

10th ADCO GROUP MEETING

Athens 12 & 13 June 2003

MINUTES OF THE MEETING

1st Day

1. Opening of the meeting

The chairman Mr. Vondas opened the meeting welcoming the participants and in particular those from the acceding countries. The representatives of the following member states, acceding countries and observers were present during the first day of the meeting: Austria, Belgium, Finland, France, Germany, Greece, Italy, Netherlands, Sweden, UK, Czech Republic, Poland, Norway. Mr. Renders represented the Commission services.

The General Director of Merchant Ships Inspection General Directorate Commodore Apostolos Kamarinakis addressed a welcome message to the Group.

2. Approval of the Agenda

1. The draft agenda for the first day of the meeting was proposed as follows:
 1. Opening of the meeting-Welcome Message from the General Director of Merchant Ships General Directorate Commodore Mr. Apostolos Kamarinakis
 2. Approval of the agenda
 3. Approval of the minutes from the Berlin meeting
 4. Secure government contact points list
 5. Market surveillance activities; Experience gained
 6. Rules of procedure - proposals for updating the RoP
 7. Presentation by ADCO member, who participated in the RSG meeting in March 2003
 - The outcome of the PFE (Proposal of Enquiry) concerning the Declaration of Conformity
 8. RSG RFU's
 - Outstanding RFU's 15, 38, 41 and 42
 - The method of handling new RFU's in the future

9. The common checklist for market surveillance - State of play
 10. Regulations to be followed in relation to navigation lights arrangement
 11. Procedure for issuance of the Country Code/Manufacturers Identification Code
 12. Update on the amendment of the Directive (Trialogue results)
 13. Declaration of Conformity Form – Amendment Proposals
 14. Any other business
 15. Closing remarks and issues to be carried forward to second day meeting
2. The chairman asked for comments regarding the draft agenda, thanking Mr. Schmidt, Mr. Wilenius and Mr. Renders for their assistance in its preparation.
 3. Sweden proposed under agenda Item No 7, to delete the indent regarding the PFE since there was not any such PFE and the matter could be covered under agenda item 13.
 4. Mr. Renders (EC) proposed Item No7 to be transferred to the 2nd day, when the RSG Chairman would attend, since the ADCO Member present at the last RSG meeting was Portugal, not represented at this meeting. He also proposed Item No12, due to its informative content, to be transferred to the 2nd day when also participants from the industry would be present.
 5. Finland agreed Item No7 to be transferred to the 2nd day but asked Mr. Renders, who attended the last RSG Meeting, to give a brief presentation on how he perceived this meeting.
 6. Mr. Renders suggested that the issue raised by Norway regarding the certification of craft with a hull length of less than 12.0 m using Modules B+C be discussed under Item 14.
 7. The chairman proposed that the comment raised by Norway could be discussed under Item No5.
 8. In conclusion all the members approved the following agenda for the 1st day of the meeting:
 1. Opening of the meeting-Welcome Message from the General Director of Merchant Ships General Directorate Commodore Mr. Apostolos Kamarinakis
 2. Approval of the agenda
 3. Approval of the minutes from the Berlin meeting

4. Secure government contact points list
5. Market surveillance activities; Experience gained
6. Rules of procedure - proposals for updating the RoP
7. Presentation by EC representative, who attended the RSG meeting in March 2003
8. RSG RFU's
 - Outstanding RFU's 15, 38, 41 and 42
 - The method of handling new RFU's in the future
9. The common checklist for market surveillance - State of play
10. Regulations to be followed in relation to navigation lights arrangement
11. Procedure for issuance of the Country Code/Manufacturers Identification Code
12. Declaration of Conformity Form – Amendment Proposals
13. Any other business
14. Closing remarks and issues to be carried forward to second day meeting

3. Approval of the minutes from the Berlin meeting

1. The minutes of the 9th ADCO Group meeting which took place in Berlin on 15 and 16 October 2002 were approved.

4. Secure government contact points list

1. The chairman pointed out that the last ADCO Members Contact List was edited on 23-01-2003 and asked participants to indicate to the Secretariat any changes in order to include them in the updated edition of the List.
2. The Netherlands considered that correspondence through e-mail is preferable and in this respect proposed to the chairman to send a letter to all members requesting them to provide their e-mail addresses.
3. The chairman proposed that such action should be taken by the EC, which constantly updates the contact list, which was accepted by all participants.

5. Market surveillance activities; Experience gained

1. Norway explained that some manufacturers of craft with a hull length of less than 12m provide certificates for their craft using modules B+C and asked whether the use of modules other than Modules A or Aa was legal under the current Directive 94/25/EC.

If not then legal measures should be taken. In the future, when the amended directive comes into force this procedure will be legal but at present it seems illegal, since it violates the requirements of the existing directive.

2. Netherlands gave an example about a recreational craft manual with list of contents only in Dutch language and remaining pages in English language.
3. UK said that it is not possible to use any other conformity assessment module than module A or Aa for craft with Lh less than 12.0 m until 1st January of 2005, when the amended RCD Directive will come into force.
4. Italy mentioned that measures must be taken to avoid non-compliant practices.
5. Finland pointed out that the name/title of manufacturer, Notified Body, etc. mentioned in the discussion on this subject should not be included in the minutes taking into consideration that the Rules of Procedure provide that the minutes should be public.
6. The chairman agreed with Finland's comment and said that no names will be mentioned in the minutes.
7. Mr. Renders suggested that a general comment be included in the minutes, to reflect the concern of market surveillance authorities that some manufacturers and/or notified bodies are issuing certificates/manuals not in conformity with 94/25/EC Directive. He mentioned that a special site in the CIRCA web page with restricted access for ADCO member-states only could be created to include specific information about such manufacturers/notified bodies.
8. Germany pointed out that sensitive items could be included in the minutes of the meeting but without mentioning any name.
9. UK agreed with Germany as well as with the EC proposal for the restricted area of the CIRCA web page in which sensitive and detailed information could be included as a tool for ADCO Member States.
10. Netherlands said that during the 2nd day of the meeting the RSG Chairman should be informed on the outcome of the discussion on this issue.
11. The chairman agreed with Netherlands' last comment and said that today's discussion about this problem should be reported upon to the industry attendees in general terms.

12. Norway mentioned that in addition to the illegal practice as regards the certification process, there was also the problem of additional invoicing for the issuance of non-mandatory certificates and that in this respect additional legal measures should be taken.
13. Finland said that if any such problem/illegality was found the responsible state authorities must be informed formally in writing.
14. Germany referred to the problems experienced with some notified bodies and mentioned that they had written to the Commission asking some clarification about the issue. Germany however was not satisfied with the reply received from the Commission services and asked why the Commission is not taking measures to counter these problems.
15. The EC representative did not accept Germany's comments, indicating that the written questions by Germany were of a very general nature, which deserved only to be answered in a similar way. In addition, Mr. Renders pointed out that to his knowledge only the EC and Netherlands so far had taken real measures to counter problems related to non-compliant activities by notified bodies. He urged Germany to demonstrate their willingness to take similar actions in the specific case referred to by Norway, considering that the boat manufacturer involved is established in Germany. The representative of Germany admitted that the issue was politically very sensitive and that therefore possibilities for taking corrective actions against the manufacturer were very limited.
16. UK noted that UK's Notified Body ceased providing services due to the strict relevant regulations of UK, the unfair competition between Notified Bodies and the difference of relevant accreditation and notification procedures between Member States.
17. Netherlands said that discussion should not be in general terms but specific details should be put on the table.
18. Germany agreed that specific details should be discussed.
19. Mr. Renders mentioned that this was a general, horizontal problem and stated that in case a certificate/manual is not in compliance with the Directive, then appropriate measures should be taken in accordance with the requirements of the Directive.
20. The chairman concluded that in accordance with the existing Directive's requirements only Modules A and Aa could be used for craft with Lh less than 12.0 m and that RSG Chairman should be informed accordingly without mentioning any specific names of

the parties involved. He added that if the competent authorities of a Member-State experience irregularities in the certification procedure with regard to Directive 94/25/EC then appropriate actions should be taken immediately.

