Commission Implementing Regulation (EU) 2019/1744 of 17 September 2019 on technical specifications for electronic ship reporting in inland navigation and repealing Regulation (EU) No 164/2010

COMMISSION IMPLEMENTING REGULATION (EU) 2019/1744

of 17 September 2019

on technical specifications for electronic ship reporting in inland navigation and repealing Regulation (EU) No 164/2010

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2005/44/EC of the European Parliament and of the Council of 7 September 2005 on harmonised river information services (RIS) on inland waterways in the Community[(1)], and in particular point (b) of Article 5(1) thereof,

Whereas:

(1) Electronic reporting in inland navigation should contribute to the safety and efficiency of inland navigation, by enabling electronic data interchange for reporting purposes to and between competent authorities and to facilitate electronic data interchange among the parties involved in inland waterway transport. Electronic reporting should help to avoid multiple reporting of the same data to competent authorities and other parties in the transport chain.

(2) The development of harmonised river information services (RIS) laid down in Directive 2005/44/EC requires the establishment of technical specifications, including, inter alia, on electronic ship reporting.

(3) The technical specifications for electronic ship reporting laid down in Commission Regulation (EU) No 164/2010[(2)] specify the messages, data items, codes and references to be used in electronic reporting for enabling specific services and functions of RIS in line with Directive 2005/44/EC.

(4) Technical specifications for electronic ship reporting should take due account of the technological progress and the experiences gained from their application, including the introduction of mandatory electronic reporting requirements on major rivers in Europe. For that reason, the technical specifications defined in Regulation (EU) No 164/2010 should be revised and clarified.

(5) The revised technical specifications should take due account of the latest internationally adopted standards, guidelines and experiences gained as a result of their application, such as the relevant standards by the United Nations Economic Commission for Europe (UNECE), the Central Commission for the Navigation of the Rhine (CCNR) and other international bodies. In addition, the specific provisions of Directive (EU) 2016/1629 of the European Parliament and of the Council[(3)] and Commission Implementing Regulation (EU) 2018/2032[(4)] should be considered.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/1744. (See end of Document for details)*

(6) The revised technical specifications should take due account of the requirement of compatibility with other modes of transport, in particular maritime transport. This should be achieved by making use of internationally standardised notification messages, accepted code lists and classifications and following guidelines as defined by the Protect[(5)] group.

(7) Pursuant to Article 12(2) of Directive 2005/44/EC technical specifications should enter into force immediately after their publication and Member States should apply those specifications not later than 30 months after entry into force.

(8) Taking into account the extent of required changes, Regulation (EU) No 164/2010 should be repealed.

(9) The measures provided for in this Regulation are in accordance with the opinion of the Committee referred to in Article 11 of Directive 2005/44/EC,

HAS ADOPTED THIS REGULATION:

Article 1

The technical specifications for electronic ship reporting in inland navigation shall be as set out in the Annex.

Article 2

Regulation (EU) No 164/2010 is repealed.

Article 3

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

It shall apply not later than 30 months after its entry into force.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 17 September 2019.

For the Commission

The President

Jean-Claude JUNCKER

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/1744. (See end of Document for details)*

ANNEX

1. PART I: MESSAGE IMPLEMENTATION MANUAL CONVENTION

1.1 **Introduction**

These technical specifications define the structure of four messages for electronic ship reporting in inland navigation, based on the United Nations rules for Electronic Data Interchange for Administration, Commerce and Transport (UN/EDIFACT)[(6)] message structure and customised, where required, for the purpose of inland navigation.

In the case that electronic ship reporting in inland navigation is required by national or international law, these technical specifications shall be applied.

The exact use of the messages, data elements and codes are defined in the Appendices (Message Implementation Manuals) in order to ensure a common understanding and usage of the messages.

The messages are:

1. (Dangerous) goods reporting message (IFTDGN) — ERINOT
2. Passenger and crew lists message (PAXLST)
3. ERINOT response and receipt message (APERAK) — ERIRSP
4. Berth management port notification message (BERMAN)

For sharing of information the use of XML technology is another possibility apart from the UN/EDIFACT standards.

1.2. **UN/EDIFACT message structure**

The message structure is based on ISO 9735.

UN/EDIFACT messages are composed of segments. The structure of a message is described in a branching diagram indicating the position and the mutual relationship of the segments and segment groups.

For each segment data elements are defined: some data elements are combined to form composite data elements. A segment and a data element within a segment are either mandatory (M) or conditional (C). Mandatory segments and/or data elements contain important data for a receiving application and shall be filled with valid data.

Each message starts with two or three segments, the ‘interchange header’ (UNB) and the ‘message header’ (UNH). Where required, also the ‘service string advice’ (UNA) is used as a first segment to define which character sets are used in the message. Each message finishes with the segments ‘message trailer’ (UNT) and ‘interchange trailer’ (UNZ). Thus, each message is contained in one interchange, and an interchange contains only one single message.

