmasters, as well as the lack of automatic recognition of boatmasters' certificates issued in accordance with those Directives on the Rhine, **greatly** hinders the mobility of crew members in inland navigation.

Amendment

(4) An evaluation study carried out by the Commission in 2014 highlighted the fact that the limitation of the scope of Directives 91/672/EEC and 96/50/EC to boatmasters, as well as the lack of automatic recognition of boatmasters' certificates issued in accordance with those Directives on the Rhine, **significantly** hinders the mobility of crew members in inland navigation.

Or. ro

Amendment 13
Jiří Maštálka, Kostas Chrysogonos

Proposal for a directive
Recital 6

Text proposed by the Commission

(6) Boatmasters sailing in circumstances presenting a particular safety hazard should hold a specific **authorisation**, in particular, for sailing large convoys, sailing liquefied natural gas-fuelled vessels, sailing in conditions of reduced visibility, sailing on waterways with a maritime character or sailing on waterways with specific risks for navigation. In order to obtain such **authorisation**, boatmasters should be required to demonstrate additional competences.

Amendment

(6) Boatmasters sailing in circumstances presenting a particular safety hazard should hold a specific **certificate**, in particular, for sailing large convoys, sailing liquefied natural gas-fuelled vessels, sailing in conditions of reduced visibility, sailing on waterways with a maritime character or sailing on waterways with specific risks for navigation. In order to obtain such **certificate**, boatmasters should be required to demonstrate additional competences.

Or. en

Amendment 14
Angel Dzhambazki, Kosma Zlotowski

Proposal for a directive
Recital 7

Text proposed by the Commission

(7) For ensuring safety of navigation, Member States should identify waterways with a maritime character, in accordance with harmonised criteria. The competence requirements for navigating on these waterways should be defined at Union level. Without unnecessarily limiting the mobility of boatmasters, when necessary for ensuring safety of navigation, Member States ***should also have the possibility to*** identify the waterways entailing specific risks for navigation in accordance with harmonised criteria and procedures, pursuant to this Directive. In such a case, the related competence requirements should be set at Member State level.

Amendment

(7) For ensuring safety of navigation, Member States should identify waterways with a maritime character, in accordance with harmonised criteria. The competence requirements for navigating on these waterways should be defined at Union level. Without unnecessarily limiting the mobility of boatmasters, when necessary for ensuring safety of navigation, Member States ***could*** identify the waterways entailing specific risks for navigation in accordance with harmonised criteria and procedures, pursuant to this Directive. In such a case, the related competence requirements should be set at Member State level.

Or. en

Amendment 15
Victor Negrescu

Proposal for a directive
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) This Directive should include in the recognition process all certificates of qualification, documented experience, service record books and logbooks of professionals in inland navigation realised prior to the integration of the Member State in the European Union if complying with the minimum standards required.

Or. en

Amendment 16
Victor Negrescu

Proposal for a directive
Recital 12

Text proposed by the Commission

(12) Member States should issue certificates of qualification only to persons that have the minimum levels of competence, the minimum age, the minimum medical fitness and the navigation time required for obtaining a specific qualification.

Amendment

(12) Member States should issue certificates of qualification only to persons that have the minimum levels of competence, the minimum age ***of 17 or 19 years depending on the situation***, the minimum medical fitness and the navigation time required for obtaining a specific qualification.

Or. en

Amendment 17
Victor Negrescu

Proposal for a directive
Recital 15

Text proposed by the Commission

(15) Approval of training programmes is necessary to verify that the programmes comply with common minimum requirements regarding content and organisation. Such compliance allows for eliminating unnecessary barriers to entering the profession by preventing those who already acquired the necessary skills during their vocational training from passing unnecessary additional examination. The existence of approved training programmes may also facilitate the entry of workers with prior experience from other sectors into the profession of inland navigation as they may benefit from dedicated training programmes that take account of their already acquired competences.

