Text consolidated by Valsts valodas centrs (State Language Centre) with amending laws of:

30 October 2003 [shall come into force on 28 November 2003];

28 October 2004 [shall come into force on 26 November 2004];

10 November 2005 [shall come into force on 14 December 2005];

15 June 2006 [shall come into force on 11 July 2006];

10 May 2007 [shall come into force on 13 June 2007];

13 December 2007 [shall come into force on 1 January 2008];

19 June 2008 [shall come into force on 23 July 2008];

11 December 2008 [shall come into force on 18 December 2008];

22 October 2009 [shall come into force on 24 November 2009];

17 June 2010 [shall come into force on 1 July 2010];

16 June 2011 [shall come into force on 7 July 2011];

29 March 2012 [shall come into force on 1 May 2012];

13 June 2013 [shall come into force on 16 July 2013];

30 April 2015 [shall come into force on 3 June 2015];

16 June 2016 [shall come into force on 23 June 2016];

13 July 2017 [shall come into force on 9 August 2017];

4 October 2018 [shall come into force on 30 October 2018];

14 February 2019 [shall come into force on 13 March 2019];

14 May 2020 [shall come into force on 11 June 2020];

20 October 2022 [shall come into force on 10 November 2022].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*1 has adopted and

the President has proclaimed the following law:

**Maritime Administration and Marine Safety Law**

**Division A**

**General Provisions**

**Section 1. Purpose of the Law**

The purpose of the Law is to prescribe the State administration institutional system for maritime matters and ensure the implementation of and compliance with the requirements of the treaties and standards adopted in the field of maritime safety and security that are binding on Latvia in order to ensure maritime safety, security of ships, ports and port facilities, prevent environmental pollution from ships, and make maritime traffic more efficient.

[*16 June 2011*]

**Section 2. Application of the Law**

(1) Unless provided otherwise therein, the Law shall be applied to all vessels registered in the Latvian Ship Register (hereinafter – the Ship Register) irrespective of their location, foreign flag vessels located in waters under the jurisdiction of the Republic of Latvia (hereinafter – the Latvian waters), ports and port facilities, and all natural and legal persons, as well as other legal entities associated with maritime safety that must be guaranteed in conformity with the requirements of international agreements and includes the safety of personnel, cargo, navigation, and ships.

(2) The Law shall not apply to the ships of the National Armed Forces and personnel thereof, unless otherwise provided for in the Law, as well as to the warships of other states and personnel thereof.

(3) Section 7, Paragraph two, Section 26, Paragraph four, Sections 42, 43, and 48.1, and Chapter IX of this Law shall be applied to vessels registered in the Register of *valsts akciju sabiedrība “Ceļu satiksmes drošības direkcija”* [State joint-stock company Road Traffic Safety Directorate].

(4) Section 7, Paragraph two, Section 48.1 and Chapter IX of this Law shall be applied to vessels which, in accordance with the laws and regulations of the Republic of Latvia, need not be registered or the registration of which is voluntary. Section 48.1 and Chapter IX of this Law shall be applied to the floating structures the registration of which in the Ship Register is voluntary.

[*28 October 2004; 16 June 2011; 30 April 2015; 14 May 2020; 20 October 2022*]

**Section 3. Norms of International Law**

If the norms of international law which are binding on Latvia provide for other provisions than those included in this Law, the norms of international law shall apply.

**Division B**

**Maritime Administration**

**Section 4. Institutions of Maritime Administration**

(1) The Ministry of Transport shall perform the general State administration in maritime matters. The functions provided for in Section 6 of this Law shall be performed by *valsts sabiedrība ar ierobežotu atbildību “Latvijas Jūras administrācija”* [State limited liability company Maritime Administration of Latvia] (hereinafter – the Maritime Administration of Latvia).

(2) Individual functions of maritime matters in accordance with their competence shall be performed by the National Armed Forces Naval units that perform coast guard functions (hereinafter – the Coast Guard), the State Environmental Service, the Transport Accident and Incident Investigation Bureau, the State Security Service, the State Border Guard and port authorities.

[*30 October 2003; 28 October 2004; 10 November 2005; 10 May 2007; 16 June 2011; 4 October 2018; 20 October 2022*]

**Section 5. Competence of the Ministry of Transport**

The Ministry of Transport shall, in conformity with its competence in maritime matters:

1) implement the State policy and development strategy;

2) ensure the drafting of laws and regulations in conformity with the legislative acts of the International Maritime Organization, Helsinki Commission, International Labour Organization and other international organizations, as well as the European Union;

3) represent the State in the International Maritime Organization, International Hydrographic Organization, institutions of the European Union and other institutions, and participate in the work of the Helsinki Commission regarding matters related to maritime safety;

31) ensure the conduct of such audit by the International Maritime Organization in Latvia not less than once in seven years to the performance of which the International Maritime Organization has agreed, as well as shall ensure the publication of the general access information of audit results;

4) ensure compliance with the treaties binding on Latvia and other norms of international laws;

5) provide supervision and control of the implementation of the functions transferred to the Maritime Administration of Latvia;

6) determine the procedures for using Latvian waters in the cases provided for in this Law;

61) perform the functions of the manager of the International Freight Logistics and Port Information System (*SKLOIS*). The Ministry of Transport shall enter into the delegation contract with the Maritime Administration of Latvia regarding the performance of the functions of the keeper of the International Freight Logistics and Port Information System (*SKLOIS*);

7) issue and cancel a conformity certificate to seafarers professional training programmes;

8) [16 June 2011];

9) [22 October 2009];

10) [15 June 2006];

11) [28 October 2004];

12) [16 June 2011];

121) approve the list of seafarer professional competence evaluators and port assessment commissions;

122) [16 June 2011];

13) develop and coordinate international relations;

14) perform other functions related to safety at sea.

[*30 October 2003; 28 October 2004; 15 June 2006; 10 May 2007; 19 June 2008; 22 October 2009; 16 June 2011; 4 October 2018* / *Clause 6.1 shall come into force on 1 January 2019. See Paragraph 41 of Transitional Provisions*]

**Section 6. Competence of the Maritime Administration of Latvia**

(1) The Maritime Administration of Latvia shall:

1) register ships and ship mortgages and issue documents related thereto;

2) maintain databases of the Ship Register;

3) monitor the conformity of ships included in the Ship Register to safety and environmental protection requirements, including:

a) perform inspections of ships;

b) issue certificates for ships;

c) approve shipbuilding and modernisation projects, documentation regarding the stability of a ship, shipboard marine pollution emergency plan, ship’s manuals and other documentation of the ship, as well as issue and register ship’s logbooks;

d) control implementation of the requirements specified in the International Management Code for the Safe Operation of Ships and for Pollution Prevention (hereinafter – the ISM Code) on ships included in the Ship Register;

e) issue a permit for trials of emission reduction technologies for ships included in the Ship Register;

f) perform the obligations of administration referred to in Regulation (EU) No 1257/2013 of the European Parliament and of the Council of 20 November 2013 on ship recycling and amending Regulation (EC) No 1013/2006 and Directive 2009/16/EC;

4) perform tonnage measurements of ships included in the Ship Register and issue documents attesting the tonnage;

5) supervise operation of classification societies (recognised organizations);

6) issue conformity certificate to merchants who perform inspections of ship safety equipment;

7) issue conformity certificate to merchants which perform the building, designing, modernisation or repair of ships;

71) assign the unique code of the manufacturer to a natural or legal person which manufactures recreational crafts or personal watercrafts in Latvia;

8) perform port State control;

9) supervise meeting the requirements of safe loading of bulk cargo ships on board the ships and terminals, as well as perform conformity inspections of bulk cargo terminals;

10) control handling of dangerous and polluting cargoes in ports within the ship-to-shore interface;

11) control how the procedures for reporting on dangerous and polluting ship cargoes are complied with in Latvian waters;

12) control how the procedures for reporting on passengers on board the ships are complied with in Latvian waters;

121) in accordance with the delegation contract entered into in accordance with Section 5, Clause 6.1 of this Law, perform the functions of the keeper of the International Freight Logistics and Port Information System (*SKLOIS*), including ensure its compatibility with the European Union Maritime Information and Exchange System (hereinafter – the SafeSeaNet system);

13) in co-operation with the Coast Guard, co-ordinate the development and use of the Automatic Identification System (AIS);

131) in cooperation with the Coast Guard, ensure the operation of the Long-range Identification and Tracking (LRIT) system;

14) supervise the development and operation of lighthouses, buoys and other technical aids to navigation necessary for the safety of navigation (hereinafter – the technical aids to navigation), and also system thereof in Latvian waters;

15) control and carry out depth surveys, as well as hydrographic surveys and research in Latvian waters;

151) acquire, compile, and maintain geospatial data and basic data on Latvian waters (sea and ports) (hereinafter – the marine geospatial information) in conformity with the laws and regulations regarding the geospatial information;

16) organise the preparation, printing, and distribution of navigation publications;

17) publish and distribute navigation warnings and notices and also perform the responsibilities of a national coordinator for the analysis and notification of maritime safety information;

18) coordinate ship to ship cargo operations in Latvian waters from the perspective of maritime safety;

19) coordinate the raising of sunken property in Latvian waters from the perspective of maritime safety;

20) agree upon the documentation of construction projects for port hydrotechnical, heat energy, gas, and other separately non-classified engineering structures (including explanatory memorandum and construction project in minimum composition) from the perspective of maritime safety, if the construction is intended in a port territory, and provide an opinion on the readiness of an engineering structure for use, if it is located in a port territory;

201) assess, in conformity with the Marine Environment Protection and Management Law and from the perspective of maritime safety, the draft Cabinet Order drawn up by the responsible ministry regarding determination of a certain territory in the sea (permit or licence area in the sea) in order to arrange marine cable line of electronic communications, cable line of electronic networks, submarine electric transmission cable line, and submarine pipeline, including gas pipeline, oil, and oil product pipeline in the sea waters of Latvia;

202) agree upon, from the perspective of the maritime safety, the construction of structures (artificial islands, structures and facilities, including platforms and facilities necessary for energy production) in internal waters of Latvia, territorial sea and exclusive economic zone as it is laid down in conformity with the Marine Environment Protection and Management Law and the Construction Law;

21) harmonise port regulations from the perspective of maritime safety and security of ships, ports, and port facilities and control compliance therewith;

211) control, from the perspective of the maritime safety, how the obligations laid down in the laws and regulations regarding the safe operation and handling of containers in ports and the requirements laid down in the laws and regulations for verified gross mass of containers are complied with;

212) on the basis of the opinion on the environment risk provided by the Ministry of Environmental Protection and Regional Development in co-operation with the Latvian Institute of Aquatic Ecology, grant the exemptions referred to in Regulation A-4 of Annex to the International Convention for the Control and Management of Ships’ Ballast Water and Sediments, 2004;

22) coordinate and perform in co-operation with other competent authorities the implementation and supervision of security requirements for ships, shipping companies, ports, and port facilities;

23) certifies recognised security organizations and supervise the operation thereof;

24) approve the conformity of training programmes for security personnel of ships, shipping companies, ports, and port facilities with the security requirements for ships, shipping companies, ports, and port facilities;

25) coordinate the conformity of professional training programmes and training courses of seafarers with international legal acts and supervise the implementation of such programmes;

26) organise the examinations of seafarer qualifications and issue professional qualification attesting documents for work on ships;

27) issue certificates to pilots, as well as supervise pilot training and qualification examinations;

28) issue certificates to operators of the vessel traffic services (VTS), as well as supervise training and qualification examinations of operators of the vessel traffic services (VTS);

29) maintain a seafarer certification database;

30) draw up, issue, exchange, seize, cancel, and recognise as invalid Seaman’s Discharge Books and perform the accounting thereof;

31) assess the conformity of professional qualification of seafarers, if a report has been received that a seafarer certified in Latvia fails to fulfil the professional duties thereof;

32) issue certificates to seafarer professional training instructors and seafarer professional qualification evaluators which certify their conformity to the requirements specified in the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (hereinafter – the STCW Convention);

33) issue special permits (licences) to merchants which provide recruitment and placement services in manning the ship’s crew and supervise the conformity of such merchants to the requirements laid down in the STCW Convention, and International Labour Organization Conventions;

34) recognise medical practitioners who are entitled to provide an opinion on the medical fitness of seafarers for work on ships in conformity with the requirements laid down in the STCW Convention (hereinafter – the medical practitioner of seafarers);

35) participate in the work of the International Maritime Organization, Helsinki Commission, International Hydrographic Organization, International Labour Organization and other international organizations;

36) prepare proposals for the development of draft laws and regulations.

(11) A person has an obligation to provide information, including a reply to the request of the Maritime Administration of Latvia, within the time limit indicated by the Maritime Administration of Latvia on issues related to ensuring the competence of the Maritime Administration of Latvia laid down in Paragraph one of this Section.

(2) The Cabinet shall issue regulations in which a pricelist of the paid services provided by the Maritime Administration of Latvia within the framework of the tasks of State administration and the procedures for the application thereof, and also the persons who are exempt from paying for the paid services provided by the Maritime Administration of Latvia within the framework of the tasks of State administration are determined.

(3) In order to perform the functions referred to in Paragraph one of this Section, the Maritime Administration of Latvia shall ensure the operation of the Registry of Seamen, the Ship Register, the Maritime Safety Inspectorate, the Ship and Port Security Inspectorate, and the Hydrographic Service.

(31) The decision taken by the Maritime Administration of Latvia for the fulfilment of the functions referred to in Paragraph one of this Section may be contested and appealed in accordance with the following procedures:

1) the decisions of the Maritime Administration of Latvia which are initially taken by the structural units of the Maritime Administration of Latvia may be contested to the director of the Maritime Administration of Latvia in accordance with the procedures laid down in the Administrative Procedure Law. Decisions of the director of the Maritime Administration of Latvia may be appealed before a court;

2) the decisions of the Maritime Administration of Latvia which are initially taken by the director of the Maritime Administration of Latvia may be contested to the Ministry of Transport in accordance with the procedures laid down in the Administrative Procedure Law. Decisions of the Ministry of Transport may be appealed before a court.

(4) The decisions of the Maritime Administration of Latvia taken for the implementation of the functions referred to in Paragraph one of this Section on the conformity of ships with safety requirements which are taken during the process of the flag State supervision and port State control, decisions on meet the security requirements of ships, ports and port facilities, decisions on the compliance with the requirements of maritime safety for passenger transport services and cargo operations, as well as decisions to suspend, cancel a qualification document of a seafarer or to recognise it as invalid and decisions to issue a permit for trials of emission reduction technologies or to refuse to issue such permit shall be enforced from the day of coming into effect thereof. Contesting and appeal of such decisions shall not suspend their operation.

[*30 October 2003; 28 October 2004; 10 November 2005; 15 June 2006; 10 May 2007; 19 June 2008; 11 December 2008; 22 October 2009; 17 June 2010; 16 June 2011; 29 March 2012; 30 April 2015; 16 June 2016; 4 October 2018; 14 February 2019; 14 May 2020 / Paragraph five shall be included in the wording of the Law on the day when the Public Services Law comes into force. See Paragraph 35 of Transitional Provisions*]

**Section 7. Competence of the Coast Guard**

(1) In conformity with its competence, the Coast Guard shall control compliance with laws and regulations and the norms of international law which determine the procedures for using Latvian waters. For this purpose the Coast Guard shall perform the following functions:

1) in cooperation with the State Environmental Service, control environmental protection and compliance with the laws and regulations governing fishery, and detain ships in Latvian waters in accordance with Section 44 of this Law;

2) eliminate the consequences of ship accidents and disasters, consequences of the spillage of oil, hazardous or noxious substances into the sea and coordinate the work related to the elimination of such consequences in Latvian waters in compliance with the National Contingency Plan for response to pollution incidents of oil, hazardous or noxious substances at sea approved by the Cabinet, and the emergency action plans;

3) coordinate and perform marine search and rescue [Maritime Rescue Co-ordination Centre (hereinafter – the Co-ordination Centre (MRCC) activities] in the area of responsibility for search and rescue of the Republic of Latvia (hereinafter – the Latvian area of responsibility) in conformity with the 1979 International Convention on Maritime Search and Rescue (hereinafter – the SAR Convention), other laws and regulations and emergency action plans, as well as perform assistance service functions (MAS functions) and grant a place of refuge for ships;

4) ensure the operation of the Global Maritime Distress and Safety System (hereinafter – the GMDSS) and the operation of the coastal communications network of the Automatic Identification System (AIS);

41) perform the functions of the National Competent Authority within the framework of the Long-range Identification and Tracking (LRIT) system and ensure its operation in cooperation with the Maritime Administration of Latvia;

5) in cooperation with the Maritime Administration of Latvia control compliance with the navigation regime;

6) [4 October 2018 / See Paragraph 41 of Transitional Provisions];

7) control the use of the national flag of Latvia on ships;

8) in accordance with the procedures laid down in the laws and regulations, control, if a seafarer, while being on a ship in Latvian waters (sea), has used alcohol, narcotic, psychotropic or toxic substances.

(11) To ensure the operation of the GMDSS and the Automatic Identification System (AIS), the Coast Guard shall establish and maintain a communications network, transmitter, receiver and infrastructure network, a data centre, computing systems and coordination centre. The Coast Guard has the right to delegate the establishment and maintenance of the communications network, transmitter, receiver and infrastructure network, a data centre, computing systems and coordination centre to *valsts akciju sabiedrība “Latvijas Valsts radio un televīzijas centrs”* [State joint-stock company Latvian Radio and Television Centre] by entering into a delegation contract.

(2) The Cabinet shall determine the procedures for using Latvian waters and the navigation regime therein.

(3) The Cabinet shall determine the procedures for ensuring the operation of the ship security alert communication network.

[*30 October 2003; 28 October 2004; 10 November 2005; 15 June 2006; 11 December 2008; 22 October 2009; 16 June 2011; 13 June 2013; 30 April 2015; 4 October 2018* / *The new wording of Paragraph one, Clause 4, Paragraph one, Clause 4.1 and the amendment regarding the deletion of Paragraph one, Clause 6 shall come into force on 1 January 2019. See Paragraph 41 of Transitional Provisions*]

**Section 8. Competence of the State Environmental Service**

(1) The State Environmental Service shall, in accordance with its competence, control the compliance with laws and regulations and the norms of international law governing the protection of marine environment. For this purpose, the State Environmental Service shall perform the following functions:

1) control the environmental protection in Latvian waters and port areas;

2) issue a special permit (licence) to commercial companies for the reception and disposal of ship waste in ports;

3) issue the technical regulations of hydro-technical constructions and agree upon projects in the field of environmental protection;

4) agree upon projects for dredging and disposal of dredged materials to be carried out in sea waters and ports, and issue permits for the performance of these works;

5) coordinate the implementation of the National Contingency Plan for response to pollution incidents of oil, hazardous or noxious substances at sea;

6) develop standard requirements for ports, berths, and terminals in relation to oil spill contingency plans;

7) develop guidelines for the collection of oil products;

8) approve oil spill contingency plans for ports, berths, and terminals and control the introduction and implementation thereof;

9) organise the investigation of environmental pollution incidents;

10) formulate recommendations for the final placement (disposal) of oil collected during the process of the elimination of pollution;

11) participate in the work of the International Maritime Organization, the Helsinki Commission, and the International Oil Pollution Compensation Fund, 1992, regarding marine environment protection matters and coordinate the implementation of the Helsinki Commission recommendations in maritime matters;

12) compile data on marine environment pollution;

13) control the compliance with the laws and regulations governing fishery in Latvian waters and port areas;

14) control the use of natural resources in Latvian waters and port areas;

15) control the reception and management of ship generated waste in ports;

151) control the reception and management of ships’ ballast water sediments in ports and terminals;

16) harmonise port regulations in the field of environmental protection and control compliance with these regulations.

(2) The Cabinet may specify additional functions for the State Environmental Service.

[*10 November 2005; 16 June 2011; 14 February 2019*]

**Section 8.1 Competence of Transport Accident and Incident Investigation Bureau**

(1) The Transport Accident and Incident Investigation Bureau shall carry out investigation of marine casualties and incidents in the field of maritime safety. The investigator of this Bureau shall be required to have a service identification card when performing the relevant investigational operations. The procedures for the issuing and cancellation of a service identification card shall be determined and the sample form thereof shall be approved by the Cabinet.

(2) The operation of the Transport Accident and Incident Investigation Bureau referred to in Paragraph one of this Section shall be financed from the funds of the Maritime Administration of Latvia which have been acquired from the paid services provided within the framework of the tasks of State administration in accordance with the prices stipulated by the Cabinet and other own revenues. On the first working day of each month, the Maritime Administration of Latvia shall transfer one twelfth of the financing allocated for the investigation of marine casualties in the budget approved by the Cabinet for the current year to the account of the Transport Accident and Incident Investigation Bureau in the Treasury.

(3) Investigators of the Transport Accident and Incident Investigation Bureau shall be insured against accidents that may occur during the performance of service duties at the site of the investigation of marine casualty or incident.

[*16 June 2011; 29 March 2012*]

**Section 9. Competence of Port Authorities**

The competence of port authorities in the field of maritime safety and environmental protection shall be determined by this Law, the Law on Ports and the regulations of the relevant port.

**Division C**

**Marine Safety**

**Chapter I**

**Ship Safety and Supervision of Ship Safety**

**Section 10. Procedures for Registering Ships**

The procedures for registering ships shall be laid down in the Maritime Code.

**Section 11. Safety Requirements for Ships**

(1) The safety requirements for ships and procedures for the supervision of ship safety taking into account the tonnage, length thereof, type of a ship, the year of construction and trading area shall be determined by this Law and treaties binding on Latvia and further amendments thereof, including:

1) the 1966 International Convention on Load Lines and the 1988 protocol thereof;

2) the International Convention for the Safety of Life at Sea, 1974 (hereinafter – the SOLAS Convention) and the 1988 protocol thereof;

3) the International Convention for the Prevention of Pollution from Ships and the 1978 protocol thereof, 1973 (hereinafter – the MARPOL Convention);

4) the Convention On the Protection of the Marine Environment of the Baltic Sea Area, 1992 (hereinafter – the Helsinki Convention);

5) the Convention on the International Regulations for Preventing Collisions at Sea, 1972 (hereinafter – the COLREG Convention);

6) the International Convention on Tonnage Measurement of Ships, 1969 (hereinafter – the TONNAGE Convention);

7) the International Labour Organization 1976 Merchant Shipping (Minimum Standards) Convention and the 1996 Protocol thereof;

8) the STCW Convention;

9) the International Health Organization 2005 International Health Regulations;

10) the 2001 International Convention on the Control of Harmful Anti-Fouling Systems on Ships;

11) the Maritime Labour Convention, 2006 (hereinafter – the MLC Convention);

12) the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel, 1995 (hereinafter – the STCW-F Convention);

13) the International Convention for the Control and Management of Ships’ Ballast Water and Sediments, 2004.

(2) When determining the application of ship safety requirements and procedures for ship safety supervision, the requirements of international legal acts shall be taken into account as regards to:

1) the safety and standards of passenger ships;

2) the system of mandatory inspections in order to ensure safe operation of ships with horizontal and vertical cargo handling (hereinafter – the ro-ro ships) and high-speed passenger crafts;

3) safe administration of ro-ro passenger ships;

4) the organization of ship inspections and supervision, as well as the activities of the State administration;

5) the safety of ports and ships;

6) the registration of fishing vessels;

7) the minimum occupational safety and health protection requirements for work on ships;

8) the training, certification, and watchkeeping of seafarers;

9) other issues related to maritime safety, prevention of environmental pollution, and the training, qualification, and certification of persons;

10) the construction and machinery of the ship;

11) the systems and equipment of the ship;

12) the fire safety of the ship;

13) the prevention of environmental pollution;

14) the stability of the ship, including damage stability;

15) the maritime safety and emergency preparedness training for ship’s crew;

16) the application of ISM Code and the 2004 International Ship and Port Facility Security Code (hereinafter – the ISPS Code);

17) the tonnage of the ship;

18) the load line of the ship;

19) the loading, stowing. and securing of cargo on the ship, and also ballast operations;

20) the safety of passenger ships, ro-ro passenger ships, and high-speed passenger crafts, as well as the safety of passengers;

21) the safety of ships, terminals, and fixed offshore platforms;

22) the training, certification, and qualification examinations of pilots and operators of vessel traffic services (VTS);

23) nautical charts, documentation, and informative materials of the ship;

24) the responsibility of the shipowner for the conformity of the ship to safety norms;

25) the maritime communication and network systems;

26) the safety of ship’s radio and navigation equipment;

27) investigation of marine casualties and incidents.

(3) The Minister for Transport is entitled to specify the procedures for implementing the international legal acts referred to in Paragraphs one and two of this Section.

(4) The Cabinet may determine the imposition of safety and security requirements on ships to which, taking into account the tonnage, length thereof, type of the ship, the year of construction and trading area, the requirements specified in the international legal acts referred to in Paragraphs one and two of this Section do not apply.

(5) The Cabinet may determine the procedures by which the requirements provided by the Helsinki Convention in the field of prevention of environmental pollution for commercial companies the activity of which is not connected to maritime transport shall be fulfilled.

(6) The Maritime Administration of Latvia or the ship classification society (recognised organization) authorised thereby shall certify the conformity of the documentation of Latvian shipbuilding and modernisation projects and the equipment of ships to the international requirements. The building, modernisation, and repair of ships shall be supervised by the Maritime Administration of Latvia or the ship classification society (recognised organization) authorised thereby.

(7) Documentation regarding the stability of the ship, the calculations of tonnage and load line, the shipboard marine pollution emergency plans, and also the handbooks and other documents specified in international legal acts referred to in Paragraph one of this Section the conformity to the international requirements of which has been certified by the Maritime Administration of Latvia or the ship classification society (recognised organization) authorised thereby must be on Latvian ships.

(8) The Cabinet shall determine the procedures for tonnage measurement of ships and issuing of tonnage certification documents.

(9) The Cabinet shall issue regulations providing specific stability requirements for ro-ro passenger ships.

(10) The Cabinet shall issue regulations providing requirements for the use and maintenance of ship’s radio and navigation equipment.

(11) The Cabinet shall determine the procedures for the assignment and cancellation of the unique code of the manufacturer to a natural or legal person which manufactures recreational crafts or personal watercrafts in Latvia.

[*30 October 2003; 28 October 2004; 10 November 2005; 15 June 2006; 10 May 2007; 19 June 2008; 11 December 2008; 16 June 2011; 13 June 2013; 30 April 2015; 16 June 2016; 14 February 2019*]

**Section 12. Flag State Supervision**

(1) Within the meaning of this Law, flag State supervision is the control regarding the conformity of ships to the requirements of laws and regulations, including requirements specified in Section 11, Paragraphs one, two, three, and four of this Law.

(2) The purpose of flag State supervision is to ensure that the construction, technical condition, equipment, and crew of Latvian ships guarantee the protection of human life and health, environment and cargo, as well as to prevent the operation of ships which do not comply with international standards for navigation purposes.

(3) In order to implement flag State supervision, the Cabinet shall issue regulations determining the procedures for the following:

1) inspections of ships and time limits thereof;

2) certificates of ships to be issued, suspension thereof or cancellation of certificates;

3) recognition of ships’ certificates issued by foreign countries;

4) ship’s class inspections.

[*28 October 2004; 11 December 2008*]

**Section 13. Inspections and Certificates of Ships**

(1) The Maritime Administration of Latvia or the classification society (recognised organization) authorised thereby and the recognised security organisation shall issue ship certificates specified in the international legal acts to ships which due to their tonnage, length, the type of the ship, the year of construction and trading area require such certificates.

(2) A national ship certificate shall be issued to ships which do not meet the requirements of Paragraph one of this Section.

(3) [30 October 2003]

(4) The Maritime Administration of Latvia may perform the inspections of foreign ships and issue ship certificates thereto provided for in the relevant treaty, if it has been requested by a relevant shipowner and approved by a competent maritime administration authority of the relevant flag State. Each certificate shall contain information that it has been issued upon request of the competent authority of the country in which the ship is registered.

[*30 October 2003; 28 October 2004*]

**Section 14. Duty to Maintain Ships in Conformity with Safety Requirements**

(1) The shipowner and the master of a ship have the obligation to maintain the hull, machinery, installations, and equipment of the ship and to ensure that the cargo loading, stowage, securing on board the ship and ballast operations are performed in compliance with safety requirements in conformity with the requirements of Sections 11, 12, and 13 of this Law.

(2) A Latvian shipowner shall report to the Maritime Administration of Latvia on any changes made in the hull, machinery, installations, and equipment of the ship that do not correspond to the information indicated in certificates issued to the ship, as well as on the damage caused in the case of an accident of the ship and due to which the seaworthiness of the ship is not ensured.

(3) [14 May 2020 / See Paragraph 43 of Transitional Provisions]

[*30 October 2003; 14 May 2020*]

**Section 15. Port State Control**

(1) Within the meaning of this Law, port State control is the control of foreign ships in ports of Latvia.

(2) The purpose of port State control is to prevent the operation of such foreign ships for navigation purposes which do not comply with international standards.

(3) The Cabinet shall determine the procedures for port State control in compliance with the requirements of the legal acts of the International Maritime Organization and other international organizations.

[*15 June 2006; 16 June 2011*]

**Section 16. Ship Equipment**

(1) Only such equipment may be used on Latvian ships which is certified and complies with the requirements of maritime safety, human life and health protection, as well as environmental protection.

(2) For the performance of inspections of ship safety equipment, the Maritime Administration of Latvia shall issue conformity certificates according to the procedures specified by the Cabinet.

[*30 October 2003; 28 October 2004; 15 June 2006*]

**Section 17. Ship and Port Control Inspectors**

(1) Flag State supervision and port State control shall be carried out by inspectors of the Maritime Administration of Latvia.

(11) In order to perform flag State supervision and port State control, inspectors of the Maritime Administration of Latvia, by presenting their service identification card, have the right to enter the territory of Latvian ports and to visit merchants in the territory of the port.

(2) When performing duties of flag State supervision and port State control, the ship control inspectors have the right to detain a ship in the port or suspend the operation thereof in the port if non-compliance with the requirements of this Law and other laws and regulations has been established.

(3) A ship control inspector shall revoke the decision to detain a ship or to suspend operations thereof in the port only after rectification of those deficiencies, which were the basis for detaining the ship in the port or suspending the operations thereof.

(4) The Cabinet shall determine the functions and rights of ship and port inspectors.

(5) In all cases where, in relation to flag State supervision and port State control, the undue detention or delay of the ship is referred to, the shipowner, bare boat charterer or operator has the obligation to prove it.

[*30 October 2003; 28 October 2004; 10 November 2005; 15 June 2006; 16 June 2011*]

**Section 18. Classification Societies (Recognised Organizations) and Recognised Security Organizations**

(1) Classification societies (recognised organizations) are commercial companies performing the technical supervision of ships in conformity with an authorisation agreement entered into with the Maritime Administration of Latvia. The Maritime Administration of Latvia may enter into authorisation agreements only with classification societies recognised in the European Union in conformity with the national legal acts regarding the procedures for supervising classification societies (recognised organizations). A list of classification societies (recognised organizations) shall be published on the website of the Maritime Administration of Latvia (www.lja.lv).

(2) Port authorities shall provide free access for representatives of classification societies (recognised organizations), as well as recognised security organizations to ships to be inspected.

(3) The definition of recognised security organization is given in SOLAS Convention Chapter XI-2. The Cabinet shall issue regulations in which the following shall be determined:

1) the requirements and procedures for the recognition, certification, and supervision of the activities of security organizations;

2) the requirements for obtaining a conformity certificate of a recognised security organization, and also the procedures for the issuing and cancellation thereof.

(4) The Cabinet shall determine the procedures for supervising classification societies (recognised organizations).

[*30 October 2003; 28 October 2004; 10 November 2005; 16 June 2011; 30 April 2015*]

**Section 18.1 Limitation of the Financial Liability of Classification Societies (Recognised Organizations)**

Classification societies (recognised organizations) may limit the maximum amount which they disburse to the Maritime Administration of Latvia in accordance with a court or arbitration court decision that has come into effect, but this amount may not be less than:

1) 4 million euros in claims which are associated with injuries to persons or death;

2) 2 million euros in claims which are associated with the loss of property or damage done thereof.

[*15 June 2006*]

**Section 19. Compliance with Requirements of ISM Code and ISPS Code**

(1) Latvian ships to which Chapters IX and XI-2 of the SOLAS Convention apply shall comply with the requirements of the codes referred to in these chapters.

(2) The Maritime Administration of Latvia or the classification society (recognised organization) authorised thereby shall, after an audit of the relevant shipping company and the ship, issue the conformity document specified in the ISM Code to the shipping companies which administer the Latvian ship and a safety management certificate to the Latvian ship.

(3) The Maritime Administration of Latvia shall perform general supervision of compliance with the ISM Code and ISPS Code requirements.

(4) The Maritime Administration of Latvia in cooperation with the State Security Service, State Border Guard, Coast Guard and other authorities of the Republic of Latvia shall, in conformity with the laws and regulations governing the operations thereof, take measures to ensure the implementation of the requirements specified in the ISPS Code and other laws and regulations for the security of ships, ports, and port facilities. The Cabinet shall prescribe the procedures by which the Coast Guard shall ensure the enforcement of the decision on the expulsion of the ship from the port.

(5) The Cabinet shall issue regulations in which the following shall be determined:

1) division of functions of ships, shipping companies, ports and port facilities security, as well as procedures for the implementation and supervision thereof laid down in the norms of international law;

2) rights and obligations of ship and port security inspectors of the Maritime Administration of Latvia;

3) requirements for the receipt of the international ship security certificate, interim international ship security certificate, the Statement of Security Compliance of the Port or the Port Facility, and also the procedures for issuing or cancelling such certificates and approval;

4) requirements for the approval of training programmes for the port or port facility personnel and the procedures for the approval thereof;

5) basic requirements for training, exercises, and practical studies in ship and shipping company, port, and port facility security;

6) requirements for cooperation and exchange of information by authorities involved in the fulfilment of the requirements of ship, shipping company, port, and port facility security, and also the procedures for cooperation and exchange of information.

[*30 October 2003; 28 October 2004; 16 June 2011; 30 April 2015; 16 June 2016; 20 October 2022*]

**Section 20. Radio Communications**

All Latvian ships shall be equipped with radio equipment, including equipment for the provision of radio communications in cases of a ship accident and rescue operations, conforming to the requirements of laws and regulations and treaties binding on Latvia.

**Section 21. Ship’s Logbooks**

(1) On board of ships flying the flag of Latvia and involved in commercial activities, except for fishing boats, ships without a crew and laid-up ships, the following ship’s logbooks shall be present:

1) Ship’s Log Register. Each ship’s logbook used on a ship shall be registered therein;

2) Ship’s Logbook and Ship’s Engine Logbook. On ships of less than 500 gross tonnage, a Combined Ship’s Logbook might be used instead of these logbooks;

3) other ship’s logbooks (for example, GMDSS Radio Logbook, Oil Record Book, Garbage Record Book, Cargo Record Book, if a ship carries noxious liquid substances in bulk).

(2) The ship’s logbooks referred to in Paragraph one of this Section shall be purchased from the Maritime Administration of Latvia.

(3) The Maritime Administration of Latvia shall register the ship’s logbooks referred to in Paragraph one, Clauses 1 and 2 of this Section.

(4) Instead of the ship’s logbooks referred to in Paragraph one, Clause 3 of this Section it is allowed to use ship’s logbooks other than purchased from the Maritime Administration of Latvia, if they conform to the requirements of the international legal acts.

(5) Entries in ship’s logbooks shall be made systematically and as soon as possible after the carried out activity or event, by describing the course of the carried out activity or event and formulating the facts precisely.

(6) Completed ship’s logbooks shall be kept on board the ship for two years, unless otherwise provided for in the international legal acts. Afterwards the ship’s logbooks shall be transferred for storage to the shipowner or ship’s management company which shall keep them for at least another four years.

(7) Use of ship’s logbooks which is contrary to the to the requirements of this Section is prohibited.

[*30 April 2015*]

**Section 22. Emergency Plans and Muster List**

(1) Latvian ships shall have a muster list which shall include the following entries: “Kuģa kopējā trauksme!”, [Ship’s General Emergency Alarm], “Cīņa ar uguni!”, [Fire Alarm!], “Cilvēks aiz borta!”, [Man overboard!], “Atstāt kuģi!”[Abandon ship!], as well as a description of the duties of each crew member in emergencies, emergency plans and management documents for emergency situations in compliance with the requirements specified in SOLAS Convention and MARPOL Convention.

(2) The Minister for Transport is entitled to specify requirements in relation to emergency plans and muster lists.

**Chapter II**

**Crew of a Ship and Labour Protection of Seafarers**

**Section 23. Crew and Master of a Ship**

(1) A master of a ship is a person authorised by the shipowner who is responsible for the general management of the ship and also maritime safety and security. Orders of the master in compliance with his or her authorisation shall be compulsory to all persons on board the ship.

(2) The crew of a ship includes officers, ratings, and trainees.

(3) A trainee is a person who is doing his in-service training on board a ship in accordance with a seafarers professional education programme.

(4) The crew of a ship shall not include a person who has been convicted for an intentional serious or especially serious crime.

(5) Persons who have not been trained and who do not hold an appropriate certificate of qualification to perform the relevant work duties in conformity with the requirements of laws and regulations and international legal acts may not work on a ship. An original of the certificate of qualification shall be available on board the ship on which the person is working.

(6) The owner is prohibited from passing the certificate of qualification to another person, except for the master of the ship and in the cases provided for in the laws and regulations.

[*28 October 2004; 22 October 2009; 13 June 2013*]

**Section 24. Manning the Crew of a Ship**

(1) Latvian ships shall be manned with appropriate crew which shall ensure safety and security at sea and in ports, taking into account the requirements of the SOLAS Convention, STCW Convention, STCW-F Convention and International Labour Organization Conventions.

(2) In manning the crew of a ship, the requirements not lower than the requirements which are laid down in a minimum manning certificate shall be complied with. This certificate shall be issued to Latvian ships by the Maritime Administration of Latvia.

(3) The shipowner shall be responsible for the manning of crew. The crew of the ship shall be manned with the consent of the master of the ship.

(4) Seafarers and other persons who perform specific tasks in relation to the operation and maintenance of Latvian ships shall have documents certifying professional qualification in compliance with laws and regulations and the STCW Convention, and also STCW-F Convention.

(5) Activities related to the provision of recruitment and placement services in manning the ship’s crew shall be permitted to merchants who have obtained a special permit (licence) from the Maritime Administration of Latvia. This requirement shall not apply to shipowners included in the Ship Register which are recruiting and placing persons for work on the ships owned by them that are not subject to SOLAS Convention. The Cabinet shall determine the procedures for the licensing of merchants, as well as the supervision of compliance with the regulations of the special permit (licence) issued to such merchants.

(51) [17 June 2010]

(6) The Cabinet shall determine the rights, obligations, and liability of those merchants which provide recruitment and placement services in manning the ship’s crew.

(7) No fee shall be demanded and received from a seafarer for the provision of recruitment and placement services in manning the ship’s crew.

[*30 October 2003; 28 October 2004; 10 May 2007; 22 October 2009; 17 June 2010; 16 June 2011; 30 April 2015*]

**Section 25. Watchkeeping and Operation of a Ship**

(1) In order to guarantee the safety of persons, ships, cargoes, navigation and the environment, the master shall organise the watchkeeping and operation of the ship in conformity with the requirements of this Law and other laws and regulations on a Latvian ship.

(2) Latvian shipowners have the obligation to ensure safe navigation and engine room watches on their ships and the operation of the ship by issuing appropriate instructions to each master, officers keeping a navigational watch, chief engineer, officers keeping an engineering watch and ratings of their ship. These instructions shall provide for the measures necessary for the safe operation of the ship, environmental protection from pollution, conformity of qualification and state of health of seafarers to safe watchkeeping conditions.

**Section 26. Training of Seafarers and Persons in Charge of Vessels**

(1) The Ministry of Transport shall issue a conformity certificate for the seafarer’s professional training programmes the conformity of which to the requirements of international legal acts, as well as implementation of the professional training of seafarers shall be supervised by the Registry of Seamen of the Maritime Administration of Latvia. The Cabinet shall determine the procedures for the issuing and cancellation of conformity certificates and supervision of professional training programmes of seafarers, and also conditions for the implementation of professional training programmes of seafarers.

(2) The certification of seafarers shall be performed by the Registry of Seamen of the Maritime Administration of Latvia in accordance with the procedures and criteria determined by the Cabinet.

(3) The Minister for Transport is entitled to specify the procedures and criteria for the application of STCW and other international legal acts binding on Latvia.

(4) The procedures for training, certifying, and registering the operators of recreational crafts shall be stipulated by the Cabinet.

(5) [16 June 2011]

(6) [16 June 2011]

(7) [16 June 2011]

[*28 October 2004; 10 November 2005; 10 May 2007; 19 June 2008; 17 June 2010; 16 June 2011; 30 April 2015* / *Amendments to Paragraph one shall come into force from 31 December 2015. See Paragraph 33 of the Transitional Provisions*]

**Section 27. Seaman’s Discharge Book**

(1) A Seaman’s Discharge Book is a seafarer’s identity and travel document in conformity with the requirements laid down in the International Labour Organization Seafarers’ Identity Documents Convention, 1958.

(2) A Seaman’s Discharge Book shall be issued to the seafarers registered in the seafarer certification database who have been assigned to work on ships engaged on international voyages and who have a personal identity document issued by Latvian competent institutions – foreign nationals shall have a personal identity document issued by the competent institutions of the foreign state and a permanent residence permit issued by competent Latvian institutions. A Seaman’s Discharge Book shall also be issued to persons who are studying in the maritime educational institutions of Latvia and are assigned to do in-service training on ships.

(3) [10 November 2005]

(4) The Cabinet shall determine the information to be included in the Seaman’s Discharge Book and the procedures by which the Registry of Seamen of the Maritime Administration of Latvia shall perform the drawing up, issue, exchange, seizure, cancellation, recognition as invalid and accounting of Seaman’s Discharge Books.

(5) Information on invalid Seaman’s Discharge Books and forms thereof shall be included in the register of invalid documents in accordance with the procedures stipulated by the Cabinet.

[*30 October 2003; 10 November 2005; 16 June 2011*]

**Section 28. Ensuring Labour Protection Requirements on Ships**

(1) Labour protection requirements, ship operational specifics, and good seamanship shall be complied with on Latvian ships.

(2) The master of a ship shall be liable for compliance with labour protection and occupational safety requirements on the ship. A member of the crew assigned by the master of the ship shall be responsible for the safety of individual operations of the ship.

(3) The shipowner shall provide the master of the ship with occupational safety instructions which have been drawn up in compliance with the requirements of the International Labour Organization Convention, the Labour Protection Law and other legal acts.

[*16 June 2011*]

**Section 29. Medical Fitness of Seafarers for Work on a Ship**

(1) A seafarer who intends to obtain a professional qualification-supporting documentation or who is employed or wants to begin to work on a ship shall have a valid opinion issued by a medical practitioner on the medical fitness for work on the ship.

(11) Before admission or matriculation to a vocational education programme which provides an opportunity to acquire a document certifying the qualification of a seafarer, a person (hereinafter – the applicant for the qualification of a seafarer) shall have a valid opinion issued by a medical practitioner of seafarers on the medical fitness of a person for work on the ship in the chosen qualification.

(2) The Cabinet shall determine the procedures by which medical examination of seafarers and applicants for the qualification of a seafarer shall be performed and the procedures by which a medical practitioner’s opinion shall be issued on the medical fitness of a seafarer for work on a ship.

(3) The Cabinet shall specify criteria according to which the medical fitness of seafarers and applicants for the qualification of a seafarer for work on a ship shall be determined in the medical examination of seafarers.

(31) Expenses for carrying out the medical examination for a seafarer who is employed on a Latvian ship by a recognised medical practitioner of seafarers shall be covered by the relevant shipowner.

