

Decree
on the Safety of Certain Fishing Vessels
(65/2000; amendments up to 529/2004 included)

Chapter 1 – General provisions

Section 1 – Scope of application

This Decree contains provisions on the survey, structure, equipment and manning of certain fishing vessels, and on the prevention of pollution and other safety aspects of these fishing vessels.

Section 2 – Definitions

For the purpose of this Decree,

1. *fishing vessel* means any vessel equipped or used commercially for catching fish or other living resources of the sea;
2. *the Directive on Fishing Vessels* means Council Directive 97/70/EC setting up a harmonized safety regime for fishing vessels of 24 metres in length and over, as amended by Commission Directives 99/19/EC and 2002/35/EC and European Parliament and Council Directive 2002/84/EC; (529/2004)
3. *the Torremolinos Protocol* means the 1993 Protocol relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977, as amended;
4. *length of the vessel* means 96% of the total length on a waterline at 85% of the least moulded depth measured from the top of the keel, or the length from the foreside of the stem to the axis of the rudder stock on that waterline, if that be greater. In vessels designed with a rake of keel the waterline on which this length is measured shall be parallel to the designed waterline. In vessels of less than 12 metres in length the length shall equal the vessel's overall length;
5. *catch area I* means lakes and the inner and outer archipelago to the outer limit of Finland's inner territorial waters;
catch area II means the open sea in the Gulf of Finland, the northern Baltic Sea and the Gulf of Bothnia north of latitude 59° 00' N;
and *catch area III* means the other sea areas in the Baltic Sea as far as the Skaw between Denmark and Sweden at 57° 44.8' N; (103/2004)
6. *fishing vessel classes* means classes I, II and III, with vessels of less than 15 metres in length belonging to *class I*; vessels of 15 metres but less than 24 metres in length belonging to *class II*; and vessels of not less than 24 metres in length belonging to *class III*;
7. *traffic area I on domestic voyages* means traffic on rivers and canals, in ports and on lakes, and in such areas in the inner archipelago as are not directly exposed to swell from the open sea, as well as short non-sheltered fairway sectors in the inner archipelago;
8. *new vessel* means a vessel
 - (a) for which the building or major conversion contract is placed on or after January 1, 1999;
or
 - (b) for which the building or major conversion contract has been placed before January 1, 1999, and which is delivered three years or more after that date; or
 - (c) of which, on or after January 1, 1999, and in the absence of a building contract,
 - the keel is laid; or
 - construction identifiable with a specific vessel begins; or

- assembly has commenced comprising at least 50 tonnes or 1% of the estimated mass of all structural material, whichever is the less;
- 9. *existing vessel* means a vessel which is not a new vessel;
- 9. (a) *training* means a degree, part of a degree or study entity belonging to the system of degrees and training defined by the Ministry of Education, when confirming the training programme of a Polytechnic, or which the National Board of Education, in the foundation of a degree or in the national core curricula, has confirmed as the requirement for a certificate or training referred to in this Decree, or to other training approved by the Finnish Maritime Administration; (106/2003)
- 10. *fishing* means catching or catching and processing fish or other living resources of the sea;
- 11. *the Directive on Classification Societies* means Council Directive 94/57/EC on common rules and standards for ship inspection and survey organizations and for the relevant activities of maritime administrations, as amended and as implemented in Finland; (529/2004)
- 12. *recognized organization* means an organization recognized in conformity with article 4 of the Directive on Classification Societies;
- 13. *the Marine Equipment Directive* means Council Directive 96/98/EC on marine equipment, as amended and as implemented in Finland. (529/2004)

Section 3 – *Fishing vessels within the scope of application of the Decree*

- (1) This Decree applies to Finnish fishing vessels of 10 metres in length and over which are used commercially for fishing.
- (2) In traffic area I on domestic voyages, however, the Decree applies only to fishing vessels referred to in paragraph 1 which are of a length of 12 metres and over.
- (3) Unless expressly provided otherwise, this Decree also applies to foreign vessels of class III which are used commercially for fishing in Finnish territorial waters or which unload their catch in a Finnish port.

