Commission Implementing Regulation (EU) 2018/1973 of 7 December 2018 amending Implementing Regulation (EU) No 909/2013 on the technical specifications for the electronic chart display and information system for inland navigation (Inland ECDIS) referred to in Directive 2005/44/EC of the European Parliament and of the Council

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amending Implementing Regulation (EU) No 909/2013 on the technical specifications for the electronic chart display and information system for inland navigation (Inland ECDIS) referred to in Directive 2005/44/EC of the European Parliament and of the Council

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 (a) of Article 5(1) thereof,

Whereas:

(1) The purpose of using the electronic chart display and information system for inland navigation (Inland ECDIS) is to contribute to the safety and efficiency of inland navigation. For that reason, the technical specifications defined in Commission Implementing Regulation (EU) No 909/2013[(2)] for the Inland ECDIS device and the Inland Electronic Navigational Chart (Inland ENC) should be further revised and clarified.

(2) The revised technical specifications should take due account of the technological progress and the experience gained from the application of Implementing Regulation (EU) No 909/2013.

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

(4) The revised technical specifications should take due account of the latest internationally adopted standards and experience gained as a result of their application, such as the relevant standards by the United Nations Economic Commission for Europe (UNECE), the International Hydrographic Organization (IHO), the Central Commission for the Navigation of the Rhine (CCNR) and other international bodies.

(5) The revised technical specifications for Inland ECDIS should take due account of the work carried out by the expert group on Inland ECDIS, which is composed of representatives of the authorities of the Member States responsible for the implementation of Inland ECDIS and official members from other governmental bodies as well as observers from the industry.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1973. (See end of Document for details)*

(6) The revised technical specifications for the Inland ENC should take due account of the work carried out by the Inland ENC Harmonization Group (IEHG), which is comprised of representatives from government, industry and academia.

(7) The reference to UNECE standards or other standards in this Regulation should not create any precedent for future Union standards related to inland navigation, river information services or Inland ECDIS.

(8) Implementing Regulation (EU) No 909/2013 defined technical specifications for Inland ECDIS for navigation mode. However, on some waterways, competent authorities also enacted carriage requirements for Inland ECDIS devices for information mode. In order to harmonise the devices in use on those waterways and to ensure safety of navigation, mandatory minimum requirements should be adopted for Inland ECDIS devices in information mode on the waterways with obligatory carriage of Inland ECDIS. On waterways with no obligatory carriage of Inland ECDIS in information mode, the minimum requirements for information mode should serve as recommendations.

(9) Reliable updated information related to water depth (bathymetric information) in ENCs should be published in a timely manner in order to contribute to the safety and efficiency of inland navigation. For that reason, the provision of information about the water depth should be standardised.

(10) It is necessary to extend the list of waterways codes established in the Annex to Implementing Regulation (EU) No 909/2013 in order to enable Member States to encode waterways objects in a consistent manner on the relevant waterways. Additional waterway codes can be requested electronically at the Inland ENC Harmonization Group recognised by the International Hydrographic Organisation.

(11) 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.

(12) Implementing Regulation (EU) No 909/2013 should therefore be amended accordingly.

(13) The measures provided for in this Regulation are in accordance with the opinion of the Committee established pursuant to Article 7 of Council Directive 91/672/EEC[(3)],

HAS ADOPTED THIS REGULATION:

Article 1

The Annex to Implementing Regulation (EU) No 909/2013 is replaced by the text in 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 the Member States in accordance with the Treaties.

Done at Brussels, 7 December 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) 2018/1973. (See end of Document for details)*

ANNEX

ELECTRONIC CHART DISPLAY AND INFORMATION SYSTEM FOR INLAND NAVIGATION(Inland ECDIS)

SECTION 1

PERFORMANCE STANDARD FOR INLAND ECDIS

1. GENERAL PROVISIONS

(a) Electronic chart display and information system for inland navigation (Inland ECDIS) is composed of hardware, software for the operating system and application software.

(b) Inland ECDIS aims to contribute to the safety and efficiency of inland shipping.

(c) Inland ECDIS can be designed for both **information mode** and **navigation mode**, or for **information mode only**.

The minimum requirements for Inland ECDIS equipment designed for **information mode only**, specified in Chapter 4.1 of Section 1 and Section 4 of this Annex, are mandatory on waterways where carriage requirements are enacted by the responsible legislative organs. In other regions they are recommended.

(d) For **navigation mode** Inland ECDIS (Operating System Software, Application Software and Hardware) as specified in Section 4 of this Annex shall have a high level of reliability and availability; at least of the same level as other means of navigation.