(4) The Cabinet shall determine the criteria and procedures for recognising medical practitioners of seafarers, procedures for the cancellation of the recognition of the medical practitioners of seafarers, and also obligations of the medical practitioners of seafarers. In the decision to cancel the recognition of a medical practitioner of seafarers, the Registry of Seamen of the Maritime Administration of Latvia is entitled to specify a prohibition for the medical practitioner to re-apply for the recognition of a medical practitioner of seafarers for a period of up to three years.

[*28 October 2004; 16 June 2011; 30 April 2015; 16 June 2016* / *Paragraph 1.1, amendments to Paragraphs two and three, and the new wording of Paragraph four shall come into force on 1 January 2017. See Paragraph 38 of Transitional Provisions*]

**Section 30. Work and Rest Rooms of the Crew of a Ship**

(1) Shipowners shall ensure that the work and recreation rooms of the crew of Latvian ships comply with the requirements of conventions of the International Labour Organization and other international legal acts in relation to:

1) minimum area intended for each person in the sleeping quarters of seafarers and maximum number of persons therein;

2) facilities in sleeping quarters, mess rooms of seafarers, sanitary facilities and galleys;

3) protection of the crew of the ship against injuries, humidity, heat, cold and noise;

4) provision of a ship with water and equipment for heating, lighting, ventilation and sanitary arrangements.

(2) A ship’s officer who has been authorised by the master of the ship for this purpose shall periodically inspect the premises of the crew and record the results in the ship’s logbook.

(3) The Cabinet shall determine the applicable MLC Convention requirements for living premises and equipment for recreation on board the ship and the conditions for compliance with such requirements.

[*16 June 2011; 13 June 2013*]

**Section 31. Restriction on Use of Alcohol and Prohibition to Use Drugs and Psychotropic Substances**

(1) The blood alcohol concentration (BAC) may not exceed 0.5 permils for seafarers on a ship.

(2) Seafarers shall refrain from the use of alcohol at least four hours before watchkeeping or performance of other work duties and shall not use alcohol during the watchkeeping or performance of other work duties.

(3) Seafarers on ships may not be under the effect of drugs and psychotropic substances.

(4) The provisions of this Section do not prohibit the Latvian shipowners from imposing more stringent requirements for seafarers on their ships in relation to norms of allowable alcohol usage.

(5) The master of a ship, harbour master or an inspector of marine casualty investigation shall invite the police or the Coast Guard Service (in the sea), or the State Border Guard (in the sea and port) in order for them to determine the influence of alcohol intoxication, narcotic or other intoxicating substance for persons involved in marine casualty or incident, or send such persons for the performance of analysis if there are grounds to suspect that they have used alcohol or narcotic or other intoxicating substances.

(6) The harbour master is entitled to invite the police or the State Border Guard in order for them to determine the influence of alcohol intoxication, narcotic or other intoxicating substance for persons or send such persons for the performance of analysis if there are grounds to suspect that they have used alcohol or narcotic or other intoxicating substances.

[*30 October 2003; 10 November 2005; 13 June 2013; 16 June 2016; 14 May 2020* / *Amendments to Paragraph two regarding the replacement of the word “service” with the word “work” shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 32. Health Protection Requirements on Ships**

(1) The Cabinet shall determine the minimum occupational safety and health protection requirements for the provision of medical assistance on a ship.

(2) On board of each Latvian ship shall be a specially trained officer who shall be permanently responsible for the provision of first aid and the use of medicines.

**Chapter III**

**Maritime Safety and Security in Ports**

[*28 October 2004*]

**Section 33. Harbour Master**

(1) A harbour master is an official of the port authority who, in accordance with laws and regulations, the legal acts of the International Maritime Organization, the Helsinki Convention, and the requirements of the recommendations of the Helsinki Commission, shall organise and control vessel traffic in the port and port approaches, and perform the control functions of maritime safety in relation to vessel traffic in the port, the port area, fairways, berths and terminals. The Cabinet may issue regulations regarding harbour masters.

(2) The port authority may establish the following services necessary for the provision of safety of navigation which shall be managed by the harbour master: a vessel traffic service, pilot service, and other port services.

(3) If the services referred to in Paragraph two of this Section are not established, the chief executive officer of the port or another duly certified person assigned by the chief executive officer of the port may fulfil the duties of a harbour master.

(4) A harbour master shall lead the icebreaking operations in the port approaches during the ice navigation period.

(5) A harbour master shall lead the response operations in a port and person rescue operations if such operations have been determined in the emergency action plans.

(6) If a marine casualty has occurred in a port or in an approach to the port, a harbour master shall report to the Coast Guard, the Transport Accident and Incident Investigation Bureau and the Maritime Administration of Latvia thereon and, in case of pollution, also the State Environmental Service and commence the collection of evidence and documents necessary for the investigation of the accident without delay.

[*30 October 2003; 28 October 2004; 10 November 2005; 10 May 2007; 16 June 2011*]

**Section 34. Pilots and Operators of Vessel Traffic Services (VTS)**

(1) A pilot is an employee of the relevant port authority who has received an appropriate professional qualification certificate. A pilot shall perform advisory functions to the master of a ship during the ship’s manoeuvring, entering into the port, leaving the port or moving within the port. The master of a ship is liable for safe navigation of the ship during pilotage operations.

(2) Pilots may provide pilot services also in waters outside the port.

(3) The Cabinet shall, taking into account the requirements of international legal acts, determine the pilotage areas, the procedures by which pilots shall be used on ships, as well as the procedures for the training, certification, and qualification examinations of pilots.

(4) The master of a ship who has an exemption certificate shall be exempted from the obligation to use a pilot in a pilotage area if it has not been otherwise provided for in international legal acts binding on Latvia.

(5) The Cabinet shall determine the procedures for the training, certification, and qualification examinations of the operators of vessel traffic services (VTS).

[*28 October 2004; 10 November 2005*]

**Section 35. Registration of Ship Passengers**

(1) On a passenger ship that is engaged in voyages 20 nautical miles from a Latvian port or more, passengers shall be registered before leaving the port.

(2) The Cabinet shall determine the procedures for registering ship passengers.

[*30 October 2003; 13 June 2013*]

**Section 36. Notification of Dangerous and Polluting Cargoes**

[29 March 2012]

**Section 37. Ship Cargo Operations**

(1) Cargo loading and unloading operations shall be performed in accordance with a ship cargo plan which shall be agreed upon with a stevedore company and for which the master of a ship shall be liable. The cargo plan of the ship shall ensure the safety of a ship in port and at sea.

(2) Cargo operations on a ship shall be performed and the cargo shall be stowed and secured in compliance with the requirements of the International Maritime Organization in relation to the type of the relevant cargo (timber, cargoes carried on deck, grain cargoes, high density bulk cargoes and other cargoes the carriage of which are regulated by special codes of the International Maritime Organization).

(3) Any person who suspects non-compliance with the requirements specified in Paragraph two of this Section in a port shall report to the harbour master thereon. The harbour master shall forward this information to the Maritime Administration of Latvia, if necessary.

[*30 October 2003; 16 June 2011*]

**Section 37.1 Compliance with the SOLAS Convention Requirements for Determining the Verified Gross Mass of Containers**

(1) A shipper shall be responsible that the shipping document in which the verified gross mass of a container is stated is signed in conformity with the requirements of the SOLAS Convention by a person duly authorised by the shipper, and also for the submission of such shipping document to the master of the ship or the representative thereof and to the terminal representative sufficiently in advance before the preparation of the ship stowage plan.

(2) If the shipping document does not provide the verified gross mass of the container and the master of the ship or the representative thereof and the terminal representative have not obtained information on the verified gross mass of the container sufficiently in advance before the cargo operations, it shall not be loaded on to the ship.

(3) The Cabinet shall determine the procedures for determining, notifying, and controlling verified gross mass of containers.

(4) This Section shall not apply to containers which are carried on a chassis or a trailer when such containers are driven on or off a ro-ro ship in short international voyages (international voyage during which the ship is not more than 200 nautical miles from the port or place where passengers and crew may be placed in safety, and the distance between the last port of call in a country where the voyage began and the port of destination, and also return voyage does not exceed 600 nautical miles).

[*16 June 2016* / *Section shall come into force on 1 July 2016. See Paragraph 39 of Transitional Provisions*]

**Section 38. Operations with Dangerous and Polluting Goods in Ports**

(1) When performing operations with dangerous and polluting goods, a berth operator, a shipper and the master of a ship shall, within their competence and depending on the type of the cargo, ensure compliance with the requirements of the SOLAS Convention, MARPOL Convention and codes, including the International Maritime Dangerous Goods Code (IMDG Code), International Maritime Solid Bulk Cargoes Code (IMSBC Code), International Safety Guide for Oil Tankers and Terminals (ISGOTT), the Oil Companies International Marine Forum (OCIMF) Safety Guide for Terminals Handling Ships Carrying Liquefied Gases in Bulk and other international legal acts in relation to:

1) oil and oil products;

2) cargoes of liquefied gases in bulk;

3) cargoes of noxious liquid substances in bulk;

4) packaged dangerous goods;

5) solid bulk cargoes.

(2) The Minister for Transport is entitled to specify the procedures for the application of international legal acts in relation to cargo operations and cargo operations in ports with dangerous and polluting goods in compliance with the requirements and recommendations of international legal acts and the International Maritime Organization specified in Paragraph one of this Section, as well as the requirements and recommendations of the Helsinki Convention and Helsinki Commission.

(3) Every shipper of a dangerous and polluting cargo in Latvia shall, when preparing the cargo for carriage by sea, take into consideration the requirements of the international legal acts specified in Paragraph one of this Section.

(4) The Cabinet may issue regulations regarding the movement and control of dangerous and polluting cargoes in ports.

[*30 October 2003; 28 October 2004; 22 October 2009; 16 June 2011*]

**Section 39. Reception Facilities for Ship-generated Wastes**

(1) The port authority shall ensure the reception of ship-generated wastes, but a berth operator — the reception of wastes generated by the cargo of a ship.

(2) Port waste reception facilities shall comply with the requirements of the MARPOL Convention, Helsinki Convention and other international legal acts.

**Section 39.1 Facilities for Reception of the Ships’ Ballast Water Sediments**

(1) The ports and terminals where cleaning or repair of ships’ ballast tanks is carried out shall ensure the reception of ships’ ballast water sediments.

(2) The facilities for reception of ships’ ballast water sediments shall conform to the requirements laid down in Article 5(1) of the International Convention for the Control and Management of Ships’ Ballast Water and Sediments, 2004.

[*14 February 2019*]

**Section 40. Tonnage Measurement of Segregated Ballast Tanks in Tankers**

The tonnage of segregated ballast tanks shall be calculated in accordance with the norms of international law.

[*19 June 2008*]

**Chapter IV**

**Navigation Regime in Latvian Waters**

**Section 41. Vessel Traffic Services**

(1) In order to foster maritime safety, safety of life at sea and protection of the marine environment, as well as the efficiency of vessel traffic in port approaches and areas, port authorities shall establish and maintain vessel traffic services in accordance with Regulation 12 of Chapter V of the SOLAS Convention.

(2) Operating areas of vessel traffic management system and procedures for the use thereof shall be laid down in the regulations of the relevant ports and promulgated in the navigation publication “Notices to Mariners”.

(3) Ships shall observe the following in the operating area of the vessel traffic management system:

1) procedures for navigation and reporting provided for in the regulations of the relevant port;

2) recommendations of vessel traffic management operators.

[*16 June 2011*]

**Section 41.1 Reporting Formalities Related to Ships Arriving in and Departing from Port**

(1) Reporting formalities relating to calling of a ship at port and leaving therefrom (hereinafter – the port formalities) are as follows:

1) notification of arrival and departure of a ship from port;

2) notification of dangerous and polluting goods on board the ship;

3) notification of ship’s waste;

4) submission of security-related information;

5) notification of persons who stowed away on the ship and stay there illegally;

6) reporting in accordance with the Convention on Facilitation of International Maritime Traffic, 1965;

7) reporting in relation to border checks;

8) reporting in relation to customs control;

9) reporting in relation to veterinary, phytosanitary, food safety, safety of non-food products, as well as quality and classification control of cargo at the border crossing points;

10) reporting regarding the need to perform expanded inspection within the scope of port State control;

11) reporting related to fishing operation and monitoring of catches prior to arrival of a fishing vessel into a port.

(2) Upon arrival of a ship at the port of Latvia or leaving it, the obligation to perform port formalities is entrusted to the shipowner, possessor of the ship, master of the ship or an agent authorised by the shipowner, possessor of the ship or master of the ship.

(3) The procedures by which performance of port formalities is carried out shall be determined by the Cabinet.

[*29 March 2012*]

**Section 41.2 International Freight Logistics and Port Information System (*SKLOIS*)**

(1) The International Freight Logistics and Port Information System (*SKLOIS*) is a State information system which ensures a centralised and electronical exchange of maritime information in order to make maritime traffic more efficient.

(2) The International Freight Logistics and Port Information System (*SKLOIS*) shall perform the functions of the national SafeSeaNet system and ensure the information exchange with the European Union SafeSeaNet system.

(3) The information to be included in the International Freight Logistics and Port Information System (*SKLOIS*) and the procedures for its circulation, the users of this system, the procedures by which the access rights are granted and cancelled for them, and also the extent of such rights shall be determined by the Cabinet.

[*4 October 2018* / *Section shall come into force on 1 January 2019. See Paragraph 42 of Transitional Provisions*]

**Section 41.3 Automatic Identification System (AIS) and Long-range Identification and Tracking (LRIT) System**

(1) The Automatic Identification System (AIS) is an identification and tracking system determined in the SOLAS convention which automatically provides information about the ship to other ships and institutions on the coast.

(2) The Long-range Identification and Tracking (LRIT) system is an identification and tracking system determined in the SOLAS convention which ensures identification of ships and their tracking in long distances.

(3) The Cabinet shall determine:

1) the procedures for ensuring operation of the coastal communications network of the Automatic Identification System (AIS), and also for the use and circulation of the data of this system;

2) the procedures for ensuring operation of the Long-range Identification and Tracking (LRIT) system, including the obligations of the persons involved in the system.

[*4 October 2018* / *Section shall come into force on 1 January 2019. See Paragraph 42 of Transitional Provisions*]

**Section 42. Ship Collision Reports**

If a ship has been damaged in a collision or caused a collision in Latvian waters, the master of the ship, the shipowner, an agent or another person who has information on the collision of the ship shall, without delay, report to the Coast Guard or the harbour master of the nearest harbour thereon.

**Section 43. Regulations for Prevention of Ship Collisions**

(1) Masters of ships and hydroplanes shall comply with the requirements of the COLREG Convention in Latvian waters.

