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Regulation amending the Regulations on the construction, equipment and operation of high-speed craft used as passenger craft or cargo craft – implementation of resolutions MSC.536(107) and MSC.537(107)

I. General

1. Introduction

The Norwegian Maritime Authority has adopted a Regulation amending the Regulations of 5 January 1998 No. 6 on the construction, equipment and operation of high-speed craft used as passenger craft or cargo craft.

This amending Regulation implements amendments to the 2000 HSC Code and the 1994 HSC Code adopted by resolutions MSC.536(107) and MSC.537(107).

The Regulation enters into force on 1 January 2026.

2. Consultation

The proposed amendments were circulated for public consultation during the period from 9 October to 10 December 2025. The NMA received seven consultation responses, of which four contained no comments. Three consultation responses included comments relating to the need for more detailed guidance and concerns regarding the financial implications.

In the view of the Norwegian Maritime Authority, the prohibition of PFOS from 1 January 2026 has no practical significance, as the substance has long been prohibited within the EEA.

3. Background

IMO's Maritime Safety Committee (MSC) has adopted amendments to the International Code of Safety for High-Speed Craft, 1994 (1994 HSC Code) and the International Code of Safety for High-Speed Craft, 2000 (2000 HSC Code), with effect from 1 January 2026, by means of resolutions MSC.536(107) and MSC.537(107).

The 2000 HSC Code and the 1994 HSC Code are incorporated into Norwegian law by reference in section 1 second paragraph, cf. section 2 (j) and (k), of the Regulations on the construction, equipment and operation of high-speed craft used as passenger craft or cargo craft. The implementing provisions have been amended to ensure consistency with the revised international regulatory framework.

The amendments enter into force on 1 January 2026.

II. Details of the amendments

Resolutions MSC.536(107) and MSC.537(107) introduce a prohibition on the use of PFOS in fire-extinguishing media in the 1994 HSC Code and the 2000 HSC Code. In both Codes, paragraph 7.9 of Chapter 7, Part A, has been amended.

The regulatory amendments implement international rules prohibiting the use of PFOS (perfluorooctane sulfonate), a substance associated with adverse effects on human health. The purpose of the prohibition is to protect persons on board from hazardous substances during fire-fighting operations and to minimise the discharge of harmful substances into the environment.

The new requirements prohibit the use, storage or disposal of PFOS on all new high-speed craft constructed on or after 1 January 2026.

By resolution MSC.537(107), the prohibition of PFOS is also made applicable to craft constructed before 1 January 2026. Such craft must comply with the requirements no later than the first survey carried out on or after 1 January 2026.

MSC.1/Circ.1290 interprets “first survey” as the first annual survey, the first periodical survey or the first renewal survey, whichever is due first after the specified date, unless otherwise provided.

The prohibited substances must be delivered to appropriate shore-based reception facilities when removed from the craft.

In the context of SOLAS, the provision is new; however, equivalent rules have long applied within the EU. The production and use of PFOS and PFOA (perfluorooctanoic acid) are prohibited pursuant to Regulation (EU) 2019/1021 on persistent organic pollutants. The Regulations of 1 June 2004 No. 922 relating to restrictions on the use of chemicals and other products hazardous to health and environment (Product Regulations) implement the relevant EU legislation. Section 2-9 of those Regulations governs PFOS in fire-fighting foam. It is prohibited to possess fire-fighting foam containing 0.001% by weight or more of PFOS or PFOS-related compounds. MSC.1/Circ.1694 “Unified interpretations of SOLAS chapter II-2, and the 1994 and 2000 HSC Codes” contains the same limit value as that laid down in the Product Regulations.

In both HSC Codes, Annex 1 “Record of Equipment for High-Speed Craft Safety Certificate” has also been amended. In the table for “Details of life-saving appliances”, entries 9 to 10.2 are replaced by the following:

- 9 Number of immersion suits
- 10 Number of anti-exposure suits

III. Administrative and financial implications

The adopted regulatory amendments entail an update of the regulatory framework relating to the 1994 HSC Code and the 2000 HSC Code. The amendments have been subject to little controversy. Both the maritime administration and the industry have participated in the process leading up to their adoption. The industry is therefore assumed to be well acquainted with the amendments through its representative organisations and through information provided by the Norwegian Maritime Authority.

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