

Regulations on requirements for minimum age and boating licence, etc. for masters of recreational craft

Legal basis: Laid down by the Norwegian Maritime Authority on 3 March 2009 pursuant to the Act of 26 June 1998 No. 47 relating to recreational and small craft sections 20 second paragraph, 26, 26b cf. 31, cf. Formal Delegation of 31 May 2007 No. 591.

Amendments: Amended by Regulations of 27 April 2012 No. 370, 24 June 2021 No. 2307 (in force on 1 July 2021), 7 February 2022 No. 197 (in force on 1 March 2022), 27 March 2023 No. 459.

Chapter I. General provisions

Section 1. *Scope of application*

These Regulations shall apply to owners and masters of Norwegian recreational craft in Norwegian territory, including Svalbard and Jan Mayen.

These Regulations do not apply to masters of:

- a. recreational craft intended solely for organized racing and training, with the exception of section 6;
- b. rowing boats, canoes and kayaks.

Amended by Regulations of 24 June 2021 No. 2307 (in force on 1 July 2021), 7 February 2022 No. 197 (in force on 1 March 2022).

Section 2. *Definitions*

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

- a. *Owner:* The owner or the person having disposal of the craft on behalf of the owner.
- b. *Certificate of competency:* The boating licence, high-speed licence and the International Certificate for Operators of Pleasure Craft are issued pursuant to these Regulations.
- c. *Qualification document:* Boating licence issued pursuant to older legislation, boating cards issued by the Norwegian Boating Schools (NBS) before the entry into force of these Regulations, confirmation of passed exam from the Norwegian School for Marine Aspirants, Master's Certificate for Pleasure Craft, certificates of competency for deck officers and equivalent military maritime certificates. The Norwegian Maritime Authority may decide that other theoretical competence other than what is mentioned in the first sentence shall be considered as qualification document, provided that the training is at the same level or higher as the boating exam.
- d. *Length:* The length of the hull (L_H) in accordance with NS-EN-ISO-8666 Small craft - Principal data.
- e. *Power output:* The power output stated by the manufacturer. If there is reason to believe that the power output is different than what is stated by the manufacturer, the Norwegian Maritime Authority may demand that a test is carried out. If the test shows a different result, this result shall be used.
- f. *Norwegian territory:* Norwegian territorial waters and inland waters, including rivers, canals and lakes.

Amended by Regulation of 7 February 2022 No. 197 (in force on 1 March 2022).

Section 3. *Duties of the boat owner and the master*

It is the responsibility of the master and the owner of the boat that provisions of these Regulations are complied with, unless otherwise provided by the individual provision or context. The boat owner shall ensure that whoever uses the boat meets the conditions for operating it.

Amended by Regulation of 7 February 2022 No. 197 (in force on 1 March 2022).

Section 4. Exemptions

The Norwegian Maritime Authority may, in individual cases and upon written application, deviate from the requirements of these Regulations. There must be special reasons that make the deviations necessary, and they must be justifiable in terms of safety. Exemptions can only be granted where they do not contravene international agreements to which Norway has acceded.

Chapter II. Requirements regarding minimum age for masters

Section 5. Minimum age

The master shall be at least 16 years of age if the recreational craft has an engine with a greater effect than 10 HP/7.5 kW.

Amended by Regulation of 24 June 2021 No. 2307 (in force on 1 July 2021).

Section 6. Racing

Persons over 13 years of age can operate a recreational craft as mentioned in section 5 in organized racing and training when:

- a. training or racing takes place in a course approved by the appropriate authority,
- b. the course has been sufficiently marked,
- c. the master has undergone safety training under the supervision of a guide licensed in accordance with international competition rules.
- d. the recreational craft is equipped and furnished in accordance with international competition rules, and
- e. the training or racing is arranged by a Norwegian boating club with at least 50 members.

The responsible organisation or organizer shall, well in advance before the training or racing starts, notify the local police authority and, upon request, document that the requirements of subparagraphs (a) to (e) are met.

Chapter III. Requirements for boating licence, etc.

