CHAPTER I
GENERAL PROVISIONS

Article 1. Purpose and Scope of the Law

1. This Law shall establish requirements for maritime safety, prevention of pollution from ships, ship security, and shipboard working and living conditions of seafarers for vessels flying the flag of Lithuania and foreign vessels calling at the Lithuanian sea ports, the shipping companies registered in the Republic of Lithuania, companies conducting activities related to maritime safety, port management companies, and shall regulate state supervision and administration of maritime safety, search and rescue of persons, investigation of maritime accidents, wreck removal.

2. The purpose of this Law shall be, when implementing legal norms of the international maritime law and of the European Union on maritime safety in the Republic of Lithuania, to:
1) ensure that ships flying the flag of Lithuania meet international maritime safety, prevention of pollution by ships, ship security requirements, and shipboard working and living conditions of seafarers established by the legal acts of the European Union and laws and other legal acts of the Republic of Lithuania;

2) reduce the number of ships which do not meet the international requirements of maritime safety.

3. The norms of this Law and the legal acts passed on the basis thereof shall not apply to:

1) foreign vessels, which sail through the territorial sea of the Republic of Lithuania, availing themselves of the right of innocent passage, and the persons situated on them;

2) warships and coast guard vessels of the Republic of Lithuania and foreign states. In case of military incidents, aggression, seizure of violating ships or in other cases of emergency the vessels indicated in this Point shall enjoy the right of priority when sailing in the port area;

3) ships sailing in the internal waters only;

4) other than passenger ships whose maximum length indicated in ship’s documents is less than 12 metres;

5) recreational craft which does not go on commercial journeys;

6) wooden ships of primitive build.

4. In all instances the vessels referred to in paragraph 3 of this Article, when sailing in public waterways, shall be governed by the provisions of the Convention on the International Regulations for Preventing Collisions at Sea, 1972 and, when sailing through the port areas, the ship-masters must abide by the port shipping regulations and follow the instructions on maritime safety given by the officers of vessel traffic services who are on duty.

5. The provisions of this Law have been harmonized with the legal acts of the European Union listed in the Annex to this Law.

Article 2. Definitions

1. General waterways shall mean waterways suitable for navigation within the territorial sea of the Republic of Lithuania indicated on the nautical charts.

2. SafeSeaNet System shall mean a specialized system for exchange of shipping information electronically between the European Union Member States.

3. High speed craft shall mean a ship that can travel at maximum speed, which is the equivalent or higher than that indicated in the International Convention for the Safety of Life at Sea, 1974.

4. Authorised ship classification society shall mean a ship classification organisation, with which the Lithuanian Maritime Safety Administration, in accordance with the procedure set out by
the Minister of Transport and Communications, has concluded an agreement regarding the technical maintenance and surveys of ships registered in the Register of Seagoing Ships of the Republic of Lithuania and issuing of appropriate documents certifying this.


6. **Passenger ship** shall mean a ship carrying more than 12 passengers.

7. **Ship** shall mean any type of self-propelled or not self-propelled floating structure which is being used or can be used, for navigation.

8. **Navigator** shall mean a member of the crew holding the appropriate certificate of competency and navigating the ship.

9. **Shipping company** shall mean an owner of the ship or a ship's operator or a bareboat charterer who took over the responsibility of the owner for the operation of a ship.

10. **Inspector** shall mean a civil servant of the Lithuanian Maritime Safety Administration who meets the established qualification requirements and is authorized to perform flag State control and port State control.

11. **Ship's agent** shall mean a person who has signed a contract with the ship owner, operator or bareboat charterer to represent their interests and carry out contractual orders.

12. **Ship's crew** shall mean seafarers carrying out tasks of ship operation, maintenance or people service on board and included in the crew list.

13. **Ship's equipment** shall mean equipment that under international requirements for maritime safety must be used in the ship for ensuring maritime safety and protection of marine environment against pollution or which, on the instruction of the shipping company, is additionally used in the ship; such equipment, pursuant to the international treaties of the Republic of Lithuania, requires the certification by the Lithuanian Maritime Safety Administration or the authorised ship classification society to the effect that the equipment meets the international maritime safety requirements.

14. **Master of a ship** shall mean a seafarer, having an appropriate diploma of marine rank and being in command of the ship.

15. **Ship's technical maintenance** shall mean a set of measures organized and conducted by a shipping company and authorized ship classification society or the Lithuanian Maritime Safety Administration under the requirements of the Minister of Transport and Communications, taken to ensure the ship's compliance with the structural, mechanical and electrical equipment, fire safety, stability and capacity requirements through the ship's service life.
16. **Ship classification society** shall mean a legal entity meeting the appropriate maritime safety requirements posed to the organisations which carry out technical maintenance and survey of ships and issue ships with mandatory documents.

17. **Pilot** shall mean a person holding the pilot’s certificate of the form established by the Minister of Transport and Communications, granting him the right to assist the master of the vessel in guiding and mooring the vessel. The pilot shall not be a member of the crew of the vessel he is guiding.

18. **Aids to Navigation** shall mean coastal equipment and equipment floating on general waterways used to obtain information necessary to ensure maritime safety.

19. **Area of Operation of Aids to Navigation** shall mean the area in which the information of navigational facilities needed for safe navigation is ensured on a mandatory basis.

20. **Search and rescue region** shall mean the area of established coordinates, in respect of which, Lithuania agreed with the contracting states to the International Convention on Maritime Search and Rescue, 1979 as well as the Curonian Lagoon and the water area of sea ports.

21. **Coast guard vessel** shall mean a ship owned by the State by right of ownership, and used for non-commercial purposes, having special clearly visible marks and inscription and performing the functions of guarding of the state border.

22. **Maritime safety requirements** shall mean requirements that ensure safe navigation of ships, prevention of pollution by ships, and ship security.

23. **Safety Management System** shall mean a system structured and documented in accordance with requirements of the International Management Code for the Safe Operation of Ships and for Pollution Prevention enabling the effective implementation of the maritime safety and environmental protection policy of a shipping company.

24. **Special purpose ship** shall mean a ship for specific functions with an engine carrying more than 12 professionals, who are neither crew members nor passengers.

25. **International Maritime Organisation audit** shall mean the audit of the international obligations of a state conducted in accordance with the procedure adopted by the International Maritime Organisation through Assembly Resolution A.974 (24), as amended.

26. **International maritime safety requirements** shall mean the maritime safety requirements established by the international treaties of the Republic of Lithuania and the requirements established by the International Maritime Organisation, International Labour Organisation, European Union and other international and regional organisations whose member is the Republic of Lithuania.

27. **Traditional ship** shall mean any historic ship or a ship replica including those designed to encourage and promote traditional skills and seamanship, that together serve as living cultural
monument, recognized as such in accordance with the procedure set out by the Minister of Transport and Communications. Such a ship is operated according to traditional principles of seamanship and technique.

28. **Port management company** shall mean a company managing, using and disposing the port land, port area and infrastructure as provided for by legal acts.

29. **Port** shall mean a territory (land and port area) intended for ships to enter and sail out, to dock, to be provided port services, to move goods from ships and to provide services to passengers. Legislative requirements set for ports shall be also applied to petroleum, chemical products, liquefied gas terminals and other types of terminals outside the territory of the port area and having their own land territory and water area in the Republic of Lithuania territorial seas as provided for by legal acts.

30. **Harbour Master** shall mean a person responsible for shipping control and for ensuring order within the water area and on quays of the seaport of the Republic of Lithuania.

31. **Foreign vessel** shall mean a ship flying other than the Lithuanian state flag.

32. **Search and rescue of persons** shall mean activities performed in order to identify location of persons in distress, to save them, and provide first aid and other aid and take them to secure location.