Amendment

(15) Approval of training programmes is necessary to verify that the programmes comply with common minimum requirements regarding content and organisation. Such compliance allows for eliminating unnecessary barriers to entering the profession by preventing those who already acquired the necessary skills during their vocational training from passing unnecessary additional examination. The existence of approved training programmes may also facilitate the entry of workers with prior experience from other sectors into the profession of inland navigation as they may benefit from dedicated training programmes that take account of their already acquired competences ***alongside the recognition of***

their prior professional experience.

Or. en

Amendment 18

Daniel Buda

Proposal for a directive

Recital 19

Text proposed by the Commission

(19) To contribute to an efficient administration with respect to the issuing, renewing and withdrawing certificates of qualification, Member States should designate the competent authorities for implementing this Directive and set up registers for recording data on Union certificates of qualification, service record books and logbooks. In order to facilitate the exchange of information between Member States and *with* the Commission for the purpose of implementation, enforcement and evaluation of the Directive as well as for statistical purposes, for maintaining safety and for ease of navigation, Member States should report such information, including data on the certificates of qualifications, service record books and logbooks, in a database kept by the Commission.

Amendment

(19) To contribute to an efficient administration with respect to the issuing, renewing and withdrawing certificates of qualification, Member States should designate the competent authorities for implementing this Directive and set up registers for recording data on Union certificates of qualification, service record books and logbooks. In order to facilitate the exchange of information between Member States and the Commission for the purpose of implementation, enforcement and evaluation of the Directive as well as for statistical purposes, for maintaining safety and for ease of navigation, Member States should report such information, including data on the certificates of qualifications, service record books and logbooks, in a database kept by the Commission.

Or. ro

Amendment 19

Daniel Buda

Proposal for a directive

Recital 20

Text proposed by the Commission

(20) Authorities, including in third countries, issuing certificates of

Amendment

(20) Authorities, including in third countries, issuing certificates of

qualifications, service record books and logbooks in accordance with rules that are identical to those of this Directive are processing personal data. For the purpose of evaluation of the Directive, for statistical purposes, for maintaining safety, for ease of navigation and in order to facilitate the exchange of information between the authorities involved in the implementation and enforcement of this Directive, these authorities and, where relevant, international organisations that established these identical rules, should also have access to the database kept by the Commission. This access should however be subject to adequate level of data protection, including of personal data.

qualifications, service record books and logbooks in accordance with rules that are identical to those of this Directive are processing personal data. For the purpose of evaluation of the Directive, for statistical purposes, for maintaining safety, for ease of navigation and in order to facilitate the exchange of information between the authorities involved in the implementation and enforcement of this Directive, these authorities and, where relevant, international organisations that established these identical rules, should also have access to the database kept by the Commission. This access should however be subject to **a high and** adequate level of data protection, including of personal data.

Or. ro

Amendment 20
Evelyn Regner

Proposal for a directive
Recital 21

Text proposed by the Commission

Amendment

(21) With a view to **further** reducing administrative burden whilst rendering the documents less prone to tampering, the Commission should **as a second step, after the adoption of this Directive, examine the possibility of introducing** an electronic version of service record books and logbooks, as well as electronic professional cards incorporating Union certificates of qualifications. In doing so, the Commission should take existing technologies in other modes of transport into account, in particular road transport. **After conducting an impact assessment including of cost-benefit and of the impacts on the**

(21) With a view to reducing administrative burden whilst rendering the documents less prone to tampering, the Commission should **adopt suitable legal framework provisions for the introduction of** an electronic version of service record books and logbooks, as well as electronic professional cards incorporating Union certificates of qualifications. In doing so, the Commission should take existing technologies in other modes of transport into account, in particular road transport. **Tamper-proof equipment should also be provided for the electronic recording of working hours and duties performed by**

fundamental rights, in particular in relation to the protection of personal data, the Commission should present, if appropriate, a proposal to the European Parliament and the Council.

all crew members.

Or. de

Amendment 21

Jiří Maštálka

Proposal for a directive

Recital 21

Text proposed by the Commission

(21) With a view to further reducing administrative burden whilst rendering the documents less prone to tampering, the Commission should as a second step, after the adoption of this Directive, ***examine the possibility of introducing*** an electronic version of service record books and logbooks, as well as electronic professional cards incorporating Union certificates of qualifications. In doing so, the Commission ***should*** take existing technologies in other modes of transport into account, in particular road transport. After conducting an impact assessment including of cost-benefit and of the impacts on the fundamental rights, in particular in relation to the protection of personal data, the Commission should present, ***if appropriate***, a proposal to the European Parliament and the Council.

