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Regulation on vessels' notification obligations under the Harbour and Fairways Act

Statutory authority: Laid down by the Ministry of Transport and Communications on 21 December 2015 pursuant to sections 5 and 22, of Act no. 19 of 17 April 2009 relating to harbours and fairways, etc. (the Harbour and Fairways Act), cf. Regulation no. 1607 relating to extension of the geographical scope of Act no. 19 of 17 April 2009 relating to harbours and fairways, etc. (the Harbour and Fairways Act).

EEA references: The EEA Agreement Annex XIII no. 56k (Directive 2001/96/EC), no. 56k (Directive 2002/59/EC), no. 56l (2010/65/EC).

Chapter 1. General provisions

§ 1 (*Purpose*)

The purpose of the regulations is to ensure that vessels provide the Norwegian authorities and ports with the information required to enhance safety, the environment and efficient maritime transport.

Section 2. (*Definitions*)

For the purpose of these regulations, the following definitions shall apply:

- a) *Barents SRS*: joint Norwegian-Russian ship reporting system as discussed by IMO in SN.1/Circ.318 of 4 December 2012
- b) *Gross tonnage*: The numerical value stated as the gross tonnage on the ship's certificate of tonnage and that has been calculated in accordance with the International Convention on Tonnage Measurement of Ships of 1969.
- c) *Bulk carrier*: cargo ships with a gross tonnage of 500 and above, which mainly transport dry cargo in bulk
- d) *Hazardous cargo*:
 - 1) Cargo stated in the International Maritime Dangerous Goods Code (the IMDG code)
 - 2) Radioactive substances as defined in the International Code for Safe Carriage of Irradiated Nuclear fuel, plutonium and high-level radioactive wastes in containers (the INF code),
 - 3) cargo as mentioned in chapter 17 of the International Chemical Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code)
 - 4) cargo as mentioned in chapter 19 of the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC Code)
 - 5) Solid substances stated in group B of the International Maritime Solid Bulk Cargoes Code (the IMSBC code) and
 - 6) Goods that when transported are covered by the special measures in accordance with no.

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1.1.3 in the IBC-code or no. 1.1.6 in the IGC-code or no.

- e) *Polluting cargo*:
 - 1) oils as defined in MARPOL Annex 1
 - 2) harmful liquid substances in bulk as defined in MARPOL Annex 2
 - 3) harmful substances carried at sea in packaged form as defined in MARPOL Annex 3
- f) *gross weight*: weight of goods on board in tonnes, including packaging and pallets, but without weight of load carrier
- g) *Historical vessels*: All kinds of historical vessels and copies of them, including vessels designed to promote traditional skills and seamanship, which also serve as living heritage and are operated in accordance with traditional principles of seamanship and technique.
- h) *ISPS code*: The International Ship and Port Facility Code adopted by the International Maritime Organisation (IMO) on 12 December 2002
- i) *gross-gross weight*: weight of goods on board in tonnes including weight of load carrier
- j) *MARPOL*: MARPOL: International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto and with IMO Res. MEPC 186(59)
- k) *oil tankers*: Vessels that have been constructed or adapted to carry oil in bulk in cargo spaces as defined in MARPOL Annex I rule 1 (5)
- l) *operator*: The vessel's owner or whoever is responsible for the vessel's operation
- m) *regular service*: a series of voyages between the same two or more ports, either in accordance with a published timetable or with such regularity and frequency that the voyages are perceived as a systematic series of voyages
- n) *SafeSeaNet Norway*: Norway's Maritime Single Window.

§ 3 (*Notification time*)

Unless otherwise stated in the regulations, the vessel shall notify

- a) At least 24 hours before arrival at the port of destination,
- b) At the latest when the vessel departs from the previous port, if the journey is less than 24 hours or
- c) As soon as the port of arrival is known.

§ 4. (*General content of notification*)

Notifications pursuant to chapters 2 to 5 shall include

- a) identification of the vessel (name, call sign, IMO identification or MMSI number)
- b) port of destination

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- c) total number of people on board
- d) the vessel's gross tonnage
- e) length of the vessel
- f) gross weight
- g) gross-gross weight

§ 5.(*how to notify*)

Notification pursuant to chapters 2, 3 and 4 shall be sent electronically in SafeSeaNet Norway.

Notification pursuant to chapter 5 shall be sent in the way the port terminal determines.

Notification pursuant to chapter 6 shall be sent in the way the port terminal determines.

Notification pursuant to chapter 7 is done online through a combined use of Automatic Identification System (AIS) and advance report sent through SafeSeaNet Norway, or by fax or e-mail. If the vessel cannot report electronically, the report may be sent by VHF voice or telephone.