33. **Fishing vessel** shall mean a ship designed, adapted or used for commercial fishing.

**CHAPTER TWO**

**INSTITUTIONS FOR STATE MANAGEMENT OF MARITIME SAFETY**

**Article 3. Institutions for State Management of Maritime Safety**


2. The Government shall adopt legislation within its remit according to this Law, and perform other functions set forth in this Law.

3. The Ministry of Transport and Communications shall formulate state policy on maritime safety, as well as organize, coordinate and supervise its implementation, set forth maritime safety requirements, the procedure for implementing these requirements, international treaties of the
Republic of Lithuania and European Union legislation on maritime safety in the Republic of Lithuania, except in cases where implementation procedure for international maritime safety requirements are established by the Ministry of Transport and Communications in conjunction with other institutions.

4. The Ministry of Social Security and Labour together with the Ministry of Transport and Communications shall adopt legal acts in the area of seafarers' working conditions, safety and health, and the Ministry of Health together with the Ministry of Transport and Communications in the area of seafarers' health care, shall organize, coordinate, and control (supervise) the implementation of these legal acts.

5. The Administration shall implement the state policy in the field of maritime safety and participate in the formation of this policy, shall establish technical and organizational requirements for safe navigation and perform other functions established by this Law.

**Article 4. Lithuanian Maritime Safety Administration**

1. The Administration is a budgetary institution under the Ministry of Transport and Communications.

2. Director of the Administration shall determine the positions of civil servants and employees working under employment contracts who are required to have a marine rank. At work, the staff of the Administration shall wear civilian navy uniform, the samples of which and wearing rules shall be approved by the Minister of Transport and Communications.

3. The employees referred to in paragraph 2 of this Article may, every five years, be granted leave for a period of up to one year to undergo improvement of skills – sail to the sea. In this case, a staff member shall retain the post formerly occupied by him, but shall not receive the established remuneration.

4. The Administration shall organise its activities related to implementation of international requirements for maritime safety according to the quality management system developed and evaluated in accordance with international quality management standards.

5. Costs of the Administration staff business trips related to maintenance of seaworthiness of ships located outside the territory of the Republic of Lithuania, as well as ship surveys, checks and assessments shall be borne by the shipping company. The costs shall be reimbursed in accordance with the procedure established by the Government.

**Article 5. Functions of the Administration**

The Administration shall perform the following functions:
1) exercise control over the compliance with the international maritime safety requirements and maritime safety requirements set by the European Union legal acts as well as laws and other legal acts of the Republic of Lithuania;

2) register ships in the Register of Seagoing Ships of the Republic of Lithuania and issue ship's documents;

3) carry out port State control and flag State control and issue the required documents;

4) grant accreditation to educational institutions of seafarers in the manner prescribed by the Minister of Transport and Communications and supervise their activities, examine seafarers, issue seafarers’ qualification documents and seaman’s books;

5) compose the nautical charts of the seaports, the territorial sea and exclusive economic zone of the Republic of Lithuania, publish hydrographic data. Organize distribution of nautical charts, manuals and other nautical publications;

6) install, operate and maintain aids to navigation ensuring maritime safety in the waterways designated for general use, control their functioning, provide nautical information;

7) supervise how the port management companies and ship crews manage and transfer ship-generated waste and cargo residues to waste handling companies;

8) coordinate and organize removing the wreck in the territorial sea of the Republic of Lithuania;

9) monitor activities of the authorized ship classification societies, publicly announce on its website information about new authorised ship classification societies and about authorised ship classification societies whose right to carry out surveys of vessels has been suspended in the manner prescribed by the Minister of Transport and Communications;

10) certify entities which provide maritime safety related services and carry out supervision of certified activities;

11) perform the procedures of recognition of diplomas of marine rank issued by competent authorities of other states in the manner prescribed by the Minister of Transport and Communications;

12) in cases provided for by law deal with offences of maritime safety requirements and impose administrative penalties;

13) carry out vessel traffic monitoring;

14) within its remit, submit proposals to the Ministry of Transport and Communications on the preparation of legal acts of the Republic of Lithuania in the field of maritime safety, submit proposals for drafting decisions or individual regulatory processes, coordinate, review and/or supplement draft decisions, analyse draft decisions, issue conclusions regarding prepared draft decisions and carry out targeted analysis;
15) perform other functions provided for by laws and other legal acts of the Republic of Lithuania.

**Article 6. Harbour Master**

1. The head of a port management company shall appoint and dismiss the master of the port.

2. Activities of the harbour master shall be regulated by this Law and other legal acts regulating sea port activities as well as the harbour master’s regulations. The harbour master’s regulations shall be approved by the head of the port management company upon the agreement with the Administration.

3. Upon the request of the harbour master, the ships which are in port must render assistance with all technical means at their disposal to ships and persons who are in distress.

4. Decisions of harbour master regarding the issues within the scope of his remit are binding and must be carried out immediately. The harbour master’s decisions and actions may be appealed against in the manner set forth in the Law on Administrative Proceedings of the Republic of Lithuania.

**Article 7. The Harbour Master's Remit in the Field of Maritime Safety**

1. Activities of the sea port of the Republic of Lithuania related to maritime safety and prevention of pollution from ships shall be ensured by the harbour master. The harbour master shall, through the services subordinate to him:

   1) organise vessel traffic and pilots' activities;
   2) implement pollution incident response operations in the port waters;
   3) control the depth of the port water, implement the supervision of port aids to navigation and port navigation signs;
   4) control the draft of ships;
   5) control the condition of port quays;
   6) submit port navigational and hydro-meteorological information to the Administration and vessels;
   7) permit ships to enter the port and to depart from it, register the entry into and the departure of ships according to the procedure established by the head of the port management company;
   8) in case of emergency situations at the port, redeploy the ships;
   9) control the hazardous cargo loading, unloading and movement in the port;
   10) organizes ship-generated waste transfer to waste handling companies.

2. The harbour master must deny a ship departure from the port, if:
1) a decision is received from the inspector regarding the detention of a ship in port;
2) the ship is loaded beyond the level that is allowed by the ship’s loading marks;
3) in case of a maritime accident information necessary for accident investigation is not submitted;
4) the loaded ship threatens the safety of navigation and/or marine environment;
5) the court ruling regarding seizure or detention of the ship has been received;
6) this is provided for in other legal acts of the Republic of Lithuania.

3. The harbour master shall have the right to deny a ship departure from the port if the shipping company has not paid the port dues and fines, the ship has damaged or destroyed the port infrastructure and/or suprastructure, the shipping company has not covered the damage sustained by the port management company when organising the works of salvaging of the ship or the load as well as the works of prevention of pollution from ships or pollution clean-up works or has not provided the guarantee for the payment/compensation for damage in the manner prescribed by laws of the Republic of Lithuania. When the shipping company pays port charges and fines and bears the port management company's costs or provides a guarantee for fulfilment of its obligations in the manner prescribed by laws of the Republic of Lithuania, the harbour master may permit the ship to depart the port.

4. The harbour master shall have the right to deny a ship the entry to the port or instruct it to leave the port if the ship does not satisfy the international maritime safety requirements, requirements of the legal acts of the European Union or Republic of Lithuania in the area of maritime safety.

**Article 8. Authorized Ship Classification Societies**

1. Only the ship classification societies authorized by the Administration shall have the right to carry out technical maintenance and survey of ships flying the Lithuanian flag in accordance with international treaties of the Republic of Lithuania, legal acts of the European Union, or legal acts of the Republic of Lithuania, and to issue relevant supporting documents.

2. The following conditions for granting an authorisation to the ship classification societies shall be valid:

   1) the company must be recognized by the European Commission and included in the list of recognized organizations;
   2) the company must have a registered office in Lithuania operating according to the laws of the Republic of Lithuania; If there is no such representation, it must be established within 12 months from the date the agreement between the Administration and the authorized ship classification society has been concluded.
3. The Administration shall examine an application of the ship classification society regarding granting of the authorisation and having ascertained that the society complies with the criteria set out in Annex I of Regulation (EC) No 391/2009 of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations (OJ 2009 L 131, p. 11) and the organization of its activities is in line with the requirements of maritime safety, shall submit, within 10 working days from the receipt of the application by the Administration, a proposal for an agreement on the technical maintenance and survey of ships flying the Lithuanian flag and issuing appropriate documents certifying this.

4. The agreements concluded between the Administration and the classification societies stipulate the rights and duties of the authorised ship classification societies when performing technical maintenance and survey of ships and issuing, on behalf of the Republic of Lithuania, appropriate documents to ships, as well as rules and conditions for co-operation and exchange of information between the authorized ship classification societies and the Administration. The authorised ship classification society shall have the right to carry out contractual activities from the date of signature of this agreement.

**Article 9. International Maritime Organisation Audit**

1. Upon the approval of the Government, the Minister of Transport and Communications, at least once every seven years, shall address the Secretary General of the International Maritime Organization regarding the audit by the International Maritime Organisation which would make the assessment of the implementation in the Republic of Lithuania of provisions of the International Maritime Organization conventions to which party is the Republic of Lithuania.

2. Ministries and other institutions shall provide within their remit information to the Ministry of Transport and Communications necessary for the arrangement of the audit specified in paragraph 1 of this Article, and shall within their remit take part in the audit of the International Maritime Organisation.

3. The results of the audit shall be publicly available on the website of the Administration, except for the information which may not be disseminated to the public under the laws of the Republic of Lithuania.

**CHAPTER THREE**

**SHIP’S SEAWORTHINESS**

**Article 10. Ship’s Seaworthiness**
1. Only a ship recognised as a suitable floating vessel may be used for navigation. The ship is recognized suitable during its technical maintenance and survey.

2. A vessel shall be recognised to be in a seaworthy condition fit to perform a particular voyage within the limits of the established sailing area if it has been designed, built, equipped and is being operated in compliance with the structural, mechanical, electrical equipment, technical, navigation, ecological, manning, safety at work and health, and fire protection requirements, whereas valid documents certifying this, issued by the Administration or the authorised classification society are on board.

3. Authorized ship classification societies shall, in accordance with their classification rules, perform technical maintenance of ships flying the Lithuanian flag, which are subject to the provisions of international treaties of the Republic of Lithuania governing maritime safety.

4. The Administration or on its behalf the authorized ship classification society shall carry out technical maintenance of cargo ships flying the Lithuanian flag with a gross tonnage of 300 or less, and of fishing vessels flying the Lithuanian flag in overall length of less than 24 metres.

5. Surveys of ships flying the Lithuanian flag shall be carried out and required documents shall be issued in accordance with the provisions of Article 17 of this Law.

Article 11. Delimitation of the Sailing Territory (Boundaries)
Ship sailing territory and their boundaries shall be determined by the Administration or authorized ship classification societies, taking into account the permissible conditions for safe navigation specified in the ship’s documentation.

Article 12. Requirements for the Design, Construction and Equipment of Ships
Design and construction requirements of new ships which will be registered in the Register of Seagoing Ships of the Republic of Lithuania, shall be specified by authorized ship classification societies. The societies shall also supervise the performance of the works.

CHAPTER FOUR
SHIP’S CREW

Article 13. Requirements for the Ship's Crew and Issuance of Required Documents
1. Only seafarers who hold valid diplomas of marine rank and the endorsements thereof, qualification certificates or other documents entitling them to perform relevant duties on board ship as well as those who have been entered in the crew list of the ship shall be permitted to work on board ship.
2. The procedure for the granting of marine rank and issuance of required documents shall be established by the Minister or Transport and Communications, having regard to international standards of training, certification and watchkeeping of seafarers.

3. Navigator who knows the state language must be in the wheelhouse of a ship entering or exiting from the port, if the master of the ship has the permission to sail without a pilot. The requirement shall not apply if the pilot navigates the ship.

4. Required documents for seafarers shall be issued by the Administration.

5. A ship entered on the Register of Seagoing Ships of the Republic of Lithuania shall be prohibited to sail out to sea if the ship does not have a minimum safe manning document issued by the Administration. The minimum safe manning requirements shall be determined by the Minister of Transport and Communications, in accordance with the requirements of the minimum safe manning of the International Convention for the Safety of Life at Sea, 1974. The Administration shall examine the shipping company's request to issue a minimum safe manning document and documents provided for in the Regulations of Registration of Seagoing Ships of the Republic of Lithuania, approved by the Minister of Transport and Communications, and shall, within 10 working days from the receipt of the application by the Administration, issue a minimum safe manning document.

6. No member of the crew may be assigned to work on board the ship without the consent of the master of the ship.

7. Crew members may wear civilian navy uniform.

**Article 14. Medical Examination of Ship’s Crew Members**

1. Persons who wish to work as seafarers must undergo medical examination before taking up their employment and shall be subject to regular medical check-ups during the employment; and they must also have a certificate of established form issued by the health care institution.

2. The procedure of medical examination of seafarers shall be established by the Government or the institution authorised by it having regard to the international maritime safety requirements.

3. The minimum requirements for the provision of medical aid on board ships registered in the Republic of Lithuania shall be established by the Minister of Health, Minister of Transport and Communications, and Minister of Social Security and Labour in accordance with the norms of the international maritime law and norms of the European Union law.

**Article 15. Navigational Watch on Board Ship**
1. In order to ensure maritime safety during the ship’s voyage as well as safe handling of the
ship when moored at the quay or anchored, navigational watchkeeping shall be organised on board
ship.

2. The procedure of keeping navigational watch shall be established by the Statute of
Service on Seagoing Ships of the Republic of Lithuania. The Statute shall be approved by the
Minister of Transport and Communications.

Article 16. The Register of Seafarers of the Republic of Lithuania

1. Persons who have been issued diplomas of marine rank of the Republic of Lithuania,
qualification certificates and seaman’s books shall be registered in the Republic of Lithuania
Seafarers’ Register.

2. The Register of Seafarers of the Republic of Lithuania shall operate following the
procedure established by the Regulations on the Register of Seafarers of the Republic of Lithuania,
which are subject to the approval by the Government.

3. The Register of Seafarers of the Republic of Lithuania is managed by the Ministry of
Transport and Communications, and is administered by the Administration.

CHAPTER V
SHIP SURVEY AND SHIP DOCUMENTS

Article 17. Ship survey

1. Initial, periodic and additional ship surveys shall be carried out.

2. An initial survey of a ship shall be performed before registering a ship in the Register of
Seagoing Ships of the Republic of Lithuania. Initial survey of the ship shall be performed in order
to determine the technical condition of the ship and its compliance with international maritime
safety requirements and requirements of the legal acts of the Republic of Lithuania. Initial survey of
the ship shall be performed according to the procedure established by the Minister of Transport of
Communications.

3. Periodic survey of the ship shall be performed in order to determine whether the ship
complies with the applicable international maritime safety requirements and requirements of the
legal acts of the Republic of Lithuania during its lifetime, and in order to grant new or confirm the
existing required ship documents. Periodic surveys of ships subject to the international maritime
safety requirements are carried out in accordance with the procedure of the international legal acts
on maritime safety. Periodic surveys of ships not subject to the international maritime safety
requirements shall be carried out in accordance with the procedure established by the Minister of Transport and Communications.

4. Additional surveys are carried out in case provided for by legal acts of the Republic of Lithuania as well as international legal acts.

**Article 18. Ship’s Documents**

1. The list of international documents and documents of the Republic of Lithuania regulating maritime safety and that must be on board of a ship registered in the Register of Seagoing Ships of the Republic of Lithuania shall be approved by the Administration. The Administration shall approve the form of the ship’s log book, the description of the procedures for filling out, registration and accounting of the log book.

2. The diplomatic missions or consular posts of the Republic of Lithuania abroad shall have the right to extend the validity of the ship’s documents according to the procedure established by the Government.

3. The ship’s plans and other documents provided for in the international treaties of the Republic of Lithuania shall be approved or agreed by the Administration or the authorised ship classification society.

**CHAPTER VI**

**ACTIVITIES OF PILOTS**

**Article 19. Pilot**

1. The pilot’s duties can be performed by a person who is not older than 68 years of age, has a good command of the state language and the English language, has at least the marine rank of officer in charge of a navigational watch on ships of 500 GT or more and has approved seagoing service of two years in that capacity, complies with the requirements for seafarers health conditions approved by the Minister of Health, has performed a six month internship for a pilot qualification, has presented a positive recommendation of his internship and passed the exam. The Administration shall determine the procedure for pilot examination and internship, as well as qualification requirements which the persons must meet in order to acquire the right to navigate vessels of certain sizes.

2. The pilot’s certificate shall be issued by the Administration in the manner prescribed by the Minister of Transport and Communications. Pilot certificate is issued within five working days from the date of passing the exam, if he achieved the pass mark.
3. The Regulations of Pilot Service shall regulate pilot activities and procedure of navigation of ships with a pilot. The Regulations shall be approved by the Administration.

**Article 20. Regions of Mandatory Navigation with a Pilot on Board Ship**

1. The types of ships and regions in the territorial sea and the exclusive economic zone of the Republic of Lithuania where sailing with a pilot on board is mandatory shall be established by the Administration.

2. In port waters mandatory sailing with a pilot on board shall be established by the port shipping regulations.

**Article 21. Relations between the Pilot and the Master of the Piloted Ship**

1. The master of the ship shall be responsible for the steering of the navigated ship. If the master of the ship leaves the wheelhouse, he must inform the pilot as to who in his absence will be responsible for the steering the ship.

2. The pilot must give advice to the master of the ship being navigated, ensuring safe steering of the ship, and be certain that the master of the ship being steered has understood the advice correctly.

3. If the master of the navigated ship does not take into account the pilot’s advice, the pilot nevertheless must, to the extent possible, provide the master of the ship with the information about the peculiarities of the shipping area.

**Article 22. Prohibition for the Pilot to Abandon the Navigated Ship**

A pilot who has started navigating a ship shall not have the right to abandon the ship without a permission from the master of the ship being navigated:

1) while piloting the ship out to sea, namely, until the ship reaches the area from where it can sail safely without the assistance of the pilot;

2) when navigating the ship into the port: until the ship drops anchor or is safely berthed at the quay;

3) until the pilot in the ship being navigated is replaced by another pilot.

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**CHAPTER VII**

**SHIP CONTROL**

**Article 23. Port State control**
1. The purpose of port State control shall be to determine whether foreign vessels that enter sea ports of the Republic of Lithuania meet the international maritime safety requirements and the standards of shipboard living and working conditions of the crew.

2. The Administration shall organize and conduct port State control. The Minister of Transport and Communications shall establish the procedure of port State control in accordance with international maritime safety requirements and legal acts of the European Union.

3. If the inspection of a foreign vessel establishes its non-compliance with the requirements of the international maritime safety and seafarers' working and living conditions on board and due to that the vessel is prohibited to leave the port, re-inspection of the vessel shall be conducted in accordance with the procedure established by the Minister of Transport and Communications, after these shortcomings are eliminated. The shipping company must pay all the costs of the inspections of the ship, in accordance with the procedure established by the Minister of Transport and Communications.

**Article 24. Flag State Control**

1. The objective of the control of ships flying the Lithuanian flag is to determine whether the ships comply with the requirements of international maritime safety and seafarers' working and living conditions on board and other legal acts of the Republic of Lithuania regulating maritime safety.

2. The Administration or its authorized persons shall carry out control of ships flying the Lithuanian flag in accordance with the procedure set out by the Minister of Transport and Communications.

3. If a ship flying the Lithuanian flag is detained in the port of a foreign state due to the violations of international requirements of maritime safety, the Administration must investigate the causes of such detention. The shipping company must provide the Administration with all the information necessary for the investigation.

4. Having determined that the ship has been detained in the port due to violations of international requirements of maritime safety, which could have endangered human lives at sea and protection of the maritime environment from pollution, the Administration must conduct a thorough inspection of the ship in accordance with the procedure set out by the Minister of Transport and Communications.

**Article 25. Restrictions on ship's departure from port due to violations of requirements of maritime safety and seafarers' working and living conditions on**
board or requirements of legal acts of the Republic of Lithuania governing maritime safety

1. Having identified violations of international requirements of maritime safety and seafarers' working and living conditions on board or requirements of legal acts of the Republic of Lithuania governing maritime safety, an inspector shall draw up a report on this according to the established form.

2. An inspector shall detain the ship in port, if:

   1) the crew of the ship fails to meet the minimum safe manning requirements, which are indicated in the document of the minimum safe manning, or the diplomas of seafarer degrees or qualification certificates of the crew members of the ship are not valid or do not grant them the right to assume appropriate duties on board ship;
   2) the vessel does not meet the requirements of maritime safety;
   3) the ship documents are either not valid or missing;
   4) the master of the ship refuses to allow to undertake a survey of a ship;
   5) prohibition for a ship to leave the port is provided for in other legal acts.

3. Prohibition of the inspector for a ship to leave the port shall be issued by a decision which must set out the reasons and violations due to which it is prohibited to leave the port, the terms for rectifying of deficiencies and the procedure for appeal. The Administration shall inform about the decision the master of the ship (the shipping company), the harbour master, the ship's Flag State, the International Maritime Organisation and, if the ship is maintained by the authorized ship classification society, to that society.

4. The decision of the inspector regarding detention of a ship in port shall be executed by the harbour master.

5. If the ship has been detained in port due to an unfounded decision, the damages incurred by the shipping company shall be compensated in accordance with the procedure set forth by laws of the Republic of Lithuania.

Article 26. Requirements for Inspectors Exercising Control off Foreign Vessels and Vessels Flying the Lithuanian flag

1. inspectors exercising control of foreign vessels and vessels flying the Lithuanian flag must have the necessary theoretical knowledge about ships and their operation and practical experience in this field. They must be competent in the implementation of requirements of international conventions and in the field of performance of relevant procedures of port state control. This knowledge and expertise in enforcement of international requirements, and requirements of the legal acts of the European Union and the Republic of Lithuania must be
acquired through training programs, based on the guidelines established by the International Maritime Organization and European Union institutions. They must have knowledge of the English language and maritime terminology in English.

2. Inspectors exercising control of foreign ships must comply with the following qualification requirements:

1) have a university degree in marine engineering or marine technology in the field of technological sciences and have a marine rank of master or chief mate on ships of 3,000 GT or more or marine rank of chief engineer officer or second engineer officer on ships powered by main propulsion machinery of 3,000 kW propulsion power or more and have approved seagoing service of not less than five years in a capacity of an officer or

2) have a university degree in marine engineering or marine technology in the field of technological sciences and have at least five years of work experience directly related to the shipbuilding, ship design, ship propulsion systems’ engineering or marine pilotage, ship operation or ship inspection and issuance of certificates in accordance with provisions of international agreements, or

3) have a university degree in marine engineering or marine technology in the field of technological sciences and have completed specialized training programs, prepared according to the guidelines established by the International Maritime Organization and the European Union institutions, at the institution for the training of ship safety inspectors and acquired respective qualification at it.