1.3. **Introduction to message types**

As mentioned in section 1.1, the four message types are:

1. (Dangerous) goods reporting message (IFTDGN) — ERINOT
2. Passenger and crew lists message (PAXLST)
3. ERINOT response and receipt message (APERAK) — ERIRSP

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2019/1744. (See end of Document for details)*

4. Berth management port notification message (BERMAN)

In addition, messages can fulfill the following functions:
— new message (identifier '9');
— modification of message (identifier '5');
— cancellation of message (identifier '1');
— end of voyage (identifier '22');
— interruption of voyage (identifier '150');
— restart of voyage (identifier '151').

1.3.1. *ERINOT*

The ERI notification message (ERINOT) shall be used for the reporting of voyage related information and of information on dangerous and non-dangerous cargo carried on-board vessels sailing on inland waterways. The ERINOT message is a specific use of the UN/EDIFACT 'International Forwarding and Transport Dangerous Goods Notification (IFTDGN)' message. For the data and codes contained in the message applications based on these message specifications, use has been made of the UN Directory D98B.

The ERINOT message encompasses the following types:
— transport notification from vessel to authority (identifier 'VES'), from ship to shore;
— transport notification from carrier to authority (identifier 'CAR'), from shore to shore;
— passage notification (identifier 'PAS'), from authority to authority.

1.3.2. *PAXLST*

The PAXLST message is based on the UN/EDIFACT message PAXLST. It shall be used for the exchange of data in inland navigation between the captain/skipper or carrier and designated authorities such as customs, immigration, police or terminals falling under the International Ship and Port Facility Security (ISPS) Code, as defined in Regulation (EC) No 725/2004 of the European Parliament and of the Council[7].

The message shall be also used to transfer passenger/crew data from a designated authority in the country of departure to the appropriate authorities in the country of arrival of the means of transport.

1.3.3. *ERIRSP*

The ERI response message (ERIRSP) is derived from the UN/EDIFACT APERAK message. It may be generated by the system of the designated authority. The response to a 'modification' or a 'cancellation' contains information whether or not the 'modification' or 'cancellation' has been processed by the receiving system.

1.3.4. *BERMAN*

The Berth Management (BERMAN) message combines the pre-arrival notification, respectively general declaration, into one single notification which is based on the EDIFACT message BERMAN from the UN/EDIFACT D04B directory.

The BERMAN message shall be sent by vessels sailing on inland waterways before arriving at or departing from a berth or a port and provides information about the time of arrival and the services required to ensure a prompt handling, to support procedures and to facilitate controls.

2. PART II: CODES AND REFERENCES

2.1. **Introduction**

Codes and references, as defined in this Part, shall be used in electronic ship reporting for inland navigation. The use of codes and references serves the purpose of unambiguousness: it eliminates the possible misinterpretation and facilitates the translation of messages into other languages.

Therefore the usage of codes and references is mandatory for the data elements indicated in the message implementation manuals. Those codes and references are also available electronically in the European Reference Data Management System (ERDMS) operated by the Commission.

Those codes and references shall be used whenever data is interchanged between various computer applications and between parties using different languages, even beyond the message types in the subject of this Annex.

2.2. **Definitions**

For the purposes of this Annex, the following definitions shall apply.

Agent means any person mandated or authorised to act for or to supply information on behalf of the (transport) operator of the vessel.

Barge means a vessel that has no propulsion of its own.

Blue cones means signals that inland vessels carrying out transport operations involving dangerous substances are required to show pursuant to the European Agreement concerning the International Carriage of Dangerous Goods by Inland Waterways (ADN), namely one, two or three blue cones by day and one, two or three blue lights at night.

Carrier or *transport operator* means the person responsible for the carriage of goods, either directly or using a third party.

Cargo means any goods, wares, merchandise and articles carried on a ship. So ship carries cargo consisting of one or more consignments (with the necessary equipment) each consisting of one or more goods items.

Code means a character string used as an abbreviated means of (a) recording or identifying information (b) to represent or identify information using a specific symbolic form that can be recognised by a computer.

Common access reference means a common key to relate all subsequent transfers of data to the same business case or file (Data Element 0068 TDED). The common access reference shall be regarded as a common denominator[8] linking through a unique number documents, electronic messages and other communications with the same objective and characteristics.

A *consignment* means a separate identifiable number of goods transported from one consignor (port of loading) to one consignee (port of discharge) and identified and specified in one single transport document. A container as equipment shall in this context be seen as a separate identifiable packing unit for which separate bookings are done and as such shall be considered a single consignment.

Consignee means the party such as mentioned in the transport document by whom the goods, cargo or containers are to be received.

Consignor means the merchant by whom, in whose name or on whose behalf a contract of carriage of goods has been concluded with a carrier or any party by whom, in whose name or on whose behalf the goods are actually delivered to the consignee in relation to the contract of carriage (Synonyms: shipper, cargo sender).

Container means an item of equipment for transport purposes with the following characteristics: