Transport Administration

Us 17.04.2023 No. 17.1-1/15

**CIRCULAR**

List of Estonian maritime legislation that seafarers of foreign nationality working at management level shall have knowledge of in accordance with the requirements of Regulation I/10, clause 2, of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW); and seafarers of foreign nationality working at exploitation level and applying for Estonian seagoing documents shall have the same knowledge of Estonian maritime legislation. The knowledge of the legislation listed below shall be sufficient to perform the duties and responsibilities on board a ship according to the seafarer’s qualifications.

1. Maritime Safety Act – Chapters 1-6; 7 (§ 31); 10; 101; 11; 12 (§ 52, 53 – master’s duties to report); 122 – notification; 13 (§ 54, 55, 56, 57, 61); 14 (§ 72, 721); 16.

<https://www.riigiteataja.ee/en/eli/ee/524082022007/consolide/current>

* Regulation No. 96 of the Government of the Republic of 20.06.2013 ‘Requirements for the Training and Qualification of Seafarers and Procedures for Certification’ – Chapter 3 (§§ 32-34, 36, 38-40).

<https://www.transpordiamet.ee/en/media/2429/download>

* Regulation No. 34 of the Minister of Economic Affairs and Communications of 21.05.2013 ‘Procedure of Watchkeeping’.

<https://www.transpordiamet.ee/en/media/4411/download>

1. Seafarers Employment Act – Chapters 1 and 3.

<https://www.riigiteataja.ee/en/eli/529032022005/consolide>

1. Merchant Shipping Code – Chapters 3 and 24.

<https://www.riigiteataja.ee/en/eli/517122020007/consolide>

1. Merchant Shipping Act – Chapters 7 (§ 75) and 9.

<https://www.riigiteataja.ee/en/eli/510062021001/consolide>

1. Law of Ship Flag and Ship Registers Act – Chapters 1 (§ 1-3) and 5.

<https://www.riigiteataja.ee/en/eli/526082022004/consolide>

1. Penal Code – § 422; 423; 425; 429.

<https://www.riigiteataja.ee/en/eli/ee/Riigikogu/act/530092022005/consolide>

Clarifications:

1. Pursuant to Regulation I/10, clause 2, of the Annex to the STCW Convention and paragraph 34 (5) of Regulation No. 96 of the Government of the Republic of Estonia of 20.06.2013 ‘Requirements for the Training and Qualification of Seafarers and Procedures for Certification’, masters, chief officers, chief engineers and second engineers of foreign nationality are required to be familiar with Estonian maritime legislation in order to work as a crewmember on the ship under Estonian flag. Pursuant to clause 20 (56) 31 of the Maritime Safety Act, the requirement also applies to the ship’s crewmembers who are foreign nationals and who apply for the exchange of their maritime documents for those of the Republic of Estonia.
2. Training on legislation is provided by maritime training institutes licensed in the Republic of Estonia.
3. A foreign seafarer’s knowledge of Estonian maritime legislation shall be tested before the Permanent Committee of the Estonian Transport Administration. The examination consists of 15 questions and the total time allowed for preparation and answering is 60 minutes, with a minimum score of 75 % correct answers. It is allowed to use legislation materials during the examination.

This circular replaces the Maritime Administration’s circular No. 17.1-1/14 of 03.11.2022.

(signed digitally)

Marek Rauk

Director of Safety and Supervision Service

**\*The seafarer’s knowledge of Estonian maritime legislation will be evaluated and confirmed during an examination by the Permanent Committee of Estonian Transport Administration (6 Heli Street, Tallinn or online environment, MS Teams).**