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Regulation amending the Regulations on the obligation to notify and report marine accidents and other incidents at sea and the Regulations on navigation and navigational aids for ships and mobile offshore units for the implementation of resolutions MSC.532(107) and MSC.550(108), and for the implementation of new reporting procedures in Protocol I of MARPOL pursuant to resolution MEPC.384(81)

Introduction

The Norwegian Maritime Authority has adopted amendments to the Regulations of 27 June 2008 No. 744 on the obligation to notify and report marine accidents and other incidents at sea (the Notification and Reporting Regulations), and to the Regulations of 5 September 2014 No. 1157 on navigation and navigational aids for ships and mobile offshore units (the Navigation Regulations).

The amendments to the Notification and Reporting Regulations implement amendments to Protocol I of MARPOL adopted by resolution MEPC.384(81).

The amendments to the Navigation Regulations implement amendments to SOLAS Chapter V adopted by resolutions MSC.532(107) and MSC.550(108).

The amendments enter into force on 1 January 2026.

Consultation

The proposed amendments to the Notification and Reporting Regulations and the Navigation Regulations were circulated for public consultation during the period from 1 November 2025 to 12 December 2025. The consultation period was somewhat shorter than a standard consultation period, but was considered consistent with the Instructions for Official Studies and Reports.

The Norwegian Maritime Authority (NMA) received responses from the Ministry of Justice and Public Security, the Norwegian Union of Marine Engineers and the Norwegian Seafarers' Union. The responses contained no comments on the proposed amendments. The NMA has also received comments from the Norwegian Pelagic Association and the Directorate of Fisheries.

The Norwegian Pelagic Association expressed support for the NMA's proposed regulatory amendments. They noted that the loss of cargo containers could have consequences for fisheries in areas where containers are lost. Furthermore, they emphasised that it is positive that the amendments will increase accountability in cases where cargo ships lose containers at sea.

On the adopted amendments

Implementation of resolutions MSC.532(107) and MSC.550(108)

The IMO's Maritime Safety Committee (MSC) adopted, at its 107th session on 8 June 2023, amendments to the International Convention for the Safety of Life at Sea (SOLAS) Chapter V by resolution MSC.532(107). The Committee adopted further amendments to the same chapter at its 108th session on

23 May 2024, by resolution MSC.550(108). The resolutions concern, inter alia, electronic inclinometers, new definitions and the reporting obligation in the event of container loss. Both resolutions have been translated into Norwegian and are attached to this regulatory Circular.

SOLAS Chapter V has been implemented in Norwegian legislation through the Navigation Regulations. The implementation of the provisions of SOLAS Chapter V has been mainly carried out through transformation, but incorporation has been used where appropriate. When the Convention is amended, it is necessary to consider whether national regulations need to be updated correspondingly to ensure compliance with international obligations.

The amendments enter into force on 1 January 2026.

Implementation of resolution MSC.539(81)

The IMO's Marine Environment Protection Committee (MEPC) adopted, at its 81st session, amendments to the International Convention for the Prevention of Pollution from Ships (MARPOL) Protocol I by resolution MEPC.384(81). The amendment concerns reporting procedures in the event of container loss.

MARPOL Protocol I has been implemented in Norwegian legislation through the Notification and Reporting Regulations by transformation. When the Protocol is amended, it is necessary to consider whether national regulations need to be updated correspondingly to ensure compliance with international obligations.

Resolutions concerning MARPOL Protocols are generally not translated into Norwegian and are therefore attached to this regulatory circular in their English version.

The amendments enter into force on 1 January 2026.

Details on the amendments to SOLAS

The amendments to SOLAS Chapter V resulting from resolutions MSC.532(107) and MSC.550(108) were negotiated and adopted by the MSC. Norway prepared national positions in cooperation with the industry in advance of the negotiations and participated actively in the process.

It is assumed that the industry is familiar with the amendments through information provided by the NMA, as well as through their respective interest organisations.

The most significant amendments resulting from the above-mentioned resolutions are briefly summarised below.

MSC.532(107)

SOLAS has not previously contained legally binding requirements for electronic inclinometers on board ships. However, the MSC Guidelines "Performance standards for electronic inclinometers", adopted by resolution MSC.363(92), have been applicable since 2013.

On the basis of repeated accidents, including the capsizing of bulk carriers and the loss of containers at sea, a need for electronic inclinometers on the navigation bridge has been identified. The purpose is to provide the crew and the Voyage Data Recorder (VDR) with information on the ship's angle of heel.

