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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	Proposal for a Directive of the European Parliament and of the Council laying down technical requirements for inland waterway vessels, amending Directive 2009/100/EC and repealing Directive 2006/87/EC of the European Parliament and of the Council *- Political agreement*

Revision N° 1 of the I/A Item Note 7759/16:

1. On 10 September 2013, the Commission transmitted the above-mentioned proposal to the European Parliament and to the Council.

2. The European Parliament's Committee on Transport and Tourism (TRAN) appointed Ms Corien Wortmann-Kool (EPP, NL) as rapporteur during the 7th term. The European Parliament adopted its first reading opinion on 15 April 2014. For the 8th term Mr Ivo Belet (EPP, BE) took over the duties of the rapporteur.

3. The Council adopted its general approach at the meeting of TTE Council on 11 June 2015, as set out in document 9008/1/15 REV 1.

4. At the trilogue on 17 March 2016 a provisional agreement with the European Parliament was reached. The Permanent Representatives Committee approved the agreement on 23 March 2016.

5. With his letter dated 7 April 2016, the Chair of the committee responsible for the proposal in the European Parliament confirmed the provisional agreement.

6. The agreed text is attached to this report. It will be subsequently revised by lawyer-linguists in view of adoption of the position of the Council at first reading.

7. The Permanent Representatives Committee is invited to endorse the political agreement on this proposal and to submit the agreement for adoption at the FAC Council on 13 May 2016.

ANNEX

2013/0302 (COD)

Proposal for a

DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of …

laying down technical requirements for inland waterway vessels, amending Directive 2009/100/EC and repealing Directive 2006/87/EC

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 91(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Having regard to the opinion of the European Economic and Social Committee[1],

Having regard to the opinion of the Committee of the Regions[2],

Acting in accordance with the ordinary legislative procedure[3],

[1] OJ C 177, 11.6.2014, p. 58.
[2] OJ C 126, 26.4.2014, p. 48.
[3] …..

Whereas:

(1) Directive 2006/87/EC of the European Parliament and of the Council[4] establishes harmonised conditions for issuing technical certificates for inland waterway vessels throughout the Union's inland waterways.

(2) The technical requirements for vessels navigating on the Rhine river are established by the Central Commission for Navigation on the Rhine (CCNR).

(3) The technical requirements set out in the annexes to Directive 2006/87/EC for the most part incorporate the provisions laid down in the Rhine Vessels Inspection Regulations, in the version approved in 2004 by the CCNR. The conditions and technical requirements for issuing inland navigation certificates under Article 22 of the Revised Convention on the Navigation on the Rhine are updated regularly and are recognised as reflecting current technological developments.

(4) Given the different legal frameworks and timeframes for the decision-making procedures, it is difficult to maintain the equivalence between the Union inland navigation certificates issued pursuant to Directive 2006/87/EC and the certificates issued pursuant to Article 22 of the Revised Convention for Rhine Navigation. Legal certainty is therefore not ensured, and this has a potentially negative impact on navigation safety.

(5) In order to achieve harmonisation at Union level and to prevent distortions of competition and varying levels of safety**,** the same technical requirements for the whole of the Union's inland waterways should be applied and updated regularly.

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[4] Directive 2006/87/EC of the European Parliament and of the Council of 12 December 2006 laying down technical requirements for inland waterway vessels and repealing Council Directive 82/714/EEC (OJ L 389, 30.12.2006, p. 1).

(6) Since the CCNR has built up significant expertise in developing and updating technical requirements for inland navigation vessels, that expertise should be fully used for the inland waterways in the Union. A European Committee for drawing up Standards in Inland Navigation (CESNI), under the auspices of the CCNR and open to experts from all Member States of the Union, draws up technical standards in the field of inland navigation to which reference should be made by the Union.

(7) Union inland navigation certificates attesting that craft are fully compliant with the technical requirements should be valid on all Union inland waterways.

(8) The conditions for the issuing of supplementary Union inland navigation certificates by Member States for operations on Zone 1 and 2 waterways (estuaries) and for operations on Zone 4 waterways should be harmonised more closely.

(9) In the interest of safety, standards should be harmonised at a high level and in such a way that there is no reduction in safety standards on the Union inland waterways. However, Member States should be allowed, after consulting the Commission, to establish specific provisions concerning additional or reduced technical requirements for certain zones provided that such measures are limited to the specific subjects set out in Annexes III and IV.

(10) While maintaining an adequate level of safety, Member States should have the possibility to derogate from this Directive in certain cases related to navigable waterways not linked to the inland waterways of other Member States or to certain craft that operate exclusively on a national waterway. Where such derogations cover all craft navigating in a Member State, it would be a disproportionate and unnecessary obligation for that Member State to transpose all of the obligations set out in this Directive. Member States cannot issue Union inland navigation certificates unless the respective obligations under this Directive have been transposed.

(11) Derogations from this Directive and recognition of equivalences for specific craft should be possible to accommodate alternative approaches or to promote innovation or to prevent unreasonable costs, provided that depending on the circumstances equivalent or adequate safety is ensured. To ensure that uniform conditions are applied, implementing powers should be conferred on the Commission on this matter. The Commission should have the possibilty to refer to recommendations by CESNI on such derogations and equivalences.

(12) For reasons of administrative, technical and economic efficiency Member States have the possibility to designate competent authorities for ensuring conformity with this Directive and its correct application in accordance with their national practices.

(13) The Union inland navigation certificate should be issued to a craft that passes a technical inspection carried out prior to the craft being put into service. This technical inspection should be used to check whether the craft complies with the technical requirements set out in this Directive. The competent authorities of the Member States should be entitled at any time to control such a compliance and the availability onboard of a valid inland navigation certificate.

(14) It is appropriate, within certain time limits and depending on the category of craft concerned, to determine the period of validity of Union inland navigation certificates in each specific case.

(15) Detailed provisions concerning the replacement, renewal, extension of validity and issuance of new Union inland navigation certificates need to be established, within certain limits, in order to maintain a high degree of safety in inland navigation.

(16) To ensure efficient application of this Directive, information relating to inland waterway craft should be entered into the European Hull Data Base for the use of competent authorities. The European Hull Data Base should provide notably an option to verify the history of any pending applications for certificates and an information on all valid certificates already issued to the craft in question. The Commission should keep and adapt the European Hull Data Base so that it can fully serve the application of this Directive.

(17) The measures set out in Directive 2009/100/EC of the European Parliament and of the Council[5] need to remain in force for vessels not covered by this Directive.

(18) The scope of Directive 2009/100/EC should be adapted to endorse its complementary scope with this Directive and to take account of developments regarding international agreements. As this would improve the clarity of Union legislation, Directive 2009/100/EC should be amended.

(19) A transitional regime should be applied in the case of craft in service not yet carrying a Union inland navigation certificate when they undergo a first technical inspection under the revised technical requirements established by this Directive.

(20) For the purposes of better regulation and simplification, it should be possible for this Directive to make reference to international standards without duplicating them in the Union legal framework.

(21) CESNI has been established to facilitate harmonisation of technical standards applied in the inland waterway sector across Europe. In order to ensure a high level of safety and efficiency in inland navigation, to maintain the equivalence of the inland navigation certificates and to take into account scientific and technical progress and other developments in the sector, the reference to the applicable CESNI technical standard in this Directive should be kept up-to-date. Therefore, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU) should be delegated to the Commission in respect of updating the reference to the most recent version of the CESNI ES-TRIN standard and setting the date of its application.

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[5] Directive 2009/100/EC of the European Parliament and of the Council 16 September 2009 on reciprocal recognition of navigability licences for inland waterway vessels *(OJ L 259, 2.10.2009, p. 8).*

(22) Where duly justified by an appropriate analysis and in the absence of pertinent and up-to-date international standards to ensure safety of navigation, or where changes in the decision–making process of CESNI would compromise Union interests, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending, in order to safeguard Union interests, Annex II to this Directive by providing appropriate technical requirements.

(23) In order to amend or supplement certain non-essential elements of this Directive, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of [the amendment of the classification of a waterway; the further specification of the data to be entered in the European Hull Data Base, the types of access to as well as the instructions regarding the use and operation of this data base; the updating of the minimum technical requirements of inland waterways craft, and the amendment of Annexes III and IV to take account of scientific and technical progress, of Annex V to update and streamline its procedural provisions and of Annex VI to modify the criteria for the recognition of classification societies in order to ensure safety of navigation, as well as the amendment of any references in this Directive to Annexes II and V made necessary by the adoption of delegated acts].

(24) When adopting delegated acts, 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 [15 March 2016 *tbc*]. 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.

(25) In order to accommodate alternative approaches, to promote innovation, to prevent unreasonable costs, to provide for an efficient process for issuing certificates or to take account of regional circumstances, implementing powers should be conferred on the Commission as regards the authorisation of certain derogations to the technical requirements for specific craft, to recognise classification societies and to approve additional or reduced technical requirements for vessels operating in certain zones which are not linked to the navigable inland waterways of another Member State. These powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[6].

(26) In order to ensure an appropriate framework for coordination and cooperation with international organisations competent for inland waterway navigation, in particular the CCNR, and the development of uniform technical standards for inland navigation to which the Union and international organisations could refer, this Directive should be subject to review, particularly as regards the effectiveness of the measures introduced by this Directive, as well as the mechanisms for cooperation with international organisations competent for inland navigation, with a view to achieving a single, uniform set of technical standards.

(27) In Denmark, Estonia, Ireland, Greece, Spain, Cyprus, Latvia, Malta, Portugal, Slovenia and Finland there are no inland waterways or inland navigation is not used to a significant extent. It would therefore be a disproportionate and unnecessary obligation for those Member States to transpose and implement this Directive.

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[6] Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

(28) Since the objective of this Directive, namely establishing the technical provisions necessary to ensure the safety of craft navigating on the inland waterways of the Union, cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary in order to achieve that objective.

(29) Directive 2006/87/EC should therefore be repealed,

HAVE ADOPTED THIS DIRECTIVE:

CHAPTER 1
SCOPE, DEFINITIONS AND WATERWAY ZONES

Article 1

Subject matter

This Directive establishes:

(a) the technical provisions necessary to ensure the safety of craft navigating on the inland waterways referred to in Article 4; and

(b) the classification of those inland waterways.

Article 2

Scope of application

1. This Directive applies to the following craft:

(a) vessels having a length (L) of 20 metres or more;

(b) vessels for which the product of length (L), breadth (B) and draught (T) is a volume of 100 cubic metres or more;

(c) tugs and pushers intended for towing or pushing craft as defined in Article 3 or floating equipment or for moving such craft or floating equipment alongside;

(d) passenger vessels;

(e) floating equipment.

2. This Directive does not apply to:

(a) ferries;

(b) naval vessels;

(c) sea-going ships, including sea-going tugs and pushers, which:

(i) operate or are based on tidal waters; or

(ii) operate temporarily on inland waterways

provided that they carry at least:

– a certificate proving conformity with the 1974 International Convention for the Safety of Life at Sea (SOLAS), or equivalent, a certificate proving conformity with the 1966 International Convention on Load Lines, or equivalent, and an international oil pollution prevention (IOPP) certificate proving conformity with the 1973/78 International Convention for the Prevention of Pollution from Ships (MARPOL); or

– in case of sea-going ships not covered by SOLAS 1974, the 1966 International Convention on Load Lines or MARPOL 73, the relevant certificates and the freeboard marks required by the laws of their flag states; or

– in the case of passenger vessels not covered by all of the Conventions referred to in the first indent, a certificate on safety rules and standards for passenger ships issued in conformity with Directive 2009/45/EC of the European Parliament and of the Council[7] ; or

[7] Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships **(***OJ L 163, 25.6.2009, p. 1)***.**

– in the case of recreational craft not covered by all of the Conventions referred to in the first indent, a certificate of the country of which it carries the flag demonstrating an adequate level of safety.

