

# **Regulations of 14 January 2020 No. 63 on vessels of less than 24 metres carrying 12 passengers or less (12 Pax Regulations)**

**Legal basis:** Laid down by the Norwegian Maritime Authority on 14 January 2020 under the Act of 16 February 2007 No. 9 on ship safety and security (Ship Safety and Security Act) sections 2, 5, 7, 8, 9, 11, 13, 15, 27 and 42, cf. Royal Decree of 16 February 2007 No. 171 and Formal Delegation of 31 May 2007 No. 590.

**Amendments:** Amended by Regulation of 27 March 2023 No. 459.

## Chapter 1 General provisions

### Section 1

#### *Scope of application*

- (1) These Regulations shall apply to Norwegian and foreign vessels of less than 24 metres in overall length carrying 12 passengers or less in Norwegian territorial waters, rivers and lakes. The Regulations shall also apply to the territorial waters surrounding Svalbard.
- (2) The Regulations do not apply to:
  - a) vessels used for medical services and ambulance services or organised transport to and from schools and which are required to have a Passenger Certificate;
  - b) vessels which form a part of the ship's equipment and are used to transport passengers between ship and shore.

### Section 2

#### *Special rules for vessels used for safe boating activities, vessels used by associations or societies and vessels of 10 metres in overall length or less*

- (1) The provisions of sections 3 to 18 shall not apply to:
  - a) vessels used for safe boating activities by schools, school camps or daycare centres;
  - b) vessels used for leisure activities by members of an association or society;
  - c) vessels of 10 metres in length or less operating in the territorial waters of mainland Norway where the vessel's maximum propulsion power in relation to the vessel's overall length is listed in the table:

Overall length ≤	4 m	6 m	8 m	10 m
Max hp/kW	15/12	25/19	40/30	60/45

- (2) Vessels referred to in the first paragraph and masters of such vessels shall comply with construction, equipment and qualification requirements applicable to recreational craft.

Amended by Regulation of 27 March 2023 No. 459.

### Section 3

#### *The company's duty to submit information*

The company shall register information about the operation at the Norwegian Maritime Authority prior to any transport of passengers. The company shall confirm that the requirements of these Regulations have been reviewed and complied with. The registered information is valid for one year and must be renewed provided that the vessel operates under these Regulations.

### Section 4

#### *Safety Management System*

- (1) The company shall establish, implement and develop a safety management system for documentation purposes which will include the following as a minimum:
  - a) a description of the operation and area of operation, including any area which may be used as a shelter by a vessel (port of refuge);
  - b) a description of the individual vessel, including technical specifications, operational limitations due to the vessel's construction and equipment, as well as the number of persons for which the vessel is designed;
  - c) voyage planning procedures;
  - d) routines for the use of accompanying vessels, including communication between the vessels;
  - e) a description of risk factors for the crew and passengers when the vessel is underway or when using tools or equipment on board, as well as measures to prevent incidents;
  - f) maintenance procedures for vessels and equipment;
  - g) an emergency plan for use in different emergencies, including drill routines.
- (2) The company shall conduct an annual, verifiable review of the safety management system in order to determine whether the safety management system meets its objectives, and whether there is a need for improvements.
- (3) The safety management system shall be available on board.

## Section 5

### *Safety briefing*

The passengers shall be given a safety briefing immediately before departure, designed for the purpose of the voyage and in a language they understand. The briefing shall as a minimum provide information regarding the use of life-saving appliances, risks associated with high speed and how passengers should act in an emergency.

## Chapter 2

### Manning and operational limitations

#### Section 6

##### *Qualification requirements and manning*

- (1) The master of the vessel shall have the qualifications required by the Regulations on qualifications and certificates for seafarers.
- (2) The master of a foreign vessel must be able to provide documentation of training corresponding to the qualifications referred to in the first paragraph and hold a certificate issued by the flag State which gives permission to carry passengers in the relevant trade area.
- (3) The company shall assess whether extra manning is required in addition to the master of the vessel. The crew shall carry out specific tasks on board.

#### Section 7

##### *Operational limitations in the territorial waters of mainland Norway*

For vessels without a superstructure that provides protection against the weather for all passengers, the following provisions shall apply:

- a) From 1 October to 31 March, the maximum speed in trade area 4 or greater trade area is 20 knots.
- b) When the vessel is running at a speed of more than 20 knots in trade area 3, trade area 4 or greater trade area during the period from 1 April to 30 September, the distance to a port of refuge or an accompanying vessel which is able to carry all passengers on board both vessels shall not exceed 5 nautical miles.