As a consequence, MSC 107 adopted the introduction of a new regulation in SOLAS V/19.2.12, making it mandatory to install electronic inclinometers on container ships and bulk carriers of 3,000 gross tonnage and above constructed on or after 1 January 2026.

In connection with the introduction of new regulation V/19.2.12, definitions of "bulk carrier" and "container ship" were added in SOLAS regulations V/2.8 and V/2.9, respectively.

The new definitions read as follows:

SOLAS regulation V/2.8: "Bulk carrier means a bulk carrier as defined in regulation XII/1.1."

SOLAS regulation V/2.9: "Containership means a ship which is intended primarily to carry containers."

In addition to the amendments referred to above, the following reference was added under the footnotes to SOLAS regulation V/18.2: "Performance standards for electronic inclinometers (resolution MSC.363(92))."

Implementation in Norwegian legislation

It is considered most appropriate to implement the amendments to SOLAS regulation V/19.2.12 by transformation, and a new section 15 (a) has therefore been introduced in the Navigation Regulations.

Administrative and financial implications

The implementation of the new provisions in Norwegian legislation entails that companies operating ships subject to the requirements will incur costs related to the acquisition and installation of electronic inclinometers.

The Marine Equipment Directive (MED) list will also be updated with this requirement on 23 September 2025, meaning that equipment installed on board ships shall be type-approved in accordance with applicable international standards.

MSC.550(108)

On the basis of repeated accidents involving the loss of containers at sea from ships, MSC 108 adopted provisions in SOLAS regulations V/31 and V/32 concerning reporting obligations in the event of container loss, the observation of containers drifting at sea, and the procedures for such reporting.

SOLAS regulation V/31

This regulation concerns the transmission of danger messages when a ship encounters direct dangers to navigation, such as dangerous ice or derelict objects. It also specifies how and to whom such messages shall be transmitted. However, the existing regulation does not impose any specific obligation on the master or the company to report the loss of containers from their own ship or observations of containers drifting at sea, nor does it describe how such reporting is to be carried out.

In SOLAS regulation V/31, new provisions have been adopted in SOLAS regulations V/31.2.1, V/31.2.2, V/31.2.3 and V/31.2.4:

"2.1 The master of every ship involved in the loss of freight container(s), shall communicate the particulars of such an incident by appropriate means without delay and to the fullest extent possible to ships in the vicinity, to the nearest coastal State, and also to the flag State.

2.2 In the event of the ship referred to in paragraph 2.1 being abandoned, or in the event of a report from such a ship being incomplete or unobtainable, the company, as defined in regulation IX/1.2, shall, to the fullest extent possible, assume the obligations placed upon the master by this regulation.

2.3 The flag State, once informed in accordance with paragraph 2.1, shall report to the Organization on the loss of freight container(s). *¹

2.4 The master of every ship that observes freight container(s) drifting at sea, shall communicate the particulars of such an observation by appropriate means without delay and to the fullest extent possible to ships in the vicinity and to the nearest coastal State."

¹ * Refer to Notification and circulation through the Global Integrated Shipping Information System (GISIS) (resolution A.1074(28)).

As a consequence of the amendment, existing regulations V/31.2, V/31.3 and V/31.4 were renumbered as regulations V/31.3, V/31.4 and V/31.5, respectively.

The above-mentioned amendments must be seen in conjunction with the amendment adopted in resolution MSC.532(107) to SOLAS regulation V/19.2.12, which was also adopted on the basis of a desire to limit damage to the environment and material values resulting from lost containers.

SOLAS regulation V/32

This regulation concerns requirements regarding the information to be contained in danger messages. The new provisions in regulation V/32.3

apply to the loss or observation of containers and specify the information to be reported in danger messages, including general information on lost containers, observation of containers, position reporting, etc.

New provisions have been adopted in SOLAS regulations SOLAS V/32.3, V/32.3.1, V/32.3.1.1 to V/32.3.1.6 and V/32.3.2 to V/32.3.2.4.

As a consequence of the introduction of a new SOLAS regulation V/32.3, existing regulations V/32.3, V/32.4 and V/32.5 were renumbered as regulations V/32.4, V/32.5 and V/32.6, respectively.

Scope of application

SOLAS regulations V/31.2.1, V/31.2.2, V/31.2.3 and V/31.2.4 lay down obligations for the master, the company and the flag State. Pursuant to the new provisions in SOLAS regulation V/31, the master shall report the loss of containers to both the coastal State and the flag State. If the ship is abandoned, the company assumes the reporting responsibility of the master. When the flag State receives a report on lost containers, it shall forward the information to IMO.