Section 4 – *General requirements for fishing vessels of class III*

- (1) A fishing vessel of class III shall comply with the relevant requirements of the Annex to the Torremolinos Protocol, unless otherwise provided in Annex 1 of the Directive on Fishing Vessels.
- (2) A new vessel referred to in paragraph 1 shall comply with the requirements of chapters IV, V, VII and IX of the Annex to the Torremolinos Protocol applicable to fishing vessels of 45 metres in length and over, unless otherwise provided in Annex II of the Directive on Fishing Vessels.
- (3) A fishing vessel of class III shall, in the manner prescribed in Annex III of the Directive on Fishing Vessels, comply with the special requirements for the area in which it is used for fishing and with the specific safety requirements contained in Annex IV of the Directive.
- (4) Marine equipment fitted on board a fishing vessel in accordance with the Directive on Fishing Vessels which is listed under A.1 in the Annex to the Marine Equipment Directive and complies with that Directive shall be considered to comply with the requirements of the Directive on Fishing Vessels, even if it is not tested and approved in the manner prescribed in the Directive on Fishing Vessels.
- (5) The standards for design, construction and maintenance of the hull, main and auxiliary machinery, electrical installations and automation systems of a fishing vessel shall be the rules which are in force when the vessel is built and which are approved for classification by a recognized organization or which are used by the government of the vessel's flag state. The rules which apply to new vessels shall correspond to the procedures and be subject to the conditions of article 14.2 of the Directive on Classification Societies.

Section 5 – *Foreign fishing vessels of class III*

- (1) A foreign fishing vessel of class III which does not fly the flag of a Member State of the European Union may not be used commercially for fishing in Finnish territorial waters or unload its catch in a Finnish port, unless the government of its flag state has endorsed a certificate which shows that the vessel complies with the requirements of section 4.
- (2) A fishing vessel of class III flying the flag of a Member State of the European Union shall comply with the requirements of this Decree when calling at a Finnish port.

Chapter 2 – **Surveys and documents of Finnish fishing vessels**

Section 6 – *Survey obligations*

- (1) Unless otherwise provided in this Decree, the provisions of the Decree on Ship Surveys (1123/1999) shall apply to the survey of fishing vessels of classes I and II, as appropriate. Decisions on the right to use a vessel for winter navigation are taken in conjunction with the survey.
- (2) The skipper shall ensure that the vessel is surveyed and shall arrange a date and place for the survey with the Finnish Maritime Administration.
- (3) Applications concerning approval of drawings of new fishing vessels and survey of such vessels shall be submitted to the Finnish Maritime Administration well in advance. Necessary information on an existing vessel shall be submitted well in advance of the initial survey.

Section 7 – *Survey of fishing vessels of classes I and II*

- (1) A fishing vessel of class I or II shall be subject to an initial survey before the vessel is put into service as a Finnish vessel and before the vessel is returned to service following major alterations to the machinery or hull.
- (2) A fishing vessel of class I or II shall be subject to a renewal survey once every four years. The renewal survey shall be held no earlier than three months prior to the anniversary date of the initial survey.
- (3) A vessel of class II shall be subject to an intermediate survey no earlier than 21 months and no later than 27 months after the initial survey or the renewal survey.

Section 8 – *Surveys of fishing vessels of class III*

Surveys of fishing vessels of class III shall be carried out in accordance with the Directive on Fishing Vessels. If no applicable rules exist for the implementation of specific provisions of the Directive regarding length etc., fishing vessels of class III shall comply with the technical requirements of this Decree concerning vessels of class II.

Section 9 – *Survey of radio installations*

Initial surveys of shipborne radio installations shall be carried out by a surveyor nominated by the Telecommunications Administration Centre. Renewal surveys of radio installations on vessels fishing in catch area III shall be carried out once every four years.

Section 10 – *Additional surveys*

Additional surveys may be carried out whenever necessary. The Finnish Maritime Administration may also conduct a survey of a vessel of less than 10 metres in length upon request.

Section 11 – *Survey of vessel's bottom*

Renewal surveys shall include an inspection of the outside of the vessel's bottom.

Section 12 – *Changes made after survey*

After any survey of the vessel has been completed, no change shall be made in the structural arrangements, machinery, equipment and other items covered by the survey without the sanction of the Finnish Maritime Administration.

Section 13 – *Issue of documents*

- (1) Upon completion of the initial survey, the Finnish Maritime Administration shall issue a survey certificate, a manning certificate and, where appropriate, an exemption certificate, unless substantial deficiencies have been detected during the survey or after such deficiencies have been corrected.
- (2) In addition to what is prescribed in paragraph 1, a document of compliance, a record of equipment and, where appropriate, an exemption certificate in accordance with the format laid down in Annex V of the Directive on Fishing Vessels shall be issued to fishing vessels of class III upon completion of an initial survey carried out in accordance with the provisions of the Directive.
- (3) The period of validity of documents referred to in paragraph 2 must not exceed the period of validity specified in the Directive on Fishing Vessels. The document of compliance shall be renewed upon completion of the renewal survey.

Chapter 3 – **Construction, watertight integrity and stability of fishing vessels**

Section 14 – *Construction*

- (1) The strength and construction of the hull, superstructure, rig and any other structures of fishing vessels of classes I and II shall be sufficient to withstand all foreseeable conditions of the intended service.
- (2) The construction of fishing vessels of class III shall comply with the requirements of the Directive on Fishing Vessels.