§ 6.(*person responsible submitting notification*)

The master of the vessel is responsible for ensuring that notifications under these regulations are submitted and that the information is updated.

§ 7.(*limitation of the right to enter port*)

Upon failure to fulfil the notification requirements pursuant to chapters 2 and 3 of these regulations, the Norwegian Coastal Administration may deny the vessel entry to port until it has complied with the duty to notify.

Chapter 2. Arrival notification from vessels of 300 GT or above

§ 8.(*notification from vessels with a gross tonnage of 300 or above*)

Vessels with a gross tonnage of 300 or above, which are en route to a port in Norway, shall in addition to the information in § 4, notify the expected time of arrival at the port of destination and the expected time of departure from this.

§ 9. (*Exception*)

Exclude from the duty to notify are

- a) vessels under military command,

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- b) public vessels used for non-commercial purposes, and
- c) vessels with a length of less than 45 metres and which are fishing vessels, pleasure craft or historical vessels.

Vessels in domestic regular service are exempted from the duty to notify pursuant to §§ 8 and 11 if

- a) the operator keeps and updates a list of vessels covered by the provisions in SafeSeaNet Norway,
- b) the information referred to in §§ 8 and 11 of these regulations at any time may be reported in SafeSeaNet Norway on request. The responsible operator shall establish an internal system that enables this information to be sent in an electronic format,
- c) any deviations from the expected time of arrival at the port of destination of three hours or more shall be notified to the port, and
- d) where the intention is to operate the route for at least one month and there are a maximum of 12 hours between each call on the route.

On the same conditions as stated in sub-section 2, the Norwegian Coastal Administration may, following consent from the involved coastal and port states, grant vessels in international traffic exemption from the provisions in §§ 8 and 11.

Chapter 3. Notification from vessels with hazardous or polluting cargo

§ 10.(clarification of hazardous or polluting cargo)

Vessels with a gross tonnage of 1,000 or above, and which have bunker or lubricating oil for use on board, are considered to be a vessel that carries hazardous or polluting cargo pursuant to this chapter.

§ 11.(notification from vessels with hazardous or polluting cargo)

Vessels with hazardous or polluting cargo that depart from a quay, anchorage or mooring facilities in Norwegian territorial waters shall, prior to departure, provide information about the time of departure from the port and the expected time of arrival at the port of destination.

Vessels with hazardous or polluting cargo that shall call at a Norwegian port or territorial waters and which come from a port outside the EEA, shall provide information about the expected time of arrival at the destination.

All notifications of hazardous or polluting cargo shall include information as stated in § 4 and

- a) Correct technical name of the hazardous or polluting cargo, any UN number, IMO class of risk established in accordance with the IMDG code, IBC and IGC regulations and, where

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relevant, the vessel's class as defined in the INF regulations, the volume of such cargo and its location on board and, if the cargo is in transportable containers, the identification number of these,

- b) Confirmation that there is a cargo list, manifest or a suitable loading plan that specifies the hazardous or polluting cargo and its location,
- c) Address where detailed information about the cargo may be obtained.

§ 12. *(Exception)*

§ 9 shall apply correspondingly to this chapter.

Chapter 4. Notification of arrivals of vessels covered by the ISPS code

§ 13. *(notification of arrivals of vessels covered by the ISPS code)*

The following vessels in international traffic shall provide the port facility with information as mentioned in Annex 1 of the regulations:

- a) passenger ships, including high-speed passenger ships.
- b) cargo ships, including high-speed cargo ships, with a gross tonnage of 500 or above, and
- c) mobile offshore drilling units that are moved by means of their own propulsion.

All vessels that have an International Ship Security Certificate (ISSC) are considered at any time to be in international traffic.

Vessels regular service which have been granted exemption from the notification requirement under Directive (EC) no. 725/2004 Article 7, are also exempt from the notification requirement under this provision.