(2) The Cabinet may in compliance with the requirements of the COLREG Convention specify special navigation procedures in specific port areas and waters related thereto without compromising the maritime safety.

[*28 October 2004*]

**Section 44. Control, Inspection, and Detention of a Ship**

(1) In order to ensure the execution of laws and regulations and treaties binding on Latvia in Latvian waters (in sea and in certain cases in inland area of a port), the Coast Guard may control, inspect and detain a ship in compliance with the 1982 United Nations Convention on the Law of the Sea.

(11) In order to ensure the execution of laws and regulations and treaties binding on Latvia, as well as to strengthen State security and defence capabilities, warships of member states of North Atlantic Treaty Organization (NATO) and European Union (EU) may be involved in the control, inspection and detaining of ships in Latvian waters (in sea and in certain cases in inland area of a port). When performing the abovementioned tasks, warships of member states of North Atlantic Treaty Organization (NATO) and European Union (EU) and the officials thereof have all the rights and duties of the Coast Guard and the officials thereof.

(2) The Cabinet shall determine the procedures for controlling, inspecting, and detaining ships in Latvian waters.

[*15 June 2006; 20 October 2022*]

**Section 45. Radio Reports**

(1) In GMDSS areas included in Latvian coastal waters, the Coast Guard shall ensure the distress (MAYDAY), urgency (PAN-PAN) and regular marine safety (SECURITEE) messages, as well as meteorological forecasts in compliance with the requirements of SOLAS Convention, SAR Convention, International Aeronautical and Maritime Search and Rescue Manual, and International Radio Regulations. The Co-ordination Centre (MRCC) shall receive the ship security alert and the security information provided by ships.

(2) [28 October 2004]

(3) [4 October 2018 / See Paragraph 41 of Transitional Provisions]

[*30 October 2003; 28 October 2004; 10 November 2005; 15 June 2006; 11 December 2008; 4 October 2018*]

**Section 46. Search and Rescue**

(1) The operations for search and rescue, as well as the co-ordination of the provision of assistance and the granting places of refuge for ships shall be performed by the Coast Guard in accordance with the requirements of the SAR Convention and the International Aeronautical and Maritime Search and Rescue Manual.

(2) The Cabinet shall issue regulations regarding maritime search and rescue in the area of responsibility of the Co-ordination Centre (MRCC) in the cases of maritime and aviation accidents. The abovementioned regulations shall determine the procedures by which cooperation between the Coast Guard and other institutions, the operation of the Co-ordination Centre (MRCC) and its sub-centres shall be conducted, and specify the Latvian area of responsibility.

(3) The Coast Guard shall ensure the operation of the Co-ordination Centre (MRCC) and GMDSS coastal communications network, and use the ships and aircrafts of the National Armed Forces, the Aeronautical Search and Rescue Co-ordination Centre (ARCC), as well as other technical means in conformity with the emergency action plan.

(4) The Coast Guard may establish sub-centres of the Co-ordination Centre (MRCC). The Vessel Traffic Service (VTS) of a port shall be regarded as such a sub-centre in cases of rescue.

(5) The Co-ordination Centre (MRCC) and sub-centres thereof shall have emergency action plans that prescribe the procedures and the authorities involved in search and rescue, as well as the co-ordination of the provision of assistance and the granting places of refuge for ships in the Latvian area of responsibility including port areas.

(6) In the case of a maritime or aviation accident, the Co-ordination Centre (MRCC) has the right to permit foreign ships and warships to enter Latvian territorial waters, but aircraft and military aircraft to enter Latvian air space above the territorial waters thereof notifying the Ministry of Defence and the Ministry of Foreign Affairs thereof immediately.

(7) Passenger ships which are engaged in regular traffic for more than six months and crossing the Latvian area of responsibility shall have a cooperation plan for search and rescue. The Coast Guard in compliance with the recommendations of the International Maritime Organization shall develop the abovementioned plan.

[*28 October 2004; 10 November 2005; 16 June 2011; 13 July 2017*]

**Section 47. Emergency and Distress Signals**

(1) In cases of emergency and distress the signals complying with the requirements of the COLREG Convention and SOLAS Convention shall be used.

(2) It is prohibited to use the emergency and distress signals referred to in this Section without need. For such violations, persons at fault shall be subject to administrative liability.

**Section 48. Notices to Mariners and Navigational Warnings**

(1) The Maritime Administration of Latvia shall compile information on changes in the navigation regime and aids to navigation in Latvian waters and shall publish this information in the navigation publication “Notices to Mariners”.

(2) The Coast Guard shall include the information specified in Paragraph one of this Section and partly or fully navigational warnings in the regular safety (SECURITEE) broadcasts.

[*10 November 2005*]

**Section 48.1 Vessel Traffic in Internal Waters of Latvia**

(1) The Cabinet shall determine the procedures for the vessel traffic in internal waters of Latvia, including the requirements for traffic participants and established navigation signs and lights.

(2) A local government council has the right to issue binding regulations within the administrative territory thereof regarding additional provisions for the vessel traffic in internal waters of Latvia. The local government council shall request an opinion from the Maritime Administration of Latvia regarding a draft binding regulation from the maritime safety aspect and take it into account.

[*30 April 2015*]

**Chapter V**

**Marine Casualties and Marine Incidents**

[*16 June 2011*]

**Section 49. Definition of Marine Casualty and Marine Incident**

A marine casualty and marine incident are defined, in the maritime safety aspect, in the Code of the International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident (Casualty Investigation Code) of the International Maritime Organization.

**Section 50. Investigation of Marine Casualties and Marine Incidents in the Maritime Safety Aspect**

(1) Investigation of marine casualties and marine incidents in the maritime safety aspect is defined in the Code of the International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident (Casualty Investigation Code) of the International Maritime Organization. Such investigation is not related to the determination of fault or liability of the parties involved in the marine casualty or marine incident.

(2) The procedures for investigating marine casualties and marine incidents in the maritime safety aspect shall be determined by the Cabinet.

**Section 50.1 Reporting of Marine Casualty and Marine Incident**

(1) The master of the ship, the shipowner or the person authorised thereby, any institution, and also any other natural or legal person who has received information on a marine casualty or marine incident shall report to the Coast Guard thereof without delay. The Coast Guard shall report the received information without delay to the Transport Accident and Incident Investigation Bureau, the Maritime Administration of Latvia, the State Police, as well as, if there is a possibility of environmental pollution, – to the State Environmental Service, but, if there is a possibility of environmental pollution on the coast – the State Fire-fighting and Rescue Service.

(2) When a marine casualty or marine incident involving a Latvian ship has occurred in the territorial or internal waters of another State, the master of the ship, the shipowner or the person authorised thereby shall report to the competent authority of the coastal State without delay in addition to the requirements laid down in Paragraph one of this Section.

(3) The Transport Accident and Incident Investigation Bureau shall report to the competent authorities of other substantially interested States without delay on any marine casualty or marine incident in which a Latvian ship is involved or which has occurred in the territorial or internal waters of Latvia.

(4) The report on marine casualty or marine incident shall contain as much of the following information as it is available at the time of reporting:

1) the name and the flag State of the ship;

2) the IMO ship identification number;

3) the nature of the casualty or incident;

4) the position of the casualty or incident;

5) time and date of the casualty or incident;

6) the number of any seriously injured or killed persons;

7) consequences of the casualty or incident to individuals, property, and the environment;

8) the data of any other ship involved in the casualty or incident.

**Chapter VI**

**Prevention of Marine Pollution**

**Section 51. Pollution Prevention**

(1) The shipowner, the master of a ship and the operator of a fixed offshore platform shall ensure compliance with the regulations on pollution prevention in conformity with the norms of the MARPOL Convention and Annexes thereof, Helsinki Convention and other norms of international law.

(2) The master of a ship shall ensure that before the ship leaves the port, the waste generated by the ship and ship cargo is delivered to the waste reception facilities of the relevant port in accordance with the requirements of international legal acts.

(3) It is prohibited to discharge waste or other substances into sea from ships and fixed offshore installations in Latvian waters. This prohibition shall not apply to:

1) the dumping of soil acquired in dredging work into the sea if the dumping is performed in accordance with a permit issued by the State Environmental Service;

2) dumping of by-catch and over-catch into the sea;

3) cases when a person, a ship or fixed offshore installations are in danger of being lost and the dumping of substances into the sea is the only possibility of eliminating these threats. During the discharge of substances into the sea it shall be observed that possible harm to human life and health, as well as the harm to marine environment is reduced to minimum. Any person who identifies such a case of dumping shall report to the State Environmental Service thereon.

(4) It is prohibited to incinerate waste, as well as chemicals and chemical products in Latvian waters.

(5) Cargo, passenger, and supply operations if a ship is at sea shall be permitted only at anchorages which have been notified in the navigation publication “Notices to Mariners”, informing the Coast Guard. Ship to ship dangerous and polluting cargo operations shall be agreed upon with the Coast Guard, the State Environmental Service, the relevant customs authority, the Maritime Administration of Latvia and the harbour master of the harbour nearest to the anchorage. Each ship performing the abovementioned operations shall be provided with emergency plans which shall be sufficient to prevent the consequences of spillage of harmful substances into the sea.

(6) Port authorities shall ensure that ports have an oil spill contingency plan approved by the State Environmental Service.

(7) Operators of an oil or chemical terminal, a berth or a group of berths shall ensure that an oil spill contingency plan is drawn up. The State Environmental Service shall approve this plan.

(8) The plans referred to in Paragraphs six and seven of this Section in relation to ports shall be drawn up by port authorities, but in relation to terminals – by their owners, taking into account the requirements of the International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990 (hereinafter – the OPRC) and the standard requirements approved by the Cabinet which must be complied with when preparing an oil spill contingency plan.

[*28 October 2004; 10 November 2005; 10 May 2007*]

**Section 52. Pollution Reports**

(1) Every person has the obligation to report to the Coast Guard or the harbour master of the nearest harbour on each case which is related to the spillage or the possible spillage of oil, hazardous or other noxious substances in Latvian waters from a ship, fixed offshore installations, a port terminal or any other object. The Coast Guard or the harbour master shall report to the State Environmental Service thereon.

(2) The master of a Latvian ship whose ship is in foreign waters shall, when identifying the cases referred to in Paragraph one of this Section, report thereon to the competent authority of the nearest coastal state without delay.

[*10 November 2005; 10 May 2007*]

**Section 53. Marine Pollution Response**

(1) The response operations of oil spill and pollution of hazardous or noxious substances caused by a marine casualty in Latvian waters or in the proximity thereof shall be performed in accordance with the OPRC Convention, Helsinki Convention and the National Contingency Plan for response to pollution incidents of oil, hazardous or noxious substances at sea approved by the Cabinet.

(2) The Coast Guard shall ensure and co-ordinate the pollution response operations, but the relevant harbour master shall co-ordinate such operations in the port area following the oil spill contingency plan of the port.

(3) In case of the marine pollution referred to in Paragraph one of this Section the Co-ordination Centre (MRCC) has the right to permit foreign ships and warships to enter Latvian territorial waters, but in respect of civil and military aircraft entering Latvian air space above the territorial waters thereof shall immediately inform the Ministry of Defence and the Ministry of Foreign Affairs of such permission.

[*28 October 2004; 17 June 2010; 16 June 2011*]

**Section 54. Procedure in Case of Marine Pollution**

(1) If a marine casualty has occurred which has caused pollution or threat of pollution to Latvian waters or the coast of Latvia or caused a threat to any other State interest related to Latvian waters or coast, the Coast Guard in co-operation with other competent institutions shall take such measures as it considers necessary to prevent, reduce or eliminate the pollution, as well as any measures in relation to the ship involved and the cargo thereof. These measures may include the following with regard to the ship and the cargo thereof:

1) relocation;

2) salvage operations;

3) dumping or destruction;

4) taking control.

(2) The Coast Guard may, after agreement thereupon with the shipowner, issue an order to the master of a Latvian ship to proceed to the place of a casualty and perform the necessary activities for the prevention, reduction or elimination of marine pollution.

(3) When executing the orders referred to in this Section, each person shall make every effort to eliminate or reduce the danger which threatens human life.

(4) When implementing the measures referred to in this Section, the Coast Guard, the State Environmental Service and other competent institutions shall comply with the requirements of the 1969 International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, its Protocol relating to Intervention on the High Seas in Cases of Marine Pollution by Substances other than Oil, 1973, and Annexes thereof.

(5) If non-conformity with the requirements of the legal acts governing the maritime matters or some information cause any suspicions that the ship which is voluntarily in a port of Latvia or offshore platform is involved or involves in the discharge of oil, hazardous or other noxious substances in the waters, ports of Latvia, straits used for international navigation, then, taking into account the regime of transit passage, as laid down in Part III, Section 2, of the 1982 United Nations Convention on the Law of the Sea, to the extent that a Member State exercises jurisdiction over such straits, the Coast Guard, the State Environmental Service or other competent institution shall ensure performance of appropriate inspection in accordance with the legal acts governing the performance of such inspections taking into account the relevant guidelines of the International Maritime Organization.

(6) If the inspection referred to in Paragraph five of this Section reveals facts that could indicate a violation of the prohibition referred to in Section 51, Paragraph three of this Law, the State Environmental Service shall inform the competent authorities of the relevant Member State of the European Union (hereinafter – the Member State) and of the flag State thereof.

(7) If the discharge of oil, hazardous or other noxious substances takes place in the territorial waters of Latvia, exclusive economic zone of Latvia or similar zone which is established in accordance with international law, straits used for international navigation and if the ship, which is suspected of the discharge does not call at a port of the Member State holding the information relating to the suspected discharge, then, taking into account the regime of transit passage as laid down in Part III, Section 2, of the United Nations Convention on the Law of the Sea, 1982, to the extent that a Member State exercises jurisdiction over such straits and offshore, the following shall apply:

1) if the next port of call of the ship is in another Member State, the State Environmental Service in cooperation with the competent institution of the relevant Member State shall perform the inspections referred to in Paragraph five of this Section and decide on the appropriate measures in accordance with the laws and regulations in respect of such discharge;

2) if the next port of call of the ship is a port of a State other than the Member State, the State Environmental Service shall take the necessary measures to ensure that the next port of call of the ship is informed about the suspected discharge and shall request the competent institution of State of the next port of call to take the appropriate measures in accordance with the laws and regulations in respect of such discharge.

(8) If a ship which is in a port of Latvia, navigates in the territorial waters of Latvia or the straits used for international navigation has had a discharge, then the Coast Guard shall, by taking into account the regime of transit passage laid down in Part III, section 2 of the 1982 United Nations Convention on the Law of the Sea and to the extent jurisdiction over such straits is exercised by a Member State, in cooperation with the State Environmental Service and in conformity with laws and regulations, commence investigation of the infringement, where appropriate, detaining the ship until clarification of circumstances and receipt of guarantee from the shipowner, agent or insurer regarding the payment of the imposed fine and compensation of the damages caused to the environment.

