Sjøfartsdirektoratet
Norwegian Maritime Authority

Circular - Series R

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Regulation concerning amendments to the Regulations on the construction, equipment and operation of passenger ships in the Norwegian territorial waters surrounding Svalbard

I. General

1. Introduction

The NMA has adopted amendments to the Regulations of 7 June 2019 No. 710 on the construction, equipment and operation of passenger ships in the Norwegian territorial waters surrounding Svalbard.

The amendments will enter into force on 1 January 2026.

2. Consultation

The proposed amendments were circulated for review from 31 October 2024 to 31 January 2025. The Norwegian Maritime Authority (NMA) received nine consultative statements.

The consultative statements and the NMA's corresponding comments are set out in the attached consultation matrix (in Norwegian only).

3. Background

In connection with the preparation of the new Svalbard report (Storting White Paper No. 26 (2023–2024), which was presented on 31 May 2024, the Norwegian Government mandated the NMA to implement recommendations from the Cruise Committee (NOU 2022:1). These recommendations concern competence and training requirements, pursuant to the Polar Code, for all deck officers serving on ships operating in Norwegian territorial waters surrounding Svalbard that are 24 metres in overall length and upwards, have a gross tonnage of less than 500 and carry 12 passengers or fewer.

The Ministry of Trade, Industry and Fisheries requested that the NMA introduce the necessary regulatory amendments to ensure that deck officers on such ships are also subject to basic training requirements under the Polar Code.

II. Further details on the regulatory amendments

Operating ships in Svalbard presents unique challenges, requiring advanced knowledge of polar areas to maintain safety at sea. Such knowledge is essential both for reducing the risk of incidents and for mitigating their potential consequences. One of the primary operational challenges in the Norwegian territorial waters surrounding Svalbard is the presence of sea ice. To effectively manage these and other risks associated with polar navigation, crew members must possess relevant experience and knowledge.

To include the ships specified in the Ministry's assignment, the title and scope of application of the Regulations on the construction, equipment and operation of passenger ships in the territorial waters surrounding Svalbard have been amended. The term "passenger ships" has therefore been replaced with "ships" in the title of the Regulations.

The scope of application of the Regulations has been amended so that the provision concerning qualification requirements for deck officers in section 4a applies to Norwegian and foreign ships of 24 metres in overall length and upwards, of less than 500 gross tonnage and carrying 12 passengers or fewer, when operating in the territorial waters surrounding Svalbard.

For ships falling within the scope of these amendments, the requirements set out in Chapter 12 of Part I-A of the Polar Code and in Regulation V/4 of the STCW Convention, cf. Part A-V/4 of the STCW Code, shall apply as regulation. Chapter 12 of the Polar Code requires that ships operating in polar waters be manned with appropriately qualified personnel, while the STCW Code specifies the relevant training standards for seafarers. These requirements already apply for passenger ships operating in Svalbard, either pursuant to the SOLAS Convention or section 18 of the current Regulations.

For SOLAS-compliant ships, the training requirements of the Polar Code are incorporated into sections 58a and 58b of the Regulations of 22 December 2011 No. 1523 on qualifications and certificates for seafarers (Qualification Regulations). The NMA issues Certificates of Proficiency Polar Code – Basic and Advanced to persons who meet the requirements of sections 58a and 58b. The minimum competence standards for both basic and advanced training in polar waters are outlined in Annex XII, Tables A-V/4-1 and AV/4-2 of the STCW Code. The minimum competence standards in the Qualification Regulations are derived from the STCW Code Part A-V/4. These same competence standards will apply to deck officers serving on ships subject to the adopted amendments.

Certificate of Proficiency Polar Code – Basic and Advanced are internationally recognised, and the Norwegian Maritime Authority issues such certificates to both Norwegian and foreign nationals whi have completed relevant training in Norway.

III. Administrative and financial implications

It is expected that the requirements will apply to a limited number of ships. The training obligations may impose additional costs on certain segments of the industry.

For the authorities, the introduction of new requirements may influence the volume of inspections conducted. There may be a modest increase in the number of Certificates of Proficiency issued. However, this increase is not anticipated to be significant.

Alf Tore Sørheim,
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Attachments:

1. Regulations on amendments to the Regulations of 7 June 2019 No. 710 on the construction, equipment and operation of passenger ships in the Norwegian territorial waters surrounding Svalbard.
2. Consultation matrix