Section 15 – *Hatchways, doors and other openings in the hull*

- (1) On fishing vessels of classes I and II, cargo hatchways, manholes, machinery space openings and other similar openings in the hull shall be fitted with watertight closing appliances of sufficient strength. Openings which are intended to be used as exits/alleyways shall be capable of being operated from each side. Deck openings shall be of sufficient strength and weathertight.
- (2) Hatchways, doors and any other openings in the hull of fishing vessels of class III shall comply with the requirements of the Directive on Fishing Vessels.

Section 16 – *Stability*

- (1) Fishing vessels of class I shall be so constructed that they have sufficient stability for transporting the loads for which they are intended.
- (2) New fishing vessels of class II shall be supplied with information on vessel stability approved by the Finnish Maritime Administration.
- (3) Fishing vessels of class III shall be supplied with information on vessel stability which is both approved by the Finnish Maritime Administration and in accordance with the Directive on Fishing Vessels.

Chapter 4 – Machinery, pumps and electrical installations

Section 17 – Machinery

- (1) On fishing vessels of classes I and II, the main propulsion machinery including propeller and auxiliary systems, the auxiliary machinery and equipment, and other systems used for work or living shall be so designed, constructed, serviced and tested that they do not cause any danger to the vessel or the crew. The machinery control and remote control systems shall be sufficient to protect the machinery against sudden breakdown and shall allow the machinery to be brought into operation sufficiently quickly.
- (2) The machinery of fishing vessels of class III shall comply with the requirements of the Directive on Fishing Vessels.

Section 18 – Bilge pumping arrangements

- (1) Fishing vessels of class I shall be provided with a fixed, engine-driven or electrically driven bilge pump which is capable of pumping from and draining any watertight compartment. A small watertight compartment may be emptied into an adjacent space. In addition, a spare pump, which may be manually operated, shall be provided.
- (2) Fishing vessels of class II shall have two engine-driven or electrically driven pumps. One of them may be replaced by a fire pump in accordance with section 24.
- (3) The bilge pumping arrangements of fishing vessels of class III shall comply with the requirements of the Directive on Fishing Vessels.

Section 19 – Electrical installations

- (1) On fishing vessels of classes I and II, the electrical installations shall be so designed, serviced and tested that they do not expose the vessel or crew to any danger. Circuits shall be protected against any overload or short circuit caused by a defect. A failure in an individual circuit of the electrical system must not jeopardise the supply to other items of equipment. The accumulator shall be installed in a separate, well-ventilated space.
- (2) On fishing vessels of class I, an emergency source of electrical power located outside the machinery space shall be provided, capable of serving emergency lights, navigation lights and the radio equipment for a period of at least two hours.
- (3) On fishing vessels of class II, an emergency source of electrical power located outside the machinery space shall be provided, capable of serving emergency lights, navigation lights and the radio equipment automatically for a period of at least three hours.
- (4) The electrical installations on fishing vessels of class III shall comply with the requirements of the Directive on Fishing Vessels.

Chapter 5 – Fire safety

Section 20 – Means of escape

Two means of escape shall be provided for all work, accommodation and service spaces. One means of escape may be permitted in the case of small spaces.

Section 21 – Fire insulation of the machinery space

The machinery space shall be sufficiently insulated from the other spaces of the vessel using incombustible material.

Section 22 – *Fixed fire extinguishing systems*

- (1) New fishing vessels with a propulsion power of 300 kW or more and existing fishing vessels of classes II and III with a propulsion power of 350 kW or more shall be provided with a fixed extinguishing system in the machinery space. It should be possible to release the system manually. The release device must not be placed in the machinery space.
- (2) On a vessel with a propulsion power less than that referred to in paragraph 1, other methods shall be used to ensure that a fire in the machinery space can be extinguished from the outside.

Section 23 – *Fire alarms*

Fishing vessels of class I shall be provided with a fire alarm in accommodation and public spaces. Fishing vessels of class II shall be provided with a fire detection system which is so arranged that the alarm for the machinery space, stairways, corridors and public spaces is sounded at the steering location.

Section 24 – *Fire pumps and hydrants*

Fishing vessels of class II shall be provided with a fire pump which may be dependent upon the main engine for its power, and two fire hydrants with fire hoses.

Section 25 – *Portable fire extinguishers*

- (1) Fishing vessels of class I shall be provided with two portable fire extinguishers of class AB of at least 6 kg, one of which shall be stowed near the machinery space.
- (2) Fishing vessels of class II shall be provided with at least three portable fire extinguishers with an aggregate extinguishing agent content of at least 24 kg. One of them shall be stowed near the machinery space.