The amendments to regulation V/32 entail that the master, the company and the flag State are all subject to reporting obligations in accordance with the provisions set out in that regulation.

According to regulation V/1 (subject to certain exceptions), the provisions of SOLAS chapter V apply to all ships.

Implementation in Norwegian legislation

SOLAS regulations V/31 and V/32 have previously been implemented in the Navigation Regulations, respectively in sections 10 (2) and 10 (1), and in Appendix II item 5 of the Regulations. Appendix II of the Navigation Regulations has been transferred to the new Regulations on the construction, equipment and supervision of small cargo ships, adopted on 16 December 2025. The amendments to Appendix II item 5 have been adopted as section 15 of the Regulations. The requirements in section 15 enter into force on 1 January 2026 and have been adopted as they were presented during the consultation process.

The implementation structure in section 10 of the Navigation Regulations is maintained. The amendments to SOLAS regulation V/31 are implemented by transformation, whereby section 10 has been supplemented with new first paragraph subparagraphs e and f.

The amendments adopted in SOLAS regulation V/32 are implemented by incorporation in section 10 second paragraph. The existing section 10 second paragraph stipulates that the information in the danger message shall be in accordance with SOLAS regulation V/32 as adopted in resolution MSC.99(73). Since regulation V/32 has been amended by resolution MSC.550(108), section 10 second paragraph must be updated to refer to the new resolution.

Administrative and financial implications

The new provisions impose reporting obligations on the master, the company and the flag State in the event of the loss or observation of containers at sea. These obligations may result in a modest increase in administrative burden for all affected parties when the reporting duty is triggered.

Reporting shall be made to the NMA using form "KS-0197 Maritime casualty report – Ship and personnel", which is available on the NMA's website. The form and accompanying guidance will be updated as soon as possible to reflect the new requirements. Until then, loss or observation of containers shall be reported using the existing form.

It is emphasised that the new reporting obligations do not replace existing reporting obligations under other legislation, including the obligation to report dangers to navigation or traffic pursuant to the Harbour and Fairways Act.

Details on the amendments to MARPOL

The amendments to MARPOL resulting from resolution MEPC.384(81) were negotiated and adopted by the Marine Environment Protection Committee (MEPC). Norway prepared national positions in cooperation with the industry and participated actively in the negotiations. It is assumed that the industry is familiar with the amendments through information provided by the NMA and through their respective interest organisations.

The resolution concerns amendments to Protocol I/V of MARPOL. Protocol I/V concerns reporting procedures for incidents involving harmful substances. The amendments introduce a new provision in Protocol I/V.3. The new provision reads as follows:

"In case of the loss of freight container(s), the report required by article II(1)(b) shall be made in accordance with the requirements on danger messages as provided for in regulations V/31 and V/32 of the International Convention for the Safety of Life at Sea, 1974."

For a more detailed description of the content of SOLAS regulations V/31 and V/32, reference is made to the discussion above on the implementation of resolution MSC.550(108).

The amendments were made to ensure harmonised reporting procedures for lost containers under both MARPOL and SOLAS.

Scope of application

Under MARPOL Protocol I/I, the master or other person having charge of any ship has a reporting obligation if the ship is involved in an incident referred to in article II of the Protocol. If the ship is abandoned, the company assumes the reporting responsibility. The reporting obligation applies to all ships carrying one or more containers. The scope of the provision is not changed by the new provision in Protocol I/V.3.

Implementation in Norwegian legislation

The implementation structure for MARPOL Protocol I is maintained, and the amendment in Protocol I/V.3 has been implemented by transformation in the Notification and Reporting Regulations.

The new provision in the Notification and Reporting Regulations has been adopted as a new fifth paragraph in section 7 of these Regulations.

Administrative and financial implications

The amendments mean that the loss of containers containing harmful substances shall be reported in the same manner as container losses under SOLAS regulations V/31 and V/32.

Reporting shall be made to the NMA using form "KS-0197 Maritime casualty report – Ship and personnel", which is available on the NMA's website. The form and accompanying guidance will be

updated as soon as possible to reflect the new requirements. Until then, loss or observation of containers shall be reported using the existing form.

It is emphasised that the new reporting obligations do not replace existing reporting obligations under other legislation, including the obligation to report dangers to navigation or traffic pursuant to the Harbour and Fairways Act.

Yours sincerely,

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