Section 7. Qualification requirements

The master of a Norwegian recreational craft of less than 15 metres which:

- a. is over 8 metres in length (26.25 feet); or
- b. has an engine with a greater effect than 25 HP/19 kW

shall hold a Norwegian boating licence or a valid qualification document. For masters holding a boating licence or qualification document issued abroad, section 13 shall apply.

The provision of the first paragraph shall not apply to masters born before 1 January 1980.

In addition, for masters of a recreational craft capable of reaching speeds of 50 knots or more, the requirement for a high-speed licence set out in chapter IV A shall apply.

Amended by Regulation of 7 February 2022 No. 197 (in force on 1 March 2022).

Section 8. (Repealed)

Repealed by Regulation of 7 February 2022 No. 197 (in force on 1 March 2022).

Section 9. Boating exam

The boating exam consists of a theoretical test prepared in accordance with guidelines issued by the Norwegian Maritime Authority.

The exam can be taken by persons over the age of 14. When the exam has been completed, the candidate shall immediately be given the result in writing.

A candidate who fails the boating exam may retake the exam no earlier than after 14 days

Section 10. *Application for boating licence*

A boating licence application shall be submitted to the Norwegian Maritime Authority or whoever is authorized by the Norwegian Maritime Authority on the prescribed form. The following shall be attached to the application:

- a. a confirmation that is no more than three years old stating that the boating exam has been successfully passed, a copy of a valid qualification document, a copy of an expired qualification document or a copy of a diploma for a completed course as a basis for the issue of the qualification document,
- b. a passport photo that is not more than one year old,
- c. a copy of approved identification with name and personal identification number,
- d. a copy of the receipt for paid fee.

An application for a boating licence from a person to whom a Norwegian qualification document has been issued before the entry into force of these Regulations, but who cannot produce a copy of such document and who is also not listed in a register available to the Norwegian Maritime Authority, shall include one of the following attachments in addition to the attachments specified in the first paragraph (b) to (d):

- a. a copy of a diploma for a completed course as a basis for the issue of the qualification document,
- b. an original document or a copy of documentation showing that the boating exam has been successfully passed,
- c. a declaration from the external examiner confirming that the boating exam has been successfully passed, or
- d. a declaration from an accredited educational institution where the education took place that confirms that the boating exam has been successfully passed.

In the case of name change, a copy of the marriage certificate or name change certificate shall be attached to the application.

Section 11. *Issue of boating licence*

The boating licence is issued by the Norwegian Maritime Authority or whoever is authorized by the Norwegian Maritime Authority. The boating licence is issued to persons over the age of 16 who comply with the requirements of section 10.

Section 12. *Replacement of boating licences*

A new boating licence may be issued in case of name change, the licence has been lost or cannot be used as ID.

Foreign boating licences are replaced by exchange pursuant to section 14.

Section 13. *Recognition of foreign boating licences*

Boating licences or other qualification documents issued in another EEA country are valid in accordance with the contents of the document.

A foreign boating licence which is not covered by the first paragraph is valid if it in all material respects complies with the requirements for the Norwegian boating licence and is issued in a Scandinavian language or in English.

Amended by Regulations of 27 April 2012 No. 370 (in force on 1 May 2012), 7 February 2022 No. 197 (in force on 1 March 2022), 27 March 2023 No. 459.

Section 14. *Exchange of foreign boating licence or qualification document*

The holder of a recognized foreign boating licence or qualification document, cf. section 13, may, upon application on the prescribed form, be issued with a Norwegian boating licence. The provisions of section 10 first paragraph (b) to (d) and third paragraph shall apply correspondingly.

The foreign licence must be issued while the holder was a resident in the country in question, and he must have been a resident there for more than one year.

Chapter IV. Requirements for the issue of the International Certificate for Operators of Pleasure Craft

Added by Regulation of 27 April 2012 No. 370 (in force on 1 May 2012).