Amendment

(21) With a view to further reducing administrative burden whilst rendering the documents less prone to tampering, the Commission should as a second step, after the adoption of this Directive, ***introduce*** an electronic version of service record books and logbooks, as well as electronic professional cards incorporating Union certificates of qualifications. In doing so, the Commission ***should*** take existing technologies in other modes of transport into account, in particular road transport. After conducting an impact assessment including of cost-benefit and of the impacts on the fundamental rights, in particular in relation to the protection of personal data, the Commission should present a proposal to the European Parliament and the Council.

Or. en

Amendment 22

Tadeusz Zwiefka

Proposal for a directive

Recital 24

Text proposed by the Commission

(24) In order to provide minimum harmonised standards for the certification of qualifications and to facilitate the exchange of information between Member States and the implementation, monitoring and evaluation of this Directive by the Commission, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission as regards the setting of standards of competence, standards for medical fitness, standards for practical examinations, standards for the approval of simulators and standards defining the characteristics and conditions of use for a database kept by the Commission to host a copy of key data related to Union certificates of qualifications, service record books, logbooks and recognised documents. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. ***The Commission when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.***

Amendment

(24) In order to provide minimum harmonised standards for the certification of qualifications and to facilitate the exchange of information between Member States and the implementation, monitoring and evaluation of this Directive by the Commission, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission as regards the setting of standards of competence, standards for medical fitness, standards for practical examinations, standards for the approval of simulators and standards defining the characteristics and conditions of use for a database kept by the Commission to host a copy of key data related to Union certificates of qualifications, service record books, logbooks and recognised documents. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, ***and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.***

Or. en

Amendment 23
Jiří Maštálka

Proposal for a directive
Recital 26

Text proposed by the Commission

(26) The CESNI which is open to experts from all Member States, draws up standards in the field of inland navigation, including for professional qualifications. The Commission may take into account such standards when empowered to adopt acts in conformity with this Directive.

Amendment

(26) The CESNI, which is open to experts from all Member States, draws up standards in the field of inland navigation, including for professional qualifications. The Commission may take into account such standards when empowered to adopt acts in conformity with this Directive, **as well as social partners' and CCNR's opinions.**

Or. en

Amendment 24
Daniel Buda

Proposal for a directive
Article 1 – paragraph 1

Text proposed by the Commission

This Directive lays down the **conditions** and procedures for the certification of the qualifications of persons involved in the operation of a vessel for the carriage of goods and passengers by inland waterways in the Union, as well as the recognition of such qualifications in the Member States.

Amendment

This Directive lays down the **criteria** and procedures for the certification of the qualifications of persons involved in the operation of a vessel for the carriage of goods and passengers by inland waterways in the Union, as well as the recognition of such qualifications in the Member States.

Or. ro

Amendment 25
Jiří Maštálka

Proposal for a directive
Article 2 – paragraph 2

Text proposed by the Commission

2. This Directive does not apply to persons involved in the operation of:
(a) recreational craft;

Amendment

deleted

(b) *ferries not moving independently.*

Or. en

Amendment 26
Tadeusz Zwiefka

Proposal for a directive
Article 2 – paragraph 2 – introductory part

Text proposed by the Commission

2. This Directive does not apply to persons *involved in the operation of*:

Amendment

2. This Directive does not apply to persons:

Or. en

Amendment 27
Tadeusz Zwiefka

Proposal for a directive
Article 2 – paragraph 2 – point a

Text proposed by the Commission

(a) *recreational craft*;

Amendment

(a) *navigating for sport or pleasure*;

Or. en

Amendment 28
Tadeusz Zwiefka

Proposal for a directive
Article 2 – paragraph 2 – point b

Text proposed by the Commission

(b) ferries not moving independently.

Amendment

(b) *involved in the operation of* ferries not moving independently;

Or. en

Amendment 29
Tadeusz Zwiefka

Proposal for a directive
Article 2 – paragraph 2 – point b a (new)

Text proposed by the Commission

Amendment

(ba) involved in the operation of craft used by armed forces, forces maintaining public order, civil defence services, waterway administrations, fire services and other emergency services;

Or. en

Amendment 30
Tadeusz Zwiefka

Proposal for a directive
Article 2 – paragraph 2 – point b b (new)

Text proposed by the Commission

Amendment

(bb) navigating on craft operating limited journeys of local interest on a lake or seasonally on a national river not linked to the navigable network of another Member State, where the distance from the departure point is at no time more than ten kilometres;

Or. en

Amendment 31
Tadeusz Zwiefka

Proposal for a directive
Article 2 – paragraph 2 – point b c (new)

Text proposed by the Commission

Amendment

(bc) navigating seasonally on craft operating within a Member State on isolated lakes not connected to any inland

waterway network;

Or. en

Amendment 32
Tadeusz Zwiefka

Proposal for a directive
Article 2 – paragraph 2 – point b d (new)

Text proposed by the Commission

Amendment

*(bd) navigating in port areas not
connected to inland waterways;*

Or. en

Amendment 33
Tadeusz Zwiefka

Proposal for a directive
Article 2 – paragraph 2 – point b e (new)

Text proposed by the Commission

Amendment

*(be) navigating on crafts in inlets not
connected to inland waterways and
subject to the requirements of Directive
2008/106/EC of the European Parliament
and of the Council^{1a}.*

^{1a} *Directive 2008/106/EC of the European
Parliament and of the Council of 19
November 2008 on the minimum level of
training of seafarers (OJ L 323,
3.12.2008, p. 33).*

Or. en

Amendment 34
Angel Dzhambazki, Kosma Złotowski

Proposal for a directive
Article 3 – point 1

Text proposed by the Commission

(1) ‘inland waterway’ means a stretch of water not *part of the sea*, open to navigation;

Amendment

(1) ‘inland waterway’ means a stretch of water not *sea or ocean*, open to navigation;

Or. en

Amendment 35
Daniel Buda

Proposal for a directive
Article 3 – point 1 a (new)

Text proposed by the Commission

Amendment

(1a) ‘inland waterway with a maritime character’ means any inland waterway classified in zone 1 or 2 under Article 1 of Directive (EU) 2016/ ^{1a} ^{1b} of the European Parliament and of the Council;

^{1a} Directive (EU) 2016/... Directive of the European Parliament and of the Council of... laying down technical requirements for inland waterway vessels and repealing Directive 2006/87/EC of the European Parliament and of the Council (OJ L...).

^{1b} +OJ: Please insert the number of the directive given in document 2013/0302 (COD) in the text and the number, date and publication references of the directive in the footnote.

Or. ro

Amendment 36
Daniel Buda

Proposal for a directive
Article 3 – point 6 a (new)

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Text proposed by the Commission

Amendment

(6a) ‘seasonal deck crew members’ means deck crew members who work no more than 90 days per calendar year in this capacity and at all times under the supervision of a non-seasonal deck crew member;

Or. ro

Amendment 37
Daniel Buda

Proposal for a directive
Article 3 – point 15

Text proposed by the Commission

(15) ‘navigation time’ means the time that deck crew members spent aboard during a journey performed by a vessel on inland waterways and validated by the competent authority;

Amendment

(15) ‘navigation time’ means the time that deck crew members spent aboard during a journey performed by a vessel on inland waterways, **including time spent training on a simulator approved under Article 19, which period may not exceed one-quarter of the total time**, and validated by the competent authority;

Or. ro

Amendment 38
Jiří Maštálka

Proposal for a directive
Article 4 – paragraph 2

Text proposed by the Commission

2. A Member State may **exempt all deck crew members or groups of crew members having a specific qualification operating exclusively on national inland waterways not linked to the navigable network of another Member State from**

Amendment

2. A Member State may issue national certificates of qualification for desk crew members. The validity of those national certificates of qualification shall be limited to those national inland waterways which are not linked to the navigable network of

the obligation set out in paragraph 1. That Member State may issue national certificates of qualification for desk crew members under conditions that differ from the general conditions set out in this Directive. The validity of those national certificates of qualification shall be limited to those national inland waterways which are not linked to the navigable network of another Member State.

another Member State.