3. Before his appointment to carry out control of foreign vessels, an inspector must have at least one year work record of carrying out control of vessels flying the Lithuanian flag, or executing other duties related to surveys and issuance of certificates in accordance with provisions of the International Convention on Load Lines, 1966, the International Convention for the Safety of Life at Sea, 1974, the International Convention for the Prevention of Pollution from Ships, 1973 and its 1978 Protocol thereto, the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, the Convention on the International Regulations for Preventing Collisions at Sea, 1972, the International Convention on Tonnage Measurement of Ships, 1969, the Merchant Shipping (Minimum Standards) Convention, 1976, the International Convention on Civil Liability for Oil Pollution Damage, 1992, or with the monitoring of the authorized ship classification societies or having acquired relevant competence during of at least one year's training at the work place, participating in foreign ship inspections under the guidance of experienced inspectors.

4. Inspectors carrying out control of vessels flying the Lithuanian flag must meet the following qualification requirements:
1) have a university degree in marine engineering or marine technology in the field of technological sciences and have a marine rank of master or chief mate on ships of 500 GT or more or marine rank of chief engineer officer or second engineer officer on ships powered by main propulsion machinery of 3 000 kW or more, and have approved seagoing service of not less than five years in a capacity of an officer or

2) have a university degree in marine engineering or marine technology in the field of technological sciences and have at least five years' experience directly related to shipbuilding, ship design, ship propulsion systems’ engineering, marine pilotage, ship operation or ship inspection and issuance of certificates in accordance with provisions of international agreements, or

3) have a university degree in marine engineering or marine technology in the field of technological sciences and at least five years' experience, directly related to ensuring of maritime safety, at state institutions.

5. If inspectors, carrying out control of foreign vessels and vessels flying the Lithuanian flag, concurrently evaluate the ship security systems’ compliance with the requirements of the International Ship and Port Facility Security Code, they must also have knowledge of maritime security principles and how these principles are applied to the operations being examined, knowledge of security technologies and techniques, knowledge of inspection principles, procedures and methods, and have a working knowledge of the operations being examined.

6. The master of a ship must grant the inspector carrying out control of foreign vessels and vessels flying the Lithuanian flag on access to the ship and to its rooms, and also provide him with the documents and information required by him.

CHAPTER EIGHT
OBJECTIVE OF ASSESSMENT OF SHIPPING COMPANIES AND SHIPS SAFETY MANAGEMENT SYSTEMS, SHIPS AND PORT FACILITIES SECURITY, SHIPS AND THEIR CREWS COMPLIANCE WITH INTERNATIONAL REQUIREMENTS FOR MARITIME LABOUR AND GRANTING OF AUTHORISATIONS

Article 27. Objective of assessment of shipping companies and ships safety management systems and granting of authorisations

1. The objective of assessment of shipping companies and ships safety management systems shall be to determine whether safety management systems of a shipping company and ships are in line with the International Management Code for the Safe Operation of Ships and for Pollution Prevention.
2. The Administration or authorised classification society shall assess within their remit the safety management systems of shipping companies and ships in accordance with the procedure established by the Minister of Transport and Communications.

**Article 28. Objective of ships' security assessment and granting of authorisations**

1. Objective of ships security assessment shall be to determine whether ships security system is in line with the requirements of the International Ship and Port Facility Security Code.

2. The Government shall establish the procedure for the implementation of the requirements of the International Ship and Port Facility Security Code, the responsible authorities and their functions.

**Article 29. Objective of the assessment of ships and their crews' compliance with international maritime safety requirements on maritime labour and granting of authorisations**

1. The objective of the assessment of ships and their crews’ compliance with international maritime safety requirements regarding maritime labour shall be to determine whether requirements of the international treaties and legal acts of the Republic of Lithuania regulating maritime labour of seafarers are implemented on vessels.

2. The Administration or its authorized ship classification societies shall perform the assessment of ships and their crews' compliance with international maritime safety requirements on maritime labour in accordance with the procedure established by the Minister of Transport and Communications, the Minister of Social Security and Labour and the Minister of Health and issue the relevant documents.

**CHAPTER IX**

**RIGHTS AND OBLIGATIONS OF A SHIPPING COMPANY AND SHIP’S MASTER IN ENSURING MARITIME SAFETY**

**Article 30. Responsibilities of a shipping company**

1. A shipping company must ensure compliance with requirements of maritime safety and seafarers' working and living conditions on board and it is responsible for the following that:

   1) every ship is commanded by a ship’s master and other officers of the ship’s crew who have appropriate qualifications in seafaring, pilotage, communications and maritime technology, and the ship’s crew, according to its qualification and number of its crew members, suitable for work on a specific ship, considering its type, size, engines and equipment thereof;
2) the master of a ship and the ship’s crew are familiar with the law governing the safety of life at sea, how to avoid collision of ships, marine pollution, how to maintain radio contact and ensure that these rules are complied with;

3) seafarers working on board receive the information necessary for their work about maritime safety in a language they understand;

4) requirements of this Law and other legal acts are implemented in the shipping company and the ship.

2. The shipping company cannot influence decisions of the master of the ship relating to maritime safety.

Article 31. Rights and obligations of a master of a ship in ensuring maritime safety

1. The master of a ship shall be responsible for maritime safety and seafarers’ working and living conditions on board during the voyage. He must:

   1) maintain the ship’s condition suitable for navigation;
   2) immediately notify the shipping company and the Administration of the damage of equipment or machinery affecting the safety of the ship;
   3) immediately inform the Administration about the detention of the vessel in a foreign port for violations of international maritime safety requirements.

2. In the event of death of a crew member or other circumstances due to which he is unable to carry on his duties, the master of a ship shall have the right to continue navigation with an incomplete crew of a ship, if he is confident that the remaining crew members of the ship shall ensure safe navigation. It shall be permitted to continue navigation with an incomplete crew of a ship only as far as the nearest port, where it is compulsory to complete the ship’s crew.

3. The master of the ship, prior to adopting the decision specified in paragraph 2 of this Article, must inform the shipping company and the Administration.

CHAPTER X
SAFE LOADING AND UNLOADING OF A VESSEL

Article 32. General Requirements

1. A vessel shall be loaded and unloaded and the ballast shall be used in accordance with an actual ship’s loading and cargo layout plan (diagram) approved by the master of a ship in advance.

2. The master of the vessel shall be responsible for the safe loading, unloading of the vessel, cargo retention and the use of ballast.
3. The Minister of Transport and Communications shall approve the rules of safe loading and unloading of bulk carriers in accordance with international maritime safety requirements.

CHAPTER XI
CARRIAGE OF DANGEROUS OR POLLUTING CARGOES ON BOARD SHIP

Article 33. Procedure for Carriage of Dangerous or Polluting Cargoes

1. The Minister of Transport and Communications shall establish the requirements for carriage of dangerous or polluting cargoes in accordance with the provisions of the International Convention for the Prevention of Pollution from Ships, 1973, the International Maritime Dangerous Goods Code, International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk, European Union law, laws and other legal acts of the Republic of Lithuania establishing the international maritime safety requirements.

2. When leaving a loading port located outside the European Union, the master or agent of a ship going to a Lithuanian sea port and carrying dangerous or polluting cargoes must provide information about the dangerous or polluting cargoes on board to the port management company of the Republic of Lithuania.

3. When leaving a loading port located within the territory of the European Union, the master of a ship going to a Lithuanian sea port and carrying dangerous or polluting cargoes shall ensure information about the dangerous or polluting cargoes is provided to the competent authorities of the port of departure.

