

HELSINKI May 18-19, 2006

Draft minutes from 15th RCD ADCO meeting

18 - 19 May 2006, – Closed and open sessions

1. Welcoming words by Director-General of Finnish Maritime Administration, Mr. Markku Mylly

The Director-General of Finnish Maritime Administration, Mr. Markku Mylly welcomed the participants to Finland and to the 15th RCD ADCO meeting. The opening speech emphasized on the greatly improved co-operation in the field of recreational craft and market surveillance in the past years and the further need to harmonise the market surveillance practices and legislation in European countries. Having seen the agenda, the Director-General was aware of the great amount of issues to be covered and wished all the participants a constructive meeting.

2. Opening of the meeting and approval of agenda.

The meeting of RCD ADCO 15 was opened by the Chair, Mr. Tom Wilenius from the Finnish Maritime Administration. The draft agenda (enclosed) was approved and practical matters for the meeting's duration were explained to the participants. Hungary and Malta had kindly informed the Chair that they were unable to attend to the meeting.

3. Final approval of minutes from RCD ADCO 14 meeting.

The draft minutes (also public) from RCD ADCO 14 meeting held in Tallinn were agreed upon.

4. Action points from RCD ADCO 14 meeting – situation report (AGENDA POINT 4).

Most of the action points from RCD ADCO 14 were completed or work in progress. The discussion forum had been set up, as stated in action point 2: "Finland proposes that a site be set up on the closed section of CIRCA for questions on labelling upon import to be discussed by market surveillance authorities." However, this site has not been used, and it was discussed whether the site should be closed down or kept running. An action point was made on the aforementioned:

Members are to look in the CIRCA newsgroup discussions folder and do their best to provide input. At the next meeting it will be assessed whether the discussion folder is of any value if not sufficiently used.

CION had circulated a questionnaire on market surveillance to be filled by all members and posted on the CIRCA. All members had not yet filled in this questionnaire, especially taking into account the amended Directive. An action point as follows was made:

All members that have not completed or updated the questionnaire are to complete the questionnaire on market surveillance by the next ADCO meeting.

Ex-commercial craft was going to be discussed on this meeting.

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5. Tour the table – market surveillance activities carried out by members (AGENDA POINTS 5, 11 and 35).

Austria: Ministry of Economy and Labour is responsible for the implementation of RCD. They have one small boat show in March in Austria. Some inspections are made, mostly giving information to manufacturers and distributors. Also proposals are made to manufacturers and traders to upgrade their exhibition issues, in particular to visibly post the sign where it is stated that a craft is not yet having a CE marking but it is only exhibited.

Austria does not have an own Notified body (NB), but two branches of other Notified bodies act in their territory. The Ministry is acting in co-operation with these NBs, mainly exchanging information.

The Austrian Ministry of Transport gives technical support to the Ministry of Economy and Labour.

Belgium: Federal Public Service of Mobility and Transport in Belgium has two different systems of controlling the market. Anyone selling a boat has to have a flag letter or "immatriculation plate". In order to obtain these, a manufacturer must provide the Ministry with a Declaration of Conformity. This is a way of controlling that the boats have CE marking. Checks are being done by visiting boat shows, two per year. Certificate of navigability is given to new craft models manufactured in Belgium, and each model is checked individually.

Cyprus: Maritime Administration of Cyprus is responsible for market surveillance. Each vessel has to be registered with the Maritime Administration. All relevant directives are implemented in a law. The Maritime Administration has two marine surveyors working with RCD. No NBs are yet established in Cyprus. There are currently eight manufacturers producing craft mainly for the national market. Market surveillance is conducted also for imported craft from inside the EU and from 3rd countries.

Czech Republic: Ministry of Industry and Trade has two lines of market surveillance of recreational craft. The first line is conducted by checking the registry of shipping and industry with a NBs subsidiary, which is overseen by the Czech Control Audit Authority. Old and reconstructed craft are controlled by the State Navigation Body. Czech Trade Inspection made approximately 35 surveillance actions, some of which were conducted in boat exhibitions in Brno and Prague. Of the 35 inspections, 29 craft fulfilled the requirements.

Estonia: The Aviation and Maritime Department of the Ministry of Economic Affairs and Communications is responsible for the legislation, to which some changes were made after ADCO 14. The register of pleasure craft was moved from the Maritime administration to the vehicle register, where now all vehicles are registered. The register now also includes PWC.

The Estonian Maritime Administration controls the altogether 44 craft manufacturers in Estonia. Most of the production goes to export. Most of the problems in market surveillance arise from the import of craft with no CE marking from 3rd countries.

France: The Ministry of Transport has a branch specialised in the sector of recreational craft. All craft are required to have a Declaration of Conformity prior to registering them. However, the Declaration of Conformity does not always prove that the craft fulfils the requirements, and an effort is made to move from paperwork control to actual craft safety

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surveys. Mr. Merit briefly summarised his attendance as ADCO representative in the EBA and RSG meetings. The Chair thanked France especially for their attendance in these meetings.

