

(Translation. Only the Faroese version has legal validity)

Executive Order no. 102 of 9 July 2019 on safe manning for vessels below 20 GT carrying up to 12 passengers on near coastal voyages

Under the provisions in section 4 subsection 3, section 10 subsection 1 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 in consultation with representatives from the shipowner associations and the seafarers' unions, the following shall be laid down:

Scope

Section 1. The executive order applies to voyages carried out as part of commercial activities with up to 12 passengers on near coastal voyages with commercial- and fishing vessels, wooden vessels of primitive build, and vessels not propelled by mechanical means and which are below 20 GT.

Vessels with scantlings of or above 20

Section 2. On vessels with scantlings of or above 20, the crew shall consist of at least two persons.

Subsection 2. Under conditions where the crew and passengers can immediately get the necessary assistance from an accompanying vessel the crew may, pursuant to section 3, consist of the master only.

Subsection 3. The crew shall be of age and not be under guardianship pursuant to section 5 or under guardianship pursuant to section 7 of the anordning om ikrafttræden for Færøerne af værgemålsloven.

Section 3. The master of a vessel shall hold below certificates:

- 1) a certificate of proficiency in navigation,
- 2) a valid health certificate for seafarers without limitations,
- 3) a valid course in basic maritime safety for seafarers pursuant to chapter A-VI/I paragraph 2 of the STCW code on "Basic Training" with the exemption of the subjects in paragraph 2, no. 1-2 and 1-4, and
- 4) a valid certificate as a radio operator in GMDSS equivalent to the radio equipment on board.

Section 4. Persons who are not masters shall:

- 1) hold a valid health certificate for seafarers without limitations,
- 2) hold a valid course in basic maritime safety for seafarers pursuant to chapter A-VI/I paragraph 2 of the STCW code on "Basic Training" with the exemption of the subjects in paragraph 2, no. 1-2 and 1-4,
- 3) have been instructed in the operation of the vessel's life-saving appliances and fire-extinguishing equipment on board, and

4) have been instructed in the manoeuvring of the vessel.

Section 5. If the vessel has a propulsion power of or above 100 kW, but below 750 kW, there shall be a person on board holding a certificate of proficiency in motor operation. This person may be one of the persons mentioned in section 2 subsection 1.

Subsection 2. On vessels using outboard motors, there is no requirement on certificate of proficiency in motor operation. The persons shall, however, be able to document appropriate instructions from a qualified person on how to use the relevant motor.

Subsection 3. If the vessel has a propulsion power of above 749 kW, the manning shall be stipulated pursuant to the parliamentary act.

Vessels with scantlings below 20

Section 6. On vessels with scantlings below 20, the crew shall consist of at least one person.

Subsection 2. When navigating as a group with vessels accompanying each other, the person mentioned in subsection 1, may be considered as crew for the whole group of vessels.

Subsection 3. The crew shall be of age and not be under guardianship pursuant to section 5 or under guardianship pursuant to section 7 of the anordning om ikrafttræden for Færøerne af værgemålsloven.

Section 7. The master of a vessel or group of vessels accompanying each other shall have acquired knowledge about the following subjects:

- 1) regulations for preventing collisions at sea,
- 2) navigation in the relevant navigational area,
- 3) prevention of fire and operation of fire-extinguishing means, including have completed practical training,
- 4) vessels' stability,
- 5) safety at sea,
- 6) protection of the marine environment, and
- 7) the machinery of small vessels.

Subsection 2. In addition to the requirements in subsection 1 the master shall hold:

- 1) a valid certificate as a radio operator in GMDSS equivalent to the radio equipment on board, and
- 2) a valid course in elementary first aid pursuant to chapter A-VI/I paragraph 2 no. 1-3 of the STCW code or qualifications equivalent to that level.

Section 8. The crew which is on board a vessel, in addition to the master, shall have been instructed in the operation of the vessel's life-saving appliances and fire-extinguishing equipment on board and have been instructed in the manoeuvring of the vessel.

Section 9. If the vessel has a propulsion power of or above 100 kW, but below 750 kW, the crew shall meet the provisions of sections 2-5.

Requirement on documentation

Section 10. The crew on vessels subject to this executive order shall document compliance with the requirements in sections 3-5 during the voyage.

Penalty

Section 11. Violation of sections 2-10 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.

Entry into force

Section 13. This executive order comes into force 15 July 2019. At the same time executive order no. 69 of 23 June 2008 on safe manning for vessels below 20 GT carrying up to 12 passengers on near coastal voyages, shall be repealed.

Ministry of Foreign Affairs, Industry and Trade, 9 July 2019

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