

Directive (EU) 2016/1629 of the European Parliament and of the Council of 14 September 2016 laying down technical requirements for inland waterway vessels, amending Directive 2009/100/EC and repealing Directive 2006/87/EC

CHAPTER 3

VESSEL IDENTIFICATION, INSPECTIONS AND ALTERED TECHNICAL REQUIREMENTS

Article 23

Altered technical requirements for certain zones

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

3 Where application of the transitional provisions referred to in Annex II 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, from 30 December 2008, such passenger vessels operating on its non-linked inland waterways comply fully with the technical requirements referred to in Annexes II and V.

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

5 Where a Member State applies paragraph 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 the cases referred to in paragraphs 1 and 2 of this Article, the Commission shall adopt implementing acts to approve the additional technical requirements. Those implementing acts shall be 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.