Commission Implementing Regulation (EU) 2018/2032 of 20 November 2018 amending Commission Regulation (EC) No 416/2007 concerning the technical specifications for Notices to Skippers

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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 Article 5, paragraph 1, point (c), thereof,

Whereas:

(1) Commission Regulation (EC) No 416/2007[(2)] should be updated, further refined and clarified taking into account the technological progress and experience gained from the application of Regulation (EC) No 416/2007.

(2) The technical specifications for Notices to Skippers should be based on the technical principles set out in Annex II to Directive 2005/44/EC.

(3) In order to improve safety of navigation, Notices to Skippers should be extended to include a new type of message dedicated to weather-related notices.

(4) The reference tables related to gauges should be eliminated from the Annex to Regulation (EC) No 416/2007, because the reference data contained therein, such as reference values for low and high water level, are dynamic. Such data should be included and maintained in the European Reference Data Management System operated by the Commission.

(5) There is a need to improve the consistency of editing and application development in order to create services with a higher level of interoperability. Therefore, Encoding Guides for editors and application developers should be included in the technical specifications as Appendix A and B to the Annex.

(6) Data exchange between the authorities is recommended according to Regulation (EC) No 416/2007. In order to improve such data exchange, specifications related to the data exchange should be set out in Appendix D to the Annex in order to allow Member States make their systems interoperable.

(7) In order to ensure that Member States are able to encode Notices to Skippers messages in a consistent and interoperable manner, the Reference tables included in Appendix E should be improved. For this purpose, new codes should be defined in a new Reference table containing harmonised search interface labels for the graphical user interface.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/2032. (See end of Document for details)*

Moreover, new tags, values and codes should be added to existing Reference tables and redundant items should be removed.

(8) The revised technical specifications should ensure that the reference tables in Appendix E are also available electronically in the European Reference Data Management System operated by the European Commission.

(9) In accordance with Article 12(2) of Directive 2005/44/EC, in order to comply with Article 4 of this Directive, Member States should take the necessary measures to implement the requirements laid down in this Regulation not later than 30 months after its entry into force.

(10) Regulation (EC) No 416/2007 should therefore be amended accordingly.

(11) 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 Annex to Commission Regulation (EC) No 416/2007 is replaced by the text of the Annex to this Regulation.

Article 2

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

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

Done at Brussels, 20 November 2018.

For the Commission

The President

Jean-Claude JUNCKER

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/2032. (See end of Document for details)*

ANNEX

1. GENERAL PROVISIONS

1.1. **Definitions**

Fairway Information Services (FIS) mean geographical, hydrological and administrative information regarding the waterway (fairway) that are used by boatmasters and fleet managers to plan, execute and monitor a voyage. The terms 'boatmaster' and 'skipper' used in the present standard shall be deemed to be equivalent with the term 'ship master' used in the River Information Services (RIS) Guidelines (Commission Regulation (EC) No 414/2007[(3)]), while the term 'fleet managers' is defined in Commission Regulation (EC) No 415/2007[(4)].

FIS provide dynamic information (such as water levels, water level predictions) as well as static information (such as operating times of locks and bridges) regarding the use and status of the inland waterway infrastructure, and thereby support tactical and strategic navigation decisions.

Traditional means to supply FIS include visual aids to navigation, notices to skippers published on paper, provided by broadcast and by fixed telephone on locks. The mobile phone has added new possibilities of voice and data communication, but cellular network is not available in all places and at all times. Tailor-made FIS for the waterways can be supplied by radiotelephone service on inland waterways, Internet service or electronic navigational chart service, such as the Inland Electronic Chart Display and Information System (Inland ECDIS) with Electronic Navigational Chart (ENC).

1.2. **Primary functions and performance requirements for Notices to Skippers (NtS)**

This technical specification for NtS provides rules for the data transmission of fairway information via Internet.

NtS shall:

(a) provide information related to fairway conditions, traffic, weather, water levels and ice for Fairway Information Services;

(b) provide automatic translation of the most important content of notices, using standard vocabulary based on code lists (the NtS Reference Tables as provided in Appendix E);

(c) be provided in a standardised structure of data-sets to facilitate the integration of notices in voyage planning systems;

(d) be compatible with the data-structure of the RIS Index and Inland ECDIS to facilitate integration of NtS into Inland ECDIS as stipulated by Directive 2005/44/EC of 7 September 2005 on harmonised RIS on inland waterways in the Community.

The technical specifications for NtS facilitate the data-exchange among NtS systems of different countries and towards other applications making use of NtS data, including Inland ECDIS.

Some information contained within NtS messages can be standardised, some cannot.

The standardised part shall cover all the information which is:

(a) important for the safety of inland navigation (for example: sunken small craft on the right side of the fairway at the Danube, river-km 2010);

(b) needed for voyage planning including closure of locks and reduction of vertical clearance.

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Additional information that is not relevant for safety or voyage planning, including the cause of the closure of a lock, may be given as free text, without automatic translation. The use of free text shall be restricted to a minimum.