Or. en

Amendment 39
Jiří Maštálka

Proposal for a directive
Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. By derogation from paragraph 1, certificates of qualification for deck crew members other than boatmasters, issued in accordance with Directive 2008/106/EC of the European Parliament and of the Council¹⁸, shall be valid on seagoing vessels operating on inland waterways.

deleted

¹⁸ *Directive 2008/106/EC of the European Parliament and of the Council of 19 November 2008 on the minimum level of training of seafarers (OJ L 323, 3.12.2008, p. 33).*

Or. en

Amendment 40
Daniel Buda

Proposal for a directive
Article 5 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. On inland waterways classified in zone 3 or 4, or in zone 4 only, a Member State may exempt from the requirement laid down in paragraph 1 all or certain categories of seasonal deck crew members, with the exception of boatmasters. The zones referred to above are those defined in Article 1 of Directive (EU) 2016/ ...^{1a}.

^{1a} +OJ: please insert in the text the number of the directive referred to in document 2013/0302 (COD).

Or. ro

Amendment 41
Tadeusz Zwiefka

Proposal for a directive
Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

A Member State may exempt all persons referred to in paragraph 1 operating exclusively on national inland waterways not linked to the navigable network of another Member State from the obligation set out in paragraph 1. That Member State may issue national certificates of qualification which may be obtained under conditions that differ from the general conditions set out in this Directive. The validity of those national certificates of qualification shall be limited to those national inland waterways which are not linked to the navigable network of another Member State.

Or. en

Amendment 42
Daniel Buda

Proposal for a directive
Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall classify a stretch of inland waterway in their territory as an inland waterway with a maritime character when one of the following criteria is met:

Amendment

1. Member States shall classify a stretch of inland waterway in their territory as an inland waterway with a maritime character when **at least** one of the following criteria is met:

Or. ro

Amendment 43
Daniel Buda

Proposal for a directive
Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

1. When necessary for ensuring safety of navigation, Member States **may** identify stretches of inland waterways with specific risks, except for inland waterways of a maritime character referred to in Article 7, where such risks are due to:

Amendment

1. When necessary for ensuring safety of navigation, Member States **shall** identify stretches of inland waterways with specific risks, except for inland waterways of a maritime character referred to in Article 7, where such risks are due to:

Or. ro

Amendment 44
Daniel Buda

Proposal for a directive
Article 9 – paragraph 6 – subparagraph 1

Text proposed by the Commission

If the Commission determines that the requirements referred to in paragraphs 2 or 4 are no longer met, it shall adopt an implementing act suspending the validity

Amendment

If the Commission determines that the requirements referred to in paragraphs 2 or 4 are no longer met, it shall adopt an implementing act suspending **or even**

on all Union inland waterways of the certificates of qualification, service record books and logbooks issued in accordance with these requirements.

discontinuing the validity on all Union inland waterways of the certificates of qualification, service record books and logbooks issued in accordance with these requirements.

Or. ro

Amendment 45
Viktor Uspaskich

Proposal for a directive
Article 12 – point a

Text proposed by the Commission

(a) for Union certificate of qualification for crew members, satisfactory documentary evidence referred to in Article 10(1)(a) and (c) is submitted;

Amendment

(a) for Union certificate of qualification for **deck** crew members, satisfactory documentary evidence referred to in Article 10(1)(a) and (c) is submitted;

Or. en

Justification

The aim of the proposal is the extension of the scope to all deck crew members beyond the boat masters.

Amendment 46
Jiří Maštálka

Proposal for a directive
Article 15 – paragraph 3 – subparagraph 1 – point a

Text proposed by the Commission

(a) *the Union certificate of qualification for boatmasters;*

Amendment

deleted

Or. en

Amendment 47

Jiří Maštálka

Proposal for a directive

Article 15 – paragraph 3 – subparagraph 1 – point b

Text proposed by the Commission

Amendment

(b) the specific authorisation for sailing with the aid of radar as referred to in Article 6(c); **deleted**

Or. en

Amendment 48

Jiří Maštálka

Proposal for a directive

Article 15 – paragraph 3 – subparagraph 1 – point c

Text proposed by the Commission

Amendment

(c) the Union certificate of qualification for experts in the use of liquefied gas as fuel. **deleted**

Or. en

Amendment 49

Jiří Maštálka

Proposal for a directive

Article 15 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

To obtain documents referred to under points (a) and (b), practical examinations may take place on board a vessel or on a simulator compliant with Article 19. For point (c), practical examinations may take place on board a vessel or an appropriate shore installation. **deleted**

Or. en

Amendment 50
Tadeusz Zwiefka

Proposal for a directive
Article 17 – paragraph 1

Text proposed by the Commission

1. Training programmes leading to diplomas or certificates demonstrating compliance with the standards of competence referred to in Article 15(1) **shall** be approved by the competent authorities of the Member States in whose territory the relevant education or training institute **is established**.

Amendment

1. **Member States may establish training programmes for persons referred to in Articles 4, 5 and 6. Member States shall ensure that such** training programmes leading to diplomas or certificates demonstrating compliance with the standards of competence referred to in Article 15(1) be approved by the competent authorities of the Member States in whose territory the relevant education or training institute **conducts its training programmes**.

Or. en

Amendment 51
Tadeusz Zwiefka

Proposal for a directive
Article 17 – paragraph 2 a (new)

Text proposed by the Commission

2a. **Member States shall recognise the diplomas or certificates awarded following the completion of training programmes approved by other Member States in accordance with paragraph 1.**

Or. en

Amendment 52
Daniel Buda

Proposal for a directive
Article 18 – paragraph 1 – subparagraph 3

Text proposed by the Commission

When applying this paragraph, the Member States shall apply objective, transparent, non-discriminatory and proportionate criteria.

Amendment

When applying this paragraph, the Member States shall apply objective, transparent, non-discriminatory and proportionate criteria, *taking into account the principles of equal opportunity and gender equality.*

Or. ro

Amendment 53
Daniel Buda

Proposal for a directive
Article 19 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. *Member States shall ensure that, as far as possible, nationals of other Member States are guaranteed access to simulators.*

Or. ro

Amendment 54
Evelyn Regner

Proposal for a directive
Article 20 – paragraph 4 – subparagraph 2

Text proposed by the Commission

The Commission shall adopt implementing acts establishing models for service record books and logbooks. Those implementing acts shall be adopted in accordance with the advisory procedure pursuant to Article 30(2), taking into account the information required for the implementation of this Directive as regards the identification of the person,

Amendment

Based on experience with other transport modes, in particular road transport, the Commission shall, within one year of the adoption of this Directive, adopt implementing acts for the introduction of tamper-proof electronic service record books and logbooks, as well as electronic professional cards incorporating include Union certificates of qualifications.

their navigation time and the journeys carried out. When adopting those models, the Commission shall take into consideration that the logbook is also used for the implementation of Council Directive 2014/112/EU¹⁹ for verifying manning requirements and recording journeys of the vessels and may make a reference to standards established by an international body.

Those implementing acts shall be adopted in accordance with **Article 30(2) and shall take into account the requirements** of Council Directive 2014/112/EU¹⁹. **Personal data shall be protected by means of simple and reliable verification procedures.**

The Commission shall adopt within one year a proposal for a Regulation to ensure tamper-proof and easy verification procedures regarding time spent at the wheel, travel time, rest periods and standby periods, as well as other duties performed by all crew members, including in particular loading, unloading, supervision thereof and fuelling. This Regulation shall also take into account the requirements of Council Directive 2014/112/EU¹⁹.

Personal data shall be protected by means of simple and reliable verification procedures.

