

PROVISIONS FOR A MARITIME VESSEL IN ORDER TO FLY THE ROMANIAN FLAG

Pursuant to Art. 1 of the Order no. 2/2004 of the Ministry of Transport, Construction and Tourism on the establishment of measures to increase navigation safety for Category I maritime vessels older than 20 years, **cargo and/or passenger ship** under the Romanian flag is understood to be any ship that falls under the scope of international conventions, namely:

- *The International Convention for the Safety of Life at Sea, (SOLAS 74), 1974, with the amendments and protocols in force;*
- *The International Convention for the Prevention of Pollution from Ships, amended by the Protocol, 1973 conclude in London on December 17, 1978 (MARPOL 73/78), with the amendments and protocols in force;*
- *The International Convention on Load Lines (LL 1966), with the amendments and protocols in force;*
- *The International Convention on Tonnage Measurements of Ships (Tonnage 1969), 1969;*
- *The Convention on the International Regulations for Preventing Collisions at Sea, (COLREG 1972), 1972, with up-to-date amendments;*
- *The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW 1978), 1978 with the protocols and amendments in force;*
- *The International Convention concerning Minimum Standards in Merchant Ships (ILO 147/1976), 1976.*

NEWLY BUILT MARITIME VESSELS

According to Art. 16¹ of the Government Ordinance No. 42/1997 on maritime and inland waterways transport, as amended:

“(1) Compliance with mandatory construction technical standards for vessels flying the Romanian flag is proven with certificates issued by the Romanian Naval Authority or by a recognized organization listed and published by the European Commission in the Official Journal of the European Communities, or in the Official Journal of the European Union, as appropriate.

(2) Compliance of vessels flying the Romanian flag with technical requirements set forth in the applicable international agreements and conventions to which Romania is a party is proven with certificates issued by the Romanian Naval Authority or by a recognized organization with which the Romanian Naval Authority has concluded a special mandate contract.

(3) *Any vessel which is constructed in another state and is to fly the Romanian flag, upon completion, must be supervised during construction by the Romanian Naval Authority or by a recognized organization, as requested by the vessel's owner."*

II. VESSELS IN OPERATION OVER 20 YEARS OLD

These vessels cannot be registered under the Romanian flag due to the provisions of the Order No. 2/2004 of the Ministry of Transport, Construction, and Tourism regarding measures to enhance navigation safety for maritime vessels Category I older than 20 years.

Art.2 – "From the date of this order state, the Romanian Naval Authority will no longer approve requests from shipping companies for granting the right to fly the Romanian flag to vessels mentioned in Article 1, which at the time of the request are 20 years old or more."

III. VESSELS IN OPERATION UNDER 20 YEARS OLD

In order to grant the right to fly the Romanian flag, the vessel will undergo an initial technical inspection to evaluate its general technical condition. In the case that, following this inspection, it is determined that the vessel can be registered under the Romanian flag, it will then undergo a full initial technical inspection in order that the necessary technical certificates to be issued. The scope of the inspection will be determined based on previously issued technical condition documents from other recognized organizations, held by the vessel.

1. At the time of inspection, the following documents and documentation must be made available to the ANR inspector in an internationally recognized language (English or French) or shall be translated into Romanian by an authorized translator:

- inspection reports and certificates from the technical and certification bodies that supervised the vessel during construction;
- technical description of the vessel;
- certificates for anchors and chains;
- technical specifications;
- general plans;
- master construction section;
- longitudinal construction sections;
- external shell development;
- decks and watertight bulkheads;
- Bow and stern, rudder with shaft;
- Bulkheads and fire protection coverings;
- Propeller shafts and stern tubes with associated installations;
- Diagrams of the electrical installations and main and emergency distribution panels;
- Freeboard calculation;
- Tonnage calculation;
- Stability information.

If any of the documents listed above cannot be presented, the shipowner shall provide the RNA all necessary information to conduct the initial inspection.

If the vessel was not supervised during construction by a recognized organization, all the aforementioned documentation must be submitted to the RNA for approval, with the relevant fees paid.

In this case, the total volume of documentation submitted to the RNA for approval may be extended depending on the type and characteristics of the vessel and the data required for issuing the technical certificates. Additionally, certificates for materials and equipment installed on the vessel must be presented, issued or endorsed by organizations recognized by the RNA.

2. The vessel's equipment for lifesaving appliances, radio communication, navigation, visual and acoustic signaling, as required by the provisions stipulated in COLREG and fire prevention and extinguishing means will be determined later, based on the vessel's characteristics and the assigned navigation area.

3. If the vessel undertakes regular international voyages, in accordance with the OMTCT No. 722/2006, it must hold a class certificate issued by one of the recognized organizations listed and published by the European Commission, in valid condition. For vessels used exclusively for internal voyages (between Romanian ports), with occasional international voyages (between a Romanian port and a port of another state and return), in accordance with the OMTCT No. 892/2006, the vessel is not required to have a classification certificate from a classification society.

4. After its registration under the Romanian flag, in order to issue the definitive technical certificates, the following documentation must be submitted to the ANR for approval:

- updated stability information;
- tonnage calculation;
- freeboard calculation (if applicable);
- fire-fighting equipment plans;
- MARPOL equipment documentation (Annexes I, IV, V, and VI), including the oil pollution prevention and response plan (if applicable).

Fees for the technical inspection will be calculated according to the RNA's tariffs for an occasional inspection and, if applicable, for the initial inspection of a new or acquired vessel.