Chapter 5. Notice of arrival for bulk carriers

§ 14. *(notice of arrival for bulk carriers)*

Bulk carriers which call at a port terminal in Norway to load or unload solid bulk cargoes, shall, in addition to the information in § 4, provide the following information to the port terminal:

- a) estimated time of arrival of the vessel
- b) flag state and port of registry
- c) loading and unloading plan, stating the loading rate, stowage by hatches, loading or unloading order and the volume to be loaded or unloaded in each discharging operation,
- d) draft on arrival and planned draft on departure,

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- e) time required for ballasting or de-ballasting,
- f) the breadth of the vessel and the length of the cargo area from the forward frame on the front hatch to the aft frame on the aftermost hatch into which cargo shall be loaded or unloaded,
- g) the distance from the waterline to the hatch where loading or unloading shall start and the distance from the side of the vessel to the hatch opening,
- h) the location of the vessel's accommodation ladder,
- i) the height of the vessel above water,
- j) information about the vessel's loading and unloading equipment, if any, and its capacity,
- k) number and type of moorings,
- l) special requests, e.g., regarding trimming of cargo or continuous measurement of the cargo's water content.
- m) information about any necessary repairs that may delay arrival or commencement of loading or unloading, or that may delay the vessel's departure when loading or unloading has been completed,
- n) any other information regarding the vessel the port requests.

Section 15. (*Exceptions from the duty to notify*)

In the following cases, bulk carriers are exempted from reporting as stated in § 14:

- a) where only under unusual circumstances the facility is used for loading or unloading of dry bulk cargo into or out of bulk carriers
- b) loading or unloading is only carried out using the equipment on board the bulk carrier in question.

Chapter 6. Notification of STS operations in the Norwegian Economic Zone

§ 16. (*notification of STS operations*)

Any oil tanker with a gross tonnage of 150 or above that is involved in maritime STS operations in Norway's Economic Zone, and where the oil is transferred as cargo, shall notify that an STS operation will take place at least 48 hours before the planned start of the operation. The notification shall contain the information specified in § 17.

If any of the information specified in § 17 is not available 48 hours before the planned start of the operation, the oil tanker that shall unload must still provide notification that an STS operation will take place, at least 48 hours before the start of the operation. Missing information shall be provided as soon as it is known.

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An STS operation means an operation that involves the transfer of crude oil or petroleum products at sea between ships that are lying moored to each other, when one of the ships is stationary or when both the ships are underway

§ 17. (*Content of notification*)

The notification required under § 16 shall contain the following information

- a) The oil tankers involved
 1. name,
 2. nationality,
 3. call sign
 4. IMO number
- b) The planned STS operations
 5. date and time
 6. duration,
7. Geographical position expressed in degrees and minutes, as well as the oil tankers' expected time of arrival. If the expected time of arrival is deviated from by more than 6 hours, the master, owner or agent of the oil tanker in question shall notify of the new expected time of arrival,
- c) whether the STS operation will be carried out while the oil tankers are stationary or underway,
- d) the type of oil and quantity to be transferred,
- e) which ship shall be unloading and which ship shall be loading,
- f) information about the responsible operator or the person who has the overall responsibility for the STS operation, and
- g) confirmation that the oil tankers have an STS operation plan on board, which satisfies the requirements in MARPOL, Annex I rule 41.

§ 18. (*Exception*)

The chapter does not apply to:

- a) STS operations involving fixed or floating platforms, including drilling rigs, floating production, storage and loading facilities (FPSOs) used in offshore production and storage of oil, or floating storage units (FSUs) used in offshore storage of produced oil.

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- b) bunkering operations where the oil transferred is for the ship's own use, including propulsion, heating, etc.
- c) STS operations required to ensure the ship's safety or to save lives, or to combat or mitigate pollution damage.
- d) STS operations where one or both of the ships involved are under military command, or other public vessels that are currently only used for public and non-commercial activities.

With respect to vessels stated under letter d), the notification shall still be given when this does not render it difficult or impossible to carry out such operations.

Chapter 7. Mandatory ship reporting system in Norwegian territorial waters and economic zone

§ 19. (Scope)

Ship reporting system "Barents SRS" applies to the Norwegian monitoring area as specified in § 21 with the limitations imposed by international law.

§ 20 (vessels that have a duty to report)

The following categories of vessel have a duty to report:

- a) tankers,
- b) vessels carrying hazardous cargoes, as defined in § 2 d) 1-4.
- c) vessels with polluting cargoes,
- d) a vessel towing, where the length of the tow exceeds 200 metres,
- e) vessels that are not under command, or that have limited manoeuvrability,
- f) other vessels with a gross tonnage of 5,000 or above.

Vessels listed in sub-section 1 do not have a duty to report under these regulations when they are sailing between Norwegian ports.

Vessels that do not have a duty to report may participate in the shipping reporting system on a voluntary basis.