6. Rules of procedure -proposals for updating the RoP

1. The chairman opened the discussion by asking the EC representative whether the amended RoP of the Standing Committee have any impact on the ADCO Group's RoP.
2. Mr. Renders explained that there was no significant impact, but considered that an amendment is required in the ADCO Group's RoP so as to permit representatives of Candidate Member States to participate in the 1st day of the ADCO meetings.
3. The chairman asked whether according to Article 7 of the amended RoP of the Standing Committee the ADCO Group could be considered as a working group which should be chaired by EC.
4. Mr. Renders confirmed this is not the case.
5. Finland proposed the following text to be added at the end of the footnote of the 1st page of ADCO Group RoP: “and Candidate Countries”.
6. The chairman asked whether the 10 countries should be considered as “Candidate” or “Acceding Countries”.
7. EC clarified that the new 10 countries were considered as “Acceding Countries” out of the 13 “Candidate Countries” and considered the Finish proposal acceptable.
8. UK claimed that it might be too early for the Candidate Countries to attend such meetings.
9. Germany proposed that the present procedure of rotating chairmanship of the ADCO Group meetings to be changed and be done on voluntary basis in one or two years intervals.
10. UK was happy with Germany’s proposal, however pointed out that this is difficult for UK since there are also other similar groups to which UK has the chairmanship. So for UK present procedure is more functional.
11. The chairman pointed out that chairmanship is associated with the place of the ADCO Group meeting.
12. Italy said that there was no problem for Italy to organise and chair the next ADCO Group meeting.

13. Finland thought that a permanent professional secretary of ADCO Group might be a good solution in order every chairman to be assisted on his work.
14. The chairman said that the above proposal is very valuable.
15. Germany proposed the preparation of the meeting to be divided in two parts; the 1st part to be the chairmanship, held on voluntary basis, and the 2nd part the organising of the meeting, by the Member State having the EU Presidency.
16. Finland added that regarding the proposal for the permanent professional secretary the biggest problem was financial, since it would be very difficult to solve this problem.
17. The chairman said that proposals for updating ADCO Group RoP should aim to improving any identified loopholes in the existing system. He also agreed with Finland that the big problem was the financial since ADCO Group is an informal group and there are no formal procedures covering financial requirements.
18. The EC representative considered that in accordance with the ADCO Group's RoP there is flexibility regarding the place of ADCO Group meeting.
19. UK proposed the ADCO Group meetings to be held twice a year, one in Brussels immediately after Standing Committee meeting and the other in the country that had the EU presidency the previous semester.
20. Sweden mentioned that it would be a problem if the chairman is from a country different to the one hosting the meeting, and agreed to the existing procedures on this aspect.
21. UK pointed out that if the meeting were to be held in Brussels, it would benefit from interpretation and other functional facilities.
22. The EC representative clarified that if no country offers to organise an ADCO Group meeting, then the EC could only host the meeting; but no guarantee can be given regarding interpretation except if this meeting is taking place the same date with Standing Committee meeting.
23. The chairman pointed out that in the future the procedure of EU Presidency may also change.
24. The Netherlands asked about the reaction of the ADCO Group whether a country not belonging to the EU, e.g Norway, should not also organise an ADCO Group meeting.

25. Norway said that it could not host an ADCO Group meeting since it attends such meetings as observer.
26. The chairman asked about the real problems experienced with the existing ADCO Group RoP.
27. Finland replied that in many items there was no follow up procedure and that this is the main problem. Also proposed a working correspondence group to be established for updating the ADCO Group RoP.
28. The chairman agreed with the above proposal and asked Finland whether it would be willing to chair this group.
29. Finland said that they would prefer that the chairmanship of this group be taken by another country.
30. Norway said that more ADCO Group members should be active with the procedures of this group.
31. Sweden proposed that the chairmanship is changed every year and the ADCO Group Meetings are held once per year.
32. Germany found the proposal that the chairmanship would last for one year very difficult and not functional and proposed to chair a working group for updating the ADCO Group RoP, provided that 4 to 5 members would participate.
33. Finland said that this working group should start on correspondence basis through the CIRCA web page and the work of the group could be finalised at a meeting in Hamburg.
34. The Netherlands were of the opinion that changes to the RoP were not necessary at all.
35. The chairman said that the above working group would examine the necessity of changing ADCO Group RoP. He also asked if a member of this working group could be from a Candidate country.
36. EC considered that the members of the group should be representatives of Member-States and not Candidate Countries.
37. The chairman summarised the discussion on this item saying that it was decided to establish a Working Group for updating the ADCO Group's RoP, which would be chaired by Germany and start its work initially on correspondence basis. The Group would conclude its work in a meeting in Hamburg-Germany. Finland, UK and Netherlands volunteered to participate in this working group. Representatives from other Member States are invited to send to

Mr. Schmidt of Germany their comments regarding updating the RoP of the ADCO Group.