Section 15. *Issue of an international certificate for operators of pleasure craft*

The operator of a motor boat or sailing boat may be issued with an International Certificate for Operators of Pleasure Craft including coastal navigation for the operation of recreational craft of less than 15 metres in length and capable of a maximum speed of 50 knots, provided that the applicant:

- a. has reached the age of 16;
- b. is a Norwegian national or a resident in Norway, a North American national or a national of any country that is not a member of the United Nations Economic Commission for Europe;
- c. qualifies for being issued with a Norwegian boating licence or holds a valid qualification document; and
- d. proves that the requirements for a practical test and the health requirements pursuant to sections 16 and 17 are satisfied.

The application shall be submitted to the Norwegian Maritime Authority or whoever is authorized by the Norwegian Maritime Authority on the prescribed form.

Added by Regulation of 27 April 2012 No. 370 (in force on 1 May 2012), amended by Regulation of 7 February 2022 No. 197 (in force on 1 March 2022).

Section 15a. *Recognition of an International Certificate for Operators of Pleasure Craft*

An International Certificate for Operators of Pleasure Craft issued in accordance with Regulation 40, adopted by the UN Economic Commission for Europe Inland Transport Committee Working Party on Inland Water Transport on 16 October 1998, must include coastal navigation in order to be valid in Norway.

Added by Regulation of 7 February 2022 No. 197 (in force on 1 March 2022).

Section 16. *Requirements for a practical test*

A practical test can be taken for motorized craft and/or sailing craft. The test shall prove that the person concerned can operate a craft and has nautical and technical knowledge for safe navigation in coastal waters.

A certificate is issued in accordance with the type of test being taken. The test shall be taken at a location approved by the Norwegian Maritime Authority.

The Norwegian Maritime Authority may issue guidelines for the conduction of the practical test.

Added by Regulation of 27 April 2012 No. 370 (in force on 1 May 2012).

Section 17. *Health requirements*

The applicant must be physically and mentally fit to operate a recreational craft, and in particular, must have sufficient powers of vision and hearing.

A personal statement of health on the prescribed form is required. The Norwegian Maritime Authority may require a medical certificate issued by a doctor if there is reason to believe that the requirement of the first paragraph is not met.

If the holder of an international certificate for operators of pleasure craft no longer satisfies the health requirements, the certificate shall not be used.

The Norwegian Maritime Authority may withdraw the certificate based on information from a doctor stating that the health requirements of the first paragraph are no longer met.

Added by Regulation of 27 April 2012 No. 370 (in force on 1 May 2012).

Chapter IV A. High-speed licence requirements

Added by Regulation of 7 February 2022 No. 197 (in force on 1 March 2022).

Section 17a. *High-speed licence*

The operator of a recreational craft capable of reaching speeds of 50 knots or more shall, in addition to meeting the basic requirements for the operation of the recreational craft in question, cf. section 7, section 13 or Regulations of 22 December 2011 No. 1523 on qualifications and certificates for seafarers section 29, hold a high-speed licence.

The Norwegian Maritime Authority may issue guidelines including an overview of recreational craft clearly capable of reaching a speed of more than 50 knots, as well as a standardised test to determine the speed.

Added by Regulation of 7 February 2022 No. 197 (in force on 1 March 2022, this provision enters into force on 1 June 2023, cf. section 25 third paragraph).

Section 17b. *Issue of high-speed licence*

The high-speed licence may be issued to persons who have turned 18 years and who:

- a. meet the requirement to operate a recreational craft for which a boating licence is required;
- b. have completed theoretical and practical high-speed training in accordance with section 17c.

The NMA may decide that other Norwegian high-speed training may qualify for exemption from the requirement to complete courses referred to in the first paragraph subparagraph b, provided that the training is at least on the same level as the high-speed licence.

The high-speed licence is issued for the operation of either boats or personal water craft.

Added by Regulation of 7 February 2022 No. 197 (in force on 1 March 2022).

Section 17c. *Requirements for theoretical and practical courses*

The high-speed training includes a theoretical part for boats and personal water craft, as well as a practical part for either boats or personal water craft, in accordance with guidelines and learning objectives set by the NMA.

The course can be taken by persons over the age of 17.

Added by Regulation of 7 February 2022 No. 197 (in force on 1 March 2022).