Section 26 – *Closing off ventilation and fuel supply*

In fishing vessels of class II, it must be possible to close off the ventilation in the machinery space and the supply of fuel to the main engine from outside the machinery space.

Section 27 – *Fire safety arrangements in fishing vessels of class III*

The fire safety arrangements of fishing vessels of class III shall comply with the requirements of the Directive on Fishing Vessels.

Section 28 – *Liquid gas plant*

The vessel shall be provided with a separate certificate stating that the installation of the liquid gas plant has been inspected. The certificate shall be issued by a recognized inspection organization in Finland or in a Member State of the European Economic Area.

Section 29 – *The skipper's supervisory obligation*

The skipper of the fishing vessel shall ensure that the fire-extinguishing appliances are in good order and that the crew of the vessel is familiar with their use.

Chapter 6 – **Life-saving**

Section 30 – *Life-saving appliances*

- (1) Fishing vessels of class I shall be provided with:
 1. A liferaft accommodating all persons on board, or, if the vessel is used exclusively in catch area I, a buoyant apparatus;
 2. A lifejacket fitted with a light for each person on board;
 3. Two lifebuoys, one of which is fitted with a buoyant lifeline and the other with a self-activating smoke signal;

4. Within catch areas II and III, one immersion suit for each member of the crew; and
 5. As emergency signals, three rocket parachute flares and one smoke signal.
- (2) Fishing vessels of class II shall be provided with:
1. One liferaft accommodating all persons on board;
 2. A lifejacket fitted with a light for each person on board;
 3. Four lifebuoys, two of which are fitted with a buoyant lifeline and the others with a self-activating smoke signal;
 4. Within catch areas II and III, one immersion suit for each member of the crew; and
 5. As emergency signals, six rocket parachute flares, six hand flares and two smoke signals.
- (3) Fishing vessels of class III shall be provided with the life-saving appliances required by the Directive on Fishing Vessels, as well as hand flares, smoke signals and immersion suits as prescribed in paragraph 2.
- (4) The life-saving appliances referred to in this section shall comply with the requirements of the Directive on Marine Equipment or the Finnish Maritime Administration Decision of June 27, 1997, on life-saving appliances of ships.

Section 31 – *Training in emergency procedures*

On fishing vessels of classes II and III, training in the use of life-saving appliances shall be arranged once a month. Special attention shall be paid to man-over-board drills. Details of drills shall be recorded in the vessel's logbook.

Chapter 7 – **Radio installations**

Section 32 - *Radio equipment*

- (1) Fishing vessels of classes II and III used within catch area I shall have a VHF radio installation with channel 16 and a sufficient number of channels for general radio-communications. A portable VHF telephone apparatus with at least channel 15 and channel 16 or 17, which can be connected to a special fixed antenna, may be permitted on open vessels.
- (2) All fishing vessels within catch area II shall have a VHF radio installation with channel 16 and a sufficient number of channels for general radiocommunications. The telephones shall be provided with DSC and with a dedicated DSC watchkeeping function. In addition, the vessels shall have a 406 MHz or a 1.6 GHz emergency radio beacon (EPIRB).
- (3) Fishing vessels of class III within catch area II or III shall, in addition to the equipment specified in paragraph 2, have an MF radio installation with a frequency of 2182 kHz and a sufficient number of frequencies for general radiocommunications, or an INMARSAT ship earth station and a NAVTEX receiver, both approved by the Finnish Maritime Administration. The MF radio installation shall be provided with DSC and a dedicated DSC watchkeeping function. Lifeboats and liferafts shall be provided with a portable VHF telephone apparatus with at least channel 16 and channel 15 or 17. If a fishing vessel of class I is used in catch area III, the Finnish Maritime Administration will decide which equipment is required in addition to that specified in paragraph 2.
- (4) The requirements of the Directive on Fishing Vessels shall apply to new fishing vessels of class III whenever they are more stringent than the requirements of paragraphs 2 and 3.

Chapter 8 – **Shipborne navigational equipment**

Section 33 – *Navigational lights and nautical instruments and publications*

- (1) Provisions on navigational lights and sound signal equipment on fishing vessels can be found in the Convention on the International Regulations for Preventing Collisions at Sea, 1972 (Treaty Series 30/1977).

- (2) Fishing vessels of classes I and II shall be fitted with a steering magnetic compass and suitable deviation table, a pelorus, an echosounder and a radar reflector, and shall carry on board adequate charts and nautical publications, binoculars, a barometer, a radio receiver and a bell.
- (3) The equipment in fishing vessels of class III shall comply with the provisions of the Directive on Fishing Vessels.
- (4) If the vessel is fitted with a radar installation, it shall be capable of operating in the 9 GHz frequency band.