7. Presentation by EC representative, who attended the RSG meeting in March 2003

1. The chairman pointed out that since the representative Portugal who attended the last RSG meeting was not present, a short description of the meeting will be given the 2nd day of the ADCO Group meeting by the RSG chairman. Nevertheless, since also Mr. Renders from EC attended the last RSG meeting, the chairman requested Mr. Renders to give his views.
2. Mr. Renders explained that he could only attend the first half of the first day of the meeting, due to commitments related to the second reading in European Parliament of the proposal to amend the Directive. The topics raised during that part of the RSG meeting concerned the role of RSG, its relationship with the other groups established under the Directive and the alleged lack of Commission support for the work undertaken by RSG. He also reported that some RSG members took a negative stance on the decision by the Standing Committee to disapprove some Recommendations For Use (RFU's) issued by RSG. In reply to these criticisms, RSG members were reminded that their remit was limited to the technical aspects of the conformity assessment procedures under the directive, and that they should not interfere with issues falling within the remit of the Market Surveillance Authorities and the Commission services.
3. The chairman thanked Mr. Renders for this presentation.

8. RSG RFU's

First indent. Outstanding RFU's 15, 38, 41 and 42

1. The chairman pointed out that although Portugal was not present, it had submitted very valuable comments in writing, which should be discussed.
2. Finland pointed out that as per updated RSG Guidelines dated 06-06-2003 RFU No38 has been withdrawn.
3. EC mentioned that RFU No15 has been modified in accordance with ADCO Group recommendations and RFU No38 has been withdrawn. With regard to RFU No41, the problem is that at the last RSG meeting RMAG decided not to continue with the service

of providing MIC to manufacturers outside the EEA. In the light of this change, the EC representative considered that Portugal's proposal for RFU No41 was offering an acceptable alternative.

4. Finland and Netherlands agreed with Portugal's proposal regarding RFU No41.
5. The chairman said that according to RSG Guidelines RMAG could provide required service as per RFU No41, but since after the last RSG meeting this could not be continued, then Portugal's proposal could be followed provided that RSG would be informed accordingly in order to update/delete this RFU.
6. Finland agreed with Portugal's proposal regarding RFU No42.
7. EC mentioned with regard to RFU No42 that there was a problem for second hand boats.
8. Finland commented that in the amended directive the manufacturer is defined.
9. The chairman agreed with Finland's last remark.
10. Sweden also agreed with Portugal's proposal regarding RFU No42.
11. The Chairman concluded by saying that since RFU No42 has to be deleted, the solution of the problem is offered by Portugal's proposal.

Second indent. The method of handling new RFU's in the future

1. Finland, Sweden and EC indicated their support for Portugal's proposal as regards the handling of RFU's in the future.
2. UK proposed to reflect the change of method of handling new RFU's to the update of ADCO Group RoP. In this respect a Working Group could be established by EC.
3. EC pointed out that Standing Committee is responsible for setting up Working Groups.
4. Sweden asked if ADCO Group may invite the Standing Committee to set up a working group for the handling of new RFU's.
5. Finland replied that legal aspects might be faced.
6. The chairman agreed with Finland and concluded that Portugal's proposal was accepted.