Article 3

Definitions

For the purposes of this Directive, the following definitions apply:

(a) ‘craft’ means a vessel or item of floating equipment;

(b) ‘vessel’ means an inland waterway vessel or sea-going ship;

(c) 'inland waterway vessel' means vessel intended solely or mainly for navigation on inland waterways;

(d) ‘tug’ means a vessel specially built to perform towing operations;

(e) ‘pusher’ means a vessel specially built to propel a pushed convoy;

(f) ‘passenger vessel’ means a day trip or cabin vessel constructed and equipped to carry more than 12 passengers;

(g) ‘floating equipment’ means a floating installation carrying working gear such as cranes, dredging equipment, pile drivers or elevators;

(h) ‘recreational craft’ vessel other than a passenger vessel, intended for sport or pleasure;

(i) ‘high-speed vessel’ means a motorised craft capable of reaching speeds over 40 km/h in relation to water;

(j) ‘water displacement" means the immersed volume of the vessel, in cubic metres;

(k) ‘length (L)’ means the maximum length of the hull in metres, excluding rudder and bowsprit;

(l) ‘breadth (B)’ means the maximum breadth of the hull in metres, measured to the outer edge of the shell plating (excluding paddle wheels, rub rails, and similar);

(m) ‘draught (T)’ means the vertical distance in metres between the lowest point of the hull without taking into account the keel or other fixed attachments and the maximum draught line;

(n) ‘linked inland waterways’ means waterways of a Member State connected, by inland waterways which can be navigated under national or international law by craft falling within the scope of this Directive, to inland waterways of another Member State.

Article 4

Classification of inland waterways

1. For the purposes of this Directive, the inland waterways of the Union shall be classified as follows:

(a) Zones 1, 2, 3 and 4:

(i) Zones 1 and 2: the waterways listed in Chapter 1 of Annex I;

(ii) Zone 3: the waterways listed in Chapter 2 of Annex I;

(iii) Zone 4: all other inland waterways which can be navigated under national law by craft falling within the scope of this Directive.

(b) Zone R: those of the waterways referred to in point (a) for which certificates are to be issued in accordance with Article 22 of the Revised Convention on the Navigation on the Rhine as that Article is worded on **…** [OJ: please insert the date of entry into force of this Directive[l].

2. The Commission is empowered to adopt delegated acts in accordance with Article 32 concerning amendments to Annex I so as to modify the classification of a waterway, including addition and deletion of waterways. Such amendments to Annex I may be made only on request by the Member State concerned, for waterways on its territory.

CHAPTER 2
NAVIGATION CERTIFICATES

Article 5

Compliance with technical and safety requirements

1. Member States shall ensure that craft referred to in Article 2(1) operating on the Union inland waterways referred to in Article 4 are constructed and maintained in accordance with the requirements set out in this Directive.

2. The compliance with paragraph 1 shall be demonstrated by a certificate in accordance with this Directive.

Article 6

Union inland navigation certificates

1. Union inland navigation certificates shall be issued by the competent authorities of the Member States in accordance with this Directive. Member States, upon issuance of an Union inland navigation certificate, shall verify that the craft in question has not already been issued a valid certificate referred to in Article 7.

2. The Union inland navigation certificate shall be drawn up following the model in accordance with Annex II.

3. Each Member State shall draw up a list indicating the competent authorities for issuing the Union inland navigation certificates and shall notify the Commission thereof, including any changes to the list. The Commission shall maintain an up-to-date list of competent authorities on an appropriate website.

4. The Union inland navigation certificate shall be issued to craft following a technical inspection carried out prior to the craft being put into service and intended to check whether the craft complies with the technical requirements set out in Annexes II and V.

5. Compliance of a craft with the additional requirements referred to in Article 23(1) and (2) shall, where appropriate, be checked during the technical inspections provided for in paragraph 4 of this Article and Article 29, or during a technical inspection carried out at the request of the craft's owner.

6. The procedure for making a request for an inspection and establishing the place and time of that inspection fall within the powers of the competent authorities issuing the Union inland navigation certificate. The competent authority shall determine which documents are to be submitted. The procedure shall take place in such a way as to ensure that the inspection may be conducted within a reasonable period following the lodging of the request.

7. The competent authorities of Member States shall issue a Union inland navigation certificate to craft not subject to this Directive, upon request of the owner or his representative, if the craft fulfils the requirements of this Directive.

Article 7

Obligation to carry a certificate

Craft operating on the Union inland waterways referred to in Article 4 shall carry as an original document:

(a) when operating on a Zone R waterway:

– either a certificate issued pursuant to Article 22 of the Revised Convention on the Navigation on the Rhine; or

– a Union inland navigation certificate attesting full compliance of the craft, where applicable pursuant to the transitional provisions of Annex II for craft navigating on the Rhine (Zone R), with technical requirements as referred to in Annexes II and Va for which equivalency with the technical requirements laid down in application of the Revised Convention on the Navigation on the Rhine has been established according to the applicable rules and procedures;

(b) when operating on other waterways, a Union inland navigation certificate or a certificate issued pursuant to Article 22 of the Revised Convention on the Navigation on the Rhine, including, where applicable, any supplementary Union inland navigation certificates in accordance with Article 8.

Article 8

Supplementary Union inland navigation certificates

1. Craft carrying a valid Union inland navigation certificate or a certificate issued pursuant to Article 22 of the Revised Convention on the Navigation on the Rhine shall be provided with a supplementary Union inland navigation certificate in accordance with Article 23.

2. The supplementary Union inland navigation certificate shall be drawn up following the model in accordance with Annex II and shall be issued by the competent authorities under the conditions laid down for the waterways concerned.

Article 9

Provisional Union inland navigation certificates

1. The competent authorities of Member States may issue a provisional Union inland navigation certificate:

(a) to craft intended to travel to a certain place with the permission of the competent authority in order to obtain a Union inland navigation certificate;

(b) to craft whose Union inland navigation certificate has been lost, damaged or temporarily withdrawn in one of the instances referred to in Articles 13, 15 or Annexes II and V to this Directive;

(c) to craft whose Union inland navigation certificate is in preparation following a successful inspection;

(d) to craft where not all of the conditions required for obtaining a Union inland navigation certificate in accordance with Annexes II and V have been met;

(e) to craft so damaged that their state no longer complies with the Union inland navigation certificate;

(f) to floating installations or equipment where the authorities responsible for special transport operations make the authorisation to carry out a special transport operation subject to obtaining such a certificate, as provided for by the applicable navigational authority regulations of the Member States;

(g) to craft deviating from the provisions of Annexes II and V, in accordance with Articles 25 and 26 of this Directive, pending the adoption of the relevant implementing acts.

2. The provisional Union inland navigation certificate shall be drawn up using the model in accordance with Annex II where the navigability of the craft, floating establishment or floating object seems to have been adequately ensured.

3. The provisional Union inland navigation certificate shall include the conditions considered necessary by the competent authority and shall be valid:

(a) in the cases referred to in paragraph 1(a), (d) to (f) of this Article, for a single specific trip to be made within a suitable period that shall not exceed one month;

(b) in the cases referred to in paragraph 1(b) and (c) of this Article, for an appropriate duration;

(c) in the cases referred to in paragraph 1(g) of this Article, for six months. The provisional Union inland navigation certificate may be extended for six months at a time until the respective implementing act has been adopted.

Article 10

Validity of Union inland navigation certificates

1. The period of validity of Union inland navigation certificates issued to newly built craft shall be determined by the competent authority up to a maximum of:

(a) five years in the case of passenger and high-speed vessels;

(b) ten years in the case of all other craft.

The period of validity shall be entered on the Union inland navigation certificate.

2. In the case of craft already in operation before the technical inspection, the competent authority shall set the period of validity of the Union inland navigation certificate on a case-by-case basis, in the light of the results of the inspection. However, the period of validity may not exceed the periods set out in paragraph 1.

Article 11

Exceptional extension of validity of Union inland navigation certificates

The validity of a Union inland navigation certificate may be exceptionally extended without a technical inspection for not more than six months in accordance with Annexes II and V by the competent authority which issued or renewed it. The extension shall be indicated on the certificate.

Article 12

Renewal of Union inland navigation certificates

1. The Union inland navigation certificate shall be renewed on expiry of its period of validity in accordance with the conditions laid down in Article 6, following a technical inspection intended to check whether the craft complies with the technical requirements set out in Annexes II and V. Union inland navigation certificates may be renewed by any competent authority notified to the Commission pursuant to Article 6(3).

2. For the renewal of Union inland navigation certificates, the transitional provisions provided in Annexes II and V shall apply to the craft and under the conditions specified therein.

Article 13

Replacement of Union inland navigation certificates

Each Member State shall lay down the conditions under which a valid Union inland navigation certificate which has been lost or damaged may be replaced. A declaration of the loss of the certificate or the return of the damaged certificate shall be requested upon replacement of certificates. It shall be indicated on the replacement certificate that it is a duplicate.

Article 14

Major alterations or major repairs of craft

In the event of major alterations or major repairs which affect the structural soundness of the craft, the navigation or manoeuvrability or special features of the craft in accordance with Annexes II and V, that craft shall undergo, prior to any further voyage, the technical inspection provided for in Article 6.

Following that inspection, a new Union inland navigation certificate stating the technical characteristics of the craft shall be issued and the old certificate shall be withdrawn or the existing certificate shall be amended accordingly. If the new certificate is issued in a Member State other than that which issued or renewed the initial certificate, the competent authority which issued or renewed the certificate shall be informed accordingly within 30 days from the date of issuance of the new certificate.

Article 15

Refusal to issue or renew, and withdrawal of, Union inland navigation certificates

1. Any decision refusing to issue or renew a Union inland navigation certificate shall state the grounds on which it is based. The owner of the craft shall be notified and shall be informed about the appeal procedure and its time limits in the Member State concerned.

2. Any valid Union inland navigation certificate may be withdrawn by the competent authority which issued or renewed it if the craft ceases to comply with the technical requirements set out in its certificate.

Article 16

Recognition of navigation certificates of craft from third countries

Pending the entry into force of agreements on the mutual recognition of navigation certificates between the Union and third countries, the competent authorities of a Member State may recognise the navigation certificates of craft from third countries for navigation within the territory of that Member State.

Article 17

Registers of certificates

Member States shall ensure that their competent authorities keep a register, incorporating the information contained in the model in accordance with Annex II, of all certificates they have issued or renewed pursuant to Articles 6, 8 9 and 12.

CHAPTER 3
VESSEL IDENTIFICATION, INSPECTIONS AND ALTERED TECHNICAL REQUIREMENTS

Article 18

Unique European Vessel Identification Number

1. Member States shall ensure that each craft shall be assigned a Unique European Vessel Identification Number (ENI) in accordance with Annexes II and V.

2. Each craft shall have only one ENI which shall remain unchanged during its entire lifetime.

3. The competent authority issuing a Union inland navigation certificate shall enter the ENI therein.

4. Each Member State shall draw up a list indicating the competent authorities for assigning ENI and shall notify the Commission thereof, including any changes to the list. The Commission shall maintain an up-to-date list of competent authorities on an appropriate website.

Article 19

European Hull Data Base

1. The Commission shall keep the European hull database in order to support administrative measures for maintaining safety and ease of navigation and to ensure application of this Directive.

Any processing of personal data by the Member States shall be carried out in accordance with EU law on the protection of personal data, in particular Regulation (EU) No XXX/2016 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data.

Any processing of personal data by the Commission shall be carried out in accordance with Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

2. Member States shall ensure that for each craft, without delay, the competent authorities enter into the European hull database:

(a) the data identifying and describing the craft in accordance with to this Directive;

(b) the data in relation to the certificates issued, renewed, replaced and withdrawn, as well as to the competent authority which issues the certificate, in accordance with this Directive;

(c) a digital copy of all certificates issued by competent authorities in accordance with this Directive;

(d) the data on any rejected or pending applications for certificates in accordance with this Directive; and

(e) any changes to the data referred to in points (a) to (d).

3. The data may be processed by competent authorities of Member States, contracting parties to the Revised Convention on the Navigation on the Rhine and third countries that are entrusted with tasks related to the application of this Directive and by Directive 2005/44/EC, for the following purposes:

(a) application of the present Directive and of Directive 2005/44/EC;

(b) ensuring waterway traffic and infrastructure management;

(c) maintaining or enforcing safety of navigation;

(d) statistical data collection.

