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*The Circular should be entered into a special diagram or as appropriate in the latest editions of relevant NMA publications and kept until the next editions.*

## Amendment to the Security Regulations (ships, etc.) – implementing amending Regulation on ESA inspections

### 1. Introduction

The Norwegian Maritime Authority has laid down an amendment to the Regulations on security, anti-terrorism and anti-piracy measures and the use of force on board ships and mobile offshore drilling units (Security Regulations).

### 2. Consultation

The proposed regulatory amendment was circulated for review for three weeks, with deadline for comments on 14 February this year. The short deadline was necessary to meet Norway's obligations under the EEA Agreement. The amendment will primarily affect the NMA, and there were no comments to the proposal.

### 3. Details about the legislation

The Implementing Regulation (EU) 2016/462 amending Regulation (EC) No 324/2008 of 9 April 2008 laying down revised procedures for conducting Commission inspections in the field of maritime security, has been incorporated into the EEA Agreement Annex XIII point 56r.

Regulation No 324/2008 has been implemented into Norwegian legislation by incorporation in the Regulations of 22 June 2004 No. 972 on security, anti-terrorism and anti-piracy measures and the use of force on board ships and mobile offshore drilling units (Security Regulations) section 6 second paragraph. The amendment to the Regulations incorporates the Commission Implementing Regulation (EU) 2016/462 into our national legislation.

The Implementing Regulation 2016/462 makes some clarifications and changes to the relationship between the Commission/ESA and the EU/EEA states related to inspections in the field of maritime security and anti-terrorism. Nevertheless, it is solely the relationship between governments that is regulated, and private legal entities are only indirectly affected by these rules in that such inspections will be carried out on board ships or in port facilities. The purpose of the amendments is to strengthen the procedures for conducting Commission inspections of the national quality systems, procedures and structures for maritime security and anti-terrorism.

#### **4. Economic and administrative consequences**

The amendments will not have any direct financial consequences for the maritime sector or other private legal entities. As regards administrative consequences, the regime of ESA inspections in the field of maritime security has existed since 2008. This Implementing Regulation specifies, adjusts and modifies some aspects of these inspections, but is in itself not considered to cause any significant administrative consequences beyond what the NMA and the Norwegian Coastal Administration are already experiencing with the current system.

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