4. The master or agent of a ship leaving a Lithuanian sea port and carrying dangerous or polluting cargoes must inform the port management company of the Republic of Lithuania about dangerous or polluting cargoes on board.

5. The port management company shall without delay transmit by using electronic means this information to the Administration which ensures provision of this data to the SafeSeaNet system.

6. The procedure for providing information about dangerous or polluting cargoes on board shall be established by the Minister of Transport and Communications.

7. In accordance with provisions of international treaties of the Republic of Lithuania and legal acts of the European Union ships carrying dangerous or polluting cargoes, must have on board the certificate issued by the ship's Flag State or on its behalf by the ship classification society confirming that the ship is adapted for carriage of corresponding type dangerous cargoes. It shall be prohibited to start loading on ship dangerous or polluting cargoes, if the ship does not have this certificate.
8. It shall be prohibited to offer to carry or start loading on board dangerous or polluting cargoes, if the shipper has not submitted to the master of a ship or the shipping company the declaration of dangerous cargo.

9. In case of maritime accident of a ship carrying dangerous or polluting cargoes in the search and rescue region or under the circumstances that pose a threat to the marine environment or coastal area of the Republic of Lithuania sea, the master of a ship shall immediately notify Maritime Rescue Coordination Centre of the Naval Force of the Armed Forces of Lithuania.

CHAPTER XII
REQUIREMENTS FOR PASSENGER SHIPS AND RO-RO PASSENGER SHIPS

Article 34. Requirements for passenger ships and ro-ro passenger ships

1. All passenger ships and ro-ro passenger ships registered in the Republic of Lithuania must hold a valid passenger ship safety certificate, which must indicate the number of passengers these ships are classified to carry.

2. If the inspection results are positive, the Administration or its authorised ship classification society shall, within 10 working days after the inspection date, issue a passenger ship safety certificate in accordance with international treaties of the Republic of Lithuania, legal acts of the European Union and of the Republic of Lithuania.

3. It shall be prohibited to carry by passenger ship or ro-ro passenger ship more passengers than specified in the passenger ship or ro-ro passenger ship safety certificate, with exceptions provided for in the International Convention for the Safety of Life at Sea, 1974 or other legal acts ensuring international maritime safety requirements.

Article 35. Requirements for special purpose ships, rescue ships, high-speed crafts and traditional vessels

The Minister of Transport and Communications or its authorised institution shall, having regard to relevant international maritime safety requirements, establish additional seaworthiness, watchkeeping, navigational equipment, crew training requirements for special purpose ships, rescue ships, high-speed crafts and traditional vessels.

CHAPTER XIII
TOWAGE OF SHIPS

Article 36. Safety requirements for a ship's towage in the port
1. Port management company shall establish safety requirements for a ship’s towage in the port.

2. Harbour masters of these ports shall supervise compliance with the requirements of safe towage in sea ports of the Republic of Lithuania.

CHAPTER XIV
LEGAL PERSONS, OTHER ORGANIZATIONS AND THEIR BRANCHES
PERFORMING MARITIME SAFETY RELATED ACTIVITIES

Article 37. Certification of legal persons, other organizations and their branches

1. Legal persons, other organizations and their branches (hereinafter: a 'company') seeking to carry out or carrying out activities specified in paragraph 2 of this Article must be certified by the Administration.

2. Certified companies whose activities shall be:
   1) repair, inspection and testing of life-saving equipment;
   2) repair, inspection and testing of a ship’s main and auxiliary machinery, equipment and related systems, and their parts;
   3) repair, inspection and testing of the fire prevention equipment;
   4) repair, inspection and testing of navigational and radionavigational equipment;
   5) adjustment of nautical charts, including electronic nautical charts;
   6) pilots' activities;
   7) towage of ships (towing);
   8) underwater technical works in seaports and at sea;
   9) depth measurement of sea ports and at sea;
  10) loading of marine cargo, with the exception of dangerous or environment polluting cargoes;
  11) loading of hazardous or environment polluting marine cargo;
  12) moorage of ships;
  13) intermediation in recruitment of seafarers or recruitment of seafarers on board.

3. Companies shall be certified in accordance with the procedure specified in the certification rules approved by the Minister of Transport and Communications.

Article 38. The main requirements for companies seeking to carry out or carrying out activities specified in Article 37(2) of this Law
A company seeking to carry out or carrying out activities specified in Article 37(2) of this Law or part thereof, must:

1) own by the right of ownership or on other legal grounds water transport, auxiliary sailing, rescue, repair, testing, measurement, communications, cargo, underwater technical equipment and certified equipment which is necessary for activities and which must comply with the requirements of Lithuanian laws and other legislation and international treaties of the Republic of Lithuania;

2) have qualified professionals with expertise in legal acts regulating certified activities or part thereof, regulations and technology, have experience in the field of the activity in which the company wishes to operate;

3) have the description of the company's activities (production process) and its management framework;

4) own by the right of ownership or on other legal grounds production or other premises that are necessary to carry out certified activities or part thereof;

5) have a person responsible for the quality of work who was appointed by the manager of the company.

**Article 39. Additional requirements for companies seeking to carry out or carrying out activities specified in Article 37(2) of this Law**

1. Additional requirements for companies seeking to carry out or carrying out activities of repair, inspection and testing of life-saving appliances:

   1) have technical requirements approved by a manufacturer that repaired or tested life-saving appliances must satisfy;

   2) have a certificate issued by a manufacturer allowing to perform inspection and repair of appropriate life-saving appliances.

2. Additional requirements for companies seeking to carry out or carrying out activities of repair, inspection and testing of the ship's main and auxiliary machinery and related systems, or parts thereof:

   1) have technical requirements approved by a manufacturer that the repaired or tested main and auxiliary machinery, equipment and related systems must satisfy;

   2) have the approved description of work quality control (procedure);

   3) have an integrated pollution prevention and control permit issued in accordance with the Law on Environmental Pollution Tax of the Republic of Lithuania (hereinafter: 'Law on Pollution Tax') or other evidence of pollution tax payment.

3. Additional requirements for companies seeking to carry out or carrying out activities of repair, inspection and testing of ships’ fire prevention equipment shall be as follows:
1) to have the technical requirements issued by a manufacturer that repaired, inspected and tested fire prevention equipment must meet,

2) to have a certificate issued by a manufacturer allowing to perform inspection or repair of the appropriate life-saving equipment.

4. An additional requirement for companies seeking to carry out or carrying out navigational and radionavigational equipment repair, inspection and testing activities shall be to have the permit or certificate issued by a manufacturer to install its equipment.

5. Additional requirements for companies seeking to carry out or carrying out correction of nautical charts, including electronic nautical charts shall be as follows:

1) have contracts with providers of nautical charts and information, indicating the deadlines for providing the information;

2) have equipment that enables receiving intelligence information on navigational changes, or an agreement with an organization providing such data.

6. Additional requirements for companies seeking to carry out or carrying out pilots' activities shall be the following:

1) pilots must hold a valid pilot certificate;

2) have equipped premises, be equipped with a means of communication for keeping contact with port authorities and port users;

3) have an enterprise management framework which sets out the company's relationships with vessels' traffic service of the port and port users;

4) have agreements in place with port authorities regarding the use of vessel traffic management systems of the port.

7. Additional requirements for companies seeking to carry out or carrying out ships' towage (towing) activities shall be the following:

1) to have descriptions (procedures) of ship towage routines in place, approved by the head of the company;

2) to have a valid permission of the Communications Regulatory Authority of the Republic of Lithuania to use the ship's radio station;

3) to have a very high frequency radio station with a capacity of not less than 25 W.