Iceland: In Iceland, there are three ways of conducting market surveillance. All craft are checked for conformity with the requirements before entering the Icelandic market. All craft above 6 meters in length are subject to registration, and a Declaration of Conformity (DoC) is required. In inspections, a lot of craft are checked for correct CE marking. Craft less than 6 meters in length are checked in Customs declaration. Not all individual craft are inspected, but most of the craft above 6 meters are checked for DoC. Some craft are included in the Icelandic registry but are physically placed elsewhere, e.g. the Mediterranean. These craft are also checked for DoC and HIN (CIN) number on first inspection.

Lithuania: State inland waters navigation inspectorate, which lies under the Ministry of Transport and Communications of the Lithuanian Republic. The objective of the inspectorate is to ensure the safety of navigation in all inland waterways and waters of Lithuania. The recreational craft are registered in the inland waterways vessel register. The state inland waters navigation inspectorate is responsible for keeping this register. The Directive 2003/44/EC has been implemented in Lithuania in 2004.

Norway: The Norwegian authorities are facing some problems with craft imported from 3rd countries, mainly USA. One reason for this situation is the lack of sufficient knowledge of the requirements among the Customs authorities controlling the borders. In Norway there have been approximately 1000-2000 craft illegally imported since 1998.

Slovak Republic: Slovak Trade Inspection, Department of Market Surveillance Methodology. There are two approaches to the market surveillance of recreational craft. The Slovak Trade Inspection is the competent authority inspecting craft entering the market. The other approach is assessing the products used in providing services, which is the task of the Ministry of Transport and the State Sailing Administration.

Poland: Ministry of Economy supervises the monitoring body responsible for market surveillance of all products falling under New Approach Directives, which is the Office for Protection of Competition and Consumers. The recreational craft sector is controlled in particular by the Polish Trade Inspection. There are also three maritime offices which are currently becoming more involved in the recreational craft market surveillance.

Romania: Romanian Naval Authority under the authority of the Ministry of Transport is responsible for market surveillance. The activities include inspecting the craft, mainly DoCs and owner's manuals, on trade fairs as well as all around the country.

Slovenia: Ministry of Economy, responsible for legislation and giving Manufacturing Identification Codes (MIC) to the manufacturers. The market inspectorate is responsible for market surveillance in Slovenia. There have been visits to boat exhibitions, where surveillance activities were conducted. Also inspections to craft distributors have taken place, where some problems were found, mainly regarding DoCs, HIN (CIN) codes and the language of the owner's manual.

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Spain: Spanish Maritime Administration has issued MICs to some 240 manufacturers. The manufacturers are also audited regularly in order to ensure that they are building the craft in a proper manner and have the necessary documentation. The Maritime Administration also has attended two boat shows, one in Barcelona and one in Madrid. All the craft entering the Spanish market are checked for documentation before being included in the registry. The craft imported from 3rd countries are subject to PCA by the Spanish Notified body. The craft imported from the EU/EEA area have some problems with missing information in DoCs and owner's manuals. Also, some Asian engine manufacturers have not fulfilled the engine DoC requirements.

Finland: The market surveillance for the amended Directive is carried out by the Finnish Maritime Administration and its Boating Division with five persons. The Customs are also checking at the boarders products falling under the scope of the amended Directive. Market surveillance is mainly carried out during boat shows, but monthly many notifications from the Customs and competitors and craft owners are coming in. In this year the Division has so far taken part in five boat shows, with inspections of around 800 craft and about 20 spot-checks. A large issue is the awareness campaign of the amended Directive that has been running since 2005 to many different groups of interest. Another large issue or challenge is the new products in the scope of the amended Directive and knowing what and how to inspect. The most usual problems in market surveillance are shortcomings in the DoC or the owner's manual, false CIN or the composition wrong, no CE marking and ignorance from private persons and retailers of craft being imported from third countries on the conformity to the amended Directive.

Sweden: The most of the market surveillance activities are conducted during the major boat shows. A lot of work is done checking for documentation for craft and as a new issue, also markings on some PWCs and engines have been under investigation. There has also been a visit in co-operation with Finnish representatives to one of the major Swedish engine manufacturers to discuss the rules relating to engines and possible problems with the new issues.

A joint visit was made to Denmark with the Norwegian and Finnish authorities to observe the market surveillance activities of the Danish Environmental Protection Agency in co-operation with the Danish Maritime Authority, mainly involving the new rules in the amended Directive.

Switzerland: Federal Transport of Switzerland has integrated the Recreational Craft Directive almost completely. The cantons are responsible for the actual market surveillance, and the federal level is dealing with the legislation.

