

(Translation. Only the Faroese version has legal validity)

**Executive Order No. 66 of 14 June 2016 on recognition of foreign certificates of competency for service on Faroese fishing vessels**

Under the provisions in section 12 subsection 5 and section 24 subsection 3 in Parliamentary Act No. 63 of 3 July 1998 on Manning of Ships, as amended by Parliamentary Act No. 71 of 30 May 2011 and Parliamentary Act No. 52 of 12 May 2015 the following shall be laid down:

**Section 1.** A certificate of recognition pursuant to this executive order means a certificate of competency issued by the Faroese Maritime Authority provided with an STCW-F endorsement in accordance with the provisions of the STCW-F Convention.

*Subsection 2.* A foreign certificate of competency pursuant to this executive order means a valid certificate of competency issued by an authorized foreign authority in a country which has implemented the STCW-F Convention, and

- 1) permits the holder to serve as officer on board a fishing vessel of the relevant state, and
- 2) is issued in accordance with regulations II/1, II/2, II/3, II/4, II/5 or II/6 of the STCW-F Convention in force

**Section 2.** On fishing vessels of or above 15 metres, the officers not holding a Faroese certificate of competency shall hold a valid foreign certificate of competency with an STCW-F endorsement from the Faroese Maritime Authority.

**Section 3.** The shipowner in question shall apply for a certificate of recognition on a special form from the Faroese Maritime Authority.

*Subsection 2.* The shipowner shall certify that the person concerned, for which the application for certificate of recognition concerns, is to serve on a fishing vessel registered in the Faroe Islands.

**Section 4.** Issuance of a certificate of recognition is on the condition that the relevant seafarer as a minimum has:

- 1) a valid foreign certificate of competency which does not expire within the next 6 months,
- 2) proved his identity to the Faroese Maritime Authority with a copy of the passport,
- 3) a health certificate for seafarers valid for the service for which the certificate of recognition qualifies
- 4) a valid radio certificate in GMDSS, GOC or ROC by the issuance of a certificate of recognition which entitles the holder to serve as bridge officer, and

5) passed an approved course in Faroese maritime legislation.

*Subsection 2.* In special cases the Faroese Maritime Authority may stipulate extra requirements to seafarers in order to ensure that the seafarer in question meets the stipulated requirements for education and qualifications in accordance with the STCW-F Convention.

*Subsection 3.* The requirement to pass a test or complete a course pursuant to subsection 1 item 5, may be exempted from in special cases, when knowledge of Faroese maritime legislation may be documented in another way.

*Subsection 4.* The Faroese Maritime Authority may allow that a valid health certificate from the applicant is issued by an approved maritime medical practitioner in Nordic countries.

**Section 5.** A certificate of recognition shall be issued with a period of validity of no more than five years. However, the period of validity may not be longer than the date of expiry of the foreign certificate of competency.

*Subsection 2.* A foreign certificate of recognition may not be used as the basis for issuing a Faroese certificate of recognition.

*Subsection 3.* The certificate of recognition may be issued for a limited period or only as valid for service on one or several specific vessels.

*Subsection 4.* The shipowner and master are obliged to check the validity of the seafarer's certificate of recognition upon signing on and off.

**Section 6.** Once the payment pursuant to Executive Order on Fees for Issuance and Renewal of Certificates of Competency and Certificates of Recognition has been made, the Faroese Maritime Authority will consider the application.

**Section 7.** Service in a position for which a certificate of recognition is required, is permitted without a certificate of recognition for a period of no more than three months, if

1) the seafarer in question holds a valid foreign certificate of competency endorsed by the certificate-issuing State to the effect that he is, according to the STCW-F Convention, qualified for the service carried out,

2) the shipowner has ensured that the seafarer in question will meet the requirements in section 4, subsection 1, item 5 in case of service as master, chief mate, chief engineer officer or second engineer officer,

3) an application for a certificate of recognition, in accordance with the guidelines in force, has been submitted to the Faroese Maritime Authority before the service is commenced, and

4) the original certificate of competency is available on board together with appropriate documentation that the application has been submitted to the Faroese Maritime Authority.

*Subsection 2.* In order to carry out service as radio operator, it is required, in addition to the provisions in subsection 1, that the radio certificate meets the requirements in the radio regulation.

**Section 8.** Violation of section 2 and section 5 subsection 4 shall be punished by fine

*Subsection 2.* Companies and other legal persons shall incur criminal liability under the regulations in chapter 5 of the Faroese Penal Code.

*Subsection 3.* When determining criminal liability, persons employed to carry out work on board the ship by others than the shipowner shall also be considered as being associated with the shipowner.

**Section 9.** This executive order comes into force the day after it has been promulgated.

Ministry of Foreign Affairs and Trade, 14 June 2016

Poul Michelsen

Minister

/Pól E. Egholm