Sjøfartsdirektoratet
Norwegian Maritime Authority

Circular - Series V

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Issuance of Certificate for Deck Officer Class 5 Pleasure Craft based on foreign competence

This circular establishes the Norwegian Maritime Authority's practice for processing applications for the issuance of a Deck Officer Class 5 Pleasure Craft Certificate (D5L) based on foreign competence.

The aim is to standardise case handling, ensure equal treatment of applicants and clarify which requirements in the Regulations on qualifications and certificates for seafarers can be met through foreign certificates and which competencies cannot form the basis for exemption or direct issuance.

The D5L is issued in accordance with section 29 third paragraph of the Regulations on qualifications and certificates for seafarers[1]:

> *(3) The Certificate for Deck Officer Class 5 Pleasure Craft may be issued to persons who have turned 18 years and who have*
>
> *a. successfully passed an examination covering Annex III table A-II/3, exam for masters of recreational craft taken at a course organiser approved by the Norwegian Maritime Authority or have been a holder of a Deck Officer certificate issued in accordance with the STCW Convention;*
>
> *b. at least 12 months of seagoing service as mentioned in section 24, had the disposal of and regularly used a vessel of more than eight metres in length for at least three years or have passed a practical final evaluation at an approved school;*
>
> *c. a medical certificate issued by a medical practitioner confirming satisfactory eyesight, hearing and colour vision in accordance with section 30.*

1. Previous practice

The Norwegian Maritime Authority (NMA) has previously, upon request, carried out individual assessments of whether foreign certificates and foreign education provided grounds for issuing the D5L. These assessments included a comprehensive review of the candidate's competence and the extent to which it covered the D5L curriculum. If parts of the curriculum were covered,

[1] https://www.sdir.no/siteassets/engelske-forskrifter-pdf/22-december-2011-no.-1523-qualifications-and-certificates-for-seafarers.pdf

exemptions were granted for corresponding subjects. In cases where the certificate or education was considered equivalent to or higher than D5L, this was regarded as fulfilling section 29 third paragraph (a): *"exam for masters of recreational craft taken at a course organiser approved by the Norwegian Maritime Authority"*.

This practice has been resource-intensive and lacked sufficient legal basis in the Regulations. It has also not been mentioned in the information available to applicants. This has led to a risk of unequal treatment, contrary to the principle of equality in public administration.

2. Practice going forward

Assessment of foreign certificates and education shall from now on take place strictly within the alternatives set out in section 29 third paragraph (a) to (c).

The NMA will no longer carry out individual academic assessments of foreign educational programmes against the D5L curriculum beyond these alternatives.

In (a) there are three alternative ways to meet the educational requirement for issuance of the D5L. It applies to candidates who:

- have passed an examination covering Annex III table A-II/3;
- have passed an exam for masters of recreational craft taken at a course organiser approved by the Norwegian Maritime Authority; or
- have been a holder of a deck officer certificate issued in accordance with the STCW Convention.

2.1. Passed an exam covering Annex III table A-II/3

Foreign education without an issued deck officer certificate in accordance with the STCW Convention will not be considered for issuance of a Deck Officer Class 5 Pleasure Craft Certificate. Education forming the basis for issuance of Norwegian certificates shall comply with section 14 first paragraph of the Regulations on qualification and certificates for seafarers, which states:

> ***Section 14 Educational institutions and training institutions***
> *Educational institutions and training institutions shall have a quality standard system approved by the Norwegian Maritime Authority and be certified under a recognised standard.*

The alternative described in section 29 third paragraph (a): «*passed an exam covering Annex III table A-II/3"* only refers to education carried out by educational and training institutions approved by the NMA.

2.2. Exam for masters of recreational craft taken at a course organiser approved by the Norwegian Maritime Authority

The alternative *"exam for masters of recreational craft taken at a course organiser approved by the Norwegian Maritime Authority*" requires completion of course for recreational craft operators in accordance with the D5L curriculum[2]. The duration of the course is 120 hours, divided into six theoretical subjects and two practical subjects, with a final exam in the theoretical subjects. The

[2] https://www.sdir.no/contentassets/c0164c4cfb08488b8e091ceba6927e74/lareplan-d5l-2015-ver.-1.6.pdf

D5L curriculum sets requirements for the maximum absence allowed in the theoretical subjects – absence is not permitted in the practical subjects.

Individuals holding foreign pleasure craft certificates may, upon request, be considered for exemption from the requirement for 120 hours of course attendance. Any exemption applies only to the obligation to complete the course, and the request for exemption must be submitted before the candidate registers for the exam. The applicant must still pass the exams and complete the practical subjects with a course provider approved by the NMA.

2.3. Former holder of a deck officer certificate issued in accordance with the STCW Convention

Foreign deck officer certificates issued in accordance with the STCW Convention may, provided the requirements are met, serve as a basis for the issuance of a D5L. The applicant must hold a certificate from an EU/EEA country or a country with which Norway has an agreement. References to the STCW Convention and any limitations on trade area or operating rights must be clearly stated on the certificate forming the basis of the application. Any limitations on the certificate will be assessed against the operating rights of the D5L to determine whether the D5L can be issued. The D5L will not be issued with special limitations.

An overview of countries with which Norway has agreements, cf. section 84[3], is available on the NMA's website[4].

Individuals meeting the above criteria may apply for the D5L based on a *"deck officer certificate issued in accordance with the STCW Convention"*, provided they also document compliance with section 29 third paragraph (b) and (c).

Individuals who do not meet the above criteria may, upon request, be considered for exemption from the requirement for 120 hours of course attendance. Any exemption applies only to the requirement to complete the course, and the request for exemption must be submitted before the candidate registers for the exam. The applicant must still pass the exams and complete the practical subjects with a course provider approved by the NMA. After completing the exams and practical subjects, the individual may apply for the D5L based on an "*exam for masters of recreational craft taken at a course organiser approved by the Norwegian Maritime Authority"* cf. section 29 third paragraph (a).

3. Documentation requirements

Documentation in accordance with section 29 third paragraph (b) and (c) of the Regulations on qualification and certificates for seafarers must be submitted with the application for the Deck Officer Class 5 Pleasure Craft Certificate, regardless of the basis on which the certificate is applied for.

https://www.sdir.no/siteassets/engelske-forskrifter-pdf/22-december-2011-no.-1523-qualifications-and-certificates-for-seafarers.pdfhttps://lovdata.no/forskrift/2011-12-22-1523/§84

[4] https://www.sdir.no/sjofolk/sertifikater/pategningendorsement/maritime-administrasjoner-land-norge-har-avtaler-med/

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4. Exemption from course requirement for D5L

When applying for exemption from the requirement to complete the course based on foreign competence, a request must be submitted to the Norwegian Maritime Authority. In cases where an exemption is granted, the applicant will receive confirmation of the exemption, which must be presented to the course centre.

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