Chapter 9 – Protection of the marine environment

Section 34 – *Prevention of discharge of oil and sewage*

- (1) It shall be ensured, to the satisfaction of the Finnish Maritime Administration, that oil which has collected in the bottom of the vessel is not discharged in contravention of the Act on the Prevention of Pollution from Ships (300/1979) or provisions issued thereunder.
- (2) The devices, structures and arrangements for preventing oil discharge in vessels with a gross tonnage of 400 or more shall comply with the requirements of the Protocol of 1978 related to the International Convention for the Prevention of Pollution from Ships, 1973 (Treaty Series 51/1983).
- (3) The provisions of the Decree on the Prevention of Pollution from Ships (635/1993) shall apply to the treatment of sewage.

Chapter 10 – Accommodation spaces and safety on deck

Section 35 – *Construction of accommodation spaces*

- (1) If a fishing vessel is provided with accommodation spaces, they shall be so constructed that sufficient safety is ensured and protection provided against weather and rough sea, and sufficient insulation provided against cold, heat, external noise, vibration and air pollution.
- (2) The provisions on the construction of accommodation spaces in the Decree Concerning Crew Accommodation on Board Ship (518/1976) shall apply to vessels with a gross tonnage of 400 or more.

Section 36 – *Other provisions on accommodation spaces*

- (1) Accommodation spaces shall be so arranged that they are easy to clean.
- (2) Ventilation of the accommodation spaces shall be sufficient and separate from the ventilation of the machinery and cargo spaces. The ventilation outlets from toilets and washrooms shall be located outdoors.
- (3) The accommodation spaces shall be provided with a suitable heating system and have sufficient lighting.

Section 37 – *Safety on deck*

- (1) The passageways and working spaces on deck on fishing vessels of classes I and II shall have anti-skid surfaces and sufficiently high guard rails or bulwarks to prevent anyone falling overboard or onto a lower deck. When necessary, handrails and lifelines shall be used.
- (2) The protection arrangements on fishing vessels of class III shall comply with the requirements of the Directive on Fishing Vessels.

Chapter 11 – **Manning and crew competence on Finnish fishing vessels**

Section 38 – *Safe manning*

- (1) A fishing vessel shall be manned so that the vessel, crew, passengers, cargo, other property and the environment are not needlessly exposed to danger.
- (2) The number and competence of the vessel's crew shall be such that all watchkeeping and safety-related duties can be carried out.

Section 39 – *Safe manning decision and minimum safe manning documents*

- (1) The safe manning of a vessel shall be specified by the Finnish Maritime Administration before the vessel is put into service as a fishing vessel.
- (2) The present or future owner or operator of the vessel shall apply in writing for a decision on the safe manning of the vessel before it is put into service. The applicant shall submit all information necessary for the safe manning decision, as well as a manning proposal.
- (3) The safe manning of the vessel shall be specified with regard to the size, propulsion power, degree of automation and overall standard of shipborne equipment, the catch area, watchkeeping safety and the use of the shipborne safety equipment.
- (4) Having specified a safe manning level for the vessel, the Finnish Maritime Administration shall issue a minimum safe manning document which states the minimum safe manning of the ship and the composition and competence of the crew required in different catch areas.

Section 40 – *Request for preliminary information on manning*

The owner or operator of the fishing vessel may ask the Finnish Maritime Administration for preliminary information on the safe manning of the vessel.

Section 41 – *Alteration of manning*

- (1) If the structure, equipment, operation or catch area of a fishing vessel is altered to such an extent that the basis for the safe manning decision is changed, the Finnish Maritime Administration shall immediately be informed thereof. If necessary, the Finnish Maritime Administration will specify a new safe manning level for the vessel in accordance with section 39.
- (2) If the owner or operator of the vessel is not satisfied with the safe manning specified for the vessel, he can, in cases other than those referred to in paragraph 1, apply to the Finnish Maritime Administration for an alteration to the safe manning decision. The application may be made no earlier than six months after the safe manning decision or alteration to it, or if the annual operation of the vessel is a shorter period than this, after the season of operation. The applicant shall state his reasons for wishing to alter the manning level of the vessel.

Section 42 – *The competence of the crew*

- (1) The persons employed on board as required by the minimum safe manning document shall meet the competence requirements prescribed in this Decree.
- (2) The competence and certificate of a radio operator are subject to separate provisions.

