Sjøfartsdirektoratet
Norwegian Maritime Authority

Rundskriv - Serie V

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Referanse til:	Regulations of 14 January 2020 No. 63 on vessels of less than 24 meters carrying 12 passengers or less

How to apply for exemptions for vessels carrying 12 passengers or less operating from motherships in the territorial waters surrounding Svalbard (2025)

These Guidelines are a renewal of the RSV 2-2024 that was in force for the season 2024.

Companies with vessels that have been granted exemptions for the 2020-, 2021-, 2022-, 2023- and/or 2024-seasons according to RSV 7-2020, RSV 25-2020, RSV 13-2021 or RSV 5-2023 or RSV 2-2024 may continue to operate on the same conditions in 2025, ***without applying for new exemptions****.*

PART 1

1. Excursions from motherships in the Svalbard area

Vessels *used for other activities than transporting passengers from a mothership to shore and back* shall comply with the Regulations of 14 January 2020 No. 63 on vessels of less than 24 meters carrying 12 passengers or less.[1] Shipowners with such vessels shall register on this link.

[1] The Regulations of 14 January 2020 No. 63 on vessels of less than 24 meters carrying 12 passengers or less that entered into force on 1 February do not change the legal status of tender vessels.

Since 2009, the Regulations have had a clear distinction between tender activities and other activities. The actual use of a vessel determines which rules apply. A vessel that is not used for transporting passengers between ship and shore is not a tender vessel. For such activities, e.g. excursions or sightseeing, the rules for carrying passengers apply. This is the same understanding that we find in international legislation, e.g. MSC.1 /Circ.1417 and Directive 2017/2108/EC.

The now repealed Regulations of 24 November 2009 No. 1400 on the operation of vessels carrying 12 passengers or less, etc. did not apply to "tender vessels", see section 1.2 (f). A tender vessel was defined as a "vessel carrying passengers to and from a larger vessel and which is regarded as part of the vessel's equipment", see section 2 (i).

The new Regulations do not apply to "vessels which form a part of the ship's equipment and are used to transport passengers between ship and shore", see section 1.2 (b).

Based on the limited nature of excursions, sightseeing, etc. from motherships in the territorial waters surrounding Svalbard, it will according to section 18 in many cases be appropriate in terms of safety to grant exemptions from some of the requirements of the Regulations.

Shipowners with vessels that do not fully comply with the Regulations must submit a written application for exemption from specific requirements of the Regulations to post@sdir.no.

In these guidelines, the Norwegian Maritime Authority will provide information on conditions for being granted exemption from sections 6, 8, 12, 13 and 14 of the Regulations. Applications for exemption from other sections of the Regulations will be carefully reviewed, as it is fully possible for small vessels operating from motherships to comply with those requirements.

In addition, we will provide information on how to comply with other sections of the Regulations.

2. Exemptions from certain requirements in the Regulations

The following limitations apply to all items 2.1–2.5:

- The activities take place between 1 April and 31 October 2025.
- The vessels used are a part of the mothership's equipment.
- At least two vessels shall operate together (accompanying vessels).
- The distance from each vessel to the mothership shall be maximum 2.5 nautical miles.

2.1 Section 6 – Qualification requirements and manning

The Norwegian Maritime Authority will grant exemption from section 6 first and second paragraphs, provided that the company have internal procedures for relevant and sufficient training of the crew. The applications must include information about the company's internal procedures.

2.2 Section 8 – Operational limitations in the territorial waters surrounding Svalbard

The Norwegian Maritime Authority will grant exemption from section 8 first and second paragraphs. This means that the vessels may operate between 1 April and 31 October 2025 and outside the geographical areas mentioned in the second paragraph.

2.3 Section 12 – Radio communication

The Norwegian Maritime Authority will grant exemption from section 12 first and second paragraphs on the condition that each vessel has hand-held VHF/DSC equipment on board for communication between each other and the mothership.

2.4 Section 13 – Float-free satellite EPIRB

The Norwegian Maritime Authority will grant exemption from section 13 due to the short distance to the mothership.

2.5 Section 14 – Radar transponder (Radar SART) or AIS transponder (AIS SART)

The Norwegian Maritime Authority will grant exemption from section 14 due to the short distance to the mothership.

3. How to comply with other requirements of the Regulations

3.1 Section 10 – Navigational equipment

Vessels that have a hand-held GPS unit with updated nautical charts installed on board comply with the requirements in section 10 second paragraph.

3.2 Section 15 – Navigational and weather reports

The requirements of section 15 are fulfilled when the sightseeing/excursions are planned based on updated navigational and weather reports received on the mothership.

PART 2

Alternative to one-piece flotation suits for vessels carrying 12 passengers or less from a mother ship

The Regulations of 14 January 2020 No. 63 on vessels of less than 24 metres carrying 12 passengers or less section 16 fifth paragraph requires all persons to wear a one-piece flotation suit while on board a sightseeing boat. The Norwegian Maritime Authority will grant exemption from section 16 fifth paragraph, provided that:

- All passengers are informed, prior to departure, of how they should pack for their trip and the importance of the layer system and how to dress for the conditions.
- The company provides all passengers with a packing list which includes full body polar clothing. It is recommended that the outer layer have a 15000 mm water resistance and a highly visible red or yellow colour.
- The passenger's outer layer clothes are checked and approved by the ship's crew before the passengers are allowed to enter the small craft. A pre-trip video webinar is recommended.
- There is at least one dedicated rescue boat on the water at all times during operation.
- The passenger ship has medical personnel (a medical doctor or nurse) on board.
- The distance from each vessel to the mother ship shall be a maximum of 1 nautical mile. The distance can be 2.5 nautical miles if the dedicated rescue boat has on board enough thermal protective aids (TPA) for the total number of persons on board the largest sightseeing craft.
- Each person is wearing a lifejacket with more than 150 N buoyancy. The lifejackets shall be supplied by the company. It is recommended to use lifejackets approved to level 275 (ISO 12402-2) or a SOLAS approved lifejacket.

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