

Regulations relating to the Pilotage Service on Svalbard

Adopted by the Ministry of Fisheries and Coastal Affairs on 25th June 2012 pursuant to Act of 16th June 1989 No. 59 relating to the Pilotage Service § 2, conf. delegation of powers by royal decree of 11th April 2008.

As amended by Regulations of 17th December 2014 no. 1810, in force from 1st January 2015.

§ 1. Pilotage Service on Svalbard

Act of 15th August 2014 No. 61 relating to the Pilot Services and regulations issued pursuant to the act shall apply to Svalbard, including the territorial sea, internal waters and waterways as far upstream as they are navigable by vessels from the sea, with the amendments laid out in these regulations.

With the exception of § 7, the compulsory pilotage regulations shall not apply to the waters of Bjørnøya. Chapters 1 and 4 shall apply mutatis mutandis for the purpose of the application of § 7.

The rule of application as set out in the first indent shall not apply to the regulations of 2nd May 1997 no. 396 concerning admission to and stay in the territory of Norway for foreign warships and government ships during times of peace.

§ 2. Amendments to the regulations when applied to Svalbard

When applying the compulsory pilotage regulations to Svalbard, the following amendments are made

- a) the provision in the first indent of § 4 shall not apply to the following areas within the baseline:

Svalbard waters up to the pilot boarding areas

- a. in Bellsund
- b. in Isfjorden off Longyearbyen
- c. in Isfjorden off Barentsburg

The above areas are defined geographically in annex 1.

- b) § 11 paragraph (2) letter a is replaced by the following: at least one year's effective service as a duty navigator in Svalbard waters, where the area of service includes the waters and areas to which the application for a pilot exemption certificate relates. Up to 10 months of effective service as a duty navigator in polar waters may be counted.
- c) § 11 paragraph (2) letter c is replaced by the following: been responsible, during the last two sailing seasons, for navigation during a total of at least five passings in each direction in the waters or areas to which the application for a pilot exemption certificate relates. For vessels not servicing regular routes, instead of five passings in each direction, may be counted service as a duty navigator during 3 representative voyages of at least 1 week in the areas to which the application for a pilot exemption certificate relates. The voyages must have been undertaken with the vessel or vessels to which the application for a pilot exemption certificate relates or an equivalent vessel.
- d) In addition to the requirements listed in § 13 paragraph (4), the applicant for a pilot exemption certificate for Svalbard waters shall demonstrate that he/she has sufficient knowledge of ice navigation and the weather conditions on Svalbard.

When applying the regulations of 9th October 1981 no. 1 concerning pilot certificates and training of pilots to Svalbard the following amendments are made

- a) In addition to the requirements listed in § 7 paragraph (1) the candidate, when extending an existing pilot certificate, shall be able to account for navigation and maneuvering in ice covered waters in order to qualify for a pilot certificate for Svalbard.

When applying the regulations of 23rd December 1994 no. 1128 concerning pilotage readiness fee, pilot- and PEC-fees to Svalbard the following amendments are made

- a) When calculating the fee for separate voyages in accordance with § 8 first indent there shall not be additional fees for crossings of the baseline that form a natural part of a voyage along the coast of Svalbard, including voyages to Kvitøya, Kong Karls Land and Hopen.
- b) When calculating the fee for separate voyages in accordance with § 8 first indent there shall not be additional fees for crossing the baselines during a voyage between the mainland and Svalbard, when such voyage is nonstop and without calling on a foreign port.
- c) When calculating the annual fee in accordance with § 9 the year shall be counted from May until October for vessels that solely sail in waters subject to fee during the sailing season on Svalbard. Such vessels shall pay the pilotage readiness fee as an annual fee when they during one sailing season operate for more than 2 months in total in waters subject to fees or between ports on Svalbard.
- d) When calculating the pilot fee in accordance with § 12 first indent second sentence the number of hours to be paid for shall be reduced with up to 12 hours per day when having a pilot aboard during a coastal voyage on Svalbard, ensuring however that all hours of active pilot service in waters subject to compulsory pilotage shall be paid for.

§ 3. Transitional measures

In 2012 all vessels subject to compulsory pilotage in the waters of Svalbard, in accordance with regulations of 23rd December 1994 no. 1129 concerning compulsory pilotage in Norwegian waters §§ 4 – 6, shall be exempt from such compulsory pilotage. The exemption does not extend to voyages in Bellsund and Van Mijenfjorden for vessels with a length of 150 meters or more.

Vessels subject to compulsory pilotage that are exempt in accordance with the first indent but voluntarily employ a pilot shall, for the 2012 sailing season, have their pilot fees for voyages in Svalbard waters reduced by 50%.

In 2013 all vessels subject to compulsory pilotage in the waters of Svalbard, in accordance with regulations of 23rd December 1994 no. 1129 concerning compulsory pilotage in Norwegian waters §§ 4 – 6, shall be exempt from such compulsory pilotage. The exemption does not extend to passenger vessels with a length of 150 meters or more or to voyages in Bellsund and Van Mijenfjorden for vessels with a length of 150 meters or more.

In 2014 expedition cruise vessels shall be exempt from compulsory pilotage pursuant to regulations of 23rd December 1994 no. 1129 concerning compulsory pilotage in Norwegian waters §§ 4 – 6

§ 4. Entry into force and amendments to other regulations.

These regulations shall enter into force at 00.00 local time on 1st July 2012.

As of the same point of time the following amendment is made to the regulations of 23rd December 1994 no. 1129 concerning compulsory pilotage in Norwegian waters:

§ 3 first indent last sentence shall read as follows:

”These Regulations do not apply to the waters of Jan Mayen.”

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Pilot embarkation points on Svalbard and areas within the baselines exempt from compulsory pilotage.

The pilot embarkation points on Svalbard are situated at the geographical coordinates specified below:

- Isfjorden off Barentsburg: N78 08 E 14 00
- Isfjorden off Longyearbyen: N 78 16 E 015 14
- Bellsund: N 77 41 E 014 25

Areas within the baselines on Svalbard exempt from compulsory pilotage in accordance with § 2 first indent a) shall be determined by drawing straight lines between the geographical coordinates specified below:

1. Isfjorden

1. N 78 06 E 13 22
2. N 78 08 E 14 00
3. N 78 16 E 15 14
4. N 78 18 E 15 10
5. N 78 12 E 14 10
6. N 78 08 E 13 14
7. Back to position no. 1

2. Bellsund

1. N 77 41 E 014 25
2. N 77 40 E 014 27
3. N 77 42 E 014 24
4. N 77 40 E 013 45
5. Back to position no. 1