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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 the medical examination of employees on Norwegian ships and mobile offshore units

1. Introduction

The Norwegian Maritime Authority (NMA) has laid down amendments to the Regulations of 5 June 2014 on the medical examination of employees on Norwegian ships and mobile offshore units (Health Regulations).

2. Consultation

The proposed Regulations were circulated for review on 19 November 2019, and the deadline for comments was set to six weeks. The short response time was due to the minor amendments of the Regulations was due to only minor amendments of the Regulations with a limited power of influence. Moreover, it was important for the industry to get a prompt and consistent solution to practical issues that may arise during registration.

The NMA received eight consultative statements. Four consultative bodies did not have any comments, two bodies supported the proposed amendments, whereas two bodies did not support the proposal. None of the comments were taken into account. All comments are presented and discussed in the attached matrix.

3. Details on the legislation

The requirement to be physically and mentally fit for the service on board and present a medical certificate that states that these conditions are fulfilled has its legal basis in the Health Regulations and section 17 of the Ship Safety and Security Act. Medical certificates are an important part of the seafarers' qualification documentation, and the lack of a medical certificate may result in a seafarer being refused to continue the voyage, which in turn may lead to the vessel being detained.

Nevertheless, it may take some time to provide new medical certificates for all seafarers on a vessel due to the registering process, and the NMA realises that the company should be allowed some time to get these things in order. The longest exemption deadline granted so far, is three months. There have been no reports that additional time has been necessary.

Moreover, section 5 third paragraph of the Health Regulations states that a medical certificate will no longer be valid if the period of validity expired more than three months earlier. The NMA finds it proper to compare the exemption of section 5 with the proposed temporary exemption allowing seafarers to sail for three months holding a valid STCW-compliant medical certificate, even though this is not valid pursuant to the Health Regulations. In order for the legislation to be harmonised, the same deadline for exemption is proposed to be kept in the Regulations. This ensures that an internationally recognised level of health is maintained with regard to the safety of seafarers and vessels.

Based on an overall assessment, the proposed deadline to obtain valid medical certificates under the Health Regulations is three months.

4. Administrative and financial implications

Companies will be able to plan the registration process better, and a regulatory amendment will ensure equal treatment.

For seafarers who work on a ship transferring to the Norwegian flag, it will be easier to sail with the ship from the registration date.

The NMA may experience an increase in the number of applications for exemption. However, this will not have a significant impact on the workload. Moreover, the amendments will not have any particular administrative and financial implications.

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