Section 17d. *Requirements of training providers*

Training providers must be approved by the Norwegian Maritime Authority.

Training providers shall establish, implement and develop a safety management system for documentation purposes which should include the following as a minimum:

- a. a description of the operation;
- b. a description of the individual vessel, including technical specifications;
- c. voyage planning procedures;

- d. a description of risk factors that apply to the crew and passengers when the vessel is underway and when using on-board equipment;
- e. measures to prevent unwanted incidents;
- f. maintenance procedures for vessels and equipment;
- g. an emergency plan for use in different emergencies, including drill routines.

Added by Regulation of 7 February 2022 No. 197 (in force on 1 March 2022).

Section 17e. *Practical part – instructor requirements*

The NMA or whoever is authorised by the NMA must approve the instructor, who is required, as a minimum, to:

- a. hold a Certificate for Deck Officer Class 5 Pleasure Craft;
- b. hold a valid medical certificate not older than two years;
- c. have completed approved safety training for seafarers on smaller ships;
- d. have relevant experience with the type of high-speed craft that will be used in the training;
- e. have completed an instructor course in accordance with guidelines set by the NMA.

Personal water craft instructors are exempt from the requirements of the first paragraph subparagraphs a and c, but shall, as a minimum, hold a boating licence and be able to provide evidence of first aid training covering the first aid part of the safety training referred to in subparagraph c.

Added by Regulation of 7 February 2022 No. 197 (in force on 1 March 2022).

Section 17f. *Construction and safety equipment requirements*

Vessels, excluding personal water craft, used for high-speed training shall be constructed and equipped in accordance with chapters 3, 4 and 5 of the Regulations of 14 January 2020 No. 63 on vessels of less than 24 metres carrying 12 passengers or less.

Persons staying outdoors on board vessels used for training shall wear appropriate personal flotation equipment that is CE marked in accordance with the Regulations of 22 June 2018 No. 1019 relating to construction, design and production of personal protective equipment (PPE).

In addition, everyone on board a personal water craft is required to wear:

- a. an suitable helmet which is CE marked in accordance with the Regulations of 22 June 2018 No. 1019 related to construction, design and production of personal protective equipment (PPE);
- b. suitable clothing.

Personal water craft used for high-speed training shall be CE marked in accordance with the Regulations of 15 January 2016 No. 35 on the manufacturing and the placing on the market of recreational craft and personal water craft, etc.

When completing the practical part with a water craft, an accompanying vessel shall be used which is constructed in accordance with section 9 of the Regulations of 14 January 2020 No. 63 on vessels of less than 24 metres carrying 12 passengers or less and equipped with radio communication and first aid equipment. The accompanying vessel shall be capable of rescuing people from the water.

The vessel used for high-speed training shall be suitable for this purpose.

Added by Regulation of 7 February 2022 No. 197 (in force on 1 March 2022).

Section 17g. *Recognition of foreign high-speed expertise*

The NMA may recognise foreign high-speed expertise. The expertise must primarily satisfy the Norwegian high-speed licence requirements, and evidence of such expertise must be provided by a licence or certificate accepted by national authorities

Added by Regulation of 7 February 2022 No. 197 (in force on 1 March 2022).

Chapter V. Concluding provisions

Amended by Regulation of 27 April 2012 No. 370 (in force on 1 May 2012, formerly chapter IV).

Section 17h. *Quality system*

Training providers that are to be approved by the NMA are required to have a quality system.

The quality system shall incorporate the institution's organisational structure, procedures for information security and the protection of personal data, responsibilities and standards for quality, the procedures, objectives and quality standards of each course and training programme, including a record of the qualifications and experience of instructors and assessors. In addition, the quality system shall incorporate systematic monitoring arrangements, including internal quality-assurance evaluations

Documentation of the quality system may be required to be submitted to the NMA as the basis for approval, and serves as part of the basis for subsequent audits.

The quality system shall include any subcontractors used by the training provider in connection with the training.

Added by Regulation of 7 February 2022 No. 197 (in force on 1 March 2022).