United Kingdom: Department of Trade and Industry is responsible for the legislation and Trading Standards for the actual enforcement of the regulations. Trading Standards have decided to raise the priority on the import and sale of goods manufactured under the EU product safety directives. Therefore the Trading Standards offices have been asked to visit the recreational craft manufacturers in the UK at least once a year. Also, a series of boating accidents has resulted in the marine accident investigation board carrying out investigations. As a result, it was seen that there is an acute need to increase the level of awareness on the recreational craft regulations in the UK. A solution for the problem is to educate the boating industry as well as the recreational craft users. A campaign has been launched to reach all the parties involved. There will most likely be some market surveillance conducted in the Southampton boat show in September 2006, and members will be invited to take part in the activities.

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Ireland: Maritime Safety Directorate has conducted market surveillance with the builders as well as with craft imported from 3rd countries. A lot of 3rd country imports, mainly from USA, are sold on the side of the road by private people. A surveyor is travelling around the country seeing how these craft comply. Also, accident investigations have revealed problems with the technical files of recreational craft. During registration, the craft are also checked by surveyors for documentation, CE marking and other issues. The craft being used commercially for carrying passengers are also checked in reference to the RCD, and a lot of problems regarding their technical competence have been encountered.

6. Consolidated Application Guide WG report by Commission (AGENDA POINT 6 and 32).

The Commission referred to the decision of the RCD Standing Committee at its meeting of 20 January 2005 to establish a working group to assist the Commission in finalising the draft application guide to Directive 2003/44/EC and the agreement that the application guide to Directive 2003/44/EC be prepared separately with a view to its eventual consolidation with the application guide to Directive 94/25/EC into one document. A first draft for such a consolidated document has now been prepared by the Commission services and was considered by the working group (WG) on 17 May 2006.

However, the WG acknowledged that it was very difficult to proceed efficiently without having any comments/questions/contributions available in writing and incorporated in a working document with a proposed solution suggested. Moreover, the Commission services consider that only comments/questions/contributions should be considered which do not re-open the discussion on earlier agreed interpretations already laid down in the existing application guides, unless it would concern obvious mistakes or shortcomings in these guides. In view of the above, the WG agreed on 17 May 2006 that the working document prepared by the Commissions services would be submitted for consideration to all members of the Standing Committee, with the understanding that members of the Standing Committee may consult with stakeholders in their country with a view to prepare their contributions.

The proposal did not meet any reservation or objection at the meeting. The first draft of the consolidated application guide will be submitted after this meeting and members of the RCD Standing Committee are kindly invited to submit comments/questions/suggestions in writing by 30 June 2006. The Commission services will then process the contributions received in a revised working document that will be used as a basis for further discussions in the WG in early autumn this year, with a view to prepare and submit a final proposal for a consolidated application guide to the members of the Standing Committee for endorsement before the end of the year. Members of the Standing Committee who wish to participate in the proceedings of the WG are welcome to do so and are invited to send their expression of interest to the Commission, to the Chairman at Johan.Renders@cec.eu.int.

7. CE-marking of inboard engines and stern drive engines without integral exhausts (AGENDA POINT 7.1, 25 and 31).

The chair proposed that the issue is to be tackled by first looking into different national legal positions or interpretations regarding inboard engines and then discussing possible ways forward.

The position of one member was against the CE marking of the (inboard) engines because it is against the general system in the EU where these kind of engines are never given a CE marking under any other Directive, as they are not considered complete. An engine falls under the scope of the Machinery Directive if it is used as a part of a machine in general. In other directives, in particular gas emission directives for non-road mobile machinery or

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for tractors there is a homologation number, which can not be considered as a CE marking but a sign of approval of a piece of machinery issued by an authority.

The member continued to point out that another directive (97/68 concerning engines for non-road mobile machinery) does not require a CE marking.

Another member pointed out that according to the national legal praxis it cannot require CE marking on inboard engines. The amended Directive has been implemented as follows; Article 4.4 referring to the engines in question and Article 10 referring to which engines shall bear the CE marking of conformity has been enforced by an Act. This Act gives the authorization to a Decree to legislate about conformity assessment (Article 8 of the amended Directive). In this Decree the reference is made to conformity assessment (modular choice) by using a reference technique to the Annexes of the amended Directive. An Annex referred to in a Decree cannot supersede an Act according to that member's national legal praxis. Therefore it is not legal to require CE marking on these engines in question. However, it is not forbidden to give a CE marking of conformity to these engines.

No consensus could be reached by the members whether inboard engines are required to have a CE marking or not. With further discussion, the industry considered that a CE marking can be required for inboard engines and this is what they have recommended to their manufacturers.

It was decided to make an action point on the issue as follows:

CE marking of inboard engines – The ADCO-group, after having taken note of the position of the industry (ICOMIA letter of 13/04/2006 – RCD ADCO DOC 15/012), agreed to monitor the implementation of industry's decision to their members and to consider at the next ADCO meeting the impact, if any, of that decision.