8. Additional requirements for companies seeking to carry out or carrying out marine cargo load activities, with the exception of dangerous or environment polluting cargo handling shall be the following:

1) to be authorized to use the hydraulic structures of the leased land plot of the port (quays, parallel berth, floating equipment);
2) to have staff responsible for implementation of loading technology requirements who completed university studies in transport engineering (professional qualifications of pilotage, ship engineering, ship-energy equipment or port management) or hold special certificates of competence issued according to the procedure specified by legal acts;

3) to have a port facility (terminal) security compliance act or document issued by the Minister of Transport and Communications proving the company's contractual relations with a holder of such act;

4) to have general civil liability insurance;

5) to have an integrated pollution prevention and control permit issued in accordance with the Law on Pollution Tax or other evidence of pollution tax payment.

9. Additional requirements for companies seeking to carry out or carrying activities of dangerous and environment polluting cargo handling shall be the following:

1) the company must comply with the requirements set out in paragraph 8 of this Article;

2) all staff performing cargo loading must be trained and issued a certificate of competence of dangerous goods shipper according to the procedure provided for by laws;

3) have the technical means or facilities for disposal of waste from the transhipment of dangerous or environment polluting cargo, or have a contract regarding disposal of such waste.

10. Additional requirements for companies seeking to carry out or carrying out mooring operations shall be the following:

1) to have a number of mooring personnel specified in the sea port shipping rules;

2) have a logbook of mooring operations.

11. Additional requirements for companies seeking to carry out or carrying out activities of seafarers’ recruitment shall be the following:

1) to have electronic devices for provision of data on the employment of seafarers on board to the Register of Seafarers of the Republic of Lithuania;

2) to have a cooperation agreement with a shipping company regarding employment of seafarers or other document confirming the intention to conclude such an agreement. Cooperation agreement with a shipping company must include guarantees to ensure the possibility to compensate seafarers for their material losses in case of a company's failure to fulfil an obligation to recruit them, liabilities to pay wages, obligations to return seafarers to their place of residence, if the shipping company left a seafarer at a foreign port;

3) to have data on seafarers employed and, at a request of the Administration, provide it with such information;

4) the head of the company or a person responsible for selection of individual seafarers must have a university degree in marine engineering or marine technology in the field of technological
sciences or have at least one year of work experience at a company which engages in recruiting seafarers, or experience at the human resources department of a shipping company.

12. An additional requirement for companies seeking to carry out technical operations underwater at sea ports and in the sea shall be having safety rules for divers approved by the head of the company.

**Article 40. Certification of a company seeking to be certified, refusal of certification for a company, suspension of certification of an activity or part of it, cancellation of suspension of activity and revocation of certification**

1. A company seeking to be certified shall submit directly, by registered mail or by electronic means, to the Administration an application (by bringing the matter directly to the Administration or through the Service and Product Contact Point) in the form approved by the Administration, and other documents specified in the company certification rules.

2. A company shall be refused certification in case:

   1) it does not comply with the main and additional requirements provided for in Articles 38 and 39 of this Law;
   2) not all the documents required according to the company certification rules have been submitted and deficiencies have not been rectified within the set time limit;
   3) the submitted documents have been filled in incorrectly or misleading data have been provided and they are not remedied within the time limit set by the Administration.

3. Certification of a company's activity or part of it shall be suspended in case:

   1) a company does not comply with the requirements provided for in Articles 38 and 39 of this Law;
   2) a company violates or fails to comply with cross-border legal regime and customs regulations - by special reasoned decision of the State Boarder Guard Service under the Ministry of the Interior of the Republic of Lithuania and the Customs Department under the Ministry of Finance of the Republic of Lithuania;
   3) the company violates requirements for port shipping, port use, ship crews' working and rest time - by a special reasoned decision of port management company;
   4) the activity of the certified company may cause damage to the nature of the Republic of Lithuania, pose a threat to human life and health - by special reasoned decision of Klaipėda Region Environmental Department of the Ministry of Environment of the Republic of Lithuania and Klaipėda region public health centre;
   5) a company submits an application to the Administration to suspend its certified business or part of it.
4. Upon suspension of a certified activity or part of it, the Administration shall in writing set a time limit within which the company must eliminate violations of a certified activity provided for in points 1, 2, 3 and 4 of paragraph 3 of this Article. After eliminating violations, the company shall in writing notify the Administration about this and the Administration shall verify the information and shall, within 10 working days, adopt a decision to withdraw suspension of a certified activity or revoke the certification if the violations were not eliminated within the established time period.

5. Certification of an activity of a company or part of it shall be withdrawn in case:
   1) a company submits an application to the Administration to withdraw the certification of an activity or part of it;
   2) a company repeatedly has violated requirements provided for in points 1, 2, 3 and 4 of paragraph 3 of this Article over a period of one year;
   3) a company does not eliminate violations of a certified activity conditions within the period established by the Administration;
   4) a company continues the certified activity after the suspension of a certified activity.

6. The company may be certified to perform one or more activities specified in Article 37(2) of this Law, as well as some specific activity which covers only part of activities provided for in Article 37(2)(1) to (13).

7. The company certified to carry out an activity provided for in Article 37(2)(11) of this Law may carry out an activity provided for in Article 37(2)(10) of this Law without separate certification.

8. State supervision of activities of a company related to services specified in Article 37(2) of this Law shall be performed by the Administration in accordance with the procedure established by the Law on Public Administration of the Republic of Lithuania. The Administration shall have the right to refuse to certify a company, to suspend the certified activities or part of it or to withdraw the certification. These actions are documented in a form of the order of the director of the Administration.

CHAPTER XV
SHIP EQUIPMENT

Article 41. Ship Equipment
Ship equipment which in accordance with international maritime safety requirements have to be or may be used on a ship to ensure maritime safety and which in line with international maritime safety requirements are required to have an approval of the Administration or an
authorized ship classification society must fulfil the requirements set out by the Minister of Transport and Communications.

CHAPTER XVI
GENERAL WATERWAYS, AIDS TO NAVIGATION

Article 42. Ensuring Maritime Safety in General Waterways
1. General Waterways may be marked and denoted in nautical charts only after the completion of hydrographic and other explorations of these ways.
2. Navigational marking on general waterways shall be performed by the Administration and on the seaport area and waters - by the port management company.
3. The Administration shall organize publication and distribution of nautical charts, manuals and other nautical publications and dissemination of information on navigational changes in the Republic of Lithuania. On its website, the Administration must make public every known danger to shipping in the territorial sea, the exclusive economic zone and port waters of the Republic of Lithuania. The procedure of drafting, proofreading, publication and distribution of nautical charts, manuals and other nautical publications shall be established by the Minister of Transport and Communications.
4. Construction works on general waterways shall be subject to the Government approval. Construction works which hinder ensuring of maritime safety on general waterways shall be prohibited.

Article 43. Restrictions in the Area of operation of aids to Navigation
1. Various aids to navigation shall have specified operation areas in which this installation must be clearly visible from ships.
2. It shall be prohibited without coordination with the port management company or the Administration to carry out construction, mechanized mining and agricultural work, to plant trees, install high-power electric or other light sources in the area of operation of aids to navigation.
3. The Government or its authorised institution shall set the limits of the area of operation of aids to navigation.

CHAPTER XVII
SEARCH AND RESCUE OF PERSONS, INVESTIGATION OF SHIP ACCIDENTS, REMOVING OF THE WRECK
Article 44. Search and Rescue of Persons

1. Search and rescue of persons within the search and rescue region shall be organized, coordinated and managed by the Lithuanian Armed Forces. The Lithuanian Armed Forces shall organise, co-ordinate and be in charge of these actions via the Maritime Rescue Co-ordination Centre of the Navy of the Lithuanian Armed Forces.