#### Section 8

##### *Operational limitations in the territorial waters surrounding Svalbard*

- (1) Voyages in the territorial waters surrounding Svalbard are permitted only from 1 May to 31 October.

- (2) Vessels constructed without a superstructure that provides protection against the weather for all passengers may only sail in the following areas:
  - a. Isfjorden, delimited westwards by a straight line between Daudmannsodden (78°12'10" N 12°59'00" E) and Revleodden (78°03'00" N 13°34'40" E).
  - b. *Kongsfjorden, Krossfjorden, Lilliehöökfjorden, Möllerfjorden and the northern part of Forlandsundet.* The area is delimited westwards by a straight line between Kapp Mitra (79°06'52" N 11°10'17" E) and Fuglehuken (78°53'46" N 10°28'10" E), and southwards by a straight line between Murraypynten (78°43'40" N 11°11'15" E) and Sarstangen (78°43'39" N 11°28'16" E).
  - c. *Bellsund, Van Keulenfjorden and Van Mijenfjorden.* The area is delimited westwards by a straight line between Kapp Martin (77°43'11" N 13°56'36" E) and Kapp Lyell (77°34'35" N 14°14'01" E).
- (3) For the areas mentioned in the second paragraph (b) and (c), the distance to a port of refuge or an accompanying vessel which is able to carry all passengers on board both vessels shall not exceed 5 nautical miles.
- (4) All vessels must keep a safe distance from glacier fronts. The distance shall be at least five times the height of the glacier front, but not less than 200 metres. The vessel shall be provided with equipment to measure the distance to the glacier front.

## Chapter 3

### Construction and equipment

#### Section 9

##### *Design requirements*

- (1) The company shall be able to provide evidence that the vessel is:
  - a. CE marked as a recreational craft, cf. Regulations of 15 June 2016 No. 35 on the manufacturing and the placing on the market of recreational craft and personal watercraft;
  - b. constructed based on a standard compliant to the legislation for CE marking of recreational craft; or
  - c. protected or given status as historical by the Norwegian Directorate for Cultural Heritage and at least satisfies the construction requirements in force at the time of the construction of the ship.
- (2) Permanent seats or standing places shall be arranged for all persons on board, providing a safe handhold. Seats, handholds and any back rests shall be properly secured in the vessel.
- (3) Vessels which only have a steering position outdoors must have a dead man's switch, which stops the propulsion in the event of the master falling overboard. The requirement does not apply to sailing vessels nor to vessels which are protected or given status as historical by the Norwegian Directorate for Cultural Heritage.

#### Section 10

##### *Navigational equipment*

- (1) The vessel shall be fitted with a fixed compass which meets the standards of EN ISO 25862:2009.
- (2) Up-to-date official nautical charts and necessary nautical publications are required for voyage planning. Up-to-date official nautical charts shall be kept on board. Nautical charts used with a chart plotter shall be based on chart data from the Norwegian Mapping Authority.
- (3) Vessels in the territorial waters surrounding Svalbard shall be fitted with AIS class B, which shall be in operation at all times when the vessel is underway.

#### Section 11

##### *First-aid equipment*

The vessel shall be equipped with the necessary first-aid equipment.

## Chapter 4

### Radio communication

## Section 12

### *Radio equipment*

- (1) The vessel shall be fitted with VHF radio equipment with DSC and watch receiver for channel 70 (VHF/DSC). Hand-held VHF/DSC equipment may be used in trade area 3 or lesser trade area. VHF/DSC equipment shall be fixed in all other trade areas and in the territorial waters surrounding Svalbard.
- (2) Vessels engaged on voyages beyond sea area A1 in the territorial waters surrounding Svalbard shall, in addition to the VHF/DSC equipment, be fitted with MF radio equipment with DSC which can transmit and receive on the frequencies 2187.5 kHz for DSC and 2182 kHz for radio telephony, or satellite phone from an operator offering coverage in the sailing area.
- (3) Fixed VHF/DSC equipment and MF radio equipment with DSC shall be connected to the satellite navigation receiver. Hand-held VHF/DSC equipment shall have an integrated satellite navigation receiver.
- (4) Vessels with a liferaft or liferafts shall be equipped with hand-held VHF/DSC equipment, one piece for each of the vessel's liferafts.
- (5) The radio equipment shall provide an adequate power supply throughout the intended voyage. In addition to the main source of energy, there shall be a reserve source of energy with a capacity to supply power for at least 6 hours.
- (6) The radio equipment shall be CE marked.
- (7) The first to sixth paragraphs do not apply to vessels on rivers and lakes.

