

Message 901

Communication from the Commission - TRIS/(2026) 2658

Procedure for the provision of information EC - EFTA

Notification: 2026/9015/NO

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezaahjuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késések - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20262658.EN

1. MSG 901 IND 2026 9015 NO EN 23-09-2026 NO NOTIF

2. Norway

3A. Royal Ministry of Industry, Commerce and Fisheries
Departement of Trade Policy
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3B. Royal Ministry of Industry, Commerce and Fisheries
Departement of Aquaculture
P.O. Box 8090, Dep
NO-0032 Oslo
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4. 2026/9015/NO - C10A - Fishing

5. Regulations relating to the physical design and fitting out of offshore installations

6. Regulations relating to the physical design and fitting out of offshore aquaculture installations

7.

8. The background for the proposed new rules is the view that offshore aquaculture is a national offshore industrial activity¹⁴ that requires an aquaculture licence and takes place at installations under Norwegian jurisdiction, where the function of the installation is commercial aquaculture. The draft Regulations comply with the parameters of the established licensing regime for offshore aquaculture pursuant to the Aquaculture Act and Chapter 4 of the Salmon Allocation Regulations¹⁵ and take commercial interests into account, and in particular aquaculture activities.

The draft Regulations build on a comprehensive perspective that includes safety for people, fish, the environment and material assets. The draft Regulations are intended to help ensure a satisfactory working environment and safe working conditions. The draft Regulations are specifically adapted to offshore aquaculture.

The overall purpose is for the regulatory framework to:

- protect people, fish, the environment and material assets
- specify the “right” level of safety for the industry
- identify and assign responsibilities in the aquaculture sector
- facilitate development of technology
- provide predictability with regard to compliance with regulatory requirements
- provide the authorities with the necessary basis for enforcement in their supervisory activities.

It is proposed that the requirements relating to technical aspects primarily be formulated as functional requirements, with associated guidelines. The draft Regulations aim to ensure technology neutrality and flexibility in respect of variations in the physical design, function and size of installations and their geographical location with different environmental conditions.

The draft Regulations are adapted to risk factors and operational conditions that are specific to offshore aquaculture. In connection with the formulation of the function-based requirements and guidelines, it has been taken into account that there are currently few standards or other regulatory frameworks that are sufficiently applicable to offshore aquaculture.

Maritime operations will have important support functions for offshore aquaculture. The draft Regulations lay the foundation for separation between the two sets of rules.

The draft Regulations align with the framework for the licensing regime for offshore aquaculture and presuppose, among other things, a legal basis in the Working Environment Act. This will necessitate amendment of the scope section of the Working Environment Act.

At the same time, the Ministry proposes that the scope of the Regulations on technical standards for aquaculture installations for fish in the sea, lakes and watercourses (NYTEK23) be delimited against the new technical regulations for offshore aquaculture.

9. Norway is in the process of establishing offshore aquaculture within the Norwegian Exclusive Economic

Zone.

Offshore aquaculture will present new challenges. The facilities and the fish must withstand significantly harsher weather conditions, including larger waves and stronger currents and winds. The greater distance from shore necessitates new solutions for logistics and emergency preparedness. Regulations must ensure the safety and well-being of personnel at a workplace located far from the mainland. Large-scale facilities housing significant quantities of fish in new areas also require us to adopt new approaches to ensure environmental protection.

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9a. To ensure technology neutrality and flexibility with regard to the choice of technological solutions in rules and regulations the proposed regulation rely on functional requirements, combined with specific requirements where necessary.

Functional requirements are qualitative requirements for a particular effect or function. They specify what level of safety must be achieved, but do not specify in detail how this is to be done.

Comments to the various Regulations will describe how provisions stipulated in the Regulations can be met. The Regulations and the comments must be considered in context to ensure the best possible understanding of how the specific requirement is to be met. In some areas, the comments refer to industry standards (such as NS, CEN or ISO standards) as a recommended way to meet requirements stipulated in the Regulations. Comments are not legally binding, and the parties are therefore free to choose other solutions, provided these fulfil the requirement. Comments can provide the parties with predictability concerning how the requirements in the Regulations can be complied with. In this way, the regulatory framework can keep up with developments in technology, and Regulations do not need to be constantly revised.

One of the purposes behind the decision to use functional requirements is to avoid over-detailed prescriptive provisions and to highlight the parties’ responsibility for finding good solutions, thereby paving the way for flexibility in the choice of methods, approaches and technological developments.

9b. The proposed regulations have been developed to ensure that offshore installations safeguard the safety of fish, people, the environment, and the structure itself.

Current requirements for coastal-based fish farming are insufficient to ensure the safety of offshore aquaculture.

9c. Technical requirement for offshore aquaculture installations is required to establish this industry at sea.

10. References of the Basic Texts: No Basic Text exists

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

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