

Proposed Regulation concerning amendments to the Regulations on safety measures for ships operating in polar waters and amendments to the Regulations on supervision and certificates for Norwegian ships and mobile offshore units

Legal basis: Laid down by the Norwegian Maritime Authority on dd.mm. 2025 under the Act of 16 February 2007 No. 9 relating to ship safety and security (Ship Safety and Security Act) sections 9, 11, 13, 14, 19 and 43, cf. Formal Delegation of 16 February 2007 No. 171 and Formal Delegation of 31 May 2007 No. 590.

EEA references: EEA Agreement Annex XIII point 55a (Directive 2002/59/EC as amended by Directive 2009/17/EC, Directive 2009/18/EC, Directive 2011/15/EU and Directive 2014/100/EU). The EFTA Surveillance Authority (ESA) will be notified of the Regulations pursuant to the requirements of Act of 17 December 2004 No. 101 on European notification of technical rules, etc. (EEA Hearing Act) and the EEA Agreement, Annex II Chapter XIX point 1 (Directive (EU) 2015/1535).

I

Regulations of 23 November 2016 No. 1363 on safety measures for ships operating in polar waters are amended as follows:

Sections 1 to 4 should read:

Section 1 *Scope of application*

The Regulations apply to the following Norwegian ships operating in polar waters:

- a. ships with Passenger Ship Safety Certificate;
- b. ships with Cargo Ship Safety Construction Certificate and Cargo Ship Safety Equipment Certificate;
- c. fishing vessels of an overall length of 24 metres or more;
- d. ships not engaged in trade and of 300 gross tonnage and upwards;
- e. cargo ships of 300 gross tonnage and upwards, but less than 500 gross tonnage.

The first paragraph also applies to ships that are owned or operated by the State and that are currently only used for non-commercial public service, except ships that belong to the Norwegian Armed Forces or that are used in the service of the Norwegian Armed Forces.

Section 2 *SOLAS Chapter XIV*

The International Convention for the Safety of Life at Sea, 1974 (SOLAS) chapter XIV, adopted by IMO Resolution MSC.386(94), as amended by IMO Resolution MSC.532(107), shall apply as regulation.

Section 3 *Ships with International Safety Certificates*

The International Code for Ships Operating in Polar Waters (Polar Code), adopted by IMO Resolution MSC.385(94), as amended by IMO Resolution MSC.538(107), Part I-A and the safety-related provisions in the introduction, shall apply as regulation to ships referred to in section 1 first paragraph (a) and (b).

Section 4 *Ships with trading certificates*

The International Code for Ships Operating in Polar Waters (Polar Code), adopted by IMO Resolution MSC.385(94), as amended by IMO Resolution MSC.538(107), chapters 9-1 and 11-1 of Part I-A shall apply as regulation to ships referred to in section 1 (c) to (e). In the interpretation of these provisions, the introduction and the safety-related provisions in Part I-A regulations 1.2, 1.4 and 1.5 of Part I-A of the Polar Code shall be taken into account.

Regulations 9-1.3.1 and 9-1.3.2 of Part I-A of the Polar Code also apply to ships referred to in section 1 (c), ships referred to in section 1 (d) of less than 500 gross tonnage not engaged on international voyages and ships referred to in section 1 (e) not engaged on international voyages.

The first and second paragraphs also apply to the territorial waters surrounding Svalbard and Jan Mayen.

“Ice-strengthened ship”, as used in regulation 9-1.3.2 of Part I-A of the Polar Code, means a ship with public regulatory requirements for ice strengthening and a ship that is ice-strengthened in accordance with a standard from a recognised organisation, the classification rules of a recognised organisation or another recognised standard.

Section 4 is renumbered as section 6

New section 5 should read:

Section 5 *Exemptions*

The Norwegian Maritime Authority may, upon written application, grant an exemption from the requirements of these Regulations in accordance with the provisions of SOLAS Chapter I Regulation 4 or 5.

II

Regulations of 22 December 2014 No. 1893 on supervision and certificates for Norwegian ships and mobile offshore units are amended as follows:

Section 24 first paragraph subparagraph c should read:

c. ships which are not engaged in trade *in polar waters*;

Section 24 fourth paragraph should read:

Cargo ships of 300 gross tonnage and upwards, but of less than 500 gross tonnage, and ships of 300 gross tonnage and upwards not engaged in trade, shall hold a trading certificate endorsed for operation in polar waters if they are to operate in such waters.

Section 25 new fifth paragraph should read:

Cargo ships and ships which are not engaged in trade which, pursuant to section 24 fourth paragraph, are required to hold a trading certificate endorsed for operation in polar waters shall undergo an initial survey prior to endorsement. The initial survey shall confirm compliance with requirements for operation in polar waters. Subsequent surveys shall be harmonised with the surveys referred to in the first paragraph.

Section 26 first paragraph should read:

Fishing vessels shall have:

- a. a Trading Certificate for fishing vessels;
- b. an exemption certificate stating the terms of any exemptions granted from the Norwegian Maritime Authority's regulations;
- c. *an endorsement in the trading certificate permitting operation in polar waters if the vessel is to operate in polar waters and is 24 metres or more in overall length.*

Section 27 new fourth paragraph should read:

Fishing vessels required to have an endorsement for operation in polar waters in their trading certificate pursuant to section 26 first paragraph, shall undergo an initial survey prior to endorsement. The initial survey shall confirm compliance with requirements for operation in polar waters. Subsequent surveys shall be harmonised with the surveys referred to in the first paragraph.

III

This Regulation enters into force on 1 January 2026.

For ships constructed before 1 January 2026, the amendments to the Regulations of 22 December 2014 No. 1893 on supervision and certificates for Norwegian ships and mobile offshore units will enter into force on 1 January 2027.