4. The competent authority of a Member State may transfer personal data to a third country or international organisation provided the requirements of Regulation (EU) No XXX/2016 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data and on the free movement of such data, in particular Chapter V of that Regulation, are fulfilled and only on a case-by-case basis. Member States shall ensure that the transfer is necessary for the purposes referred to in paragraph 3. The Member States shall ensure that the third country or international organisation does not transfer the data to another third country or international organisation unless it is given express written authorisation and complies with the conditions specified by the competent authority of the Member State.

5. The Commission may transfer data or provide access to the European hull database to an authority of a third country or international organisation in so far as the transfer or access is necessary for the purposes referred to in paragraph 3, provided the requirements of Article 9 of Regulation (EC) No 45/2001 of the European Parliament and of the Council are fulfilled and only on a case-by-case basis. The Commission shall ensure that the transfer is necessary for the purposes referred to in paragraph 3. The Commission shall ensure that the third country or international organisation does not transfer the data to another third country or international organisation unless it is given express written authorisation and complies with the conditions specified by the Commission.

6. The competent authority shall ensure that the data related to a craft is deleted from the database referred to in paragraph 1 when this craft is scrapped.

7. The Commission is empowered to adopt delegated acts in accordance with Article 32 to further specify:

(a) the data to be entered in the database by Member States;

(b) the types of access, taking into account the categories of the recipients of data and the purposes of processing the data referred to in paragraph 3;

(c) instructions regarding the use and operation of the database, in particular with respect to data security measures, encoding and processing of data and interconnection of the database with the registers referred to in Article 17.

Article 20

Carrying out of technical inspections

1. Member States shall ensure that the competent authorities referred to in paragraph 3 of this Article carry out initial, periodical, special and voluntary inspections referred to in this Directive.2. Those competent authorities may refrain from subjecting the craft in whole or in part to technical inspection where it is evident from a valid attestation, issued by a recognised classification society in accordance with Article 21, that the craft satisfies in whole or in part the technical requirements set out in Annexes II and V.

3. Each Member State shall draw up a list indicating its competent authorities responsible for carrying out technical inspections and shall notify the Commission thereof, including any changes to the list. The Commission shall maintain an up-to-date list of competent authorities and inspection bodies on an appropriate website.

4. Each Member State shall comply with the specific requirements as regards inspection bodies and the request for an inspection**,** as provided for in Annexes II and V.

Article 21

Recognition of classification societies

1. The Commission shall adopt implementing acts in order to recognise a classification society which meets the criteria listed in Annex VI, or to withdraw recognition, in accordance with the procedure set out in paragraphs 2 and 3. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 33(2).

2. An application for recognition shall be submitted to the Commission by the Member State in which the classification society has its headquarters or a subsidiary authorised to issue attestations that craft satisfies the requirements of Annexes II and V in accordance with this Directive. This application shall be accompanied with all information and documentation needed to check that the criteria for recognition are met.

3. Any Member State can submit to the Commission a request to withdraw the recognition if it considers that a classification society no longer meets the criteria set out in Annex VI. The request for withdrawal shall be accompanied with documentary evidence.

4. The classification societies which, on … [OJ: please insert the date of entry into force of this Directive], had been granted recognition in accordance with Directive 2006/87/EC shall retain their recognition.

5. The Commission shall publish for the first time by … [OJ: please insert the date of one year after the date of entry into force of this Directive] and keep updated on an appropriate website a list of the classification societies recognised in accordance with this Article. Member States shall communicate to the Commission any changes relating to the names or addresses of the classification societies for which they have applied for recognition.

Article 22

Control of compliance

1. Member States shall ensure that their competent authorities may control at any time whether a craft is carrying a valid certificate in accordance with Article 7 and satisfies the requirements on which the issuance of such a certificate is based.

   In case of failure to comply with the requirements, the competent authorities shall take appropriate measures in accordance with paragraphs 2 to 5. They shall also request that the owner or his representative takes all necessary measures to remedy the situation within a time limit set by the competent authorities.

   The competent authority which issued the certificate carried on the craft shall be informed of such failures within seven days of the control.

2. Where a valid certificate is not being carried, the craft may be prevented from proceeding with its voyage**.**

3. If, during the control, the competent authorities find that the craft constitutes a manifest danger for the persons on board, the environment or the safety of the navigation, they may prevent the craft from proceeding with its voyage until the necessary steps have been taken to remedy the situation.

   They may also prescribe proportionate measures which will enable the craft to proceed safely, where appropriate on termination of its transport operations, to a place where it will be either inspected or repaired.

4. A Member State which has prevented a craft from proceeding with its voyage, or has notified the owner of its intention to do so if the defects found are not corrected, shall inform the competent authority in the Member State which issued or last renewed the certificate thereof, within seven days of the decision which it has taken or intends to take.

5. Any decision to interrupt the passage of a craft taken in the implementation of this Directive shall state in detail the reasons on which it is based. It shall be notified without delay to the party concerned, who shall at the same time be informed of the appeal procedures available under the laws in force in the Member State concerned and of their time limits.

Article 23

Altered technical requirements for certain zones

1. Member States may where applicable subject to the requirements of the Revised Convention on the Navigation on the Rhine, adopt technical requirements additional to those set out in Annexes II and V for craft operating on Zone 1 and 2 waterways within their territory. The additional requirements may cover only the elements listed in Annex III.

2. In respect of passenger vessels operating on Zone 3 non-linked inland waterways, each Member State may maintain technical requirements additional to those in Annexes II and V. The additional requirements may cover only the elements listed in Annex III.

3. Where application of the transitional provisions set out in Annexes II and V would result in a reduction in existing national safety standards, a Member State may disapply those transitional provisions in respect of passenger vessels operating on its non-linked inland waterways. In such circumstances, the Member State concerned may require that such passenger vessels operating on its non-linked inland waterways comply fully with the technical requirements set out in Annexes II and V starting from 30 December 2008.

4. Members State may allow a partial application of the technical requirements or set technical requirements which are less stringent than those set out in Annexes II and V for craft operating exclusively on Zone 3 and 4 waterways within its territory. The less stringent or partial application of technical requirements may cover only the elements listed in Annex IV.

5. Where a Member State applies paragraphs 1, 2, 3 or 4, it shall notify the Commission thereof at least six months before the envisaged date of application. The Commission shall inform the other Member States accordingly.

In case of paragraphs 1 and 2 the Commission shall approve the additional technical requirements by way of implementing acts adopted in accordance with the advisory procedure referred to in Article 33(2).

6. Compliance with the altered technical requirements in accordance with paragraphs 1, 2, 3 and 4 shall be specified in the Union inland navigation certificate or in the supplementary Union inland navigation certificate.

Article 24

Derogations for certain categories of craft

1. While maintaining an adequate level of safety, Member States may authorise derogations from all or parts of this Directive for:

(a) craft operating on non-linked inland waterways;

(b) craft having a dead weight not exceeding 350 tonnes or craft not intended for the carriage of goods and having a water displacement of less than 100 cubic metres, which were laid down before 1 January 1950 and which operate exclusively within their territory.

2. Without prejudice to the Revised Convention on the Navigation on the Rhine, Member States may authorise, in respect of navigation within their territory, derogations from this Directive for craft operating limited journeys of local interest or in harbour areas. The derogations and the journeys or area for which they are valid shall be specified in the craft's certificate.

3. The Member States shall notify the Commission the derogations authorised in accordance with paragraphs 1 and 2. The Commission shall inform the other Member States accordingly.

Article 25

Use of new technologies and derogations for specific craft

1. In order to encourage innovation and the use of new technologies in inland navigation the Commission shall be empowered to adopt implementing acts allowing derogations or recognising the equivalence of technical specifications for a specific craft regarding:

   (a) the issuance of a Union inland navigation certificate recognising the use, or presence, on board a craft of other materials, installations or items of equipment, or the adoption of arrangements or design aspects other than those included in Annexes II and V provided that an equivalent level of safety is ensured;

   (b) the issuance of a Union inland navigation certificate for trial purposes for a limited period incorporating new technical specifications that derogate from the requirements of Annexes II and V provided that a adequate level of safety is ensured.

   Those implementing acts should be adopted in accordance with the advisory procedure referred to in Article 33(2).

2. The equivalences and derogations referred to in paragraph 1 shall be included in the Union inland navigation certificate by the competent authorities of a Member State.

Article 26

Hardship

1. The Commission shall be empowered to adopt implementing acts allowing derogations from the transitional provisions to technical requirements laid down in Annexes II and V following the expiry of the transitional provisions, where those requirements are technically difficult to apply or where their application might entail disproportionate costs.

   Those implementing acts should be adopted in accordance with the advisory procedure referred to in Article 33(2).

2. The derogations referred to in paragraph 1 shall be included in the Union inland navigation certificate by the competent authorities of a Member State.

Article 27

Register of type-approved equipment

The Commission shall publish on an appropriate website a register of equipment which has been type-approved in accordance with Annexes II and V.

CHAPTER 4
FINAL PROVISIONS

Article 28

Transitional provisions concerning the use of documents

Documents falling within the scope of this Directive and issued by the competent authorities of the Member States under Directive 2006/87/EC before … [OJ: please insert the date of the entry into force of this Directive] shall remain valid until they expire.

Article 29

Craft excluded from the scope of Council Directive 82/714/EEC

1. The Union inland navigation certificate shall be issued to craft excluded from the scope of Council Directive 82/714/EEC[8], but covered by this Directive in accordance with Article 2(1), following a technical inspection to check whether the craft complies with the technical requirements set out in Annexes II and V. That technical inspection shall be carried out upon expiry of the craft's current certificate, but in any case no later than 30 December 2018.

2. Any failure to meet the technical requirements set out in Annexes II and V shall be specified in the Union inland navigation certificate. Provided that the competent authorities consider that these shortcomings do not constitute a manifest danger, the craft referred to in the first subparagraph of this Article may continue to operate until such time as those components or areas of the craft which have been certified as not meeting those requirements are replaced or altered, whereafter those components or areas shall meet the technical requirements set out in Annexes II and V.

[8] Council Directive 82/714/EEC of 4 October 1982 laying down technical requirements for inland waterway vessels (OJ L 301, 28.10.1982, p. 1).

3. The replacement of existing parts with identical parts or parts of an equivalent technology and design during routine repairs and maintenance shall not be considered as a replacement or an alteration within the meaning of paragraph 2 of this Article.

4. Manifest danger within the meaning of paragraph 2 of this Article shall be presumed in particular when requirements concerning the structural soundness of the craft, the navigation or manoeuvrability or special features of the craft in accordance with the technical requirements referred to in Annexes II and V are affected. Derogations as allowed for in the technical requirements set out in Annexes II and V shall not be identified as shortcomings which constitute a manifest danger.

Article 30

Transitional provisions concerning temporary requirements pursuant to Directive 2006/87/EC

Temporary requirements adopted in accordance with Article 1.06 of Annex II to Directive 2006/87/EC shall remain valid until they expire.

Article 31

Adaptation of the Annexes

1. The Commission shall adopt delegated acts in accordance with Article 32 to adapt Annex II to update, without undue delay, the reference to the most recent version of the CESNI ES-TRIN standard and to set the date of its application.

2. By way of derogation from paragraph 1, where duly justified by an appropriate analysis and in the absence of pertinent and up-to-date international standards to ensure safety of navigation or where changes in the decision-making process of CESNI would compromise Union interests, the Commission is empowered to adopt delegated acts in accordance with Article 32 amending Annex II to provide appropriate technical requirements.

3. The Commission is empowered to adopt delegated acts in accordance with Article 32 concerning the adaptations of Annexes III and IV to scientific and technical progress.

4. The Commission is empowered to adopt delegated acts in accordance with Article 32 concerning the adaptations of Annex V to update and streamline administrative provisions.

5. The Commission is empowered to adopt delegated acts in accordance with Article 32 concerning the adaptations of Annex VI to amend the criteria for the recognition of classification societies to ensure safety of navigation.