§ 21.(the Norwegian monitoring area)

The geographical area covered by the reporting system is defined within the coordinate as defined in the World Geodetic System 1984 (WGS 84):

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- a) 67° 10' .0000 N Norwegian Coast
- b) 67° 10' .0000 N 008° 00' .0000 E
- c) 68° 15' .0000 N 009° 30' .0000 E
- d) 71° 15' .0000 N 019° 00' .0000 E
- e) 71° 50' .0000 N 024° 00' .0000 E
- f) 71° 50' .0000 N 028° 00' .0000 E
- g) 71° 02' .7470 N 033° 02' .7580 E
- h) 70° 16' .4825 N 032° 04' .3833 E
- i) 70° 11' .8613 N 031° 46' .5595 E
- j) 70° 07' .2533 N 031° 30' .3238 E
- k) 70° 05' .9807 N 031° 26' .6880 E
- l) 69° 58' .7582 N 031° 06' .2597 E
- m) 69° 47' .6903 N 030° 49' .0592 E.

The Norwegian monitoring area is further defined in the chart in Annex 2 of the regulations.

§ 22.(when to report)

Vessels that have a duty to report shall submit a report at the latest when entering the Norwegian monitoring area. It is recommended to report from the vessel in the period from when it enters the Norwegian economic zone and up to one hour before it enters the Norwegian monitoring area.

Vessels that have a duty to report shall submit a report when the vessel departs from port in the Norwegian monitoring area. It is recommended that a report is submitted up to one hour before the vessel departs from port in the Norwegian monitoring area.

Vessels that come from the Russian monitoring area, and have reported to Murmansk VTS, do not need to report again on entering the Norwegian monitoring area.

§ 23.(the contents of the report)

The report shall contain the following information:

- a) Information category A - the identity of the vessel
- b) Information category B - date and time of the report
- c) Information category C - the current position of the vessel
- d) Information category E - the current course of the vessel
- e) Information category F - the current speed of the vessel
- f) Information category H - date, time and place of entry into the Norwegian monitoring area

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- g) Information category I - destination and estimate time of arrival
- h) Information category O - deepest draft in the present loading state
- i) Information category P - the cargo of the vessel
- j) Information category Q -any defects or limitations in manoeuvrability
- k) Information category T - owner of the vessel and contact persons as regards the cargo
- l) Information category W - number of people on board
- m) Information category X - type and quantity of bunker oil on board.

In case of any changes in the given information about letter Q above, Vardø vessel traffic centre shall be kept updated.

A further description of the contents of the report in sub-section 1 is provided in Annex 3.

§ 24. (Supervision)

The Norwegian Coastal Administration supervises that the duty to report in accordance with this chapter is complied with.

Vessels that do not report in accordance with the regulations will be required to submit a report. Should a vessel still not comply with the duty to report, the matter will be report to the vessel's flag state.

Chapter 8. Concluding provisions

Section 25. (Entry into force)

These regulations enter into force on 01 January 2016.

The following shall be repealed as of the same point in time:

Act of 20 December 2010 No. 1782 relating to the duty to report for oil tankers with a gross tonnage above 150 that shall perform STS operations in Norway's economic zone.

Act of 17 December 2009 No. 1633 relating to the notification requirement for vessels of 300 GT or above and vessels that transport hazardous or polluting cargoes.

Act of 29 May 2013 No. 552 relating to mandatory ship reporting system in Norwegian territorial waters and economic zone

Annex 1

Ship pre-arrival security information form

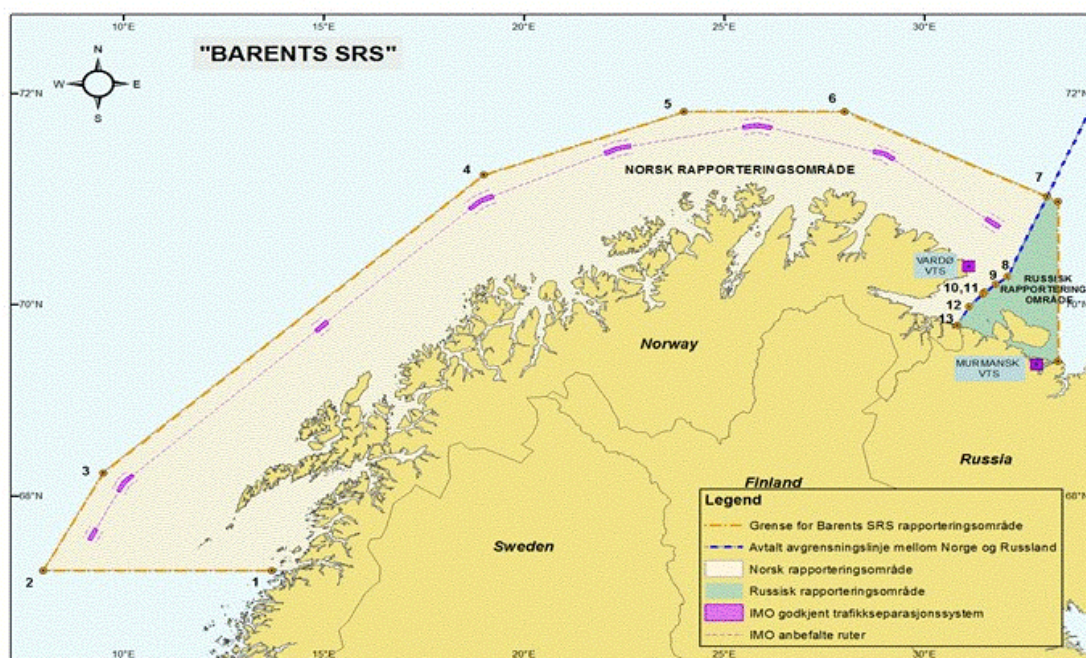
[See here to read Annex 1:](#)