¹⁹ Council Directive 2014/112/EU of 19 December 2014 implementing the European Agreement concerning certain aspects of the organisation of working time in inland waterway transport, concluded by the European Barge Union (EBU), the European Skippers Organisation (ESO) and the European Transport Workers' Federation (ETF) OJ L 367, 23.12.2014, p. 86

¹⁹ Council Directive 2014/112/EU of 19 December 2014 implementing the European Agreement concerning certain aspects of the organisation of working time in inland waterway transport, concluded by the European Barge Union (EBU), the European Skippers Organisation (ESO) and the European Transport Workers' Federation (ETF) OJ L 367, 23.12.2014, p. 86

Or. de

Amendment 55
Evelyn Regner

Proposal for a directive
Article 21 – paragraph 3

Text proposed by the Commission

3. On reaching the age of **60**, the holder of a Union certificate of qualification shall successfully complete a medical fitness examination in the three months thereafter and shall subsequently successfully complete this examination every five years thereafter. On reaching the age of **70**, the holder shall successfully complete this examination every two years thereafter.

Amendment

3. On reaching the age of **50**, the holder of a Union certificate of qualification shall successfully complete a medical fitness examination in the three months thereafter and shall subsequently successfully complete this examination every five years thereafter. On reaching the age of **60**, the holder shall successfully complete this examination every two years thereafter.

Or. de

Amendment 56
Evelyn Regner

Proposal for a directive
Article 21 – paragraph 6 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The Commission shall, under Article 29, be empowered to adopt delegated acts regarding essential medical requirements to be met by skippers in terms of both physical and mental fitness. It shall do so on the basis of the provisions and principles applicable to other modes of transport, in particular the rules and provisions set out in Directive 2007/59/EC. These delegated acts shall be adopted within one year from [OJ: insert date of entry into force of this Directive]. Until then, the provisions of paragraph 3 shall apply to skippers.

Or. de

Amendment 57
Notis Marias

Proposal for a directive
Article 22 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Personal data may be processed only for the purposes of:

Amendment

Personal data may be processed only *in accordance with the principles of personal data protection and* for the purposes of:

Or. el

Amendment 58
Notis Marias

Proposal for a directive
Article 27 – paragraph 2

Text proposed by the Commission

2. Member States shall exchange information with the competent authorities of other Member States concerning the certification of persons involved in the operation of a vessel.

Amendment

2. Member States shall exchange information with the competent authorities of other Member States concerning the certification of persons involved in the operation of a vessel, *respecting at all times the principles of data protection.*

Or. el

Amendment 59
Tadeusz Zwiefka

Proposal for a directive
Article 29 – paragraph 2

Text proposed by the Commission

2. The *delegation of power* referred to in Articles 15(1) and (4), Articles 19, 21 and 23 (1) and (2) shall be conferred on the Commission for *an indeterminate* period of *time* from (*entry into force).

Amendment

2. The *power to adopt delegated acts* referred to in Articles 15(1) and (4), Articles 19, 21 and 23 (1) and (2) shall be conferred on the Commission for *a* period of *five years* from (*entry into force). *The Commission shall draw up a report in respect of the delegation of power not*

later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

Amendment 60
Viktor Uspaskich

Proposal for a directive
Article 29 – paragraph 2

Text proposed by the Commission

2. The **delegation of** power referred to in Articles 15(1) and (4), Articles 19, 21 and 23 (1) and (2) shall be conferred on the Commission for **an indeterminate** period of time from (*entry into force).

Amendment

2. The power to adopt **delegated acts** referred to in Articles 8(3), 15(1) and (4), Articles 19, 21 and 23 (1) and (2) shall be conferred on the Commission for **a** period of **five years** from (***date of** entry into force). **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extensions not later than six months before the end of each period.**

Or. en

Justification

The delegation of power to the Commission should be limited in time and the right of the co-legislators to withdraw the delegation should be clearly expressed. Art. 8(3) should be rather a delegated than an implementing act and should thus be included in Art. 29 on the exercise of the delegation.

Amendment 61
Tadeusz Zwiefka

Proposal for a directive
Article 29 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.