Section 43 – *Medical fitness of the crew*

The crew members shall have a medical certificate issued in accordance with the Decree on Medical Examination of Seafarers (476/1980) and regulations issued thereunder, both for the seafarer's position on a fishing vessel and for acquiring a certificate of competency for service on a fishing vessel.

Section 44 – *Competence of crew members on fishing vessels*

- (1) The skipper of a fishing vessel of class I within catch areas I and II shall hold a skipper's certificate B for fishing vessels and in catch area III a skipper's certificate A for fishing vessels.
- (2) The skipper of a fishing vessel of class II shall hold a boatmaster's certificate A for fishing vessels.
- (3) The watchkeeping officer on a fishing vessel of class III shall hold a skipper's certificate B for fishing vessels and the skipper a skipper's certificate A for fishing vessels.
- (4) On a fishing vessel with a propulsion power of 350 kW or less where the machinery control gear is so located that the machinery can be controlled from the conning position, a separate engine operator is not required.
- (5) On a fishing vessel with a propulsion power of more than 350 kW, one of the crew members shall have an engine operator's certificate in accordance with the Decree on the Safe Manning of Ships, Standards of Certification and Watchkeeping for Seafarers (1256/1997), hereinafter the *Decree on Safe Manning*.
- (6) If the propulsion power of a fishing vessel is 750 kW or more, the chief engineer shall have a watchkeeping engineer's certificate.
- (7) A person who has completed the training in the safety of a fishing vessel and who holds the following certificate in accordance with the Decree on Safe Manning:
 1. certificate of a watchkeeping officer, can operate as deck officer on a fishing vessel of class III on the Baltic Sea; the master of a shipping vessel of class III shall also be required to possess 12 months of seagoing service as watchkeeping officer, whereof at least six months as watchkeeping officer or master on a fishing vessel of over 12 metres;
 2. certificate of a skipper in domestic traffic, can operate as master of a fishing vessel for which a boatmaster's certificate A is required; or
 3. boatmaster's certificate, can operate as master of a fishing vessel for which a boatmaster's certificate B is required. (94/2002)

Section 45 – *Safety training for fishing vessel personnel*

Fishing vessel personnel shall have approved safety training.

Section 46 – *Boatmaster's certificate B for fishing vessels*

- (1) The following requirements must be satisfied before a boatmaster's certificate B for fishing vessels can be obtained:
 1. minimum age 18 years;
 2. a certificate issued by a teacher at a maritime institute or by a maritime surveyor to the effect that the candidate is familiar with:
 - (a) the rules for preventing collision at sea and on inland waterways, aids to navigation, nautical charts, the compass, compass deviation, how to plot bearings and courses, how to use the log and the lead line, and how to keep a logbook;
 - (b) the provisions on vessel surveys and on the skipper's responsibilities, as applicable, and the basic maritime legislation on social security matters; and
 - (c) to a sufficient extent, the construction, maintenance and operation of internal combustion engines, as well as the major provisions concerning them; and
 3. seagoing service of not less than 12 months on a fishing vessel or in the deck department on a merchant ship or, at the discretion of the Finnish Maritime Administration, on any other vessel.
- (2) The requirements under section 1, paragraph 2, may be substituted by training as a boatmaster in accordance with section 19 of the Decree on Safe Manning.

Section 47 – *Boatmaster’s certificate A for fishing vessels*

- (1) The following requirements must be satisfied before a boatmaster’s certificate A for fishing vessels can be obtained:
 1. minimum age 18 years;
 2. approved training; and
 3. seagoing service of not less than 24 months in the deck department of a fishing vessel or a merchant ship.
- (2) The training referred to in section 1, paragraph 2, may be substituted by training as a watchkeeping officer in accordance with section 21 of the Decree on Safe Manning.
- (3) The Finnish Maritime Administration may, after due consideration, approve the substitution of a maximum of 12 months of the seagoing service referred to in section 1, paragraph 3, by training or supervised in-service training.

Section 48 – *Skipper’s certificate B for fishing vessels*

- (1) The following requirements must be satisfied before a skipper’s certificate B for fishing vessels can be obtained:
 1. minimum age 18 years;
 2. approved training; and
 3. seagoing service of not less than 24 months in the deck department of a fishing vessel of not less than 12 metres in length.
- (2) The training referred to in section 1, paragraph 2, may be substituted by training as a watchkeeping officer in accordance with section 21 of the Decree on Safe Manning.
- (3) The Finnish Maritime Administration may, after due consideration, approve the substitution of a maximum of 12 months of the seagoing service referred to in section 1, paragraph 3, by training or supervised in-service training.