8. Problems with products imported from 3rd countries (Agenda point 7.2)

This agenda point consisted of problems encountered with products being imported from third countries. The contributions and discussions showed that this was a very complex issue with many of the same or similar kind of problems occurring in many of the scenarios presented in this agenda point.

For the import of RIBs it was discussed that if the craft comes in a completed form, the CE marking can be affixed prior to being placed on the market or put into service i.e. when being made available. However, for RIBs imported "partly completed" and assembled to the specifications of the customer, a common approach was that they should be treated as kit boats. For example, if an imported RIB is assembled in the EEA (i.e. fuel tanks, fuel hoses, steering consoles and other parts individually selected for the craft) the documentation and assessment of assembly shall be sent back to the original manufacturer to be included in the technical file of that craft. After this the original manufacturer declares the craft to be assessed for conformity and a CE marking can be affixed.

There was a general concern on used craft being imported as so-called partly completed craft and having an Annex IIIa declaration document shown to the Customs. This seemed to be an inventive way for importers of second hand boats to enable them to continue with their business thus avoiding demonstration of compliance with the requirements of the amended Directive. The same scenario seemed also to have been explored by some importers of damaged craft. Some members with experience from Regulation 339/93 have accepted only partly completed new craft accompanied by Annex IIIa declaration and not craft that have been in use. The so-called partly completed craft that have been in use were to undergo a post construction assessment procedure. It was decided that this could be an issue to be further discussed in CIRCA and be taken up at the next ADCO meeting.

Some members had encountered problems with companies acting as consultants for owners importing a second hand boat from outside the EEA. One scenario was that companies or private persons made the technical documentation required to follow the

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craft when being imported from 3rd countries. The problem here was that the owner of the craft was under the impression that the craft fulfilled all requirements of the amended Directive when in reality no assessment for conformity had been made (=falsification). A second scenario was that companies acted as importers or only as a contact point between the seller in the 3rd country and the buyer. The buyer is not aware to take any responsibility of the post construction assessment (PCA) of the craft as the broker seems to be involved in the placing of the craft on the market. For brokers, advice has been given that they should take the responsibility as authorised representatives if they act as described. The members urged the industry and the users to be aware of these problems and to inform their members and if possible the public of the encountered problems.

A problem with certificates from a non Notified body has been on board since a couple of years ago. There was an effort to rectify this problem but even recently some so-called certificates have been encountered in circulation. Therefore it was agreed on an action point as follows:

Spain and Cyprus is to investigate the cases involving the specific German non-notified body and try to acquire more information with the intention of finding out to whom the possible complaints should be addressed to.

These certificates from a non Notified body and a falsification of a Notified body's certificate were presented as examples to the participants because craft are being placed or attempted to be placed on the market with these or similar certificates instead of a genuine Declaration of Conformity.

The importance of having the regulation 339/93 in force was emphasized by the participants.

9. Legal status of engines in stock (Agenda point 7.3)

The working document concerning engines in stock was commonly accepted. RCD ADCO noted with concern that information is circulated, which suggests that in some member states the period is extended beyond the deadlines for the transitional period specified in the Directive and which would allow import of engines not fulfilling the requirements of the Directive. The following action point was agreed upon:

ADCO Chair contacts the relevant member about clarification on their own interpretations of transitional periods for engines in stock.

RCD ADCO urged the industry and users associations to inform their members that no end extension beyond the Directive's deadlines is at all possible, and warn their members for the possible consequences if non-compliant engines are placed on the market after the Directive's transitional deadlines. The amended Directive, its application guide and the Blue Guide give the correct information concerning the transitional periods for the new products in the scope of the amended Directive.

During the discussions by the members many valuable comments of experience were shared and upon this the following action point was made:

All members are to monitor the stocks of engines within their territory.

10. DoC WG progress report by DoC WG representative (Agenda point 8)

A representative from the DoC Working Group explained that the working group was initiated at the London ADCO (13) meeting at the closed session and it was decided to ask ICOMIA to join this WG as experts. After this the work has continued with some members and ICOMIA participating. A lot of progress has been made since the London meeting. The WG has consulted the market, visited several engine manufacturers and have now a good understanding of the functioning of the market. At the DoC WG meeting on 17 May it was agreed on these three DoCs. As ICOMIA was not present at the closed session, they were

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given the opportunity to present the purpose and objective of the DoCs for different stakeholders.

The Chair presented the three DoCs for approval by the members. A discussion on the DoC for PWC gave the WG some further issues to be considered. These were mainly related to the serial number or craft identification number (CIN) composition. This DoC for PWC was not approved as such as all members of the WG were not present and the WG proposal could therefore not be amended. The two other DoCs for inboard and outboard engines were approved by the members.

