



Danube Commission – WG on technical matters

13th May 2025
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Validity of (existing but expiring) Certificates as per DIRECTIVE (EU) 2021/1233 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 14 July 2021 amending Directive (EU) 2017/2397 as regards the transitional measures for the recognition of third country certificates

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The current status regarding the validity of certificates, service record books or logbooks issued in third countries

DIRECTIVE (EU) 2021/1233 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 14 July 2021

amending Directive (EU) 2017/2397 as regards the transitional measures for the recognition of third-country certificates

(Text with EEA relevance)

(2) in Article 38, the following paragraph is added:

‘7. Until 17 January 2032, Member States may continue to recognise, on the basis of their national requirements, or international agreements, applicable before 16 January 2018, certificates of qualification, service record books and logbooks that have been issued by a third country before 18 January 2024. The recognition shall be limited to the inland waterways on the territory of the Member State concerned.’

Article 11 of the Directive 2397/2017

Article 11

Issuing and validity of Union certificates of qualification

1. Member States shall ensure that applicants for Union certificates of qualification as a deck crew member and Union certificate of qualification for specific operations provide satisfactory documentary evidence:
 - (a) of their identity;
 - (b) that they meet the minimum requirements laid down in Annex I on age, competence, administrative compliance and navigation time for the qualification for which they have applied;
 - (c) that they meet the standards for medical fitness in accordance with Article 23, where applicable.
2. Member States shall issue Union certificates of qualification after having verified the authenticity and validity of the documents provided by the applicants and after having verified that the applicants have not already been issued a valid Union certificate of qualification.
3. The Commission shall adopt implementing acts establishing models for Union certificates of qualification and for single documents combining Union certificates of qualification and service record books. Those implementing acts shall be adopted in accordance with the advisory procedure referred to in Article 33(2).
4. The validity of the Union certificate of qualification as a deck crew member shall be limited to the date of the next medical examination required pursuant to Article 23.
5. Without prejudice to the limitation referred to in paragraph 4, Union certificates of qualification as a boatmaster shall be valid for up to a maximum of 13 years.
6. Union certificates of qualification for specific operations shall be valid for up to a maximum of five years.

Article 23 of the Directive 2397/2017

Article 23

Medical fitness

1. Member States shall ensure that deck crew members who apply for a Union certificate of qualification demonstrate their medical fitness by presenting to the competent authority a valid medical certificate issued by a medical practitioner who is recognised by the competent authority, based on the successful completion of a medical fitness examination.

⁽¹⁾ Council Directive 2014/112/EU of 19 December 2014 implementing the European Agreement concerning certain aspects of the organisation of working time in inland waterway transport, concluded by the European Barge Union (EBU), the European Skippers Organisation (ESO) and the European Transport Workers' Federation (ETF) (OJ L 367, 23.12.2014, p. 86).

27.12.2017

EN

Official Journal of the European Union

L 345/69

2. The applicants shall present a medical certificate to the competent authority when applying for

- (a) their first Union certificate of qualification as a deck crew member;
- (b) their Union certificate of qualification as a boatmaster;

(c) the renewal of their Union certificate of qualification as a deck crew member in case the conditions specified in paragraph 3 of this Article are met.

Medical certificates issued for the purpose of obtaining a Union certificate of qualification shall be dated no earlier than three months before the date of the application for a Union certificate of qualification.

3. From the age of 60, the holder of a Union certificate of qualification as a deck crew member shall demonstrate medical fitness in accordance with paragraph 1 at least every five years. From the age of 70, the holder shall demonstrate medical fitness in accordance with paragraph 1 every two years.

4. Member States shall ensure that employers, boatmasters and Member States authorities are able to require a deck crew member to demonstrate medical fitness in accordance with paragraph 1 whenever there are objective indications that that deck crew member no longer fulfils the medical fitness requirements referred to in paragraph 6.

The way forward until the recognition of certificates for Serbia, Ukraine (and potentially Moldova)

- **Until 17 January 2032**, Member States may continue to recognise, on the basis of their national requirements, or international agreements, applicable before 16 January 2018, certificates of qualification, service record books and logbooks that have been issued by a third country before 18 January 2024. The recognition shall be limited to the inland waterways on the territory of the Member State concerned. **(Directive 2021/1233)**
- Medical certificates should be (re)issued in line with the COMMISSION DELEGATED DIRECTIVE (EU) 2020/12 of 2 August 2019 supplementing Directive (EU) 2017/2397 of the European Parliament and of the Council as regards the standards for competences and corresponding knowledge and skills, for the practical examinations, for the approval of simulators **and for medical fitness**
- **Only existing professional qualifications can remain valid. It is NOT possible to obtain new qualifications (including specific operations)**
- No legal act needed for this, legal framework already enables it (Directive 2021/1233)
- Recognition of Certificates of Serbia and Ukraine (as well as ECDB connection) continues

Thank You!

Any questions?

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