2. Search and rescue of persons on search and rescue region, except seaport waters and Curonian Lagoon, shall be organised by the Lithuanian Armed Forces, at the Curonian Lagoon - by the authorized institution of the Ministry of the Interior of the Republic of Lithuania, and in sea port waters - by the sea port authorities.

3. In order to carry out search and rescue of persons, the responsible institution may, at the request of the head of the Maritime Rescue Co-ordination Centre of the Navy of the Lithuanian Armed Forces, use capacities and means of the State Boarder Guard Service under the Ministry of the Interior of the Republic of Lithuania, Fire Safety and Rescue Department under the Ministry of Interior of the Republic of Lithuania, the Administration, sea port authorities and other state and municipal institutions; the said capacities and means shall be assigned for work in accordance with the Plan of Search and Rescue of Persons Within Search and Rescue Region (hereinafter - the Plan) approved by the Chief of the Armed Forces, in coordination with the authorities referred to in this paragraph. If capacities and means assigned according to the Plan are insufficient to carry out the exercise of search and rescue of persons, additional capacities and means of the institutions, as specified in this paragraph, which are not classified according to the Plan shall be employed.

4. The duties and powers of institutions indicated in this Article in organising, co-ordinating, and management or carrying out search and rescue operations in the search and rescue region shall be established by the Government. These operations shall be organized, coordinated, managed and carried out in accordance with the International Convention on Maritime Search and Rescue, 1979, the Plan and legal acts of the Republic of Lithuania.

Article 45. Obligation to provide assistance

1. A master of every ship that is in danger, if possible, must seek to save the people on board and the ship in every possible way.

2. A master of every ship, without posing a serious threat to his ship and people on board, must:

   1) provide assistance to any person at sea, in the presence of danger to his life;

   2) sail at maximum possible speed to rescue people in distress, if it has been announced that they need assistance and if it is possible to render it.
Article 46. Duties of the Masters of Ships in Collision

1. Every master of a ship collided, without posing a serious threat to his ship and people on board, must provide assistance to people who are in danger.

2. Following a collision between ships, the master of each ship that collided must inform one another of the names of the ships, the ships’ ports of registry, indicate the nearest port to which his ship will sail, and coordinate further actions.

Article 47. Temporary Restriction of Entry of Ships into a certain area of the territorial sea of the Republic of Lithuania

1. In the presence of a likelihood that because of a ship, its wreck, other constructions or construction works being in danger or damaged in a specific zone of the territorial sea of the Republic of Lithuania, territorial sea of the Republic of Lithuania or its coastline may be directly or indirectly polluted with oil products or dangerous and noxious materials, and damage caused to persons or their property, while by restricting the entry of ships into said zone, such consequences would be avoided or reduced, the Administration shall have the right to temporarily restrict the entrance of ships into the zone of territorial sea of the Republic of Lithuania. This decision shall be immediately made public by the Administration on its website.

2. Upon notification that the zone specified in in paragraph 1 of this Article has been established, no ship may enter it or be present there, except for the ships which have been specified in the Administration’s decision regarding the temporary restriction of entry of ships into the territorial sea of the Republic of Lithuania.

Article 48. Objectives and Procedures of Investigation of Marine Casualties and Incidents

1. An objective of investigation of maritime casualties and incidents shall be to establish circumstances, causes and consequences of a maritime casualty or incident, to submit conclusions and proposals regarding preventive actions in order to prevent future maritime casualties or incidents. Investigation shall not be intended to determine someone's guilt or liability.

2. An investigation manager appointed by the Minister of Transport and Communications (hereinafter: 'the investigation manager') shall conduct investigation of marine casualties and incidents.

3. In terms of his legal form, organization and decision-making, the investigation manager must be independent of any authorities and institutions executing control functions of maritime transport, port management companies, maritime cargo handling companies, shipping companies
and other operating in the maritime transport sector, companies and organizations, institutions and individuals whose interests may not coincide with the objectives of the investigation manager.

4. The investigation manager must have a university degree, the marine rank of officer in charge of a navigational watch on ships of 500 GT or more or marine rank of officer in charge of an engineering watch on ships powered by main propulsion machinery of 750 kW propulsion power or more, and at least two years of professional experience in such position, knowledge of the state and English languages, knowledge of maritime terminology in English.

5. The Minister of Transport and Communications shall establish maritime casualties and incidents classification, investigation, notification and reporting procedures, and duties and rights of an investigation manager.

6. In the investigations of casualties and incidents in the waters under the jurisdiction of the Republic of Lithuania involving the ships registered in other states, or casualties and incidents in the waters under the jurisdiction of other states involving the ships registered in the Register of Seagoing ships of the Republic of Lithuania, representatives of the states shall participate in accordance with the procedure established by international agreements.

**Article 49. Notification of casualty**

1. In the event of any casualty or incident in the search and rescue region assigned to the Republic of Lithuania in the Baltic Sea, the master of a ship must immediately inform the Lithuanian Naval Force Maritime Rescue Coordination Centre in accordance with the procedure set by the Minister of Transport and Communications.

2. In the event of any casualty or incident of a ship flying the flag of Lithuania outside the search and rescue region assigned to the Republic of Lithuania in the Baltic Sea the shipping company or the master of a ship shall inform the Administration. If the casualty or incident involving a ship flying the flag of Lithuania took place in the territorial sea waters or port of a foreign state, the Administration must in addition report that to the diplomatic representation or consular office of the Republic of Lithuania in that state.

**Article 50. Voluntary wreck removal from the territorial sea of the Republic of Lithuania**

1. If the wreck in the territorial sea of the Republic of Lithuania does not pose an obstacle to navigation or a threat to human life or safety, does not pollute the environment, however, the owner of the property wishes to remove the wreck, the owner of this property must inform the Administration in writing thereof at least within three months from the day of the sinking of the wreck.
2. The Administration shall set the term for removal of the wreck and the procedure for these operations as well as inform the owner of the property.

3. The Administration shall have the right to prevent the owner of the property from removing wreck by his means, according to the procedure and terms chosen by him, if it may pose a hazard to navigation, pose a threat to human life or safety, pollute the environment. In this case the Administration shall organize the wreck removal at the property owner’s expense.

**Article 51. Compulsory wreck removal from the territorial sea of the Republic of Lithuania**

1. If the wreck in the territorial sea of the Republic of Lithuania poses a hazard to navigation or a threat to human life or safety, may pollute or is polluting the environment, the owner of the property must, at the request of the Administration, remove this wreck during the time limit set by it.

2. If a direct threat is posed to maritime safety or environment or the owner of the property fails to remove wreck within the specified time limit or the owner of the property is unknown, the Administration shall employ the necessary measures to remove the wreck or to eliminate it by other means.

3. Should the owner of the wreck be unknown, the Administration shall publish the time limits of the removal of wreck in the mass media.

**Article 52. Wreck Removed by the Administration**

1. The wreck which was removed by the Administration is transferred to the owner if he submits an application within 6 months from the day of the removal. In that case, the property owner must reimburse the Administration for the removal of wreck, its storage, decontamination and for other reasonably incurred costs.

2. If the owner of the wreck removed by the Administration is unknown, property is transferred to the State in accordance with the requirements of the Civil Code of the Republic of Lithuania.

*I promulgate this Law passed by the Seimas of Republic of Lithuania.*

PRESIDENT OF THE REPUBLIC

VALDAS ADAMKUS

REPUBLIC OF LITHUANIA

LAW ON MARITIME SAFETY
Annex

LEGAL ACTS OF THE EUROPEAN UNION IMPLEMENTED BY THIS LAW