The craft DoC was reopened as it had some shortcomings. The hyphen in the CIN was missing and if more than one notified body were to be used, the common DoC could not be used. The above will be presented at latest at the next ADCO meeting.

During the general discussion on DoCs, some members pointed out the importance of use of these common DoCs. The industry welcomed also these common DoCs.

11.Craft Identification Numbering (CIN) (Agenda point 9)

Some members have been using different methods for e.g. post construction assessment and the manufacturer's identification code (MIC). RSG has made a proposal on having the notified body identified by the MIC. After a short discussion it was decided to make the following action point:

RSG proposal – PCA Craft identification number composition. The issue is to be discussed and preliminarily agreed in the CIRCA newsgroup folder discussion. Views are to be reported at RCD ADCO 16. The Newsgroup moderator will be RSG if possible, otherwise Cion.

12.Amendment of the instructions for RCDADM 1 and 2 (Agenda point 10)

The following amendment was presented to the instructions for RCDADM 1 and 2:

RCDADM2 should be used on an informal basis, for a non Article 7 notification, requesting investigation or action. It is necessary to copy this form to RCD ADCO section RCDADM 2, folder "investigation ongoing" on the CIRCA website.

The amendment was agreed upon by the members.

13.Ex-commercial craft and the RCD (Agenda point 15)

Already in the 14th RCD ADCO meeting, the issue on how to treat ex-commercial craft being placed on the market for the first time as a recreational craft was discussed. From the contributions it was requested, that ADCO would agree on a common approach to be used to solve different practices used by members. The following instruction to be given to those selling ex-commercial craft to the public was agreed upon:

Inform the buyer(s) that the commercial craft is marketed under the condition that the buyer knows of his/her responsibilities to fulfil the requirements of the RCD prior to putting the craft into service.

For the second part of the working document, it was requested by the Chair that the members would explain their legal system on how craft specifically intended to be crewed and to carry passengers for commercial purposes by the latest of 9 June 2006. For this, a summary report will be posted on the closed section of CIRCA.

14.Application of EMC Directive to recreational craft (Agenda point 16)

Due to lack of time, the discussion of the issue of application of EMC Directive to recreational craft was postponed until the next ADCO meeting.

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15. EC-type examination and technical documentation (Agenda point 17)

A working document had been prepared for EC-type examination and the required technical documentation resulting from that examination. This subject was brought to the attention of all members as this was a case which was or had been under investigation. The main issues were the obligation of the manufacturer and the Notified body concerning the assessment procedure and the technical documentation. Based on the discussion, it was decided that the Chair will submit the working document in question to RSG for information and possible consideration.

16. New checklist for market surveillance under the amended RCD (Agenda point 18)

The first draft checklist for market surveillance under the amended Directive was presented by UK. The Chair proposed setting up a drafting or working group to come up with a proposal for a new checklist for the next meeting. Volunteers for this group were: Austria (lead), France, Spain, Sweden and Finland. The Chair thanked the volunteers.

17. Post Construction Assessment (PCA) – Equivalence testing (Agenda point 26)

The European Boating Association (EBA) had prepared a background document with some open questions for the creation of a DoC for PCA. The discussion went more into the PCA procedure and the role of RSG and their guidelines. However, many questions and answers clarified chapter I of RSG guidelines and its forthcoming update. The discussion resulted in that now EBA has the means and opinions on how to complete the DoC for PCA. The DoC WG volunteered to assist EBA in their work if requested. The Chair of the DoC WG can be contacted at boating@fma.fi. The following action point was agreed upon:

EBA is to create a DoC for PCA with possible help from the existing DoC WG.

An oral report was presented on who should keep the PCA report of conformity and technical file available for inspection purposes and for how long. This issue originated from RSG. After some exchange of views and discussion it was decided to make the following action point:

Who should keep the PCA report of conformity and technical file available for inspection purposes and for how long?

18. Installation of an LPG propulsion system on in-use craft (Agenda point 27)

The working document concerning the installation of an LPG propulsion system on in-use craft had been contributed by a member that unfortunately was unable to attend the meeting. After discussion on the matter it was understood that the conclusion made in the working document applies. In brief, this means that the installation of an LPG system for the propulsion of recreational craft in use would require a conformity assessment against the requirements of the Directive.

19. Update of contact point list and MIC list (Agenda point 28)

The contact point list and MIC list were circulated in the meeting and updated, after which they were handed to the commission to be published in the CIRCA website.

20. AOB (Agenda point 29)

The RSG had submitted a proposal for updating RFU #15 concerning the titles of documents issued by notified bodies under different conformity assessment modules. After a discussion on this recommendation for use (RFU), the members were in favour of the proposal and it was decided that this is to be communicated to the standing committee and its working group dealing with RFUs.