## Section 13

### *Float-free satellite EPIRB*

- (1) Vessels in trade area 4 or greater and in the territorial waters surrounding Svalbard shall be equipped with float-free satellite EPIRB.
- (2) The EPIRB shall be installed so as to allow it to float to the surface and transmit a distress signal if the vessel should sink.
- (3) On vessels without a superstructure or on vessels which are constructed such that in case of an accident, it will in all probability not sink deep enough for an EPIRB to be released, a manual satellite EPIRB may replace a float-free satellite EPIRB.

## Section 14

### *Radar transponder (Radar SART) or AIS transponder (AIS SART)*

Vessels in trade area 4 or greater trade area and in the territorial waters surrounding Svalbard shall be equipped with a radar transponder (Radar SART) or AIS transponder (AIS SART), which should be located near the steering position, so that it can easily be activated and brought to a survival craft.

## Section 15

### *Navigational and weather reports*

- (1) The vessel shall be equipped to receive updated navigational and weather reports needed throughout the intended voyage.
- (2) If the vessel cannot receive navigational and weather reports by other means, vessels in a trade area greater than 4 and in the territorial waters surrounding Svalbard shall be equipped with a NAVTEX receiver which uses a frequency of 490 kHz and 518 kHz for reception of messages.

## Chapter 5

### Life-saving appliances

## Section 16

### *Life-saving appliances*

- (1) The vessel shall have the following appliances on board:

- a) a liferaft or liferafts in accordance with ISO 9650-1 with sufficient capacity to accommodate all persons on board;
  - b) floatation equipment with a minimum of 100 N buoyancy for all persons on board;
  - c) a lifebuoy with a light;
  - d) a buoyant rescue quoit attached to not less than 30 metres of buoyant lifeline;
  - e) three parachute flares and three hand flares;
  - f) a device that makes it possible to recover a person from the water.
- (2) It is not necessary to carry a liferaft or liferafts, floatation equipment or lifebuoy referred to in the first paragraph (a) to (c) if everyone on board wears a
- a) one-piece floatation suit or diving suit which alone or in combination with other floatation equipment provides a buoyancy of 150 N; or
  - b) floatation equipment with a buoyancy of 100 N and the voyage is made in trade area 2 or lesser trade area during the period from 1 April to 30 September.
- (3) Suitable floatation equipment for children shall be provided, appropriate to their size.
- (4) Persons staying outdoors on vessels of less than 8 metres in overall length shall wear floatation equipment mentioned in the first paragraph (b) when the vessel is underway.
- (5) Persons on board vessels constructed without a superstructure in the territorial waters surrounding Svalbard shall wear a one-piece floatation suit which alone or in combination with other floatation equipment provide a buoyancy of 150 N. These vessels do not need to carry a liferaft or liferafts, floatation equipment or lifebuoy as mentioned in the first paragraph (a) to (c).
- (6) Flotation devices and one-piece flotation suits shall be CE marked and conform to one of the following ISO standards: 12402-4 (performance level 100), 12402-3 (performance level 150) or 12402-2 (performance level 275). Additionally, one-piece floatation suits shall provide Class D thermal protection in accordance with ISO 15027.

Amended by Regulation of 27 March 2023 No. 459.

## Section 17

### *Stowage and maintenance of life-saving appliances*

- (1) Liferaft or liferafts shall be stowed in accordance with the manufacturer's instructions and secured to the ship during launching and embarkation.
- (2) Floatation equipment shall be stored in a place which is readily accessible, clearly marked and well ventilated.
- (3) When the vessel is underway, life-saving appliances shall be ready for immediate use.
- (4) Life-saving appliances shall be maintained in accordance with the manufacturer's instructions. Liferafts shall be maintained by an approved service station. Equipment shall, as far as practicable, undergo a function test after maintenance.

## Chapter 6

### Concluding provisions

#### Section 18

##### *Exemptions*

The Norwegian Maritime Authority may, upon written application, grant exemption from the requirements of these Regulations. There must be special reasons that make such an exemption necessary, and it must be justifiable in terms of safety.

#### Section 19

##### *Entry into force*

These Regulations enter into force on 1 February 2020. As from the same date, the Regulations of 24 November 2009 No. 1400 on the operation of vessels carrying 12 passengers or less, etc. are repealed.