9. The common checklist for market surveillance – State of play
1. Finland gave a presentation regarding checklist for market surveillance used in this country.
 2. Finland proposed that in every ADCO Group meeting 2 or 3 countries should give similar presentations.
 3. The chairman thanked Finland for its presentation. With regard to the proposal made he invited the member-states to prepare similar presentations in the next ADCO meetings on voluntary basis.
10. Regulations to be followed in relation to navigation lights arrangement
1. The chairman referred to para 5.7 of Annex I of the RCD according to which navigation lights shall comply with COLREG 72 or CENVI Regulations.
 2. Finland said that CEN's update of relevant standards should be awaited in order participants to be informed for any new adopted standard regarding navigation lights.
 3. Germany referred to the necessity of harmonised standards.
 4. Finland mentioned that the problem would be solved if COLREG 72 were to be amended.
 5. The chairman said that until harmonised standards come into force, existing regulations should be followed, i.e. COLREG 72 and national regulations.
 6. EC and Norway concurred with the chairman's opinion.
 7. Finland said that at this country national regulations will be followed until harmonized standards are developed.
11. Procedure for issuance of the Country Code/Manufacturers Identification Code
1. This agenda item has already been discussed under agenda item 8 (RFU 41) and therefore no further discussions took place.
12. Declaration of Conformity Form – Amendment Proposals
1. Sweden said that the proposed form for the DoC was ready and could be posted on the CIRCA web page.
 2. Finland agreed with the proposed form of the DoC.
 3. The EC representative suggested that since the CIRCA web page is not a public website, a wider publication of the DoC could be made

both by including it in the updated CC Guide and by asking also RSG and ICOMIA to distribute it amongst their members.

4. Sweden proposed every country to translate the DoC in its own language based on the proposed Swedish/English text.
5. Germany stressed that this form could be considered only as a suggestion form.
6. Sweden clarified that the last version of the DoC form including all relevant comments is dated 03-06-2003.
7. The Netherlands asked clarification on the language in which DoC should be written.
8. Belgium commented that there was an error on the form at the end of 1st page where a signature is required.
9. Germany considered that the DoC after finalisation should be posted in the CIRCA web page permanently.
10. In reply to the comments by Belgium, the EC representative pointed out that according to page 5 of the Blue Book at the end of the 1st page both the signature and title or equivalent marking should be included in the DoC.
11. The chairman concluded the discussion by confirming that the use of this form for the DoC was not compulsory but recommended, and should be posted on the CIRCA web page. The final version including the changes to accommodate the comments by Belgium would be circulated during the 2nd day of the meeting.

13. Any other business

1. There was no any issue raised under this agenda item.

14. Closing remarks and issues to be carried forward to the second day meeting

1. The chairman summarised the issues to be brought forward to the 2nd day as agreed during the 1st day meeting:
 - a. RSG should be informed regarding the conformity assessment modules to be applied for craft with Lh less than 12.0 m;
 - b. RSG will be asked to make a presentation of the last RSG meeting, including handling of open RFUs, and
 - c. The final DoC form should be circulated to RSG and ICOMIA and recommended for use by their members.

2. In addition as agreed, the item “Update on the amendment of the Directive (Trialogue results) should be discussed on the 2nd day under “Any other business”

2nd Day

1. Opening of the meeting

1. The chairman Mr. Vondas opened the meeting welcoming in particular the participants from ICOMIA, RSG, HRS and SECAPLAS who attended the meeting on the second day only.

2. Approval of the Agenda

1. The following agenda was approved with the modification agreed on the 1st day:

1. *Opening of the meeting*
2. *Approval of the agenda*
3. *Issues identified from meeting day one*
4. *RSG Chairman - Outcome of the work in RSG – RSG meeting in March 2003*
5. *Icomia - Presentation of issues of importance*
6. *CEN consultant - Update on Standardisation*
7. *Presentation by the Hellenic Notified Body (Hellenic Register of Shipping)*
8. *Updated Guide to the application of the Directive 94/25/EC*
9. *Any other business – Update on the amendment of the Directive (Triologue results)*
10. *Action points and issues to be carried forward to next meeting*
11. *Closing remarks and date and place of next meeting*

3. Issues identified from meeting day one

1. The chairman referred briefly to the main conclusions from the 1st day of the meeting, i.e. the finalization of outstanding RFUs, the procedure to be followed for handling new RFUs in the future, the finalization of the Declaration of Conformity Form and the Modules to be followed for craft with Lh less than 12.0 m.

4. RSG Chairman – Outcome of the work in RSG – RSG meeting in March 2003

1. RSG chairman presented the minutes of the last RSG meeting, which have been posted in CIRCA web page. He also pointed out that the next meeting will take place in Brussels and that the role of RSG with regard to the RCD Directive should be clarified.