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Annex 2

Chart of the “Barents SRS” operational area with a specification of the Norwegian area of responsibility and reporting



Annex 3

Reporting requirements and options

Summary:

Reporting should primarily be done online through a combination of AIS and an advance notice submitted via SafeSeaNet Norway, fax or e-mail.

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If a vessel is prevented from submitting a report online or from forwarding an advanced notice within the time limit, the entire or parts of the report may be communicated via VHF voice or telephone.

- A vessel can meet the reporting requirements for categories A, B, C, E, F, I, O and W through broadcasting the correct and updated AIS data from the vessel's AIS system on board.
- A vessel can also meet the reporting requirements for categories A, H, P, Q, T and X through sending an online advance notice via SafeSeaNet Norway, fax or e-mail.

The table below describes optimum use of the reporting system and the opportunities to combine different means of communication to forward the mandatory data. It also provides supplementary information about the data the vessel is obliged to submit under each of the categories.

<i>Category</i>	<i>AIS</i>	<i>Electronic</i>	<i>VHF/telephone</i>	<i>Contents</i>	<i>Required information</i>
<i>A</i>	Yes	Yes	Yes	Vessel	1) Name of vessel 2) MMSI number 3) call sign --and when available- 4) IMO-number 5) Contact information: - e-mail - Inmarsat (text/data and speech) - fax - mobile number
<i>B</i>	Yes			Date and time	A 6-digit group that states the day of the month, time and minutes in universal time UTC
<i>C</i>	Yes			Position	A 5-digit group that states the longitude in degrees and minutes, decimal, followed by N (north) and a 6-digit group that states the latitude in degrees and minutes, decimal, followed by E (east) or W (west).
<i>E</i>	Yes			The true course of the vessel	A 3-digit group
<i>F</i>	Yes			The speed of the vessel in knots and tenths of knots	A 3-digit group
<i>H</i>		Yes		Date, time and place of the expected entry	This information is only required if a vessel submits an online advance notice of categories P, T and X

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<i>Category</i>	<i>AIS</i>	<i>Electronic</i>	<i>VHF/telephone</i>	<i>Contents</i>	<i>Required information</i>
				into the Barents SRS	before arrival in the reporting area. The date and time is stated the same as under category (B) and the position is stated the same as under category (C)
<i>I</i>	Yes			Destination and estimate time of arrival of the vessel	Name of the next port stated in UN LOCODE via AIS For details and procedures refer to IMO SN/Circ.244 and www.unece.org/cefact/locode/service/main.htm Estimate time of arrival is stated the same as for the name (N)
<i>O</i>	Yes			The draft of the vessel in the present loading state stated in metres	A 2 or 3-digit group stating the deepest current draft in metres (e.g.: 6.1 or 10.4).
<i>P</i>		Yes		The vessel's cargo	The vessel's cargo and if a hazardous cargo, specification of the volume and IMO class. Information about hazardous cargoes must be summed up in no.of tonnes per IMO class when the data is submitted.
<i>Q</i>			Yes	Faults and defects	Details regarding faults and defects affecting the equipment on board the vessel or other circumstances that affect normal navigation and manoeuvring
<i>T</i>		Yes		The owner and representative of the vessel	Address and information about where detailed information about the cargo may be obtained.
<i>W</i>		Yes		Total number of people on board	State the number
<i>X</i>		Yes		Miscellaneous	Type and estimated quantity of bunker oil in metric tonnes. Must be summed up in total tonnes per type in the submitted data.

Contact information -Vardø Vessel Traffic Centre

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VHF: Contact the nearest coast radio station and request “NOR VTS” (channel 16)

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