Section 18. *Boating licence registers*

The NMA or whoever is authorised by the NMA shall keep central registers for the Norwegian boating licence, International Certificate for Operators of Pleasure Craft and high-speed licence for the management of master's rights and the loss of such rights.

In these registers, information about persons who have applied for, have or have had a Norwegian boating licence, International Certificate for Operators of Pleasure Craft and high-speed certificate will be processed. The registers may include details such as a person's name, gender, country of birth, national identity number, D-number, address, registration status and dates from the National Population Register, date of completed test and date of the issue of licence or certificate, history of previously issued licences and certificates, comments necessary for the processing of the case, temporary licence ban and seizure of evidence and certificate and loss of the right to operate the craft.

As referred to in the first paragraph, the registers shall be managed in accordance with the Personal Data Act and the Personal Data Regulations.

Amended by Regulations of 27 April 2012 No. 370 (in force on 1 May 2012, formerly section 15), 7 February 2022 No. 197 (in force on 1 March 2022), 27 March 2023 No. 459.

Section 19. *Practice*

Practice with recreational craft may take place under the supervision of a teacher or accompanying supervisor who is permitted to operate the relevant craft and, as a minimum, meets the requirement to operate a recreational craft for which a boating licence is required.

During practice, the teacher or accompanying supervisor shall be considered to be the master.

Practice may only take place at a reasonable speed and under reasonable weather and traffic conditions.

Persons who are temporarily banned from obtaining a licence, who have lost or had their licence revoked, or who have had the right operate a recreational craft for which a boating licence is required temporarily revoked, may not practise during the period of the ban, loss or revocation.

Added by Regulation of 7 February 2022 No. 197 (in force on 1 March 2022).

Section 20. *Requirements to present a valid certificate of competency*

A valid certificate of competency or other valid qualification document shall be readily available for control when the recreational craft is used.

Added by Regulation of 7 February 2022 No. 197 (in force on 1 March 2022).

Section 21. *Digital certificates*

The NMA or whoever is authorised by the NMA may issue a digital certificate of competency instead of or in addition to a paper version of the certificate.

Added by Regulation of 7 February 2022 No. 197 (in force on 1 March 2022).

Section 22. *Supervisory authority*

The police may supervise the master's compliance with the requirements.

Amended by Regulations of 27 April 2012 No. 370 (in force on 1 May 2012, formerly section 19), 7 February 2022 No. 197 (in force on 1 March 2022).

Section 23. *Fees*

The applicant shall pay a fee for the theoretical boating exam and the issue of the boating licence, high-speed licence and International Certificate for Operators of Pleasure Craft. The fee is determined by the Ministry in accordance with the Regulations of 21 December 2009 No. 1739 on fees for the issue of certificates and endorsements to maritime personnel.

Amended by Regulations of 27 April 2012 No. 370 (in force on 1 May 2012, formerly section 16), 7 February 2022 No. 197 (in force on 1 March 2022, formerly section 19).

Section 24. *Penalties*

Wilful or negligent violation of sections 5, 6, 7, 17a, 19 or 20 shall be punished in accordance with the Act of 26 June 1998 No. 47 relating to recreational and small craft sections 28 and 37. Fines may be imposed in the form of simplified fixed-rate optional penalties under the terms and conditions provided for in the same Act section 42 and Regulations of 15 June 2001 No. 634 on simplified fixed-rate optional penalties in cases concerning recreational and small craft.

Amended by Regulations of 27 April 2012 No. 370 (in force on 1 May 2012, formerly section 17), 7 February 2022 No. 197 (in force on 1 March 2022, formerly section 20).

Section 25. *Entry into force*

These Regulations shall enter into force on 1 May 2009, with the exception of sections 7 and 8 which enter into force on 1 May 2010.

As from the same date, the Regulations of 11 December 1981 No. 3807 on minimum age, etc. for masters of certain engine-propelled vessels of less than 25 gross register tons are repealed.

Section 17a shall enter into force on 1 June 2023.

Amended by Regulations of 27 April 2012 No. 370 (in force on 1 May 2012, formerly section 18), 7 February 2022 No. 197 (in force on 1 March 2022, formerly section 21).