(e) Inland ECDIS shall use chart information as specified by Sections 2 and 3 of this Annex.

(f) National authorities and international bodies are recommended to consider transitional provisions when they are introducing carriage requirements for Inland ECDIS.

(g) Inland ECDIS shall meet all the requirements of the Inland ECDIS performance standard set out in this Annex.

(h) The terms ‘skipper’ and ‘boat master’ used in this Annex shall be deemed to be equivalent with the term ‘ship master’ used in the RIS Guidelines – Commission Regulation (EC) No 414/2007[(4)].

(i) The producer or supplier of Inland ECDIS software must document in the user manual of the software which requirements for equipment (hardware) referred to in point (c) need to be fulfilled for Inland ECDIS in information mode on waterways where carriage requirements are enacted by the responsible legislative organs.

(j) When the Inland ECDIS equipment provides essential services as defined in Directive (EU) 2016/1148 concerning measures for a high common level of security of network and information systems across the Union, the provisions of the said legislation apply.

(k) AIS is an automatic identification system for maritime vessels that complies with the technical and performance standards laid down in Chapter V of the SOLAS Convention (Safety of Life at Sea), as defined in the document referred to in point 2(r) of Section 1. Inland AIS refers to the automatic identification system for inland waterway vessels as set out in the document referred to in point 2(p) of Section 1.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2018/1973. (See end of Document for details)*

In this Annex, whenever AIS is mentioned it refers to both maritime AIS and Inland AIS, unless specified otherwise.

2. REFERENCES

(a) IHO Special Publication No S-57 ‘IHO Transfer Standard for Digital Hydrographic Data’, Edition 3.1, Supplement No 2, June 2009 with all Appendices and Annexes.

(b) IHO Special Publication No S-62 ‘ENC Producer Codes’, Edition 2.5, December 2009.

(c) IHO Special Publication No S-52 ‘Specifications for Chart Content and Display Aspects of ECDIS’, 6th Edition, March 2010, with all Appendices and Annexes, including:

— S-52 Appendix 1 ‘Guidance on Updating the Electronic Chart’, Edition 4.0, April 2012.

— Former S-52 Appendix 2 ‘Colours & Symbols Specifications’, Edition 4.3 (Jan 2008)

— Former S-52 Appendix 3 ‘Glossary of ECDIS-RELATED Terms Specifications’ (now S-32, Appendix 1 (Sep 2007))

— Annex A to former S-52, Appendix 2, ‘Presentation Library’, Edition 3.4 (2008)

(d) IMO Resolution MSC.232(82) ‘Revised Performance Standards for Electronic Chart Display and Information Systems (ECDIS)’, December 2006.— Appendix 3 NAVIGATIONAL ELEMENTS AND PARAMETERS

(e) IEC-Guideline 61174, edition 3.0 ‘ECDIS — Operational and performance requirements, methods of testing and required test results’, 2008-9.

(f) Annex 5, Sections I to III of the ES-TRIN 2017 standard: Requirements applicable to radar installations and rate-of-turn indicators.

(g) IHO Special Publication No S-32 Appendix 1 ‘Glossary of ECDIS-related Terms’.

(h) Edition 2.4 of Appendix 1 ‘Product Specification for Inland ENCs' of UNECE Resolution 48 ‘Recommendation on electronic chart display and information system for inland navigation (Inland ECDIS)’, including appendix 1.1 ‘IENC Feature Catalogue’ and 1.2 ‘Inland Electronic Navigational Chart Encoding Guide’.

(i) Edition 2.4 of Appendix 2 ‘Status of Presentation Library for Inland ECDIS' of UNECE Resolution 48 ‘Recommendation on electronic chart display and information system for inland navigation (Inland ECDIS)’.

(j) Edition 2.4 of Appendix 3 ‘Product Specification for bathymetric Inland ENCs' of UNECE Resolution 48 ‘Recommendation on electronic chart display and information system for inland navigation (Inland ECDIS)’, including appendix 3.1 ‘bathymetric IENC Feature catalogue, edition 1.0’.

(k) EN 60945 (2002) + corr1 (2010): Marine navigational equipment; General requirements — Methods of testing and required test results.

(l) IEC 61162 is a collection of standards for ‘Digital interfaces for navigational equipment within a ship’. The 61162 standards are developed in Working Group 6 (WG6) of Technical Committee 80 (TC80) of the IEC.

(m) IENC Domain in the S-100 Registry