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21.CEN presentation (Agenda point 34)

The CEN consultant had provided the Chair with the previous report on the progress of harmonization of standards. During the meeting, the CEN consultant made a presentation on the updated report on the progress of harmonization of standards for information to the participants.

22.Recent and forthcoming events (Commission, EBA, RSG, ICOMIA) (Agenda point 32)

Cion presented the upcoming stakeholders meetings on the RCD impact assessment study. The first one was to be held on 8 June, the second one on 11 July and possibly a final meeting in September 2006. The standing committee working group on Consolidated Application Guide could convene in early autumn 2006, possibly back to back with the 3rd stakeholders meeting.

EBA had their last meeting in Paris on 28-30 April 2006 where an ADCO representative was present. Mr. Merit summarised the meeting's main issues during the tour de table above.

RSG had actively worked since the last ADCO meeting in Tallinn. They had held several meetings (plenary and working groups) and the new RSG guidelines 2006 had been published in the beginning of the year. Many of the issues related to the amended Directive and their common methods of work as Notified bodies. Also some new proposals for enquiries (PFE) and recommendations for use (RFU) had been and still were under discussion. An ADCO representative, Mr. Merit, had attended the last RSG meeting in La Rochelle on 2-4 May 2006.

ICOMIA made a presentation on industry preparations for Directive implementation and other current issues. First they presented how they have actively worked on informing their members of the changes in the amended Directive and other related issues. Secondly it was presented how they have contributed and participated in meetings and studies related to the amended Directive. Thirdly they emphasized their concern over the following issues:

Industry has urged their members to use the common DoCs. Also, the grey import is a problem that is not easy to solve but needs firm actions from everyone. During the review of the new approach guide, the industry is strongly urging members (EU/EEA) to enforce regulation 339/93 and is against the proposal for abolishing the term "putting into service". As a last point for information it was expressed that some manufacturers will continue to sell 2-stroke outboard engines for non-recreational use.

23.Announcement of next chairmanship and meeting (Agenda points 19 and 38)

The chairmanship of 16 RCD ADCO was announced and the meeting is to be held tentatively in Vienna, Austria on 5-6 November 2006. Norway expressed that they are still volunteering to chair the RCD ADCO for the spring functional period in 2007.

24.Closing remarks and issues to be carried forward to the 16 RCD ADCO meeting (Agenda point 39)

The Chair thanked the participants for their contribution to the meeting and hoped that everyone felt content with the outcome of the discussions, exchange of views and decisions. The Chair thanked especially the team that had organized this meeting and wished everyone a safe trip back home.

The issues to be carried forward are attached to these minutes. Some of the proposed agenda issues that did not fit in the schedule for this meeting will be given to the next RCD ADCO Chairman for their consideration.

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Attachment 1

ACTION POINTS

All members that have not completed or updated the questionnaire are to complete the questionnaire on market surveillance by the next ADCO meeting.

Members are to look in the CIRCA newsgroup discussions folder and do their best to provide input. At the next meeting it will be assessed whether the discussion folder is of any value if not sufficiently used.

Spain and Cyprus are to investigate the cases involving the specific German non-notified body and try to acquire more information with the intention of finding out to whom the possible complaints should be addressed to.

CE marking of inboard engines – The ADCO-group, after having taken note of the position of the industry (ICOMIA letter of 13/04/2006 – RCD ADCO DOC 15/012), agreed to monitor the implementation of industry's decision to their members and to consider at the next ADCO meeting the impact, if any, of that decision.

RSG proposal – PCA Craft identification number composition. The issue is to be discussed and preliminarily agreed in the CIRCA newsgroup folder discussion. Views are to be reported at RCD ADCO 16. The Newsgroup moderator will be RSG if possible, otherwise Cion.

Who should keep PCA report of conformity and technical file available for inspection purposes and for how long?

EBA to create a DoC for PCA with possible help from the existing DoC WG.

ADCO Chair contacts the relevant member about clarification on their own interpretations of transitional periods for engines in stock.

All members are to monitor the stocks of engines within their territory.

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Attachment 2

Decisions

Action points as in attachment 1

The proposed amendment of the instructions for RCDADM 1 and 2 was agreed upon.

A common approach to be used by the members to inform sellers of ex-commercial craft to the public was agreed upon.

EC-type examination and technical documentation working document will be submitted by the Chair to the RSG for information and possible consideration.

Issues to be carried forward

A new checklist proposal for the amended Directive will be prepared for the next ADCO meeting.

Application of EMC Directive to recreational craft will be taken up on the next ADCO meeting.

Used craft being imported as so-called partly completed craft and having an Annex IIIa declaration is to be discussed in CIRCA and possibly taken up at the next ADCO meeting.

The DoC Working Group will present what it has achieved concerning the missing DoC and the re-opened DoC and the instructions for all DoCs at the latest in the next ADCO meeting.

