Sjøfartsdirektoratet
Norwegian Maritime Authority

Circular - Series R

Circular Series R (Regulations) supersedes previous Series F. In the new Series R, relevant legal amendments and amendments to conventions are also published.

Circular recipients: (check box)

☐	Sdir:	Norwegian Maritime Authority
☐	A:	16 specially authorised employment
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☐	P:	Equipment manufacturers, any subgroups
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☒	Hov	organisations
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The Circular should be entered into a special diagram or as appropriate in the latest editions of relevant NMA publications and kept until the next editions.

Amendments to the Regulations on extension of time limits in the transport sector due to COVID-19

1. Introduction

The Ministry of Trade, Industry and Fisheries and the Ministry of Transport have laid down Regulations of 18 June 2020 No. 1227 on extension of time limits in the transport sector due to COVID-19.

Regulation (EU) 2021/267 was published in the EU Official Journal on 22 February 2021, and the provisions will apply in the EU from 6 March 2021. The Regulation was implemented into the EEA Agreement on 3 March 2021, and the regulatory amendments now laid down incorporate the EU Regulation into Norwegian law, entering into force on 8 March 2021.

The Regulation extends some of the time limit extensions which were first implemented through Regulation 2020/698 (“Omnibus 1”). Regulation 2020/698, which is to a great extent continued in Regulation 2021/267 (“Omnibus 2”), was a part of the Commission’s package of legislative measures for the transport sector which was announced on 29 April 2020. The legal acts of the package will counteract the effects of the COVID-19 pandemic. These EU Regulations deal with the extension of certain certificates, licences and authorisations in the area of road, rail and waterway transport. Due to the COVID-19 outbreak, many people face difficulties with completing the necessary formalities or procedures related to the renewal, extension or continued validity of such documents.

2. Consultation

Due to a very quick process in the EU system, the Regulation has not been circulated for review. The Ministry of Transport has, however, been in contact with the industry and affected agencies and supervisory bodies for their opinion regarding Norway's position on this matter. The draft Regulations have not been circulated for review.

3. Details on the legislation

The EU Regulation has been implemented by incorporation into the Regulations on extension of time limits in the transport sector due to COVID-19, and the EU Regulation will therefore apply as regulation as is, word for word.

The aim of the EU Regulation is to impose specific temporary measures to ensure an extension of the validity period of certain certificates, licences and authorisations. This applies to certificates, licences and authorisations that would otherwise expire between 1 September 2020 and 30 June 2021.

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The measures aim to ensure a well-functioning internal market, a high level of transport security and legal certainty for the parties.

The EU Regulation affects maritime legislation and shipping through Article 16, which extends certain time limits provided for in Regulation (EC) 725/2004 on enhancing ship and port facility security (ISPS Regulation). The provisions of the ISPS Regulation have been implemented into Norwegian legislation through the Regulations of 22 June 2004 No. 972 on security, anti-terrorism and anti-piracy measures and the use of force on board ships and mobile offshore drilling units (Security Regulations) section 6.

Periodic exercises for the company and ship security officers as described in the ISPS Regulation Annex III, Part B paragraph 13.7 of the ISPS Code, should normally be carried out at least once every calendar year with no more than 18 months between the exercises. Article 16 (2) of the EU Regulation now implies that for exercises that would otherwise have been carried out between 1 September 2020 and 30 April 2021, the limits have been extended by six months until 30 June 2021 at the latest.

Annex III paragraph 13.7 of the ISPS Regulation, i.e. Part B of the ISPS Code, is made mandatory by article 3 (5) of the ISPS Regulation.

EU Regulations and other legal acts incorporated into the EEA Agreement are translated into Norwegian. A Norwegian translation of the EU Regulation will be published together with the Regulations on Lovdata for information purposes as soon as it is available.

4. Economic and administrative consequences of the proposal

The amendments imply postponed deadlines for the carrying out of drills and periodic exercises and will therefore not have significant administrative consequences for the industry or the public.

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