Section 49 – *Skipper’s certificate A for fishing vessels*

- (1) The following requirements must be satisfied before a skipper’s certificate A for fishing vessels can be obtained:
 1. minimum age 18 years;
 2. approved training; and
 3. seagoing service of not less than 24 months as watchkeeping officer or skipper of a fishing vessel of not less than 12 metres in length.
- (2) The training referred to in section 1, paragraph 2, may be substituted by training as a watchkeeping officer in accordance with section 21 of the Decree on Safe Manning.
- (3) The Finnish Maritime Administration may, after due consideration, approve the substitution of a maximum of 6 months of the seagoing service referred to in section 1, paragraph 3, by seagoing service as watchkeeping officer on a merchant ship.

Section 50 – *Competence of engineer officers*

Provisions on the competence of engineer officers are laid down in the Decree on Safe Manning.

Section 51 – *Presentation of certificates of competency*

The holder shall keep his certificate of competency on board and present it at the request of a competent authority. The certificate of competency shall also be presented when signing onboard a new vessel.

Section 52 – *Revalidation of certificates of competency*

- (1) The skipper’s certificate A and skipper’s certificate B for fishing vessels are valid for a period of five years.

- (2) When a certificate of competency is renewed, the holder shall submit evidence to the effect that his medical fitness complies with the provisions and regulations on the medical fitness of seafarers and that he has maintained his professional competence.
- (3) The holder of a certificate of competency shall be considered to have maintained his professional competence if he has:
 1. at least one year of approved seagoing service as ship's officer during the preceding five years;
 2. performed duties which can be considered equivalent to an officer's duties referred to in paragraph 3, sub-paragraph 1, and which correspond to his certificate of competency;
 3. passed an approved re-examination or a refresher course adapted for fishing vessel officers; or
 4. at least three months of seagoing service as an assistant officer of a fishing vessel immediately before being assigned to his present position.

Section 53 – *Deviation from minimum safe manning*

- (1) If it is unfeasible to engage competent crew members in the port at which the fishing vessel has called without undue delay or unreasonable cost, the Finnish Maritime Administration may grant the vessel a permit to deviate from the minimum safe manning level during a specific voyage, provided that the reduced manning does not jeopardise the safety of the ship.
- (2) The crew shall be brought up to strength as soon as practicable.

Section 54 – *Deviation from the competence requirements specified in the minimum safe manning document*

- (1) If there are compelling reasons and provided that the Finnish Maritime Administration considers that the measure does not expose the crew, property or the environment to any risks, the Finnish Maritime Administration may, in individual cases and upon written application grant a person a permit to work on a certain fishing vessel during a certain period that must not exceed six months at a time, in a position for which he does not hold a certificate of competency, provided that the person in question has sufficient competence to perform his duties in a safe manner.
- (2) The permit can be granted only for a position one rank higher than that which the candidate holds. If the person holds no certificate of competency, he may be granted a permit for a task for which the lowest certificate of competency is required, provided that he is clearly capable of discharging his duties on the basis of his training and experience.

Chapter 12 – **Watchkeeping on Finnish fishing vessels**

Section 55 – *Watchkeeping arrangements*

- (1) Every skipper of a fishing vessel shall ensure that the composition of the watch is at all times adequate and appropriate to the prevailing circumstances and conditions. When deciding the composition of the watch, the need for maintaining a proper look-out and the use and operational condition of navigational aids and any other equipment affecting the safe navigation of the vessel shall be taken into account. A proper look-out shall be maintained in compliance with rule 5 of the International Regulations for Preventing Collisions at Sea, 1972.
- (2) The wheelhouse must never be left unmanned.

Section 56 – *Fitness for duty*

The watch system and other duties shall be so organized that the first watch at the commencement of a voyage and the subsequent relieving watches are sufficiently rested and otherwise fit for duty.

Section 57 – *Navigation*

- (1) The voyage shall be planned in advance.
- (2) During the watch the course steered, position and speed shall be checked at sufficiently frequent intervals, using any available navigational aids.
- (3) In cases of need, the officer of the watch shall not hesitate to use the helm, engines, and sound and light signalling apparatus.
- (4) The officer in charge of a navigational watch shall not be assigned or undertake any duties which would interfere with the safe navigation of the vessel.
- (5) A proper record shall be kept of the movements and activities during the watch relating to the navigation of the vessel.

Section 58 – *Weather conditions*

The officer in charge of the watch shall take relevant measures and notify the skipper whenever adverse changes in the weather could affect the safety of the vessel, including conditions leading to ice accretion.