2. PROVISION OF NOTICES TO SKIPPERS

Member States shall ensure that NtS messages are accessible online and via standardised NtS web service, in accordance with the technical specifications described in this Annex and its Appendices. The standardised NtS web service specification is included in Appendix D in the form of a 'Web Service Description Language' (WSDL).

The standardised NtS web services shall provide the user with the possibility to select messages on the grounds of at least one of the following criteria:

(c) a specific waterway section;

(d) a specific part of a waterway, defined by the river-km of the starting and the end point;

(e) time of validity of the notice (start date and end date of validity period);

(f) date of publication of the notice (date and time of publication).

NtS messages that comply with the standards referred to in this Annex can be provided, among other tools, by:

(a) mobile applications (apps);

(b) E-mail services.

Data exchange among the NtS systems operated in different countries may be carried out. All systems using the standards described in the Annex of this Regulation may integrate NtS of other systems in their own services, provided the content of the message is not modified. Users shall be informed in case the connection to a source of integrated NtS is interrupted or not available.

3. NTS MESSAGE TYPES

NtS messages are essential messages that are standardised to the highest part possible.

There are four NtS message types, namely:

(a) fairway and traffic related message;

(b) water related message;

(c) ice related message;

(d) weather related message.

4. STRUCTURE OF NTS AND ENCODING OF NTS MESSAGES

This chapter describes the structure and encoding of standardised electronic NtS messages.

An NtS message is a structured message using standardised elements, wherever possible. The use of free text in the data elements shall be restricted to a minimum.

The standardised NtS extended markup language (XML) schema definition, referred to as XSD in this standard, contains the standardised code values and possible formats is included in Appendix C.

The standardised code values and the XML tags, their meaning and translation are provided in the NtS Reference Tables in Appendix E and are also available electronically in the European Reference Data Management System (ERDMS) operated by the European Commission.

4.1. **General structure**

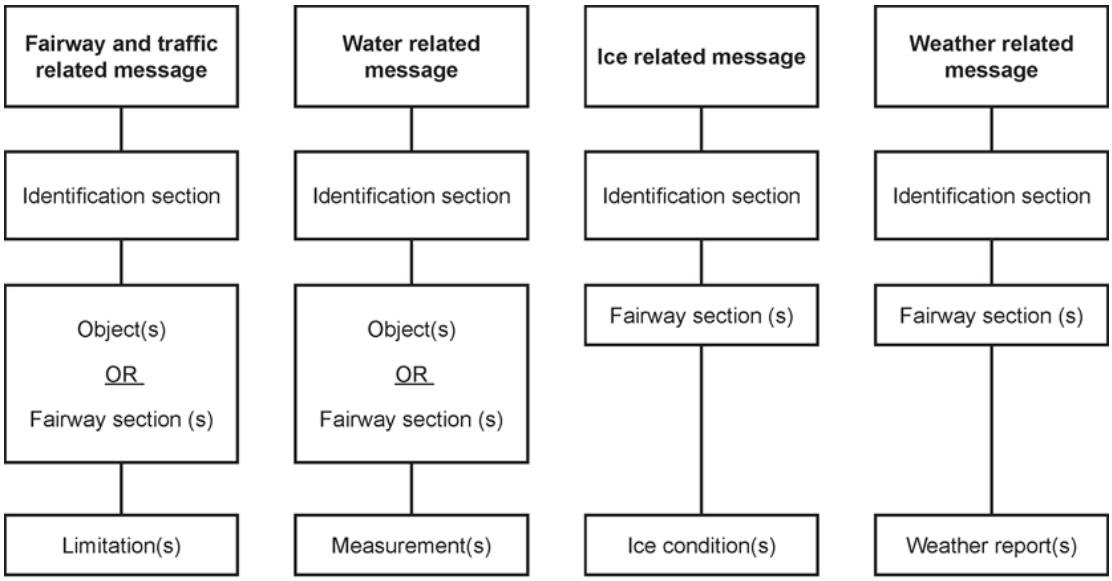
An NtS message consists of the following sections:

(a) identification section;

(b) section defining the applicable object(s) or fairway section(s) the message is related to;

(c) limitation(s) for a fairway and traffic related message, measurement(s) for a water related message, ice condition(s) for an ice related message or weather report(s) for a weather related message.

Figure 1 **Notice to Skippers message structure**



4.1.1. *Identification section*

Each message must contain an identification section. The identification section contains general information about the issuer and date of publication of the message.

4.1.2. *Fairway and traffic related message*

The fairway and traffic related message contains information for fairway section(s) or object(s), and it is used to indicate limitation(s) for the following purposes:

(a) **'Warning'**: relevant for safety. The warning must contain at least one limitation that results in direct and concrete endangerment of persons, crafts or facilities, such as welding works on a bridge producing sparks, inspection cage/workers hanging from a bridge, obstacle in the fairway,

(b) **'Announcement'**: relevant for voyage planning or safety. The announcement may contain limitations, such as blockage of a lock chamber due to maintenance works, dredging on the fairway,