6. The Commission is empowered to adopt delegated acts in accordance with Article 32 in order to update the references in this Directive to certain provisions of Annexes II and V in order to take into account the amendments brought to these Annexes.

Article 32

Delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Articles 4, 19 and 31 shall be conferred on the Commission for a period of five years from … [OJ: insert date of entry into force of this Directive].. 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.

3. The delegation of power referred to in Articles 4, 19 and 31 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with principles laid down in the Interinstitutional Agreement on Better Law-Making of [15 March 2016 *tbc*].

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Articles 4, 19 and 31 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 33

Committee procedure

1. The Commission shall be assisted by the Committee established by Article 7 of Council Directive 91/672/EEC[9] (hereinafter referred to as 'the Committee'). The Committee is a committee within the meaning of Regulation (EU) No 182/2011.

[9] Council Directive 91/672/EC of 16 December 1991 on the reciprocal recognition of national boatmasters' certificates for the carriage of goods and passengers by inland waterway (OJ L 373, 31.12.1991, p. 29).

2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply. If the Committee's opinion is to be obtained by written procedure, its chair may decide to terminate the procedure without result within the time-limit for delivery of the opinion.

Article 34

Review

The Commission shall submit, before ... [OJ: please insert the date of five years after the date of entry into force of this Directive], a report to the European Parliament and to the Council reviewing the effectiveness of the measures introduced by this Directive, particularly as regards the harmonisation of technical requirements and the development of technical standards for inland navigation. The report shall also review the mechanisms for cooperation with international organisations competent for inland navigation. The report shall, if appropriate, be accompanied by a legislative proposal to further streamline cooperation and coordination in establishing standards to which reference can be made in legal acts of the Union. The Commission shall submit a similar report following any major developments in inland waterway transport.

Article 35

Penalties

Member States shall lay down the rules on penalties applicable to infringements of the national provisions adopted pursuant to this Directive and shall take the measures necessary to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive.

Article 36

Amendment to Directive 2009/100/EC

Article 1 of Directive 2009/100/EC is replaced by the following:

'Article 1

This Directive applies to vessels used for goods transport on inland waterways and having a total dead weight of 20 metric tonnes or more:

(a) having a length of less than 20 metres; and

(b) for which the product of length (L), breadth (B) and draught (T) is less than 100 cubic metres.

This Directive is without prejudice to the Rhine Vessel Inspection Regulation and the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN).'.

Article 37

Transposition

1. Without prejudice to Article 40, Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive, at the latest by … [OJ: please insert the date of two years after the date of entry into force of this Directive] and which shall apply from this date. They shall immediately inform the Commission thereof.

   When Member States adopt such measures, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. The methods of making such reference shall be laid down by Member States.

2. Member States shall communicate to the Commission the text of the measures of national law which they adopt in the field covered by this Directive.

3. Any Member State which, as a result of derogations authorised in accordance with Article 24(1) and (2), has no craft subject to this Directive operating on its waterways shall not be required to transpose Chapter 2 and Articles 18(3), 20 and 21.

Article 38

Repeal

Directive 2006/87/EC is repealed with effect from … [OJ: please insert the date of two years after the date of entry into force of this Directive].

References to the repealed Directive shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex VII.

Article 39

Entry into force

This Directive shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Article 40

Addressees

This Directive is addressed to the Member States except for Denmark, Estonia, Ireland, Spain, Greece, Cyprus, Latvia, Malta, Portugal, Slovenia and Finland.

Done at Brussels,

For the European Parliament	*For the Council*
The President	*The President*

LIST OF ANNEXES

Annex I: List of Union inland waterways divided geographically into Zones 1, 2, and 3

Annex II: Minimum technical requirements applicable to craft on inland waterways of Zones 1, 2, 3 and 4

Annex III: Subjects for possible additional technical requirements applicable to craft on inland waterways of Zones 1**,** 2 and non-linked 3

Annex IV: Subjects for possible reductions of the technical requirements applicable to craft on inland waterways of Zones 3 and 4

Annex V: Detailed procedural provisions

Annex VI: Classification societies

Annex VII: Correlation table

ANNEX I

LIST OF UNION INLAND WATERWAYS DIVIDED GEOGRAPHICALLY INTO ZONES 1, 2 AND 3

CHAPTER 1

Zone 1

Federal Republic of Germany

Ems	from a line linking the former Greetsiel lighthouse and the western pier of the port entrance at Eemshaven seawards as far as latitude 53° 30' N and longitude 6° 45' E, i.e. slightly seawards of the lightering area for dry-cargo carriers in the Alte Ems[10]

Republic of Poland

The part of Pomorska Bay southward from the line linking NordPerd on Rugen Island and the lighthouse Niechorze.

The part of Gdańska Bay southward from the line linking the lighthouse Hel and the entrance buoy to the port of Baltijsk.

Kingdom of Sweden

Lake Vänern, bounded in the south by the parallel of latitude through Bastugrunds beacon

Göta älv and Rivöfjorden, bounded in the east by the Älvsborg bridge, in the west by the parallel of longitude through Gäveskär lighthouse, and in the south by the parallel of latitude through Smörbådan lighthouse

[10] In the case of vessels whose home port is elsewhere, account is to be taken of Article 32 of the Ems-Dollart Treaty of 8 April 1960 (BGBl. 1963 II, p. 602).

United Kingdom of Great Britain and Northern Ireland

SCOTLAND	
Blue Mull Sound	Between Gutcher and Belmont
Yell Sound	Between Tofts Voe and Ulsta
Sullom Voe	Within a line from the north-east point of Gluss Island to the northern point of Calback Ness
Dales Voe	In winter: within a line from the north point of Kebister Ness to the Coast of Breiwick at longitude 1° 10,8' W
Dales Voe	In summer: as for Lerwick
Lerwick	In winter: within the area bounded to the northward by a line from Scottle Holm to Scarfi Taing on Bressay and to the southward by a line from Twageos Point Lighthouse to Whalpa Taing on Bressay
Lerwick	In summer: within the area bounded to the northward by a line from Brim Ness to the north east corner of Inner Score and to the southward by a line from the south end of Ness of Sound to Kirkabisterness

Kirkwall	Between Kirkwall and Rousay not east of a line between Point of Graand (Egilsay) and Galt Ness (Shapinsay) or between Head of Work (Mainland) through Helliar Holm light to the shore of Shapinsay; not north west of the south east tip of Eynhallow Island, not to seaward and a line between the shore on Rousay at 59°10,5' N 002° 57,1' W and the shore on Egilsay at 59° 10' N 002° 56,4' W
Stromness	To Scapa but not outside Scapa Flow
Scapa Flow	Within an area bounded by lines drawn from Point of Cletts on the island of Hoy to Thomson's Hill triangulation point on the island of Fara and thence to Gibraltar Pier on the island of Flotta; from St Vincent Pier on the island of Flotta to the westernmost point of Calf of Flotta; from the easternmost point of the Calf of Flotta to Needle Point on the island of South Ronaldsay and from the Ness on Mainland to Point of Oxan lighthouse on the island of Graemsay and thence to Bu Point on the island of Hoy; and seaward of Zone 2 waters
Balnakiel Bay	Between Eilean Dubh and A'Chleit
Cromarty Firth	Within a line from North Sutor to Nairn Breakwater and seaward of Zone 2 waters
Inverness	Within a line from North Sutor to Nairn Breakwater and seaward of Zone 2 waters
River Tay — Dundee	Within a line from Broughty Castle to Tayport and seaward of Zone 2 waters

Firth of Forth and River Forth	Within a line from Kirkcaldy to River Portobello and seaward of Zone 2 waters
Solway Firth	Within a line from Southerness Point to Silloth
Loch Ryan	Within a line from Finnart's Point to Milleur Point and seaward of Zone 2 waters
The Clyde	Outer limit: a line from Skipness to a position one mile south of Garroch Head thence to Farland Head Inner limit in winter: a line from Cloch Lighthouse to Dunoon Pier Inner limit in summer: a line from Bogany Point, Isle of Bute to Skelmorlie Castle and a line from Ardlamont Point to the southern extremity of Ettrick Bay inside the Kyles of Bute *Note*: The above inner summer limit is extended between 5 June and 5 September (both dates inclusive) by a line from a point two miles off the Ayrshire coast at Skelmorlie Castle to Tomont End, Cumbrae, and a line from Portachur Point, Cumbrae to Inner Brigurd Point, Ayrshire
Oban	Within an area bounded on the north by a line from Dunollie Point Light to Ard na Chruidh and to the south by a line from Rudha Seanach to Ard na Cuile

Kyle of Lochalsh	Through Loch Alsh to the head of Loch Duich
Loch Gairloch	In winter: none In summer: South of a line running east from Rubha na Moine to Eilan Horrisdale and thence to Rubha nan Eanntag
NORTHERN IRELAND	
Belfast Lough	In winter: none In summer: within a line from Carrickfergus to Bangor and seaward of Zone 2 waters
Loch Neagh	At a greater distance than 2 miles from the shore
EAST COAST OF ENGLAND	
River Humber	In winter: within a line from New Holland to Paull In summer: within a line from Cleethorpes Pier to Patrington Church and seaward of Zone 2 waters

WALES AND WEST COAST OF ENGLAND	
River Severn	In winter: within a line from Blacknore Point to Caldicot Pill, Porstkewett In summer: within a line from Barry Dock Pier to Steepholm and thence to Brean Down and seaward of Zone 2 waters
River Wye	In winter: within a line from Blacknore Point to Caldicot Pill, Portskewett In summer: within a line from Barry Dock Pier to Steepholm and thence to Brean Down and seaward of Zone 2 waters

Newport	In winter: none In summer: within a line from Barry Dock Pier to Steepholm and thence to Brean Down and seaward of Zone 2 waters
Cardiff	In winter: none In summer: within a line from Barry Dock Pier to Steepholm and thence to Brean Down and seaward of Zone 2 waters
Barry	In winter: None In summer: within a line from Barry Dock Pier to Steepholm and thence to Brean Down and seaward of Zone 2 waters
Swansea	Within a line joining the seaward ends of the breakwaters

Menai Straits	Within the Menai Straits from a line joining Llanddwyn Island Light to Dinas Dinlleu and lines joining the south end of Puffin Island to Trwyn DuPoint and Llanfairfechan Railway Station, and seaward of Zone 2 waters
River Dee	In winter: within a line from Hilbre Point to Point of Air In summer: within a line from Formby Point to Point of Air and seaward of Zone 2 waters
River Mersey	In winter: None In summer: within a line from Formby Point to Point of Air and seaward of Zone 2 waters
Preston and Southport	Within a line from Southport to Blackpool inside the banks and seaward of Zone 2 waters

Fleetwood	In winter: None In summer: within a line from Rossal Point to Humphrey Head and seaward of Zone 2 waters
River Lune	In winter: None In summer: within a line from Rossal Point to Humphrey Head and seaward of Zone 2 waters
Heysham	In winter: None In summer: within a line from Rossal Point to Humphrey Head
Morecambe	In winter: None In the summer: from within a line from Rossal Point to Humphrey Head

Workington	Within a line from Southerness Point to Silloth and seaward of Zone 2 waters
SOUTH OF ENGLAND	
River Colne, Colchester	In winter: within a line from Colne Point to Whitstable In summer: within a line from Clacton Pier to Reculvers
River Blackwater	In winter: within a line from Colne Point to Whitstable In summer: within a line from Clacton Pier to Reculvers and seaward of Zone 2 waters
River Crouch and River Roach	In winter: within a line from Colne Point to Whitstable In summer: within a line from Clacton Pier to Reculvers and seaward of Zone 2 waters

