Sjøfartsdirektoratet
Norwegian Maritime Authority

Our date	Our reference	Our case handler
31/10/2024	2024/84284-2	Stian Lundegaard
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Consultative bodies acc. to list

Consultation – proposed amendments to the qualification requirements for deck officers on ships in the territorial waters surrounding Svalbard (amendments to the Regulations on the construction, equipment and operation of passenger ships in the territorial waters surrounding Svalbard)

I. On the proposal in general

1. Contact information and deadline for comments

The Norwegian Maritime Authority (NMA) hereby invites comments on the proposed Regulations on the amendments to the Regulations on the construction, equipment and operation of passenger ships in the Norwegian territorial waters surrounding Svalbard. The proposal relates specifically to requirements for deck officers on board ships in Svalbard of 24 metres in overall length and upwards, of less than 500 gross tonnage and carrying 12 passengers or fewer. The Regulations will enter into force as soon as they are laid down by the Norwegian Maritime Authority.

The deadline for submitting comments is 31 January 2025. Comments should be sent to post@sdir.no.

For questions regarding this consultation, please contact Senior Adviser Stian Lundegaard by phone at: +47 52 74 54 58 or by e-mail at: stl@sdir.no

2. The background for the proposal

During work on the new Svalbard report (Storting White Paper No. 26 (2023–2024)), which was presented on 31 May 2024, the Norwegian government decided to task the Norwegian Maritime Authority with acting on recommendations from the Cruise Committee (NOU 2022:1). This recommendation addresses competence and training requirements, based on the Polar Code, for all deck officers on ships operating in Norwegian territorial waters surrounding Svalbard that are of 24 metres in overall length and upwards, of less than 500 gross tonnage and carrying 12 passengers or fewer.

The Ministry of Trade, Industry and Fisheries has requested that the NMA make necessary regulatory amendments to ensure these ships are also subject to basic training requirements based on the Polar Code.

II. Details of the proposal

Operating ships in Svalbard presents unique challenges, requiring advanced knowledge of polar regions to maintain safety at sea. Such knowledge can help both in reducing the risk of incidents and in mitigating potential consequences. One of the primary challenges in the Norwegian territorial waters surrounding Svalbard is sea ice. To effectively manage these and other risks associated with polar operations, crew members must have relevant experience and knowledge.

To include the ships in the assignment from the Ministry, the title and scope of application of the Regulations on the construction, equipment and operation of passenger ships in the territorial waters surrounding Svalbard must be amended.

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We therefore propose replacing “passenger ships” with “ships” in the title. Our proposal includes an amendment to the scope of application of the Regulations so that the provision on qualification requirements for deck officers applies to Norwegian and foreign ships of 24 metres in overall length and upwards, of less than 500 gross tonnage and carrying 12 passengers or fewer while operating in the territorial waters surrounding Svalbard.

For ships covered by this proposal, the Polar Code Part I-A chapter 12 and the STCW Convention regulation V/4, cf. the STCW Code Part A-V/4 will apply as regulation. Chapter 12 of the Polar Code mandates that ships be manned with qualified personnel, while the STCW Code provides more specific training requirements for seafarers. These requirements already apply for passenger ships in operation in Svalbard either via SOLAS or the Regulations section 18.

For SOLAS ships, the Polar Code training requirements are specified in the Regulations of 22 December 2011 No. 1523 on qualifications and certificates for seafarers (the Qualification Regulations) sections 58a and 58b. The NMA issues Certificates of Proficiency Polar Code – Basic and Advanced – to those meeting the requirements of
sections 58a and 58b. Minimum competence standards for basic and advanced training for ships operating in polar waters are outlined in Annex XII tables A-V/4-1 and AV/4-2. The minimum competence standards in the Qualification Regulations are derived from the STCW Code Part A-V/4. These same competence standards will apply to deck officers on ships covered by this proposal.

The NMA issued Certificates of Proficiency Polar Code – Basic and Advanced – to Norwegian and foreign persons who complete training in Norway.

III. Administrative and financial implications

We expect that the proposed requirements will apply to a limited number of ships. Training costs will affect certain parts of the industry. The NMA presumes that the season will start in April, and that this will be sufficient time for the industry to adapt to the changes.

For the authorities, the new requirements may impact supervisory activities and potentially increase the number of proficiency certificates issued. However, we do not anticipate that these effects will be significant.

Yours faithfully,

Alf Tore Sørheim, Acting
Director General of
Shipping and Navigation

Linda Bruås,
Head of
Department
Legislation and International
Relations

This document has been electronically approved, and therefore does not contain handwritten signatures.

Attachments

1 Proposed regulation – Amendments to the Regulations on the construction, equipment and operation of passenger ships in the Norwegian territorial waters surrounding Svalbard
2 List of consultative bodies