Section 59 – *Watchkeeping during fishing operations*

- (1) In addition to what is otherwise required with regard to watchkeeping and arrangement of the navigational watch, the following shall be given due consideration and properly acted upon by the officer in charge of the watch:
 1. other vessels engaged in fishing and their gear, own vessel's manoeuvring characteristics, particularly its stopping distance and the diameter of turning circle at sailing speed and with the fishing gear overboard;
 2. the safety of the crew on deck;
 3. adverse effects on the safety of the vessel and its crew through reduction of stability and freeboard caused by exceptional forces resulting from fishing operations, catch handling and stowage, and unusual sea and weather conditions;
 4. the proximity of offshore structures, with special regard to the safety zones; and
 5. wrecks and other underwater obstacles which could be hazardous for fishing gear.
- (2) When stowing the catch, attention shall be given to the essential requirements for adequate freeboard, adequate stability and watertight integrity at all times during the voyage to the landing port, taking into consideration consumption of fuel and stores, risk of adverse weather conditions, and, especially in winter, risk of ice accretion on or above exposed decks.

Section 60 – *Anchor watch*

With a view to the safety of the vessel and the crew, the skipper shall ensure that while the fishing vessel is at anchor a proper watch is maintained at all times from the wheelhouse or deck.

Section 61 – *Radio watchkeeping*

The skipper shall ensure that an adequate radio watch is maintained while the vessel is at sea, taking into account the requirements of the Radio Regulations.

Chapter 13 – **Special provisions**

Section 62 – *Presentation of documents*

- (1) Fishing vessels shall carry the following valid documents on board, which shall be presented to the supervisory authority upon request:
 1. The Certificate of Nationality and the International Tonnage Certificate, if the size of the vessel is such that these documents are required, and the certificate of survey, minimum safe manning document and logbook;

2. Extract from the Register of Ships, which also serves as the fishing licence, the vessel's fishing journal and any special fishing permits; and
3. Vessels of a length of 24 metres or more shall, in addition, have a certificate which shows that they comply with the requirements of the Directive on Fishing Vessels, a record of equipment and, where applicable, exemption certificates which comply with the format in the Directive on Fishing Vessels.

Section 63 – *Engagement of seafarers*

When a person is employed as a seafarer on a fishing vessel, the provisions of the Seafarers' Engagement Act (1005/1986) and the provisions and regulations issued thereunder shall be taken into account.

Section 64 – *Exemptions and additional requirements*

- (1) In addition to what is provided in sections 53 and 54, the Finnish Maritime Administration may grant specific exemptions from the provisions of this Decree or provisions and regulations issued thereunder, if the Administration considers that the application of this Decree or provisions and regulations issued thereunder is unreasonable. Such exemptions, however, must not be contrary to international treaties binding on Finland.
- (2) If a vessel referred to in section 3, paragraph 1, is used for fishing outside the Baltic Sea area, the Finnish Maritime Administration will decide which additional requirements shall apply with regard to equipment, structure, manning and crew competence.

Section 65 – *Survey fees*

Survey fees and dues are subject to separate provisions.

Section 66 – *Detailed provisions and regulations*

Detailed provisions on the implementation of chapters 2, 11 and 12 of this Decree shall be issued by the Ministry of Transport and Communications as necessary. Otherwise, detailed regulations on the interpretation of this Decree shall, when necessary, be issued by the Finnish Maritime Administration.

Section 67 – *Entry into force*

- (1) This Decree enters into force on February 15, 2000.
- (2) This Decree repeals the Decree on Fishing Vessels of December 1, 1961 (531/1961), as amended.

Section 68 – *Transitional provisions*

- (1) Following the entry into force of this Decree, initial surveys of existing fishing vessels of classes I and II shall be carried out on the first survey date prescribed by the repealed Decree on Fishing Vessels. Existing vessels of class I shall comply with the requirements of this Decree in an additional survey carried out no later than two years after the initial survey. Existing vessels of class II shall comply with the requirements of this Decree no later than at the intermediate survey which follows the initial survey.
- (2) Existing vessels of class III shall comply with the requirements of the Directive on Fishing Vessels no later than five months after the entry into force of this Decree, and the other requirements of this Decree no later than at the intermediate survey which follows the initial survey.
- (3) Existing vessels which are used for fishing within catch area I and which have not been surveyed when this Decree enters into force shall be subject to an initial survey no later than December 31, 2000.
- (4) A vessel which has been subject to an initial survey in accordance with this Decree shall apply for a minimum safe manning document within six months after the survey.

- (5) Foreign fishing vessels other than those flying the flag of a Member State of the European Union shall comply with the Torremolinos Protocol when it has entered into force.
- (6) A person who has served in a capacity which corresponds to the certificate of competency of an officer's rank for at least three years between 15 February 1993 and 15 February 2004 shall, upon application, be entitled to obtain the certificate of competency by 15 February 2005. (103/2004)
- (7) The listening watch on VHF channel 16 shall be maintained at sea at least until February 1, 2005.