River Thames and its tributaries	In winter: within a line from Colne Point to Whitstable In summer: within a line from Clacton Pier to Reculvers and seaward of Zone 2 waters
River Medway and the Swale	In winter: within a line from Colne Point to Whitstable In summer: within a line from Clacton Pier to Reculvers and seaward of Zone 2 waters
Chichester	Inside the Isle of Wight within an area bounded by lines drawn between the church spire, West Wittering, to Trinity Church, Bembridge, to the eastward, and the Needles and Hurst Point to the westward and seaward of Zone 2 waters
Langstone Harbour	Inside the Isle of Wight within an area bounded by lines drawn between the church spire, West Wittering, to Trinity Church, Bembridge, to the eastward, and the Needles and Hurst Point to the westward and seaward of Zone 2 waters

Portsmouth	Inside the Isle of Wight within an area bounded by lines drawn between the church spire, West Wittering, to Trinity Church, Bembridge, to the eastward, and the Needles and Hurst Point to the westward and seaward of Zone 2 waters
Bembridge, Isle of Wight	Inside the Isle of Wight within an area bounded by lines drawn between the church spire, West Wittering, to Trinity Church, Bembridge, to the eastward, and the Needles and Hurst Point to the westward and seaward of Zone 2 waters
Cowes, Isle of Wight	Inside the Isle of Wight within an area bounded by lines drawn between the church spire, West Wittering, to Trinity Church, Bembridge, to the eastward, and the Needles and Hurst Point to the westward and seaward of Zone 2 waters
Southampton	Inside the Isle of Wight within an area bounded by lines drawn between the church spire, West Wittering, to Trinity Church, Bembridge, to the eastward, and the Needles and Hurst Point to the westward and seaward of Zone 2 waters

Beaulieu River	Inside the Isle of Wight within an area bounded by lines drawn between the church spire, West Wittering, to Trinity Church, Bembridge, to the eastward, and the Needles and Hurst Point to the westward and seaward of Zone 2 waters
Keyhaven Lake	Inside the Isle of Wight within an area bounded by lines drawn between the church spire, West Wittering, to Trinity Church, Bembridge, to the eastward, and the Needles and Hurst Point to the westward and seaward of Zone 2 waters
Weymouth	Within Portland Harbour and between the River Wey and Portland Harbour
Plymouth	Within a line from Cawsand to Breakwater to Staddon and seaward of Zone 2 waters
Falmouth	In winter: within a line from St Anthony Head to Rosemullion In summer: within a line from St Anthony Head to Nare Point and seaward of Zone 2 waters
River Camel	Within a line from Stepper Point to Trebetherick Point and seaward of Zone 2 waters

Bridgewater	Within the bar and seaward of Zone 2 waters
River Avon (Avon)	In winter: within a line from Blacknore Point to Caldicot Pill, Portskewett In summer: within a line from Barry Pier to Steepholm and thence to Brean Down and seaward of Zone 2 waters

Zone 2

Czech Republic

Dam Lake Lipno

Federal Republic of Germany

Ems	From a line across the Ems near the entrance to the port of Papenburg between the former Diemen pumping station and the opening of the dyke at Halte as far as a line linking the former Greetsiel lighthouse and the western pier of the port entrance at Eemshaven
Jade	Inside a line linking the former Schillig cross light and Langwarden church tower

Weser	From the north-western edge of the railway bridge in Bremen as far as a line linking Langwarden and Cappel church towers, including the Westergate, Rekumer Loch, Rechter Nebenarm and Schweiburg side branches
Elbe with Bützflether Süderelbe (from km 0,69 till the mouth in the Elbe), Ruthenstrom (from km 3,75 till the mouth in the Elbe), Wischhafener Süderelbe (from km 8,03 till the mouth in the Elbe)	From the lower limit of the port of Hamburg as far as a line linking the Döse beacon and the western edge of the Friedrichskoog dyke (Dieksand), including the Nebenelbe and the Este, Lühe, Schwinge, Oste, Pinnau, Krückau and Stör tributaries (in each case from the mouth to the barrage)
Meldorfer Bucht	Inside a line linking the western edge of the Friedrichskoog dyke (Dieksand) and the western pier head at Büsum
Eider	From the mouth of the Gieselau Canal (km 22,64) to the line between the middle of the fortress (Tränke) and the churchtower of Vollerwiek
Gieslau Canal	From the mouth in the Eider till the the mouth in the Nord-Ostsee Canal
Flensburger Förde	Inside a line linking Kegnäs lighthouse and Birknack and North from the German-Danish border in the Flensburger Förde

Schlei	Inside a line between the Schleimünde pier heads
Eckernförder Bucht	Inside a line linking Boknis-Eck and the north-eastern point of the mainland near Dänisch Nienhof
Kieler Förde	Inside a line linking the Bülk lighthouse and the Laboe naval memorial
Nord-Ostsee-Kanal including Audorfer See and Schirnauer See	From a line linking the pier heads at Brunsbüttel as far as a line linking the entry lights at Kiel-Holtenau, including Obereidersee and Enge, Audorfer See, Borgstedter See and Enge, Schirnauer See, Flemhuder See and the Achterwehrer Canal
Trave	from the north-western edge of the railway lift bridge in Lübeck with the Pötenitzer Wiek, and the Dassower See as far as a line linking the southern inner and northern outer pier heads at Travemünde
Leda	From the entrance of the outer harbour of Leer sea lock to the mouth in the Eems
Hunte	from the port of Oldenburg and from 140 m downstream of the Amalienbrücke in Oldenburg to the mouth in the Weser
Lesum	From the confluence of the Hamme and Wümme (km 0,00) to the mouth in the Weser
Este	From the tail water of Buxtehude lock (km 0,25) to the mouth in the Elbe
Lühe	From the tail water of the Au-Mühle in Horneburg (km 0,00) to the mouth in the Elbe

Schwinge	From the north edge of the Salztor lock in Stade to the mouth in the Elbe
Oste	From 210 m above the middleline of the traffic bridge over the Oste barrage (km 69,360) to the mouth in the Elbe
Pinnau	From the south-western edge of the railway bridge in Pinneberg to the mouth in the Elbe
Krückau	From the south-western edge of the bridge leading to/from the Wedenkamp in Elmshorn to the mouth in the Elbe
Stör	From Rensing tide gauge to the mouth in the Elbe
Freiburger Hafenpriel	From the eastern edge of the sluice in Freiburg an der Elbe as far as the mouth in the Elbe
Wismarbucht, Kirchsee, Breitling, Salzhaff and Wismar port area	Seawards as far as a line between Hoher Wieschendorf Huk and Timmendorf light and a line linking Gollwitz light on the island of Poel and the southern point of the Wustrow peninsula
Warnow, including the Breitling and side branches	Downstream of the Mühlendamm from the northern edge of the Geinitzbrücke in Rostock towards the sea as far as a line linking the northern points of the western and eastern piers in Warnemünde

Waters enclosed by the mainland and the Darß and Zingst pensinsulas and the islands of Hiddensee and Rügen (including Stralsund port area)	Extending seawards between • the Zingst peninsula and the island of Bock: as far as latitude 54° 26' 42' N • the islands of Bock and Hiddensee: as far as a line linking the northern point of the island of Bock and the southern point of the island of Hiddensee • the island of Hiddensee and the island of Rügen (Bug): as far as a line linking the south-eastern point of Neubessin and Buger Haken
Kleine Jasmunder Bodden	
Greifswalder Bodden	Bodden seawards as far as a line from the eastern point of Thiessower Haken (Südperd) to the eastern point of the island of Ruden and continuing to the northern point of the island of Usedom (54° 10' 37' N, 13° 47' 51' E)
Ryck	East from the Steinbecker bridge in Greifswald to the linking line over the heads of the jetties
Waters enclosed by the mainland and the island of Usedom (the Peenestrom, including Wolgast port area and Achterwasser, and the Oder Haff)	Eastwards as far as the border with the Republic of Poland in the Stettiner Haff
Uecker	From the south-west edge of the traffic bridge in the Uekermünde to the linking line over he heads of the jetties

Note In the case of vessels whose home port is in another State, account is to be taken of Article 32 of the Ems-Dollart Treaty of 8 April 1960 (BGBl. 1963 II, p. 602).

French Republic

the Gironde from kilometre point (KP 48,50) to the downstream part of the point of the Ile de Patiras, to the transversal limit of the sea defined by the line joining the Pointe de Grave to the Pointe de Suzac;

the Loire from Cordemais (KP 25) to the transversal limit of the sea defined by the line joining the Pointe de Mindin to the Pointe de Penhoët;

the Seine from the start of the Tancarville Canal to the transversal limit of the sea defined by the line from Cape Hode, on the right bank, to the point, on the left bank, where the planned dyke meets the coast below Berville;

the Vilaine from the Arzal Dam to the transversal limit of the sea defined by the line joining the Pointe du Scal to the Pointe du Moustoir;

Lake Geneva.

Republic of Hungary

Lake Balaton

Kingdom of the Netherlands

Dollard

Eems

Waddenzee: including the links with the North Sea

IJsselmeer: including the Markermeer and IJmeer but excluding the Gouwzee

Nieuwe Waterweg and the Scheur

Calland Kanaal west from the Benelux harbour

Hollands Diep

Breeddiep, Beerkanaal and its connected harbours

Haringvliet and Vuile Gat: including the waterways between Goeree-Overflakkee on the one hand and Voorne-Putten and Hoeksche Waard on the other

Hellegat

Volkerak

Krammer

Grevelingenmeer and Brouwerschavensche Gat: including all the waterways between Schouwen-Duiveland and Goeree-Overflakkee

Keten, Mastgat, Zijpe, Krabbenkreek, Eastern Scheldt and Roompot: including the waterways between Walcheren, Noord-Beveland and Zuid-Beveland on the one hand and Schouwen-Duiveland and Tholen on the other hand, excluding the Scheldt-Rhine Canal

Scheldt and Western Scheldt and its mouth on the sea: including the waterways between Zeeland Flanders, on the one hand, and Walcheren and Zuid-Beveland, on the other, excluding the Scheldt-Rhine Canal

Republic of Poland

Lagoon of Szczecin

Lagoon of Kamień

Lagoon of Wisła

Bay of Puck

Włocławski Reservoir

Lake Śniardwy

Lake Niegocin

Lake Mamry

Kingdom of Sweden

Göta älv, bounded in the east by the Göta älv bridge and in the west by the Älvsborg bridge

United Kingdom of Great Britain and Northern Ireland

SCOTLAND	
Scapa Flow	Within an area bounded by lines drawn from Wharth on the island of Flotta to the Martello Tower on South Walls, and from Point Cletts on the island of Hoy to Thomson's Hill triangulation point on the island of Fara and thence to Gibraltar Pier on the island of Flotta
Kyle of Durness	South of Eilean Dubh
Cromarty Firth	Within a line between North Sutor and South Sutor
Inverness	Within a line from Fort George to Chanonry Point
Findhorn Bay	Within the spit
Aberdeen	Within a line from South Jetty to Abercromby Jetty
Montrose Basin	To the west of a line running north-south across the harbour entrance at Scurdie Ness Lighthouse
River Tay — Dundee	Within a line from the tidal basin (fish dock), Dundee to Craig Head, East Newport
Firth of Forth and River Forth	Within the Firth of Forth but not east of the Forth railway bridge
Dumfries	Within a line from Airds Point to Scar Point

Loch Ryan	Within a line from Cairn Point to Kircolm Point
Ayr Harbour	Inside the Bar
The Clyde	Above Zone 1 waters
Kyles of Bute	Between Colintraive and Rhubodach
Campbeltown Harbour	Within a line from Macringan's Point to Ottercharach Point
Loch Etive	Within Loch Etive above the Falls of Lora
Loch Leven	Above the bridge at Ballachulish
Loch Linnhe	North of Corran Point light
Loch Eil	The whole loch
Caledonian Canal	Lochs Lochy, Oich and Ness
Kyle of Lochalsh	Within Kyle Akin not westward of Eilean Ban Light or eastward of Eileanan Dubha
Loch Carron	Between Stromemore and Strome Ferry
Loch Broom, Ullapool	Within a line from Ullapool Point Light to Aultnaharrie
Kylesku	Across Loch Cairnbawn in the area between the easternmost point of Garbh Eilean and the westernmost point of Eilean na Rainich
Stornoway Harbour	Within a line from Arnish Point to Sandwick Bay Lighthouse, north-west side

The Sound of Scalpay	Not east of Berry Cove (Scalpay) and not west of Croc a Loin (Harris)
North Harbour, Scalpay and Tarbert Harbour	Within one mile from the shore of the Island of Harris
Loch Awe	The whole loch
Loch Katrine	The whole loch
Loch Lomond	The whole loch
Loch Tay	The whole loch
Loch Loyal	The whole loch
Loch Hope	The whole loch
Loch Shin	The whole loch
Loch Assynt	The whole loch
Loch Glascarnoch	The whole loch
Loch Fannich	The whole loch
Loch Maree	The whole loch
Loch Gairloch	The whole loch
Loch Monar	The whole loch
Loch Mullardach	The whole loch
Loch Cluanie	The whole loch

Loch Loyne	The whole loch
Loch Garry	The whole loch
Loch Quoich	The whole loch
Loch Arkaig	The whole loch
Loch Morar	The whole loch
Loch Shiel	The whole loch
Loch Earn	The whole loch
Loch Rannoch	The whole loch
Loch Tummel	The whole loch
Loch Ericht	The whole loch
Loch Fionn	The whole loch
Loch Glass	The whole loch
Loch Rimsdale/nan Clar	The whole loch
NORTHERN IRELAND	
Strangford Lough	Within a line from Cloghy Point to Dogtail Point
Belfast Lough	Within a line from Holywood to Macedon Point
Larne	Within a line from Larne Pier to the ferry pier on Island Magee

River Bann	From the seaward ends of the breakwaters to Toome Bridge
Lough Erne	Upper and Lower Lough Erne
Lough Neagh	Within two miles of the shore
EAST COAST OF ENGLAND	
Berwick	Within the breakwaters
Warkworth	Within the breakwaters
Blyth	Within the Outer Pier Heads
River Tyne	Dunston Staithes to Tyne Pier Heads
River Wear	Fatfield to Sunderland Pier Heads
Seaham	Within the breakwaters
Hartlepool	Within a line from Middleton Jetty to Old Pier Head Within a line joining North Pier Head to South Pier Head
River Tees	Within a line extending due west from Government Jetty to Tees Barrage
Whitby	Within Whitby Pier Heads
River Humber	Within a line from North Ferriby to South Ferriby
Grimsby Dock	Within a line from the West Pier of the Tidal Basin to the East Pier of the Fish Docks, North Quay
Boston	Inside the New Cut

Dutch River	The whole canal
River Hull	Beverley Beck to River Humber
Kielder Water	The whole lake
River Ouse	Below Naburn Lock
River Trent	Below Cromwell Lock
River Wharfe	From the junction with River Ouse to Tadcaster Bridge
Scarborough	Within Scarborough Pier Heads
WALES AND WEST COAST OF ENGLAND	
River Severn	North of a line running due west from Sharpness Point (51° 43,4' N) to Llanthony and Maisemore Weirs and seaward of Zone 3 waters
River Wye	At Chepstow, north of latitude (51° 38,0' N) to Monmouth
Newport	North of the overhead power cables crossing at Fifoots Points
Cardiff	Within a line from South Jetty to Penarth Head and the enclosed waters to the west of Cardiff Bay Barrage
Barry	Within a line joining the seaward ends of the breakwaters

Port Talbot	Within a line joining the seaward ends of the breakwaters on the River Afran outside enclosed docks
Neath	Within a line running due North from the seaward end of Baglan Bay Tanker Jetty (51° 37,2' N, 3° 50,5' W)
Llanelli and Burry Port	Within an area bounded by a line drawn from Burry Port Western Pier to Whiteford Point
Milford Haven	Within a line from South Hook Point to Thorn Point
Fishguard	Within a line joining the seaward ends of the north and east breakwaters
Cardigan	Within the Narrows at Pen-Yr-Ergyd
Aberystwyth	Within the seaward ends of the breakwaters
Aberdyfi	Within a line from Aberdyfi Railway Station to Twyni Bach Beacon
Barmouth	Within a line from Barmouth Railway Station to Penrhyn Point
Portmadoc	Within a line from Harlech Point to Graig Ddu
Holyhead	Within an area bounded by the main breakwater and a line drawn from the head of the breakwater to Brynglas Point, Towyn Bay
Menai Straits	Within the Menai Straits between a line joining Aber Menai Point to Belan Point and a line joining Beaumaris Pier to Pen-y-Coed Point

Conway	Within a line from Mussel Hill to Tremlyd Point
Llandudno	Within the breakwater
Rhyl	Within the breakwater
River Dee	Above Connah's Quay to Barrelwell Hill water extraction point
River Mersey	Within a line between the Rock Lighthouse and the North West Seaforth Dockbut excluding other docks
Preston and Southport	Within a line from Lytham to Southport and within Preston Docks
Fleetwood	Within a line from Low Light to Knott
River Lune	Within a line from Sunderland Point to Chapel Hill up to and including Glasson Dock
Barrow	Within a line joining Haws Point, Isle of Walney to Roa Island Slipway
Whitehaven	Within the breakwater
Workington	Within the breakwater
Maryport	Within the breakwater
Carlisle	Within a line joining Point Carlisle to Torduff
Coniston Water	The whole lake
Derwentwater	The whole lake

Ullswater	The whole lake
Windermere	The whole lake
SOUTH OF ENGLAND	
Blakeney and Morston Harbour and approaches	To the east of a line running south from Blakeney Point to the entrance of the Stiffkey River
River Orwell and River Stour	River Orwell within a line from Blackmanshead breakwater to Landguard Point and seaward of Zone 3 waters
River Blackwater	All waterways within a line from the south-western extremity of Mersea Island to Sales Point
River Crouch and River Roach	River Crouch within a line from Holliwell Point to Foulness Point, including the River Roach
River Thames and its tributaries	River Thames above a line drawn north/south through the eastern extremity of Denton Wharf Pier, Gravesend to Teddington Lock
River Medway and the Swale	River Medway from a line drawn from Garrison Point to the Grain Tower, to Allington Lock; and the Swale from Whitstable to the Medway
River Stour (Kent)	River Stour above the mouth to the landing at Flagstaff Reach
Dover Harbour	Within lines drawn across the east and west entrances to the Harbour

River Rother	River Rother above the Tidal Signal Station at Camber to Scots Float Sluice and to the entrance lock on the River Brede
River Adur and Southwick Canal	Within a line drawn across Shoreham Harbour entrance to Southwick Canal Lock and to the west end of Tarmac Wharf
River Arun	River Arun above Littlehampton Pier to Littlehampton Marina
River Ouse (Sussex) Newhaven	River Ouse from a line drawn across Newhaven Harbour entrance piers to the north end of North Quay
Brighton	Brighton Marina outer harbour within a line from the southern end of West Quay to the north end of South Quay
Chichester	Within a line drawn between Eastoke point and the church spire, West Wittering and seaward of Zone 3 waters
Langstone Harbour	Within a line drawn between Eastney Point and Gunner Point
Portsmouth	Within a line drawn across the harbour entrance from Port Blockhouse to the Round Tower
Bembridge, Isle of Wight	Within Brading Harbour
Cowes, Isle of Wight	The River Medina within a line from the Breakwater Light on the east bank to the House Light on the west bank

Southampton	Within a line from Calshot Castle to Hook Beacon
Beaulieu River	Within Beaulieu River not eastward of a north/south line through Inchmery House
Keyhaven Lake	Within a line drawn due north from Hurst Point Low Light to Keyhaven Marshes
Christchurch	The Run
Poole	Within the line of the Chain Ferry between Sandbanks and South Haven Point
Exeter	Within an east-west line from Warren Point to the Inshore Lifeboat Station opposite Checkstone Ledge
Teignmouth	Within the harbour
River Dart	Within a line from Kettle Point to Battery Point
River Salcombe	Within a line from Splat Point to Limebury Point
Plymouth	Within a line from Mount Batten Pier to Raveness Point through Drake's Islands; the River Yealm within a line from Warren Point to Misery Point
Fowey	Inside the Harbour
Falmouth	Within a line from St. Anthony Head to Pendennis Point
River Camel	Within a line from Gun Point to Brea Hill

Rivers Taw and Torridge	Within a line bearing 200° from the lighthouse on Crow Point to the shore at Skern Point
Bridgewater	South of a line running due East from Stert Point (51° 13,0 'N)
River Avon (Avon)	Within a line from Avonmouth Pier to Wharf Point, to Netham Dam

CHAPTER 2

Zone 3

Kingdom of Belgium

Maritime Scheldt (downstream of Antwerp open anchorage)

Republic of Bulgaria

Danube: from rkm 845,650 to rkm 374,100

Czech Republic

Dam lakes: Brněnská (Kníničky), Jesenice, Nechranice, Orlík, Rozkoš, Slapy, Těrlicko, Žermanice a Nové Mlýny III

Sandy gravel mining lakes: Ostrožná Nová Ves a Tovačov

Federal Republic of Germany

Danube	From Kelheim (km 2414,72) to the German-Austrian border at Jochenstein
Rhine with Lampertheimer Altrhein (from km 4,75 to the Rijn), Altrhein Stockstadt-Erfelden (from km 9,80 to the Rijn)	From the German-Swiss border to the German-Netherlands border

Elbe (Norderelbe) including Süderelbe en Köhlbrand	From the mouth of the Elbe-Seiten canal to the lower limit of the port of Hamburg
Müritz	

French Republic

the Adour from the Bec du Gave to the sea;

the Aulne from the lock at Châteaulin to the transversal limit of the sea defined by the Passage de Rosnoën;

the Blavet from Pontivy to the Pont du Bonhomme;

the Calais Canal;

the Charente from the bridge at Tonnay-Charente to the transverse limit of the sea defined by the line passing through the centre of the downstream light on the left bank and through the centre of the Fort de la Pointe;

the Dordogne from the confluence with the Lidoire to the Bec d'Ambès;

the Garonne from the bridge at Castet en Dorthe to the Bec d'Ambès;

the Gironde from the Bec d'Ambès to the transversal line at KP 48,50 and passing through the downstream point of the Ile de Patiras;

the Hérault from the port of Bessan to the sea, as far as the upper limit of the tidal foreshore;

the Isle from the confluence with the Dronne to the confluence with the Dordogne;

the Loire from the confluence with the Maine to Cordemais (KP 25);

the Marne from the bridge at Bonneuil (KP 169bis900) and the lock at St Maur to the confluence with the Seine;

the Rhine

the Nive from the Haïtze dam at Ustaritz to the confluence with the Adour;

the Oise from Janville lock to the confluence with the Seine;

the Orb from Sérignan to the sea, as far as the upper limit of the tidal foreshore;

the Rhône from the frontier with Switzerland to the sea, with the exception of the Petit Rhône;

the Saône from the Pont de Bourgogne bridge at Chalon-sur-Saône to the confluence with the Rhône;

the Seine from the lock at Nogent-sur-Seine to the start of the Tancarville Canal;

the Sèvre Niortaise from the lock at Marans at the transverse limit of the sea opposite the guardhouse to the mouth;

the Somme from the downstream side of the Pont de la Portelette bridge at Abbeville to the viaduct of the Noyelles to Saint-Valéry-sur-Somme railway;

the Vilaine from Redon (KP 89,345) to the Arzal Dam;

Lake Amance;

Lake Annecy;

Lake Biscarosse;

Lake Bourget;

Lake Carcans;

Lake Cazaux;

Lake Der-Chantecoq;

Lake Guerlédan;

Lake Hourtin;

Lake Lacanau;

Lake Orient;

Lake Pareloup;

Lake Parentis;

Lake Sanguinet;

Lake Serre-Ponçon;

Lake Temple.