The members were in favour of the RSG proposal for updating RFU #15 concerning the titles of documents issued by notified bodies under different conformity assessment modules and it was decided that this is to be communicated to the standing committee and its working group dealing with RFUs.

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Attachment 3

AGENDA - CLOSED SESSIONS

Day 1 - Meeting starts at 09:30 hours on 18 May 2006

<i>No</i>	<i>Agenda item</i>	<i>Document No.</i>
1	Welcoming words by Director-General, Mr. Markku Mylly, Finnish Maritime Administration	
2	Opening of closed session and approval of agenda	15/005.1, 003, 049, 050
3	Final approval of minutes from RCD ADCO 14 meeting	15/006
4	Action points from RCD ADCO 14 meeting – situation report	15/007
5	Tour the table – market surveillance activities carried out by members	
6	Consolidated Application Guide WG report by Commission	
7	Newsgroup discussions:	
7.1	CE-marking of inboard engines and stern drive engines without integral exhausts - E-mail discussion started by UK – summary of views - Interpretation by the Commission services - Industry position <i>Discussion and elaboration of a draft common interpretation for adoption</i>	15/008 15/009 15/010, 011 15/012
7.2	Problems with products imported from 3 rd countries - Import of RIBs - Import of partly completed craft - Companies acting as consultants for importing craft from 3 rd countries - Problems with certificates from non Notified bodies - Example of falsification of a certificate - Certif doc 2006-2 - strengthening the impact of Regulation 339/93 <i>Discussion and possible solutions of above problems</i>	15/013, 045 15/014 15/015 15/016, 017 15/018, 019, 020 15/021 15/022
7.3	Legal status of engines in stock	15/023, 044
8	DoC WG progress report by DoC WG representative - DoC for PWC - DoC for outboard engines - DoC for inboard engines <i>Approval of DoCs under the amended Directive</i>	15/024 15/026 15/028 15/030
9	Craft Identification Numbering (CIN) - Current and future systems for issuing of MIC - CIN composition in the case of PCA (RSG proposal) <i>Discussions and/or approval of current and proposed systems or combinations</i>	15/031 15/032 15/053
10	Amendment of the instructions for RCDADM 1 and 2	15/033
11	AOB - ADCO representative reports from RSG and EBA meetings	15/051, 056
12	Closing remarks and issues to be reported to Day 1 open session and to be carried forward to Day 2 closed session	

Day 2 - Meeting starts at 09:00 hours on 19 May 2006

<i>No</i>	<i>Agenda item</i>	<i>Document No.</i>
13	Opening remarks and issues identified from Day 1	
14	Newsgroup discussions (cf. day 1, agenda point 7): Decisions	
15	Ex-commercial craft and the RCD - State of play in different countries <i>Report by members, discussion and decision on common approaches</i>	15/034
16	Application of EMC Directive to recreational craft	15/035
17	EC-type examination and technical documentation <i>To the attention of members and observers</i>	15/036
18	New checklist for market surveillance under the amended RCD	15/037
19	Planning for next chairmanships and meetings in 2006 and in 2007	
20	Summary of action points from the closed sessions of this meeting	
21	AOB	
22	Closing remarks and issues to be reported to Day 2 open session	

15th RECREATIONAL CRAFT DIRECTIVE
ADMINISTRATIVE CO-OPERATION WORKING GROUP MEETING

HELSINKI May 18-19, 2006

AGENDA - OPEN SESSIONS

Day 1 - Meeting starts at 13:45 hours on 18 May 2006

<i>No</i>	<i>Agenda item</i>	<i>Document No.</i>
23	Opening of open session and approval of agenda	15/005.1, 038, 003, 049, 050
24	Report on the outcome from closed session Day 1	
25	CE marking of inboard engines – exchange of views	15/012
26	Post Construction Assessment (PCA) – Equivalence testing <ul style="list-style-type: none"> - Situation report on DoC for PCA by EBA - Chapter I of RSG Guidelines: update - Who should keep PCA report of conformity and technical file available for inspection purposes and for how long? <i>Exchange of views, discussion and future issues</i>	15/039 15/040, 053
27	Installation of an LPG propulsion system on in-use craft	15/041
28	Update of contact point list and MIC list	Circulated at meeting
29	AOB <ul style="list-style-type: none"> - RSG Proposal for updating RFU #15 concerning the titles of documents issued by notified bodies under different conformity assessment modules 	15/054
30	Closing remarks on Day 1 and issues to be covered on Day 2	

Day 2 - Meeting starts at 11:30 hours on 19 May 2006

<i>No</i>	<i>Agenda item</i>	<i>Document No.</i>
31	Report on the outcome from closed session Day 2	
35	Presentation on how market surveillance is carried out in Finland	15/052
33	For information: <ul style="list-style-type: none"> - Problems with certificates from non Notified bodies - Example of falsifications of a certificate 	15/018, 019, 020 15/021
34	CEN presentation	15/042, 055
32	Recent and forthcoming events (Commission, EBA, RSG, ICOMIA)	
36	AOB	15/022, 046, 047, 048
37	Action points from this meeting	
38	Announcement of next chairmanship and meeting	
39	Closing remarks and issues to be carried forward to the 16 RCD ADCO meeting	