Or. en

Amendment 62
Daniel Buda

Proposal for a directive
Article 32 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. Within one year of the entry into force of this Directive, the Commission shall gradually adopt delegated acts setting up:

1. Within one year of the entry into force of this Directive, the Commission shall gradually adopt delegated **and implementing** acts setting up:

Or. ro

Amendment 63
Viktor Uspaskich

Proposal for a directive
Article 34 – paragraph 3

Text proposed by the Commission

Amendment

3. Crew members other than boatmasters holding a certificate of qualification issued by a Member State

3. Crew members other than boatmasters holding a certificate of qualification issued by a Member State

prior to the date following the end of the transposition period referred to in Article 35 of this Directive or holding a qualification recognised in one or more Member States may still rely on that certificate or qualification for a maximum of 10 years after that date. During this period, crew members other than boatmasters may continue to rely on Directive 2005/36/EC for the recognition of their qualification by other Member States' authorities. Before the expiry of this period, they may apply for a Union certificate of qualification or a certificate in application of Article 9(2) to a competent authority issuing such certificates, on condition that they provide satisfactory evidence as referred to in Article 10(1) (a) and (c) of this Directive and provide proof, by means of a service record book, of the following navigation time:

prior to the date following the end of the transposition period referred to in Article 35 of this Directive or holding a qualification recognised in one or more Member States may still rely on that certificate or qualification for a maximum of 10 years after that date. During this period, crew members other than boatmasters may continue to rely on Directive 2005/36/EC for the recognition of their qualification by other Member States' authorities. Before the expiry of this period, they may apply for a Union certificate of qualification or a certificate in application of Article 9(2) to a competent authority issuing such certificates, on condition that they provide satisfactory evidence as referred to in Article 10(1) (a) and (c) of this Directive and provide proof, by means of a service record book *or logbook*, of the following navigation time:

Or. en

Justification

Logbooks shall as well be a possible means to keep record of navigation time. Moreover, both reference tools are treated equally in the following paragraph 4.

Amendment 64 **Daniel Buda**

Proposal for a directive **Article 35 – paragraph 1 – subparagraph 1**

Text proposed by the Commission

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [3 years after the entry into force] at the latest. They shall forthwith communicate to the Commission the *text* of those provisions.

Amendment

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [3 years after the entry into force] at the latest. They shall forthwith communicate to the Commission the *substance and nature* of those provisions.

Or. ro

Amendment 65
Evelyn Regner

Proposal for a directive
Annex I – point 1 – point 1.1 – indent 1

Text proposed by the Commission

not be less than **16** years of age.

Amendment

not be less than **18** years of age.

Or. de

Amendment 66
Evelyn Regner

Proposal for a directive
Annex I – point 1 – point 1.2 – indent 2 a (new)

Text proposed by the Commission

Amendment

- Trainees may only be employed under the existing youth protection provisions of the Member State in which they are present, unless the substantive law governing the training contract provides for a higher level of protection;

Or. de

Amendment 67
Evelyn Regner

Proposal for a directive
Annex I – point 2 – point 2.1 – point a – indent 1

Text proposed by the Commission

- not be less than **17** years of age.

Amendment

- not be less than **18** years of age.

Or. de

Amendment 68
Viktor Uspaskich

Proposal for a directive

Annex I – point 2 – point 2.1 – point a – indent 1

Text proposed by the Commission

– not be less than **17** years of age;

Amendment

– not be less than **18** years of age;

Or. en

Amendment 69

Evelyn Regner

Proposal for a directive

Annex I – point 2 – point 2.2 – point a – indent 1

Text proposed by the Commission

have navigation time of not less than **180** days while qualified to serve as boatman.

Amendment

have navigation time of not less than **360** days while qualified to serve as boatman.

Or. de

Amendment 70

Evelyn Regner

Proposal for a directive

Annex I – point 3 – point 3.1 – point a – indent 3

Text proposed by the Commission

have navigation time of not less than **360** days, gained as part of this approved training programme or after completion thereof.

Amendment

have navigation time of not less than **725** days, gained as part of this approved training programme or after completion thereof.

Or. de

Amendment 71

Evelyn Regner

Proposal for a directive

Annex II – point 2 – point 2.6 – indent 2

Text proposed by the Commission

- ensure good communication at all times,
***which includes the use of standardised
communication phrases in situations with
communication problems;***

Amendment

- ensure good communication at all times;

Or. de