

# **Regulation concerning amendments to Regulations on supervision and certificates for Norwegian ships and mobile offshore units, the Log Book Regulations, the Port State Control Regulations and the Notification Regulations**

**Legal basis:** Laid down by the Norwegian Maritime Authority on 8 September 2017 under the Act of 16 February 2007 No. 9 relating to ship safety and security (Ship Safety and Security Act) sections 2, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 22, 22a, 23, 24, 25, 26, 27, 28, 28a, 31, 32, 33, 34, 35, 37, 41, 42, 43, 44, 45, 47, 49, 52 and 54, cf. Formal Delegation of 16 February 2007 No. 171, Formal Delegation of 31 May 2007 No. 590, Formal Delegation of 29 June 2007 No. 849 and Formal Delegation of 29 August 2017 No. 1317.

## **I**

Regulations of 15 September 1992 No. 693 on the form and keeping of log books for ships and mobile offshore units are amended as follows:

Sections 14a and 19a and Appendix I are repealed.

## **II**

Regulations of 27 June 2008 No. 744 on the obligation to notify and report marine accidents and other incidents at sea are amended as follows:

Section 6 first paragraph new subparagraph d should read:

- d) Accidents or defects substantially affecting the ship's ability to conduct ballast water treatment.

Section 6 second paragraph should read:

Incidents as described in the first paragraph (d) and in section 4 seventh paragraph shall be reported in accordance with Chapter 4.

## **III**

Regulations of 24 November 2014 No. 1458 on port State control section 2 new subparagraph k should read:

- k) The International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004.

## **IV**

Regulations of 22 December 2014 No. 198 on supervision and certificates for Norwegian ships and mobile offshore units are amended as follows:

Section 2 first paragraph (d) should read:

- d) a survey shall be carried out of the ballast water management system on board a ship or mobile offshore unit without the issuance of a certificate;

The current subparagraphs d to g become new subparagraphs e to h.

New sections 34a, 34b and 34c should read:

Section 34a. *International Ballast Water Management Certificate*

Ships of 400 gross tonnage and upwards engaged on foreign voyages, and mobile offshore units engaged on foreign voyages, which are constructed to carry ballast water, shall have a Ballast Water Management Certificate.

The Ballast Water Management Certificate is issued with a validity of up to five years.

Ships with a valid document of compliance demonstrating that the ship complies with the requirements of the International Convention for the Control and Management of Ship's Ballast Water and Sediments, 2004, are required to have Ballast Water Management Certificate by the first annual survey, intermediate survey or renewal survey carried out on or after 8 September 2017, but not later than 8 December 2018.

#### Section 34b. *Supervision for International Ballast Water Management Certificate*

Ships and mobile offshore units required to have a Ballast Water Management Certificate shall be subject to the following supervision in order to demonstrate compliance with the requirements for ballast water treatment:

- a) initial survey before the certificate may be issued for the first time;
- b) renewal survey every five years;
- c) intermediate survey within three months before or after the second or third anniversary date of the certificate. The intermediate survey may take the place of the annual survey required by subparagraph d;
- d) annual survey within a time interval limited to three months before or after each anniversary date of the certificate.

If a change, replacement or substantial repair is carried out of the structure, equipment, systems, fittings, arrangements and material forming a part of the ballast water management system, a survey shall be carried out to verify compliance with the requirements for ballast water treatment.

Completed surveys shall be documented by endorsement of the certificate by the Norwegian Maritime Authority or other supervisory authorities.

#### Section 34c. *Supervision of ships not required to have Ballast Water Management Certificate*

Ships engaged on foreign voyages that are not required to have Ballast Water Management Certificate, cf. section 11a, shall be subject to survey for ballast water management in conjunction with:

- a) the initial survey and second or third renewal survey in a five-year period for Passenger Ship Safety Certificate;
- b) the initial survey, renewal survey and second or third periodical survey during the certificate period for High-Speed Craft Safety Certificate;
- c) the initial survey and intermediate survey during the certificate period for trading certificate for cargo ships;
- d) the initial survey and intermediate survey during the certificate period for trading certificate for fishing vessels.

Section 37 should read:

#### Section 37 *Extension of the validity of the certificates*

(1) The certificates of cargo ships, barges, passenger ships and mobile offshore units may be endorsed to extend the validity by up to five months from the expiry date of the certificates, when a renewal survey has been completed and the new certificate cannot be placed on board the ship or the mobile offshore unit before the expiry date of the existing certificate. The first sentence shall apply accordingly to Ballast Water Management Certificates for fishing vessels.

(2) Cargo ships, barges and passenger ships engaged on foreign voyages or a mobile offshore unit, which are not in a port where the survey may be conducted before the expiry of the certificates, may upon application from the company have their certificates endorsed to extend the validity by up to three months. The extension may only be granted for the purpose of allowing the ship or mobile offshore unit to complete a voyage to a port where it may be surveyed, and only when the extension is justifiable. The provisions of the first and second sentence shall apply accordingly to Ballast Water Management Certificates for fishing vessels.

(3) Fishing vessels may have the validity of the Trading Certificate of Compliance for fishing vessel extended by up to one year when the Norwegian Maritime Authority finds it reasonable, the validity of the certificate has not previously been extended, and a complete survey of the interior of the vessel, and an inspection of the outside as far as possible without placing the vessel in dock or a slipway, show that the vessel complies with the certificate requirements.

(4) Fishing vessels which are not in a Norwegian port when the trading certificate expires, may have the validity of the certificate extended until the vessel arrives at a port where the survey may be carried out, however not by more than five months after the original expiry date.

(5) Ships or mobile offshore units with a certificate issued for a short voyage where the certificate has not been extended pursuant to the first or second paragraph, may upon application from the company have the certificate endorsed to extend the validity by up to one month from the expiry date of the certificate. Short voyage means a voyage where neither the voyage from the port of departure to the port of destination nor the return voyage exceeds 1,000 nautical miles. The provisions of the first and second sentence shall apply accordingly to Ballast Water Management Certificates for fishing vessels.

(6) Fishing vessels with a certificate which has not been extended pursuant to the fourth paragraph, may be granted an extension of the validity of the certificate of up to one month.

## V

The Regulation enters into force on 8 September 2017.