(9) In the cases referred to in Paragraphs seven and eight of this Section, the State Environmental Service shall notify the Maritime Administration of Latvia and the Transport Accident and Incident Investigation Bureau thereon without delay.

[*10 November 2005; 10 May 2007; 16 June 2011*]

**Section 55. Condition for the Receipt of Compensation**

(1) A person who has suffered losses due to pollution or incurred expenditures during the process of pollution elimination in conformity with the conditions of the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage, 1992 (hereinafter – the Fund Convention) may request compensation from this fund.

(2) In all cases when the Fund Convention is not applied, including the case of prevention of pollution threats, a person who has incurred expenditures related to the participation in activities that were performed in conformity with the orders specified in Section 54 of this Law is entitled to request reimbursement from the entity that caused pollution threats in accordance with the procedures laid down in the Civil Procedure Law.

**Chapter VII**

**Hydrography**

**Section 56. Hydrographic Surveys and Research**

(1) The following hydrographic research and geodesic work shall be performed in Latvian waters in conformity with the recommendations of the International Hydrographic Organization:

1) depth measuring in conformity with the international hydrographic survey requirements in waters, which are actively used for navigation;

2) depth measuring and general hydrographic research in Latvian waters for cartographic and other economic needs;

3) depth measuring for the planning, performing, and control of dredging works;

4) searching for sunken objects;

5) [23 June 2016];

6) geodesic research of coastal, hydro-technical and hydrographic constructions;

7) hydrographic work related to the use of the sea for the needs of State authorities;

8) development and maintenance of a database of hydrographic surveys and researches.

(2) The Maritime Administration of Latvia shall organise and carry out the hydrographic research and geodesic work specified in Paragraph one of this Section.

(3) The surveys made by the Maritime Administration of Latvia shall be considered as official hydrographic surveys in the Republic of Latvia.

[*30 October 2003; 28 October 2004; 16 June 2011; 30 April 2015; 16 June 2016*]

**Section 57. Nautical Publications**

(1) The Maritime Administration of Latvia shall organise compilation, maintaining and distribution of the following nautical publications [electronically and (or) in a printed form]:

1) No. 01 “List of Aids to Navigation in Waters of the Republic of Latvia”;

2) No. 02 “A Catalogue of Nautical Charts and Publications”;

3) No. 03 “Symbols and Abbreviations of Latvian Nautical Charts”;

4) No. 04 “Pilot of the Baltic Sea. The Latvian Coast”;

5) “Notices to Mariners”;

6) Nautical charts (the sea and ports) of Latvian waters in conformity with the publication No. 02 “A Catalogue of Nautical Charts and Publications”.

(2) Nautical publications issued by the Maritime Administration of Latvia in conformity with Paragraph one of this Section are official nautical publications of the Republic of Latvia.

(3) Electronic navigational charts of Latvian waters (the sea and ports) prepared by the Maritime Administration of Latvia shall be equivalent to paper nautical charts if they are used in relevant certified electronic navigational chart display and information systems (ECDIS).

(4) Depths of hydrographic surveys, namely, height of sea surface in metres above seabed, in Latvian waters shall be brought to the mean sea level which is linked to the European Vertical Reference System (EVRS).

[*30 April 2015*]

**Section 58. Notifications on Non-conformity of the Technical Aids to Navigation and Obstacles to Navigation**

(1) Any ship which has determined the non-conformity of the technical aids to navigation and obstacles to navigation included in the charts, the pilot or the navigational publication “*Ugunis un zīmes Latvijas Republikas ūdeņos*” [List of Aids to Navigation in Waters of the Republic of Latvia] shall report thereon to the Coast Guard or the nearest harbour master who shall provide this information to the Maritime Administration of Latvia.

(2) Natural or legal persons who administer and manage the technical aids to navigation shall report to the Maritime Administration of Latvia without delay on any changes in the operation of the technical aids to navigation. The abovementioned persons shall be liable in accordance with laws and regulations for failure to provide such report in a timely manner.

(3) The Maritime Administration of Latvia shall fulfil the obligations of the national co-ordinator on the basis of the special publication S-53 “Global Navigational Warning System” of the International Hydrographic Organization, International Maritime Organization and the World Meteorological Organization (IHO/IMO/WMO).

[*30 October 2003; 16 June 2011; 30 April 2015*]

**Section 59. Marking of Waterways on Site and Charting**

(1) Waterways shall be marked on site and charted in conformity with the results of hydrographic, hydrologic and other waterway research.

(2) Technical aids to navigation shall be used for waterway marking in conformity with the system for region “A” specified by the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA). Within the meaning of this Law, the technical aids to navigation are lighthouses, buoys, spar buoys, leading line marks, means of radio navigation, equipment of the Vessel Traffic Service (VTS) or other equipment to be used for navigation which has been installed in order to ensure safe navigation.

(3) [10 November 2005]

[*10 November 2005; 30 April 2015; 16 June 2016*]

**Section 60. Maintenance of System of the Technical Aids to Navigation**

(1) The Maritime Administration of Latvia shall organise the establishment and general supervision of a system of the technical aids to navigation in Latvian waters. The system of the technical aids to navigation shall consist of the technical aids to navigation referred to in Section 59, Paragraph two of this Law.

(2) It is prohibited to install, remove or change any technical aids to navigation if the written consent of the Maritime Administration of Latvia has not been received in advance.

(3) The Cabinet shall determine the technical requirements for the technical aids to navigation taking into account the requirements of international legal acts, as well as the procedures for ensuring the operation of the technical aids to navigation, and the obligations and rights of the possessors thereof.

(4) The Maritime Administration of Latvia is entitled to have access to the technical aids to navigation at any time in order to perform control thereof.

[*30 October 2003; 10 November 2005; 30 April 2015; 16 June 2016*]

**Section 61. Light Sources Interfering with Navigation**

The Maritime Administration of Latvia is entitled to request in writing natural or legal persons to eliminate light sources not related to navigation which interfere with the use of technical aids to navigation or may be wrongly perceived as the technical aids to navigation. The natural or legal person shall eliminate the abovementioned light sources at his or her own expense.

[*30 October 2003; 30 April 2015*]

**Section 62. Movement of Obstacles to Navigation**

(1) The Maritime Administration of Latvia has the right to issue an order to move any object which has become or may become an obstacle or interference to navigation.

(2) If an object referred to in Paragraph one of this Section is located in a port area, the obligations of the Maritime Administration of Latvia referred to in this Section shall be performed by the relevant port authority.

[*30 October 2003*]

**Chapter VIII**

**Marine Geospatial Information**

[*30 April 2015*]

**Section 63. Description of Marine Geospatial Information**

Marine geospatial information which is obtained, compiled, and maintained by the Marine Administration of Latvia shall cover at least the following aspects of the operations to be carried out in the sea:

1) sea depth measurements;

2) fairways;

3) marine technical aids to navigation;

4) military practice areas;

5) location of submarine cables and pipelines;

6) ship wrecks.

**Section 64. World Geodetic System 1984**

When compiling, maintaining, and using marine geospatial information, the World Geodetic System 1984 WGS84 shall be used.

**Chapter IX**

**Administrative Offences in the Field of Maritime Matters and Competence in Administrative Offence Proceedings**

[*14 May 2020* / *Chapter shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 65. Violation of the Provisions for the Operation of a Ship**

(1) For the use of a recreational craft for commercial activity if a note “intended for use for commercial activity” has not been made in the registration certificate in the case specified in laws and regulations, a fine from one hundred to two hundred units of fine shall be imposed on an operator of a recreational craft.

(2) For the operation of a ship subject to registration if it has not been registered in accordance with the procedures laid down in laws and regulations, a fine from two hundred to four hundred units of fine shall be imposed on the person in charge of the ship.

(3) For the operation of a ship if documents the presence of which is mandatory on board the ship are not on board or if such documents have not been approved, registered, filled in or are not stored in accordance with the requirements laid down in laws and regulations (except for ship certificates), a fine from fourteen to fifty-six units of fine shall be imposed on a natural person, but a fine from fifty to eight hundred and sixty units of fine – on a legal person.

(4) For the operation of a ship if its load line or other ship’s marking does not conform to the requirements laid down in laws and regulations, a fine from fourteen to fifty-six units of fine shall be imposed on a natural person, but a fine from fifty to eight hundred and sixty units of fine – on a legal person.

(5) For the operation of a ship in violation of the requirements of the MLC Convention, a fine from ten to one hundred and forty units of fine shall be imposed on a natural person, but a fine from fifty-six to one thousand one hundred and twenty units of fine – on a legal person.

(6) For the operation of a ship if it has been manned with a crew which does not conform to the requirements laid down in the laws and regulations regarding the minimum safe manning of a ship (except for the force majeure circumstanced specified in laws and regulations, for example, sudden illness or death), a fine from ten to seventy units of fine shall be imposed on a natural person, but a fine from eighty to one thousand four hundred and twenty units of fine – on a legal person.

(7) For the operation of a ship without the ship certificates specified in laws and regulations, after expiry of their term of validity, or without intermediate declarations of conformity therein, a fine from twenty-eight to one hundred and forty units of fine shall be imposed on a natural person, but a fine from one hundred and twenty to two thousand eight hundred units of fine – on a legal person.

(8) For the operation of a ship if its hull, machinery, or equipment does not conform to the requirements laid down in laws and regulations, a fine from twenty-eight to one hundred and forty units of fine shall be imposed on a natural person, but a fine from one hundred and twenty to two thousand eight hundred units of fine – on a legal person.

(9) For violation of the provisions for the operation of a ship if, due to such offence or offences, the Latvian ship has been detained at a foreign port as a result of a port State control inspection, a fine from eighty-six to one hundred and forty units of fine shall be imposed on a natural person, but a fine from four hundred to two thousand eight hundred units of fine – on a legal person.

(10) For the operation of a ship without conforming to the obligations and prohibitions specified for the person in charge of the ship in laws and regulations, a fine from ten to fifty-six units of fine shall be imposed on the person in charge of the ship.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 66. Violation of the Provisions for the Handling of a Ship**

(1) For exceeding the permitted speed of navigation, a warning or a fine from ten to fifty units of fine shall be imposed on the person in charge of the vessel.

(2) For violation of the provisions for the handling of a ship, including for non-compliance with the provisions for navigation and manoeuvring, a fine from fourteen to forty units of fine shall be imposed on the person in charge of the vessel.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 67. Violation of the Provisions for the Operation and Use of a Recreational Craft**

(1) For the operation of a recreational craft if a document certifying the rights of operating a corresponding recreational craft (if such are required) or a document certifying the registration of the recreational craft (if the relevant vessel must be registered) cannot be presented, a warning or a fine from two to ten units of fine shall be imposed.

(2) For the use of such recreational craft which is not provided with the equipment and life-saving appliances specified in laws and regulations, a warning or a fine of up to ten units of fine shall be imposed on an operator of a recreational craft.

(3) For exceeding the speed of navigation permitted for a recreational craft, a warning or a fine from six to forty units of fine shall be imposed on an operator of a recreational craft.

(4) For violation of the provisions for the operation of a recreational craft, including for non-compliance with the provisions for navigation and manoeuvring, a warning or a fine from six to sixty units of fine shall be imposed on an operator of a recreational craft.

(5) For movement with a personal watercraft, windsurfing, and also for engagement in water skiing or similar types of sports without wearing a life jacket which ensures buoyancy of a person, a fine from six to eight units of fine shall be imposed.

(6) For carriage of such passenger on a recreational craft who is less than 12 years of age and is not wearing a life jacket of appropriate size, a fine from six to eleven units of fine shall be imposed on an operator of a recreational craft.

(7) For mooring or being at ship berths which are not intended for recreational crafts, a fine from ten to forty units of fine shall be imposed and the rights of operating a recreational craft shall be revoked for a period from six months to one year.

(8) For the operation of such recreational craft which is not marked with any of the State registration signs or name in the place provided for such purpose, a fine from ten to forty units of fine shall be imposed on an operator of a recreational craft.

(9) For the operation of a recreational craft if the rights of operating the relevant recreational craft have not been obtained, a fine from twenty to fifty units of fine and a prohibition to obtain the rights of operating a recreational craft for two years shall be imposed.

(10) For exceeding the load capacity of a recreational craft or the permitted number of persons to be carried, a fine from six to fifty-six units of fine shall be imposed on an operator of a recreational craft.

(11) For the operation of a recreational craft if the rights of operating a recreational craft have been revoked, a fine from one hundred to one hundred and forty units of fine shall be imposed.

(12) For the use of such recreational crafts subject to registration which have not been registered according to specific procedures, a fine from one hundred to two hundred units of fine shall be imposed on an operator of a recreational craft or the person who is using the recreational craft.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 68. Violation of the Provisions for Training of an Operator of a Recreational Craft**

For violation of the provisions for training of an operator of a recreational craft, a fine from fifty to one hundred units of fine shall be imposed.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 69. Violation of the Provisions for the Use and Operation of a Rowing Boat**

(1) For violation of the provisions for the use and operation upon operating such a vessel for the operation of which an oar (oars) or engine the power of which does not exceed 3.7 kilowatts is used (hereinafter – the rowing boat), a warning shall be imposed on the operator of a rowing boat.

(2) For carriage of such passenger in the rowing boat who is less than 12 years of age and is not wearing a life jacket of appropriate size, a warning or a fine from five to ten units of fine shall be imposed on the operator of a rowing boat.

(3) For mooring of the rowing boat or it being at ship berths which are not intended for rowing boats, a fine from five to fifteen units of fine shall be imposed on the operator of a rowing boat.

(4) For the operation of a rowing boat in public waters if the alcohol concentration detected in the exhaled air or in the medical testing of blood of the operator exceeds 0.5 permils but does not exceed 0.1 permil, a warning shall be imposed on the operator of a rowing boat.

(5) For the operation of a rowing boat in public waters if the alcohol concentration detected in the exhaled air or in the medical testing of blood of the operator exceeds 1.0 permil but does not exceed 1.5 permils, a fine of eight units of fine shall be imposed on the operator of a rowing boat.

(6) For the operation of a rowing boat in public waters if the alcohol concentration detected in the exhaled air or in the medical testing of blood of the operator exceeds 1.5 permils, a fine of twenty-four units of fine shall be imposed on the operator of a rowing boat.

(7) For the operation of a rowing boat under the influence of narcotic, psychotropic, toxic, or other intoxicating substances, a fine of thirty-four units of fine shall be imposed.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 70. Presence on Board a Ship or Handling thereof under the Influence of Alcohol, Narcotic, Psychotropic, Toxic, or Other Intoxicating Substances**

(1) For the presence of a seafarer on board a ship under the influence of alcohol during the time when work duties need not be performed if the alcohol concentration detected in the exhaled air or in the medical testing of blood of the seafarer exceeds 0.5 permils but does not exceed 1.0 permil, a warning or a fine of ten units of fine shall be imposed.