Republic of Croatia

Danube: from rkm 1 295 + 500 to rkm 1 433 + 100

River Drava: from rkm 0 to rkm 198 + 600

River Sava: from rkm 210 + 800 to rkm 594 + 000

River Kupa: from rkm 0 to rkm 5 + 900

River Una: from rkm 0 to rkm 15

Republic of Hungary

Danube: from rkm 1812 to rkm 1433

Danube Moson: from rkm 14 to rkm 0

Danube Szentendre: from rkm 32 to rkm 0

Danube Ráckeve: from rkm 58 to rkm 0

River Tisza: from rkm 685 to rkm 160

River Dráva: from rkm 198 to rkm 70

River Bodrog: from rkm 51 to rkm 0

River Kettős-Körös: from rkm 23 to rkm 0

River Hármas-Körös: from rkm 91 to rkm 0

Channel Sió: from rkm 23 to rkm 0

Lake Velence

Lake Fertő

Kingdom of the Netherlands

Rhine

Sneekermeer, Koevordermeer, Heegermeer, Fluessen, Slotermeer, Tjeukemeer, Beulakkerwijde, Belterwijde, Ramsdiep, Ketelmeer, Zwartemeer, Veluwemeer, Eemmeer, Alkmaardermeer, Gouwzee, Buiten IJ afgesloten IJ Noordzeekanaal, port of IJmuiden, Rotterdam port area, Nieuwe Maas, Noord, Oude Maas, Beneden Merwede, Nieuwe Merwede, Dordsche Kil, Boven Merwede, Waal, Bijlandsch Canal, Boven Rijn, Pannersdensch Canal, Geldersche IJssel, Neder Rijn, Lek, Amsterdam-Rhine-Canal, Veerse Meer, Schelde-Rhine-Canal as far as the mouth in the Volkerak, Amer, Bergsche Maas, the Meuse below Venlo, Gooimeer, Europort, Calandkanaal (east from the Benelux harbour), Hartelkanaal

Republic of Austria

Danube: from the border with Germany to the border with Slovakia

Inn: from the mouth to the Passau-Ingling Power Station

Traun: from the mouth to km 1,80

Enns: from the mouth to km 2,70

March: to km 6,00

Republic of Poland

— River Biebrza from the estuary of the Augustowski Channel to the estuary of the river Narwia

— River Brda from the link with the Bydgoski Channel in Bydgoszcz to the estuary of the river Wisła

— River Bug from the estuary of the river Muchawiec to the estuary of the river Narwia

— Lake Dąbie to the frontier with internal sea waters

— The Augustowski Channel from the link with the river Biebrza to the State border, together with the lakes located along the route of this Channel

— The Bartnicki Channel from Lake Ruda Woda to Lake Bartężek, together with Lake Bartężek

— The Bydgoski Channel

— The Elbląski Channel from Lake Druzno to Lake Jeziorak and Lake Szeląg Wielki, together with these lakes and the lakes on the route of the Channel, and a byway in the direction of Zalewo from Lake Jeziorak to Lake Ewingi, inclusive

— The Gliwicki Channel together with the Channel Kędzierzyński

— The Jagielloński Channel from the link with the river Elbląg to the river Nogat

— The Łączański Channel

— The Ślesiński Channel with the lakes located along the route of this Channel and Lake Gopło

— The Żerański Channel

— River Martwa Wisła from the river Wisła in Przegalina to the frontier with internal sea waters

— River Narew from the estuary of the river Biebrza to the estuary of the river Wisła, together with Lake Zegrzyński

— River Nogat from the river Wisła to the estuary of the Lagoon of Wisła

— River Noteć (upper) from Lake Gopło to the link with the Górnonotecki Channel and the Górnonotecki Channel and River Noteć (lower) from the link of the Bydgoski Channel to the estuary to River Warta

— River Nysa Łużycka from Gubin to the estuary to River Odra

— River Odra from the town of Racibórz to the link with River Eastern Odra which turns into River Regalica from the Klucz-Ustowo Piercing, together with that river and its side-branches to Lake Dąbie as well as a byway of River Odra from the Opatowice lock to the lock in Wrocław city

— River Western Odra from a weir in Widuchowa (704,1 km of River Odra) to a border with internal sea waters, together with side-branches as well as the Klucz-Ustowo Piercing linking River Eastern Odra with River Western Odra

— River Parnica and the Parnicki Piercing from River Western Odra to a border with internal sea waters

— River Pisa from Lake Roś to the estuary of River Narew

— River Szkarpawa from River Wisła to the estuary of the Lagoon of Wisła

— River Warta from the Ślesińskie Lake to the estuary of River Odra

— System of Wielkie Jeziora Mazurskie encompassing the lakes linked by the rivers and channels constituting a main route from Lake Roś (inclusive) in Pisz to the Węgorzewski Channel (including that channel) in Węgorzewo, together with Lakes Seksty, Mikołajskie, Tałty, Tałtowisko, Kotek, Szymon, Szymoneckie, Jagodne, Boczne, Tajty, Kisajno, Dargin, Łabap, Kirsajty and Święcajty, together with the Giżycki Channel and the Niegociński Channel and the Piękna Góra Channel, and a byway of Lake Ryńskie (inclusive) in Ryn to Lake Nidzkie (up to 3 km, constituting a border with the 'Lake Nidzkie' nature reserve), together with lakes Bełdany, Guzianka Mała and Guzianka Wielka

— River Wisła from the estuary of River Przemsza to the link with the Łączański Channel as well as from the estuary of that Channel in Skawina to the estuary of River Wisła to the Bay of Gdańsk, excluding the Włocławski Reservoir

Romania

Danube: from the Serbian–Romanian border (km 1075) to the Black Sea on the Sulina Channel-branch

Danube–Black Sea Canal (64,410 km length): from the junction with the Danube river, at km 299,300 of the Danube at Cernavodă (respectively km 64,410 of the Canal), to the Port of Constanta South–Agigea (km '0' of the Canal)

Poarta Albă–Midia Năvodari Canal (34,600 km length): from the junction with the Danube–Black Sea Canal at km 29,410 at Poarta Albă (respectively km 27,500 of the Canal) to the Port of Midia (km '0' of the Canal)

Slovak Republic

Danube: from rkm 1880,26 to rkm 1708,20

Danube Canal: from rkm 1851,75 to rkm 1811,00

River Váh: from rkm 0,00 to rkm 70,00

River Morava: from rkm 0,00 to rkm 6,00

River Bodrog: from rkm 49,68 to rkm 64,85

Dam lakes: Oravská Priehrada, Liptovská Mara, Zemplínska Šírava

Kingdom of Sweden

Trollhätte canal and Göta älv, from the parallel of latitude through Bastugrunds beacon to the Göta älv bridge

Lake Mälaren

The ports of Stockholm, bounded in the northwest by the Lidingö bridge, in the northeast by a line through the Elfviksgrund lighthouse in bearing 135-315 degrees, and in the south by the Skuru bridge

Södertälje canal and the ports of Södertälje, bounded in the north by Södertälje lock and in the south by the parallel of latitude N 59 09,00

United Kingdom of Great Britain and Northern Ireland

SCOTLAND	
Leith (Edinburgh)	Within the breakwaters
Glasgow	Strathclyde Loch
Crinan Canal	Crinan to Ardrishaig
Caledonian Canal	The canal sections
NORTHERN IRELAND	
River Lagan	Lagan Weir to Stranmillis
EAST OF ENGLAND	
River Wear (non-tidal)	Old Railway Bridge, Durham to Prebends Bridge, Durham
River Tees	Upriver from Tees Barrage
Grimsby Dock	Inside of the locks
Immingham Dock	Inside of the locks
Hull Docks	Inside of the locks
Boston Dock	Inside the lock gates
Aire and Calder Navigation	Goole Docks to Leeds; junction with Leeds and Liverpool Canal; Bank Dole Junction to Selby (River Ouse Lock); Castleford Junction to Wakefield (Falling Lock)
River Ancholme	Ferriby Sluice to Brigg
Calder and Hebble Canal	Wakefield (Falling Lock) to Broadcut Top Lock
River Foss	From (Blue Bridge) junction with River Ouse to Monk Bridge

Fossdyke Canal	Junction with River Trent to Brayford Pool
Goole Dock	Inside the lock gates
Hornsea Mere	The whole canal
River Hull	From Struncheon Hill Lock to Beverley Beck
Market Weighton Canal	River Humber Lock to Sod Houses Lock
New Junction Canal	The whole canal
River Ouse	From Naburn Lock to Nun Monkton
Sheffield and South Yorkshire Canal	Keadby Lock to Tinsley Lock
River Trent	Cromwell Lock to Shardlow
River Witham	Boston Sluice to Brayford Poole (Lincoln)
WALES AND WEST OF ENGLAND	
River Severn	Above Llanthony and Maisemore Weirs
River Wye	Above Monmouth
Cardiff	Roath Park Lake
Port Talbot	Within the enclosed docks
Swansea	Within the enclosed docks
River Dee	Above Barrelwell Hill water extraction point
River Mersey	The docks (excluding Seaforth Dock)
River Lune	Above Glasson Dock

River Avon (Midland)	Tewkesbury Lock to Evesham
Gloucester	Gloucester City Docks Gloucester/Sharpness Canal
Hollingworth Lake	The whole lake
Manchester Ship Canal	The whole canal and Salford Docks including River Irwell
Pickmere Lake	The whole lake
River Tawe	Between Sea Barrage/Marina and the Morfa Athletics Stadium
Rudyard Lake	The whole lake
River Weaver	Below Northwich
SOUTH OF ENGLAND	
River Nene	Wisbech Cut and River Nene to Dog-in-a-Doublet Lock
River Great Ouse	Kings Lynn Cut and River Great Ouse below West Lynn Road Bridge
Yarmouth	River Yare Estuary from a line drawn across the ends of the north and south entrance piers, including Breydon Water
Lowestoft	Lowestoft Harbour below Mutford Lock to a line drawn across the outer harbour entrance piers
Rivers Alde and Ore	Above the entrance to the River Ore to Westrow Point
River Deben	Above the entrance of the River Deben to Felixstowe Ferry

River Orwell and River Stour	From a line drawn from Fagbury Point to Shotley Point on the River Orwell to Ipswich Dock; and from a line drawn north/south through Erwarton Ness on the River Stour to Manningtree
Chelmer & Blackwater Canal	Eastward of Beeleigh Lock
River Thames and its tributaries	River Thames above Teddington Lock to Oxford
River Adur and Southwick Canal	River Adur above the west end of Tarmac Wharf, and within Southwick Canal
River Arun	River Arun above Littlehampton Marina
River Ouse (Sussex), Newhaven	River Ouse above the north end of North Quay
Bewl Water	The whole lake
Grafham Water	The whole lake
Rutland Water	The whole lake
Thorpe Park Lake	The whole lake
Chichester	East of a line joining Cobnor Point and Chalkdock Point
Christchurch	Within Christchurch Harbour excluding the Run
Exeter Canal	The whole canal
River Avon (Avon)	Bristol City Docks Netham Dam to Pulteney Weir

ANNEX II

The technical requirements applicable to craft are those set out to in CESNI ES-TRIN standard 2015/1.

ANNEX III

SUBJECTS FOR POSSIBLE ADDITIONAL TECHNICAL REQUIREMENTS APPLICABLE TO CRAFT ON INLAND WATERWAYS OF ZONES 1, 2 AND NON-LINKED 3

Any additional technical requirements adopted by a Member State under Article 23(1) and (2) of this Directive for craft operating on that Member State's territory are limited to the following subjects:

1. Definitions

– Necessary for understanding the additional requirements

2. Stability

– Structure reinforcement

– Certificate/attestation by an recognised Classification Society

3. Safety clearance and freeboard

– Freeboard

– Safety clearance

4. Watertightness of hull openings and superstructures

– Superstructures

– Doors

– Windows and skylights

– Hold hatches

– Other openings (ventilation pipes, exhaust pipes, etc.)