2. The Netherlands asked whether Member States may draw more detailed information from RSG website since presently only the general information is accessible to them.
3. The RSG chairman said that the secretary of RSG would be informed accordingly to allow member-state's officials to access the restricted information from RSG website.
4. Finland pointed out that information taken from a website rather than through correspondence allows faster response and improves follow-up procedures.
5. RSG chairman mentioned that ADCO members could be "authorized", e.g. via password, to enter into RSG website "restricted" area allowing also relevant internet discussions.
6. Finland asked whether the procedure of handling PFEs will remain as it is now, i.e. PFE by a member state --> EC --> RSG, or PFEs should be addressed to RSG directly.
7. Mr. Renders said that EC should play an intermediate role in the above procedure and ADCO Group should always be involved.
8. RSG pointed out that as per RSG RoP PFEs come from Notified Bodies.
9. Finland proposed PFEs to be sent through EC with copy to RSG chairman, in order to avoid any problem if no ADCO member participates in RSG meeting.
10. The RSG chairman said that when a PFE is received, then is posted in RSG website and after 4 weeks a voting procedure is carried out. If the result of voting is positive then during the following RSG meeting it is decided whether an RFU can be developed.
11. ICOMIA asked how to deal with problems relating to market surveillance.
12. EC pointed out that it was up to ADCO Group to decide/discuss such items.
13. The chairman said that similar discussions may also take place in RSG meetings.
14. Finland mentioned that the only information regarding market surveillance activities can be found in the previous minutes of ADCO Group meetings.
15. ICOMIA said that a relevant mechanism should be established.
16. UK said that a restricted section in CIRCA web page should be a good idea for non public discussions.

17. The chairman agreed that CIRCA should ensure confidentiality.
18. EC pointed out that CIRCA should not be used as ADCO Group website only.

5. *Icomia – Presentation of issues of importance*

1. The ICOMIA representative, Mr. Tony Rice, gave a presentation outlining important items for the recreational craft industry.
2. Germany pointed out that it might be the correct time for ADCO Guidelines to be prepared.
3. Finland mentioned that some members do not regularly participate in ADCO meetings and therefore a complete understanding of recreational craft industry problems in EC is not possible.
4. ICOMIA asked how the Declaration of Conformity will be circulated.
5. The chairman said that it will be published on the CIRCA website.
6. The EC representative asked ICOMIA how they could claim that market surveillance activities lead to distortion of competition, considering that market surveillance authorities are not involved in the certification procedure. On ICOMIA's plea for greater transparency on the ADCO activities, Mr. Renders agreed but called for reciprocity and asked what kind of information from the ICOMIA website could be accessed by ADCO Members and to what extent they could also be represented at ICOMIA meetings.
7. ICOMIA replied that market surveillance is applied differently from country to country and that this practice causes problems to the industry. Mr. Rice confirmed that ICOMIA technical experts attend RSG meetings and ICOMIA meetings could be opened to market surveillance authorities for participation.
8. EC asked whether ADCO members could have access to the restricted part of the ICOMIA website.
9. Finland said that members of the ADCO Group could benefit from their participation to ICOMIA meetings if they wish so and for this reason details on date and place of ICOMIA meetings may be published in CIRCA web site.

6. CEN consultant – Update on Standardisation

1. The chairman informed the participants that the CEN representative was not present and therefore presentation by CEN was not possible.
2. Austria referred to the necessity of developing harmonized standards.
3. RSG chairman said that RSG updated Guidelines include CEN updated standards and in RSG website updated information regarding the status of these standards can be found.

7. Presentation by the Hellenic Notified Body (Hellenic Register of Shipping)

1. HRS representative Mr. Theodoulides gave a presentation regarding HRS activities with regard to the requirements of the Directive as a notified body. At the end of his presentation, HRS representative made some comments regarding ineffective market surveillance resulting in reduced safety levels for some craft.
2. The chairman clarified that the last comments did not have official status and felt that they were outside the responsibilities of a notified body.
3. Finland asked about the application of recreational craft Directive in Greece in particular regarding safety matters.
4. Greece and HRS representative confirmed that the recreational craft Directive is strictly applied and no safety loopholes are identified.
5. Norway asked if a voluntary certificate can be issued for every recreational craft.
6. EC clarified that there is no such provision in accordance with CC guide, since this is not a regulatory requirement, and a voluntary certificate is not foreseen in the directive.
7. Finland mentioned that as per ISO Standard 12400 owners' manual should be accompanied by some form of certification.
8. Germany said that the owner's manual should not include any voluntary items.