(2) For the presence of a seafarer on board a ship under the influence of alcohol during the time when work duties need not be performed if the alcohol concentration detected in the exhaled air or in the medical testing of blood of the seafarer exceeds 1.0 permil, a fine from twenty to fifty units of fine shall be imposed.

(3) For the presence of a seafarer under the influence of alcohol during watchkeeping or performance of other work duties on board such a sip which does not carry passengers for commercial purposes if the alcohol concentration detected in the exhaled air or in the medical testing of blood of the seafarer exceeds 0.5 permils, a fine from twenty-five to one hundred and forty units of fine shall be imposed.

(4) For the presence of a seafarer under the influence of alcohol during watchkeeping or performance of other work duties on board such a ship which carries passengers for commercial purposes if the alcohol concentration detected in the exhaled air or in the medical testing of blood of the seafarer exceeds 0.5 permils, a fine from fifty to two hundred and eighty units of fine shall be imposed.

(5) For the presence of a seafarer under the influence of narcotic, psychotropic, toxic, or other intoxicating substances on board such a ship which does not carry passengers for commercial purposes, a fine of two hundred units of fine shall be imposed.

(6) For the presence of a seafarer under the influence of narcotic, psychotropic, toxic, or other intoxicating substances on board such a ship which carries passengers for commercial purposes, a fine of four hundred units of fine shall be imposed.

(7) For handling a vessel if the alcohol concentration detected in the exhaled air or in the medical testing of blood of the person in charge exceeds 0.5 permils, a fine from fifty-six to one hundred and forty units of fine shall be imposed on the person in charge of the vessel who is certified as an operator of a recreational craft and the rights of operating a recreational craft shall be revoked for a period of up to three years.

(8) For handling a vessel under the influence of narcotic, psychotropic, toxic, or other intoxicating substances, a fine from eighty-six to one hundred and forty units of fine shall be imposed on the person in charge of the vessel who is certified as an operator of a recreational craft and the rights of operating a recreational craft shall be revoked for a period from two to three years.

(9) For handling a vessel if the alcohol concentration detected in the exhaled air or in the medical testing of blood of the person in charge (except for the case when the person in charge is a seafarer or an operator of a recreational craft) exceeds 0.5 permils, a fine from ten to one hundred and forty units of fine shall be imposed.

(10) For handling a vessel if the person in charge (except for the case when the person in charge is a seafarer or an operator of a recreational craft) is under the influence of narcotic, psychotropic, toxic, or other intoxicating substances, a fine from twenty to one hundred and forty units of fine shall be imposed.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 71. Operation of a Recreational Craft or Training of Operation under the Influence of Alcohol, Narcotic, Psychotropic, Toxic, or Other Intoxicating Substances**

(1) For the operation of a recreational craft or training of operation if the alcohol concentration detected in the exhaled air or in the medical testing of blood of the operator exceeds 0.5 permils but does not exceed 1.5 permils, a fine from fifteen to one hundred and forty units of fine shall be imposed, with or without revoking the rights of operating a recreational craft for a period of up to one year.

(2) For the operation of a recreational craft or training of operation if the alcohol concentration detected in the exhaled air or in the medical testing of blood of the operator exceeds 1.5 permils, a fine from fifty-six to one hundred and forty units of fine shall be imposed and the rights of operating a recreational craft shall be revoked for a period of up to three years.

(3) For the operation of a recreational craft or training of operation under the influence of narcotic, psychotropic, toxic, or other intoxicating substances, a fine from eighty-six to one hundred and forty units of fine shall be imposed and the rights of operating a recreational craft shall be revoked for a period from two to three years.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 72. Refusal from Examination of the Influence of Alcohol, Narcotic or Other Intoxicating Substances**

(1) For refusal from examination of the alcohol concentration in the exhaled air, a fine of one hundred and forty units of fine shall be imposed.

(2) For refusal from the medical examination for the determination of the alcohol concentration (except for seafarers of a ship at sea involved in international navigation), as well as examination of the influence of narcotic or other intoxicating substances, a fine of two hundred units of fine shall be imposed, with or without revoking the rights of operating a recreational craft for a period of up to three years.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 73. Failure to Fulfil the Reporting Obligations Specified in Laws and Regulations**

(1) For the failure to report to the Coast Guard or the harbour master of the nearest harbour on the pollution or potential pollution of the exclusive economic zone, territorial sea, or inland marine waters, as well as port areas of Latvia with hazardous or noxious substances and mixtures or residues thereof, a fine from fifty-six to four hundred units of fine shall be imposed on a natural person who is the operator of a vessel, operator of an offshore platform, and operator of a terminal or responsible person, but a fine of up to four hundred and twenty units of fine – on a legal person.

(2) For failure to fulfil the reporting obligations specified in laws and regulations, including failure to provide information in the International Freight Logistics and Port Information System (*SKLOIS*), or for failure to provide other information in a timely manner, including failure to report on a marine casualty or failure to report to the Maritime Administration of Latvia on damages to a ship which may affect the seaworthiness of a ship or cause environmental pollution, a fine from ten to fifty-six units of fine shall be imposed on a natural person, but a fine from fifty to five hundred and eighty units of fine – on a legal person.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 74. Violation of the Provisions of Cargo, Passenger, or Supply Operations of a Ship**

For violation of the requirements laid down in laws and regulations for cargo, passenger, or supply operations of a ship, a fine from twenty-eight to one hundred and forty units of fine shall be imposed on a natural person, but a fine from one hundred and twenty to two thousand eight hundred units of fine – on a legal person.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 75. Failure to Register Operations with Hazardous or Noxious Substances and Their Mixtures in Ship’s Documents**

For the failure to register operations with hazardous or noxious substances or their mixtures containing such substances above the specified norms in ship’s documents, a fine from forty-two to four hundred units of fine shall be imposed.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 76. Violation of the Requirements for the Security of Ships, Ports, Port Facilities, and Territories Adjacent to Ports**

(1) For embarking or staying on board a ship, entering or staying in a port, a port facility, a territory adjacent to a port, or a restricted access area specified in the territory adjacent to a port in violation of the procedures laid down in laws and regulations, a fine from fourteen to seventy units of fine shall be imposed.

(2) For the operation of a ship without the international ship security certificate or interim international ship security certificate or without intermediate declarations of conformity therein, a fine from twenty-eight to one hundred and forty units of fine shall be imposed on a natural person, but a fine from two hundred and eighty to two thousand eight hundred units of fine – on a legal person.

(3) For violation of other ship security requirements laid down in the laws and regulations regarding the division of functions, implementation and supervision of ships, shipping companies, ports and port facilities security, a fine from ten to one hundred and forty units of fine shall be imposed on a natural person, but a fine from two hundred and eighty to two thousand eight hundred units of fine – on a legal person.

(4) For the operation of a port, port facility, or territory adjacent to a port without a Statement of Security Compliance of the Port or the Port Facility or after expiry of its term of validity or without intermediate declarations of conformity therein, a fine from twenty-eight to one hundred and forty units of fine shall be imposed on a natural person, but a fine from two hundred and eighty to two thousand eight hundred units of fine – on a legal person.

(5) For violation of other port or port facility security requirements laid down in the laws and regulations regarding the division of functions, implementation and supervision of ships, shipping companies, ports and port facilities security, a fine from ten to one hundred and forty units of fine shall be imposed on a natural person, but a fine from two hundred and eighty to two thousand eight hundred units of fine – on a legal person.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 77. Violation of the Provisions for the Carrying out of Diver Works in the Port Area**

(1) For the carrying out of diver works in the port area without a relevant permit, a warning or a fine of up to seventy units of fine shall be imposed on a natural person, but a fine from ten to seven hundred units of fine – on a legal person.

(2) For the non-compliance with the signalling provisions during carrying out of diver works in the port area, a warning or a fine of up to seventy units of fine shall be imposed on a natural person, but a fine from ten to seven hundred units of fine – on a legal person.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 78. Violation of the Provisions for the Maintenance of Technical Aids to Navigation**

(1) For the failure to comply with the obligations specified for a possessor of technical aids to navigation, a warning or a fine from fourteen to seventy units of fine shall be imposed on a natural person, but a fine from one hundred to one thousand four hundred and twenty units of fine – on a legal person.

(2) For arbitrary installing, removing, moving, covering of technical aids to navigation or placing of objects similar to technical aids to navigation, a fine from fourteen to seventy units of fine shall be imposed on a natural person, but a fine from one hundred and forty to one thousand four hundred and twenty units of fine – on a legal person.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 79. Use of a Vessel in Unauthorised or Prohibited Places**

For the use of a ship, recreational craft, or rowing boat in unauthorised or prohibited places, a warning or a fine from ten to fifteen units of fine shall be imposed on the operator of a rowing boat, a warning or a fine from ten to fifteen units of fine shall be imposed on the operator of a recreational craft, or a fine from fifteen to twenty units of fine shall be imposed on the person in charge of a ship.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 80. Failure to Comply with the Procedures Laid down in Laws and Regulations after a Water Traffic Accident**

(1) For failure to comply with the procedures laid down in laws and regulations after a water traffic accident, a fine from fifty to two hundred units of fine shall be imposed on the person in charge of a ship, but a fine from forty to one hundred and fifty units of fine – on the operator of a recreational craft, with or without revoking of the rights of operating a recreational craft for a period of up to one year.

(2) For the use of alcoholic beverages, narcotic, psychotropic, toxic, or other intoxicating substances after a water traffic accident, as well as after a ship or a recreational craft has been stopped upon request of the police, officials of the Coast Guard, or officials of the State Border Guard, until examination of the influence of alcoholic beverages, narcotic or other intoxicating substances, a fine from one hundred to one hundred and fifty units of fine shall be imposed on the person in charge of a ship and the operator of a recreational craft.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 81. Performance of Activities without Coordination of the Maritime Administration of Latvia**

For the performance of such activities without coordination of the Maritime Administration of Latvia which should be coordinated with the Maritime Administration of Latvia, a fine from eight to seventy units of fine shall be imposed on a natural person, but a fine from fifty to one thousand four hundred units of fine – on a legal person.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 82. Competence in the Administrative Offence Proceedings**

(1) Administrative offence proceedings for the offences referred to in Section 73, Paragraph one and Section 75 of this Law shall be conducted by the State Environmental Service.

(2) Administrative offence proceedings for the offences referred to in Sections 65, 66, 67, 68, 69, and 70 (except for the offence committed by a Latvian ship or a person on board of that ship outside the territory of the Republic of Latvia), Sections 71, 72 and Section 73, Paragraph two, Sections 74, 77, 78, 79, and 80 of this Law shall be conducted by the State Border Guard.

(3) Administrative offence proceedings for the offences referred to in Section 65, Paragraphs one, two, three, six, eight, and ten (for the offences in inland waters committed by a ship which is not subject to the requirements of the ISM Code), Section 66 (for the offences committed by the operator of a vessel in inland waters), Sections 67, 68, 69, Section 70, Paragraphs seven, eight, nine, and ten (for the offences committed by the operator of a vessel in inland waters), Section 71 (for the offences in inland waters), Sections 72, 79, and 80 of this Law if they have been committed by the operator of a recreational craft or rowing boat (except for the offences in sea waters) shall be conducted by the State Police or the municipal police.

(4) Administrative offence proceedings for the offences referred to in Sections 65, 66 (if the offence has been committed at sea), Sections 70, 71 (if the offence has been committed in the sea), Sections 72, 73, 74, 76, 78, 79, 80 (if the offence has been committed at sea), and Section 81 of this Law shall be conducted by the Coast Guard Service of the Naval Forces of the National Armed Forces.

(5) Administrative offence proceedings for the offences referred to in Sections 76 and 77 of this Law shall be conducted by the Port Police.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 83. Application of the Chapter**

(1) Sections 69, 72, and 79 of this Law shall be applied to the operator of a rowing boat for the offences committed.

(2) The provisions provided for in this Chapter for recreational crafts shall be applied to personal watercraft and other vessels intended for sports and recreation which are not used for commercial purposes, except for the rowing boats referred to in Paragraph one of this Section.

(3) The provisions provided for in this Chapter for ships shall be applied to floating structures and all vessels which are not referred to in Paragraphs one and two of this Section.

(4) For operating a vessel under the influence of alcohol, narcotic, psychotropic, toxic, or other intoxicating substances, Section 70, Paragraphs seven and eight of this Law shall be applied to persons who are not seafarers but are certified as operators of recreational crafts and are operating vessels intended for sports and recreation that are used for commercial activity to which, in accordance with Paragraph three of this Section, the provisions provided for ships are applicable.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Section 84. Cooperation of the Competent Authorities**

The competent authorities shall inform the Registry of Seamen of the Maritime Administration of Latvia of administrative offence proceedings which have been initiated for action or failure to act of certified seafarers of the Registry of Seamen of the Maritime Administration of Latvia.

[*14 May 2020* / *Section shall come into force on 1 July 2020. See Paragraph 43 of Transitional Provisions*]

**Transitional Provisions**

1. Up to the issuance of Cabinet Regulations provided for in Section 35, Paragraph two and Section 46, Paragraph two, but not longer than until 1 January 2004, the following Cabinet Regulations are applicable insofar as they are not in contradiction with this Law:

1) Cabinet Regulation No. 101 of 24 March 1998, Regulations Regarding Tankers with Segregated Ballast Tanks;

2) Cabinet Regulation No. 58 of 15 February 2000, Regulations Regarding Search and Rescue in Case of Aviation and Marine Accidents;

3) Cabinet Regulation No. 146 of 18 April 2000, Procedures for Registration of Ship Passengers;

4) Cabinet Regulation No. 156 of 25 April 2000, Regulations Regarding the Reporting on Dangerous and Polluting Cargoes of Ships.

2. By 1 January 2004, the Cabinet shall approve the National Contingency Plan for response to pollution incidents of oil at sea referred to in Section 53, Paragraph one of this Law.

3. [30 October 2003]

4. The Cabinet shall, by 1 June 2004, issue the regulations referred to in Section 7, Paragraph two of this Law.

[*30 October 2003*]

5. The Cabinet shall, by 1 July 2007, issue the regulations referred to in Section 45, Paragraph three of this Law.

[*30 October 2003; 10 November 2005; 15 June 2006*]

6. The new wording of Section 26 of this Law shall come into force on 1 July 2005.

[*28 November 2004*]

7. Amendments to Section 27 of this Law (regarding the deletion of the second sentence of Paragraph three and the new text of Paragraph four) shall come into force on 1 January 2006.

[*28 October 2004*]

8. The Cabinet shall, by 1 January 2005, issue the regulations referred to in Section 17, Paragraph four and Section 24, Paragraphs five and six of this Law.