5. Equipment

– Anchors and anchor chains

– Navigation lights

– Sound signals

– Compass

– Radar

– Transmitting and receiving installations

– Life-saving equipment

– Availability of nautical charts

6. Additional provisions for passenger vessels

– Stability (wind strength, criteria)

– Life-saving equipment

– Freeboard

– Safety clearance

– Wheelhouse visibility

7. Convoys and container transport

– Pusher connection craft-lighter

– Stability of craft or lighters carrying containers

ANNEX IV

SUBJECTS FOR POSSIBLE REDUCTIONS OF THE TECHNICAL REQUIREMENTS APPLICABLE TO CRAFT ON INLAND WATERWAYS OF ZONES 3 AND 4

Any reduced technical requirements allowed by a Member State under Article 23 (4) of this Directive for vessels operating exclusively on Zone 3 or Zone 4 waterways on the territory of that Member State are restricted to the following subjects:

Zone 3

- Anchor equipment, including length of anchor chains
- (Forward) speed
- Collective life-saving appliances
- Two-compartment status
- Wheelhouse visibility

Zone 4

- Anchor equipment, including length of anchor chains
- (Forward) speed
- Life-saving appliances
- Two-compartment status
- Wheelhouse visibility
- Second independent propulsion system

ANNEX V

DETAILED PROCEDURAL PROVISIONS

Article 2.01

Inspection bodies

1. Inspection bodies shall be set up by the Member States.

2. Inspection bodies shall consist of a chairman and experts.

At least the following shall form part of each body as experts:

(a) an official from the administration that is responsible for inland navigation;

(b) an expert on the design of inland waterway vessels and their engines;

(c) a nautical expert in possession of an inland waterways boatmaster's licence, which authorises the holder to sail the vessel to be inspected.

3. The Chairman and the experts within each body shall be designated by the authorities in the State in which the body is set up. On taking up their duties, the Chairman and the experts shall submit a written declaration that they will perform them completely independently. No declaration shall be required from officials.

4. Inspection bodies may be assisted by specialist experts in accordance with the national provisions applying.

Article 2.02

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Article 2.03

Presentation of the craft for inspection

1. The owner, or his representative, shall present the craft in an unladen, cleaned and equipped state. He shall provide any assistance needed for the inspection, such as providing an appropriate dinghy and staff, and uncovering any parts of the hull or fittings that are not directly accessible or visible.

2. The inspection body shall demand a dry inspection on the first occasion. That dry inspection may be dispensed with if a classification certificate or a certificate from an recognised classification society to the effect that the construction meets its requirements can be produced or if a certificate is produced which shows that a competent authority has already carried out a dry inspection for other purposes. Where there is a periodical inspection or an inspection, as provided for in Article 14 of this Directive, the inspection body may require an inspection out of the water.

   The inspection body shall conduct trial runs during an initial inspection of motor vessels or convoys or where major changes are made to the propulsion or steering equipment

3. The inspection body may require further operational tests and other supporting documents. That provision shall also apply during the building of the craft.

Article 2.04

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Article 2.05

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Article 2.06

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Article 2.07

Particulars in and amendments to the Union inland navigation certificate

1. The owner of a craft, or his representative, shall bring to the notice of the competent authority any change in the name or ownership of a craft, any re-measurement, and any change in the registration or home port, and shall send the Union inland navigation certificate to that authority for amendment.

2. Any competent authority may add any information or change to the Union inland navigation certificate.

3. Where a competent authority adds any alteration or information to a Union inland navigation certificate it shall inform the competent authority which issued the Union inland navigation certificate thereof.

Article 2.08

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Article 2.09

Periodical inspection

1. Craft shall be subjected to a periodical inspection before expiry of their Union inland navigation certificate.

3. The competent authority shall again lay down the period of validity of the Union inland navigation certificate in accordance with the results of that inspection.

   The period of validity shall be entered on the Union inland navigation certificate and brought to the attention of the authority having issued that Union inland navigation certificate

4. If, rather than have its period of validity extended, a Union inland navigation certificate is replaced by a new version, the earlier Union inland navigation certificate shall be returned to the competent authority which issued it.

Article 2.10

Voluntary inspection

The owner of a craft, or his representative, may voluntarily request an inspection at any time.

That request for an inspection shall be acted upon.

Article 2.11

(Left empty)

Article 2.12

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Article 2.13

(Left empty)

Article 2.14

(Left empty)

Article 2.15

Expenses

The owner of a craft, or his representative, shall bear all of the costs arising from the inspection of the vessel and the issue of the Union inland navigation certificate in accordance with a special set of charges drawn up by each of the Member States.

Article 2.16

Information

The competent authority may allow persons demonstrating a well-founded interest to be informed of the contents of a Union inland navigation certificate and may issue those persons with extracts or copies of the Union inland navigation certificates certified as true and designated as such.

Article 2.17

Register of Union inland navigation certificates

2. Competent authorities shall keep the original, or a copy of all the Union inland navigation certificates they have issued, and shall enter on these any information and alterations, together with any Union inland navigation certificate cancellations and replacements. They shall update the register mentioned in Article 17 of this Directive accordingly.

3. In order to perform administrative measures for maintaining safety and ease of navigation and for implementation of Articles 2.02 to 2.15 of this Annex as well as Articles 6, 9, 10, 13, 14, 15, 20, 21 and 22 of this Directive read only access to the register in accordance with the model set out in Annex II will be granted to competent authorities of other Member States, Contracting States of the Mannheim Convention and, as far as an equivalent level of privacy is guaranteed, to third countries on the basis of administrative agreements.

Article 2.18

Unique European Vessel Identification Number

1. The unique European Vessel Identification Number (ENI), in the following referred to as European Vessel Identification Number, consists of eight Arabic numerals according to Annex II to this Directive.

2. Unless the craft possesses a European Vessel Identification Number at the time of issue of the Union inland navigation certificate it shall be assigned to that craft by the competent authority of the Member State in which the craft has been registered or has its home port.

   As far as craft from countries where an assignation of a European Vessel Identification Number is not possible are concerned the European Vessel Identification Number to be entered on the Union inland navigation certificate shall be assigned by the competent authority issuing that Union inland navigation certificate.

3. The owner of a craft, or his representative, shall apply to the competent authority for assignment of the European Vessel Identification Number. The owner or his representative shall also be responsible for having the European Vessel Identification Number which is entered in the Union inland navigation certificate affixed to the craft.

Article 2.19

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Article 2.20

Notifications

1. Member States or its compentent authorities shall notify the Commission and the other Member States or each other:

(a) of the names and addresses of the technical services which, together with their national competent authority are responsible for the application of Annex II to this Directive;

(b) of the data sheet as shown in Annex II to this Directive on the on board sewage treatment plant types for which an approval has been issued since the last notification;

(c) of the recognised type approvals for on-board sewage treatment systems based on different standards than those laid down in Annex II to this Directive, for the use on their national waterways;

(d) within one month of any withdrawal of a type approval and of the reasons for such withdrawal for on-board sewage treatment systems;

(f) of any authorised special anchor following an application to reduce anchor mass, giving its type designation and authorised reduction of anchor mass. The competent authority grants authorisation to the applicant at the earliest 3 months after notifying the Commission provided that the latter does not raise objections;

(g) of the radar navigation equipment and of the rate-of-turn indicators for which they have issued type approval. The relevant notice shall include the type-approval number assigned, as well as the type designation, the name of the manufacturer, the name of the holder of the type-approval and the date of the type approval;

(h) of the competent authorities responsible for approval of specialised firms that can do the installation, replacement, repair or maintenance of radar navigation equipment and rate-of-turn indicators.

ANNEX VI

CLASSIFICATION SOCIETIES

Criteria for the recognition of classification societies

Classification societies seeking recognition pursuant to Article 21 of this Directive shall meet all the following criteria:

1. the classification society shall be able to document extensive experience in assessing the design and construction of inland waterway vessels. The classification society shall have comprehensive rules and regulations for the design, construction and periodic inspection of inland waterway vessels, in particular for calculating stability in accordance with Part 9 of the Regulations annexed to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN) as referred to in Annex II to this Directive and which will be published at least in Dutch, English, French or German and shall be continuously updated and improved through research and development programmes. The rules and regulations must not conflict with the provisions of EU law or with international agreements in force;

2. the classification society shall publish its register of vessels annually;

3. the classification society shall not be controlled by shipowners or shipbuilders or by others engaged commercially in the design, manufacture, fitting-out, repair, operation or insurance of ships. The classification society shall not be dependent on a single commercial enterprise for its revenue;

4. the headquarters of the classification society or a branch authorised to give a ruling and to act in all areas incumbent on it under the regulations governing inland waterway transport shall be located in one of the Member States;

5. the classification society and its experts shall have a good reputation in inland waterway transport; the experts shall be able to provide proof of their professional abilities. They shall act on the responsibility of the classification society;

6. the classification society shall have a significant technical, managerial, support, inspection and research staff, in proportion to the tasks and the vessels classified and catering also for developing capability and updating the regulations. It shall have inspectors in at least one Member State;

7. the classification society shall be governed by a code of ethics;

8. the classification society shall be managed and administered in such a way as to ensure the confidentiality of information required by a Member State;

9. the classification society shall be prepared to provide relevant information to a Member State;

10. the classification society's management shall have defined and documented its policy and objectives for, and commitment to, quality and ensured that this policy is understood, implemented and maintained at all levels in the classification society;

11. the classification society shall have prepared and implemented and shall maintain an effective internal quality system based on the relevant parts of internationally recognised quality standards and complying with the EN ISO/IEC 17020:2004, as interpreted by the IACS Quality System Certification Scheme Requirements. The quality system must be certified by an independent body of auditors recognised by the administration of the State in which the classification society has its headquarters or branch, as provided for in paragraph 4, and which, *inter alia*, ensures that:

    (a) the classification society's rules and regulations are established and maintained in a systematic manner;

    (b) the classification society's rules and regulations are complied with;

    (c) the requirements of the statutory work for which the classification society is authorised are satisfied;

    (d) the responsibilities, powers and interrelation of personnel whose work affects the quality of the classification society's services are defined and documented;

(e) all work is carried out under controlled conditions;

(f) a supervisory system is in place which monitors the actions and work carried out by surveyors and technical and administrative staff employed directly by the classification society;

(g) the requirements of major statutory work for which the classification society is authorised are only carried out or directly supervised by its exclusive surveyors or by exclusive surveyors of other recognised classification societies;

(h) a system for qualification of surveyors and continuous updating of their knowledge is implemented;

(i) records are maintained, demonstrating achievement of the required standards in the items covered by the services performed, as well as the effective operation of the quality system; and

(j) a comprehensive system of planned and documented internal audits of quality-related activities exists in all locations.

12. the quality system must be certified by an independent body of auditors recognised by the administration of the State in which the classification society has its headquarters or branch, as provided for in paragraph 4;

13. the classification society shall undertake to bring its requirements into line with the appropriate European Union directives and to provide the Commission with all relevant information in good time;

14. the classification society shall undertake periodically to consult with the classification societies already recognised in order to guarantee the equivalence of their technical standards and of implementation thereof, and should allow participation in the development of its rules and regulations by representatives of a Member State and other parties concerned.

ANNEX VII

Correlation table

Directive 2006/87/EC	This Directive
-	Article 1
Article 2	Article 2
-	Article 3
Article 1	Article 4
-	Article 5
Article 9	Article 6(1) and (3)
Article 8(1)	Article 6(2) and (4)
Article 8(4)	Article 6(5)
Article 3	Article 7
Article 4	Article 8
Article 11(2)	Article 9
Article 11(1)	Article 10
Article 14	Article 11
Article 13	Article 12
Article 12	Article 13
Article 15	Article 14
Article 16	Article 15

Article 18	Article 16
-	Article 17
-	Article 18
-	Article 19
Article 10	Article 20
-	Article 21
Article 17	Article 22
Article 5	Article 23
Article 6 has been deleted by Directive 2008/68/EC[11]	-
Article 7(1) to (3)	Article 24
-	Article 25
	Article 26
-	Article 27
-	Article 28
Article 8(2) and (3)	Article 29
-	Article 30
Article 20(1)	Article 31
Article 20(2)	-

[11] Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13).

Article 22	-
-	Article 32
Article 19	Article 33
-	Article 34
Article 24	Article 35
Article 21	Article 36
Article 23	Article 37(1) and (2)
Article 7(4)	Article 37(3)
-	Article 38
-	Article 39
Article 25	-
Article 26	-
Article 27	Article 40