8. Updated Guide to the application of the Directive 94/25/EC

1. The Netherlands proposed this item not to be discussed due to the time constraints and since Finish comments had not been taken into consideration.
2. Austria said that the update of the CC guide should rather be finalized by a working group set up by the Committee.
3. Finland and Germany agreed with Netherlands proposal.
4. EC pointed out that the Standing Committee decided in its last meeting (January 2003) that the updated CC guide will be presented to the next ADCO meeting for a final consideration with the aim of publishing it before the end of the year after its adoption by written procedure by the Standing Committee.
5. Finland had some doubts if the guide could be finalized at this meeting having also in mind that Portugal, EBA and CEN were not present.
6. EC proposed to start the discussion on this item and to proceed as far as possible because otherwise the publication of the updated guide would not be possible within the time frame set by the Standing Committee.
7. The Netherlands proposed to discuss this item during an Expert Group meeting to be held within 4 weeks time.
8. EC pointed out that Netherlands' proposal is not in line with the Standing Committee's decision during last meeting.
9. Sweden proposed a working group to be established to discuss this item through CIRCA web page.
10. Italy said that EC representative Mr. Renders could start the presentation of the updated guide.
11. Finland agreed with Italy, however pointed out that at the end the possibility of a working group establishment may be discussed.
12. Sweden said that the time available for studying the updated guide was very limited.
13. RSG and ICOMIA agreed discussion about this item should begin.
14. UK said that if the publication of the updated CC guide until 31-12-2003 will not be possible we should wait for the amended directive and the development of a edition of a relevant new guide related to the amended Directive.

15. The chairman reminded that CC guide is not a compulsory document and according to the ADCO Group RoP any proposals regarding this guide could be discussed during an ADCO meeting.
16. Germany stated that they had no instructions from their Central Government to take any decisions on this item.
17. Finally the group agreed to request Mr. Renders to proceed with the presentation of the draft update of the CC Guide.
18. Mr. Renders presented in detail the main changes introduced in draft of the updated guide. The main comments raised in reply to the consultation on the update of the CC guide were the following:
 - a) The declaration of conformity form accepted at this meeting should be included in the CC guide as a recommended document for use, be it on voluntary basis,
 - b) Article 4(5) should not contain a reference to which boats the Directive does not apply,
 - c) In 5.4.2 of Annex I, the emergency means of steering should be clarified,
 - d) In Annex XV only the Declaration of Conformity should be included.
19. The chairman thanked Mr. Renders for his complete and detailed presentation and concluded that in principle the draft updated CC guide is acceptable. Regarding the outstanding items, these can be finalized through bilateral contacts between the Commission services and the Member States' representatives directly involved in one month's period. With this procedure, the final text of CC guide could be adopted and published before the end of the year 2003.

9. *Any other business – Update on the amendment of the Directive (Trialogue results)*

1. EC informed the participants that as a result of the trialogue procedure the final text of the amended Directive was approved by the Conciliation Committee. The amended Directive will come into force on 1 January 2005.

10. *Action points and issues to be carried forward to next meeting*

1. The chairman briefly mentioned the decisions taken by the group during the two-days meeting and in particular:

- a) The establishment of a working group to examine and update if necessary the Rules of Procedure of the ADCO Group.
 - b) The acceptance of the draft updated CC guide in principle and the need of finalizing the few pending items in one month's period through bilateral contacts between Member States and Commission services.
 - c) The finalization of the Declaration of Conformity form.
 - d) The finalization of outstanding RFU's.
 - e) The method of handling new RFU's in the future.
 - f) The need for correct and accurate implementation of the requirements of the existing Directive especially as regards the Modules to be used for craft less than 12 m in length.
2. The following items will be presented to the next ADCO meeting:
- a) Update of Rules of Procedure – Report of the Working Group.
 - b) Final text of the updated CC Guide.
 - c) Market surveillance checklists.
 - d) Harmonized common checklist. Presentation by Finland.

11. Closing remarks and date and place of next meeting

1. The chairman thanked all the participants for their cooperation and contribution that resulted in a successful and productive meeting.
2. The Italian representative announced that Italy will host the next ADCO meeting in Rome between mid October and mid November 2003.

_____