[*28 October 2004*]

9. The Cabinet shall, by 1 July 2006, issue the regulations referred to in Section 26, Paragraph two of this Law.

[*28 October 2004; 10 November 2005; 19 June 2008*]

10. The Cabinet shall, by 1 January 2006, issue the regulations referred to in Section 7, Paragraph three; Section 16, Paragraph two; Section 19, Paragraph five and Section 27, Paragraph four of this Law.

[*28 October 2004*]

11. The Cabinet shall, by 1 January 2007, issue the regulations referred to in Section 18, Paragraph four, Section 50, Paragraph four, and Section 60, Paragraph three of this Law.

[*10 November 2005*]

12. Until the issuance of the Cabinet regulations referred to in Section 18, Paragraph four, Section 50, Paragraph four, and Section 60, Paragraph three of this Law, the following regulatory acts of the Ministry of Transport shall be applied:

1) Ministry of Transport Regulation No. 22 of 3 September 2003, Regulations Regarding the Technical Requirements for the Aids to Navigation;

2) Ministry of Transport Regulation No. 26 of 19 September 2003, Procedures for the Supervision of Classification Societies (Recognised Organisations);

3) Ministry of Transport Regulation No. 30 of 19 December 2003, Regulations Regarding the Ensuring the Operation of the Aids to Navigation and the Marking of Waterways on-site;

4) Ministry of Transport Regulation No. 8 of 21 April 2004, Procedures for the Investigation of Marine Casualties.

[*10 November 2005*]

13. The Cabinet shall, by 1 December 2007, issue the regulations referred to in Section 51, Paragraph eight of this Law.

[*10 May 2007*]

14. The Transport Accident and Incident Investigation Bureau shall start the implementation of the functions referred to in Section 8.1 of this Law from 1 June 2011. Until the time when the implementation of the function referred to in Section 8.1 of this Law is commenced by the Transport Accident and Investigation Bureau, the implementation thereof shall be ensured by the Accident Investigation Division of the Maritime Administration of Latvia.

[*10 May 2007; 13 December 2007; 19 June 2008; 22 October 2009*]

15. The Cabinet shall, by 1 January 2009, issue the regulation provided for in Section 6, Paragraph two of this Law. Until the coming into force of this Regulation the Cabinet Regulation No. 727 of 30 October 2007, Regulations Regarding the Pricelist of Paid Services Provided by the State Stock Company “Maritime Administration of Latvia”, shall be applied insofar as they are not in contradiction with this Law.

[*19 June 2008; 11 December 2008*]

16. The Cabinet shall, by 1 January 2009, issue the regulation referred to in Section 26, Paragraph one of this Law. Until the coming into force of this Regulation the Cabinet Regulation No. 856 of 15 November 2005, Regulations Regarding Procedures and Criteria for Supervision of the Conformity of Professional Education Programmes of Seafarers and Implementation of Professional Education of Seafarers, shall be applied.

[*19 June 2008; 11 December 2008*]

17. Amendments to Section 26, Paragraphs four, five and six of this Law in respect of training and certification of the operators of a recreational craft shall come into force from 1 February 2009.

[*19 June 2008*]

18. The Cabinet shall, by 1 February 2009, issue the regulations provided for in Section 26, Paragraph four of this Law. Until the coming into force of this Regulation the Cabinet Regulation No. 994 of 20 December 2005, Regulations Regarding Certification and Training of Operators of Small-sized Navigation Means, shall be applied insofar as they not in contradiction with this Law.

[*19 June 2008; 11 December 2008*]

19. The Cabinet shall, by 1 July 2010, issue the regulations provided for in Section 11, Paragraph nine of this Law. Until the coming into force of this regulation the Cabinet Regulation No. 1042 of 27 December 2005, Regulations Regarding Specific Stability Requirements for Ro-ro Passenger Ships.

[*11 December 2008*]

20. Deleting of Section 5, Clause 9, amendments to Section 6, Paragraph one, Clause 25 and 29, Section 24, Paragraph five, six and seven of this Law shall come into force from 30 December 2010.

[*17 June 2010*]

21. The Cabinet shall, by 30 December 2010, issue the regulations provided for in Section 24, Paragraphs five and six of this Law. Until the coming into force of this Regulation the Cabinet Regulation No. 874 of 18 December 2007, Regulations Regarding Placement of Persons for Work on Ships, shall be applied insofar as they are not in contradiction with this Law.

[*17 June 2010*]

22. The Cabinet shall, by 1 March 2012, issue the regulations referred to in Section 26, Paragraph four of this Law. Until the day of coming into force of this Regulation:

1) Cabinet Regulation No. 753 of 7 July 2009, Regulations Regarding Certification of Recreational Craft Operators, shall be applied insofar as they are not in contradiction with this Law;

2) sailing yacht operators shall be trained and certified by a recognised sailing sports federation in accordance with the procedures laid down in the laws and regulations regarding recognition of sports federations;

3) operators of motor yachts, cutters and motorboats (if their length is from 2.5 to 24 metres) for navigation outside Latvian waters shall be trained by licensed training centres in accordance with the procedures laid down in the laws and regulations. After completion of training international operator certificates which give the right to operate recreational craft in Latvian waters and outside them shall be issued to operators of the abovementioned recreational craft by a recognised sailing sports federation in accordance with the procedures laid down in the laws and regulations regarding recognition of sports federations.

[*16 June 2011*]

23. Condition regarding exclusion of Section 5, Clause 8 and new wording of Section 18, Paragraph one shall come into force from 15 July 2011.

[*16 June 2011*]

24. [16 June 2016]

25. The Cabinet shall, by 15 July 2011, issue the regulations referred to in Section 50, Paragraph two of this Law. Until the day of coming into force of this Regulation the Cabinet Regulation No. 1612 of 22 December 2009, Procedures for Investigation of Marine Casualties, shall be applied, insofar as they are not in contradiction with this Law.

[*16 June 2011*]

26. The Cabinet shall, by 30 October 2012, issue the regulations provided for in Section 8.1, Paragraph one of this Law.

[*29 March 2012*]

27. The Cabinet shall, by 15 May 2012, issue the regulations provided for in Section 41.1, Paragraph three of this Law. Until the day of coming into force of this Regulation the Cabinet Regulation No. 592 of 9 August 2005, Procedures for Reporting on Dangerous and Polluting Ship Cargoes, shall be applied, insofar as they are not in contradiction with this Law.

[*29 March 2012*]

28. The Cabinet shall, by 31 December 2015, issue the regulations referred to in Section 11, Paragraph ten of this Law.

[*30 April 2015*]

29. The Cabinet shall issue the regulations referred to in Section 48.1, Paragraph one of this Law by 31 July 2015.

[*30 April 2015*]

30. The Cabinet shall, by 31 December 2015, issue the regulations referred to in Section 18, Paragraph three, Clauses 1 and 2 of this Law. Until the day of coming into force of the relevant regulations, but not later than until 31 December 2015, the Cabinet Regulation No. 767 of 13 November 2007, Regulations Regarding Recognised Security Organizations in the Field of Navigation and Port Operation, shall be applied, insofar as it is not in contradiction with this Law.

[*30 April 2015*]

31. The Cabinet shall, by 31 December 2015, issue the regulations referred to in Section 19, Paragraph five, Clauses 1, 2, 3, 4 and 5 of this Law. Until the day of coming into force of the relevant regulations, but not later than until 31 December 2015, the Cabinet Regulation No. 748 of 13 November 2007, Regulations Regarding the Performance and Supervision of Functions for Ship and Shipping Company, Port and Port Facility Security, and the Cabinet Regulation No. 682 of 22 August 2006, Regulations Regarding the Division of Functions for Ship and Shipping Company, Port and Port Facility Security, shall be applied, insofar as it is not in contradiction with this Law.

[*30 April 2015*]

32. The amendment to Section 7 of this Law regarding the addition of Clause 8 to Paragraph one thereto shall come into force on 1 November 2015. Until the day of coming into force of this amendment, the Cabinet shall issue regulations corresponding thereto.

[*30 April 2015*]

33. The amendment to Section 26 of this Law regarding supplementation of the second sentence of Paragraph one with the words “and also conditions for implementation of professional training programmes of seafarers” shall come into force from 31 December 2015. Until the day of coming into force of this amendment, the Cabinet shall issue regulations corresponding thereto.

[*30 April 2015*]

34. The amendment to Section 60, Paragraph three of this Law in respect of replacement of the words “aid to navigation” (in the relevant grammatical form) with the words “technical aid to navigation” (in the relevant grammatical form) shall come into force from 31 December 2015. Until the day of coming into force of this amendment, the term “aid to navigation” (in the relevant grammatical form) in Section 60, Paragraph three shall mean the term “technical aid to navigation” (in the relevant grammatical form). Until the day of coming into force of this amendment, the Cabinet shall issue regulations corresponding thereto.

[*30 April 2015*]

35. The amendment to Section 6 of this Law regarding the addition of Paragraph five thereto shall come into force concurrently with the Public Services Law.

[*30 April 2015* / The abovementioned amendment will be included in the wording of the Law on the day of coming into force of the relevant amendments to the Public Services Law.]

36. The amendment to Section 6 of this Law regarding the addition of Clause 7.1 to Paragraph one thereto and the amendment to Section 11 regarding the addition of Paragraph eleven thereto shall come into force on 1 January 2017. Until the day of coming into force of the these amendments, the Cabinet shall issue regulations corresponding thereto.

[*16 June 2016*]

37. The amendment to Section 19 of this Law regarding the addition of a sentence to Paragraph four thereto shall come into force on 1 January 2017. Until the day of coming into force of this amendment, the Cabinet shall issue regulations corresponding thereto.

[*16 June 2016*]

38. Amendments to Section 29 of this Law regarding addition of Paragraph 1.1 thereto, supplementing Paragraph two after the words “health examinations of seafarers” with the words “and applicants for the seafarer qualification”, supplementing Paragraph three after the words “seafarers ... shall be determined” with the words “and applicants for the seafarer qualification”, and also stating of Paragraph four in a new wording shall come into force from 1 January 2017. Until the day of coming into force of these amendments the Cabinet shall issue regulations corresponding thereto referred to in Section 29, Paragraph four of this Law regarding the criteria and procedures for recognising medical practitioners of seafarers, the procedures for cancellation of recognition of medical practitioners of seafarers, and also duties for medical practitioners of seafarers.

[*16 June 2016*]

39. Section 37.1 of this Law shall come into force on 1 July 2016. Until the day of coming into force of this amendment, the Cabinet shall issue regulations corresponding thereto.

[*16 June 2016*]

40. The Cabinet shall, by 30 November 2017, issue the regulations regarding maritime search and rescue in the area of responsibility of the Co-ordination Centre (MRCC) in the cases of maritime and aviation accidents, and the regulations regarding the procedures by which co-operation between the Coast Guard and other institutions, the operation of the Co-ordination Centre (MRCC) and its sub-centres shall be conducted, and specify the Latvian area of responsibility referred to in Section 46, Paragraph two of this Law. Until the day of coming into force of the relevant regulations, but not later than until 30 November 2017, the Cabinet Regulation No. 674 of 2 December 2003, Regulations Regarding the Search and Rescue in Case of Aviation and Maritime Accidents, shall be applied insofar as they are not in contradiction with this Law.

[*13 July 2017*]

41. Amendment to Section 5 of this Law regarding its supplementation with Clause 6.1, amendments to Section 6, Paragraph one of this Law regarding its supplementation with Clause 12.1, and the new wording of Clauses 13 and 13.1, amendments to Section 7, Paragraph one of this Law regarding the new wording of Clause 4 of Paragraph one, supplementation with Clause 4.1and deletion of Clause 6, and amendment to Section 45 of this Law regarding the deletion of Paragraph three thereof shall come into force on 1 January 2019.

[*4 October 2018*]

42. Sections 41.2 and 41.3 of this Law shall come into force on 1 January 2019. Until the day of coming into force of the these amendments, the Cabinet shall issue regulations corresponding thereto.

[*4 October 2018*]

43. Amendments to Section 2, Paragraph one of this Law regarding the replacement of the words “foreign flag ships” with the words “foreign flag vessels”, amendment to Section 2 regarding the new wording of Paragraph three and the supplementation of Section with Paragraph four, amendment to Section 14 regarding the deletion of Paragraph three, amendment to Section 31, Paragraph two regarding the replacement of the word “service” with the word “work”, as well as Chapter IX shall come into force concurrently with the Law on Administrative Liability.

[*14 May 2020*]

**Informative Reference to the European Union Directives**

[*14 May 2020*]

This Law contains legal norms arising from:

1) Council Directive 97/70/EC of 11 December 1997 setting up a harmonised safety regime for fishing vessels of 24 metres in length and over;

2) Council Directive 98/41/EC of 18 June 1998 on the registration of persons sailing on board passenger ships operating to or from ports of the Member States of the Community;

3) Directive 2001/96/EC of the European Parliament and of the Council of 4 December 2001 establishing harmonised requirements and procedures for the safe loading and unloading of bulk carriers;

4) Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC;

5) Directive 2003/25/EC of the European Parliament and of the Council of 14 April 2003 on specific stability requirements for ro-ro passenger ships;

6) Directive 2005/35/EC of the European Parliament and of the Council of 7 September 2005 on ship-source pollution and on the introduction of penalties for infringements;

7) Directive 2005/65/EC of the European Parliament and of the Council of 26 October 2005 on enhancing port security;

8) Directive 2008/106/EC of the European Parliament and of the Council of 19 November 2008 on the minimum level of training of seafarers;

9) Directive 2009/13/EC of the Council of 16 February 2009 implementing the Agreement concluded by the European Community Shipowners’ Associations (ECSA) and the European Transport Workers’ Federation (ETF) on the Maritime Labour Convention, 2006, and amending Directive 1999/63/EC;

10) Directive 2009/15/EC of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organizations and for the relevant activities of maritime administrations;

11) Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control;

12) Directive 2009/18/EC of the European Parliament and of the Council of 23 April 2009 establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Council Directive 1999/35/EC and Directive 2002/59/EC of the European Parliament and of the Council;

13) Directive 2009/20/EC of the European Parliament and of the Council of 23 April 2009 on the insurance of shipowners for maritime claims;

14) Directive 2009/21/EC of the European Parliament and of the Council of 23 April 2009 on compliance with flag State requirements;

15) Directive 2012/35/EC of the European Parliament and of the Council of 21 November 2012 amending Directive 2008/106/EC on the minimum level of training of seafarers;

16) Directive (EU) 2017/2110 of the European Parliament and of the Council of 15 November 2017 on a system of inspections for the safe operation of ro-ro passenger ships and high-speed passenger craft in regular service and amending Directive 2009/16/EC and repealing Council Directive 1999/35/EC.

The Law has been adopted by the *Saeima* on 31 October 2002.

President V. Vīķe-Freiberga

Rīga, 19 November 2002