15th RECREATIONAL CRAFT DIRECTIVE
ADMINISTRATIVE CO-OPERATION WORKING GROUP MEETING

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Attachment 4

List of working documents relating to the meeting

<i>Document No.</i>	<i>Subject</i>		
15/001	Practical details of the meeting	15/037	Draft checklist for the amended RCD
15/003	Map of Helsinki City Centre		
15/005.1	Draft Agenda	15/038	RCD ADCO 14 public draft minutes
15/006	RCD ADCO 14 draft minutes	15/039	EBA on PCA
15/007	RCD ADCO 14 Action Points	15/040	Chapter I of RSG guidelines
15/008	CE marking of inboard engines	15/041	Installation of an LPG propulsion system on in-use craft
15/009	E-mail discussion on inboard engines	15/042	CEN Report for period September to December 2005
15/010	CC Guide Consolidated - draft		
15/011	Compliance matrix	15/044	Import of used engines from 3rd countries
15/012	ICOMIA letter on CE marking		
15/013	Problems with products imported from 3rd countries	15/045	Post construction assessment procedures applied in Norway to non CE-marked products imported from countries outside EU/EEC.
15/014	RIBs – DTI UK		
15/015	Partly completed craft imported with annex IIIa		
15/016	Yacht brokers and the RCD	15/046	Draft CERTIF 2005-16-Horizontal legislative approach rev2
15/017	Problems encountered in Norway with companies acting as consultants for owners importing a second hand boat from outside the EU	15/047	N543 EN Expectations of accreditation and EA
		15/048	N541 EN Modules for conformity assessment
15/018	Certificates from a non Notified body	15/049	Dinner invitation and map
		15/050	List of participants
15/019	Certificate example	15/051	Report on RSG meeting held in La Rochelle
15/020	DoC example		
15/021	Certificate falsification	15/052	Presentation of market surveillance in Finland
15/022	N542 EN Reg 339-93 external border controls_final	15/053	Proposal PCA craft identification
15/023	Engines in stock	15/054	RFU # 15r8 060504
15/024	Progress report from DoC WG	15/055	CEN presentation on the updated report on the progress of harmonization of standards
15/026	DoC for PWC		
15/028	DoC for outboard engines		
15/030	DoC for inboard engines	15/056	ICOMIA presentation on the purpose and objective of DoC
15/031	MIC list		
15/032	Current and future systems for issuing MIC	15/057	Dinner speech by Maritime and Security Director, Mr. Paavo Wihuri
15/033	Amending RCDADM 1 and 2	15/058	ICOMIA presentation on industry preparations for Directive implementation and other current issues
15/034	Ex-commercial craft and the RCD		
15/035	Application of EMC Directive to recreational craft		
15/036	EC-type examination and technical documentation	15/059	Ex-commercial craft_legal

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Attachment 5

List of Participants:

1. Austria	Wolfgang Lentsch
2. Austria	Bernhard Bieringer
3. Belgium	Werner Vanderstraeten
4. CEN	Paul Handley
5. Chairman	Tom Wilenius
6. Cyprus	Georgios Demetriades
7. Czech Republic	Jan Urban
8. EBA	Ken Kershaw
9. EBA	Patricia Grady
10. Estonia	Gerli Koppel
11. Estonia	Lembit Mötlik
12. European Commission	Sanna Dumont
13. European Commission	Johan Renders
14. Finnboat/ ICOMIA	Jouko Huju
15. Finland	Kimmo Patrakka
16. France	Bruno Hauret
17. France	Christophe Merit
18. Iceland	Arni Fridriksson
19. ICOMIA	Jan Matthiesen
20. ICOMIA	Tony Rice
21. Ireland	Michael Klyne
22. Lithuania	Domijanas Popovas
23. Lithuania	Jonas Luksa
24. Norway	Steinar Sollerud Haugen
25. Norway	John R. Aicher
26. Poland	Krzysztof Galas
27. Romania	Fanel Sitaru
28. RSG	Dirk Brügge
29. Secretariat	Ville Laitinen
30. Secretariat	Ville Räisänen
31. Slovak Republic	Viera Kuncova
32. Slovak Republic	Maria Volna
33. Slovenia	Edita Samsa
34. Slovenia	Robert Dakskobler
35. Spain	Sonia Barbeira Gordon
36. Sweden	Christer Bergström
37. Switzerland	Fritz Ernst Ruch
38. United Kingdom	Nick Riordan
39. United Kingdom	Neeroo Girdharee
40. VTT Notified Body	Karl-Johan Furustam