**MINISTRY OF TRANSPORT**

**EXECUTIVE AGENCY “MARITIME ADMINISTRATION”**

**ORDER № 101**

Sofia, 11 November 2008

For the purpose of practical application of the provisions of the International Convention for the Safety of Life at Sea (SOLAS), Chapter V Regulation 19-1, Resolutions MSC.263(84) and MSC.211(81) of the Maritime Safety Committee, International Maritime Organization (IMO) and on the basis of Article 362(1) of the Merchant Shipping Code

**ORDER:**

With effect from 1 January 2009, is introduced mandatory use of the Long Range Tracking and Identification (LRIT). Shipowners of ships flying the Bulgarian flag must take measures to integrate their ships into the system.

1. **Area of application.**
	1. This Order shall apply to seagoing ships flying the Bulgarian flag which carry out between national voyages as follows:
	2. Passenger ships, including high-speed passenger ships;
	3. Cargo vessels of more than 300 gross tonnage;
	4. Marine movable drilling units;
2. **Deadlines for fulfilling the requirements for the supply of equipment to the vessels concerned.**
	1. Ships shall be equipped with equipment which automatically emits LRIT information as follows:
		1. Ships constructed after 31 December 2008 from the date of construction;
		2. Ships constructed before 31 December 2008 and certified to operate in GMDSS marine area A1 and A2 or marine GMDSS area Al, A2 and A3 no later than the first radio installation survey after 31 December 2008;
		3. Ships constructed before 31 December 2008 and operating in GMDSS area Al, A2, A3 and A4 no later than the first radio installation survey after 1 July 2009, but subject to the requirements of point.1.2, when operating in GMDSS area A1, A2 and A3;
	2. The Executive Agency Maritime Administration may exempt a particular ship from the requirement to be equipped with LRIT broadcast equipment, provided that it is equipped with Class A Automatic Identification Equipment (AIS) as defined in SOLAS Regulation 19.2.4 Chapter V when operating exclusively in GMDSS Area A1 where an AIS Coastal Monitoring System operates.
3. **Automatically transmitted LRIT information shall include:**
	1. identification of the vessel:
	2. the position of the vessel (width and longitude) as determined by a satellite positioning system;
	3. date and time of the transmitted.location generated by the ship’s LRIT terminal;
4. **Duties of shipowners.**
	1. Any shipowner of a ship flying the Bulgarian flag which falls within the scope of this disposition shall ensure that:
		1. Compatibility of the equipment with the functional requirements and technical characteristics as adopted by Resolution MSC.263(84) of the Maritime Safety Committee of the IMO.
		2. Perform a conformity and compatibility test of the equipment that will broadcast LRIT information by an organisation recognised by the Executive Agency Maritime Administration.
		3. Integration of the vessel into the LRIT system.
	2. In order to integrate the vessel into the LRIT system, the shipowner shall send to the Executive Agency Maritime Administration information on the ship’s equipment in accordance with the *Annex N 1 table,* together with a copy of the report of the conformity test carried out by an authorised application service provider.
5. **Obligations for the registration and de-registration of ships**
	1. When a vessel is entered in the register of Bulgarian vessels, the shipowner must ensure compliance with paragraph 4 of this Order.
	2. The Executive Agency Maritime Administration accepts the Compliance Test Report as valid only if it has been issued by an Applied Service Provider authorised by it for the purpose of the test.
	3. The Compliance Test Report shall be deemed to be no longer valid, provided that it has been issued by another Applied Services Provider for the purpose of the test not authorised by the Executive Agency Maritime Administration. In this case, a new compliance test must be performed by another Applied Service Provider authorised by the Administration for the purpose of the test. He issued a new Raport for the compliance test pa LRIT equipment.
	4. The shipowner shall ensure that the vessel is reintegrated into the LRIT system as soon as it is registered by sending the information to the Executive Agency Maritime Administration as per clause 4.2.
	5. The Executive Agency Maritime Administration sends the data of a newly registered vessel to the LR1T Data Centre, with which it has a contract.
	6. When a vessel is removed from the register of Bulgarian vessels, a copy of the letter of de-registration shall be sent to the National Coordinator.
6. **Obligations of the Executive Agency Maritime Administration or recognized organizations carrying out surveys and certification of seagoing ships on behalf of the Executive Agency Maritime Administration.**
	1. When inspecting and certifying the radio equipment of seagoing ships which must broadcast LRIT information, the radio equipment that will broadcast the LRIT information shall be checked for compliance with the functional and technical performance requirements. The examination shall require the certificate of compliance and the test results issued by the Executive Agency Maritime Administration approved for the purpose of testing an application service provider. After the examination has been carried out, a survey report shall be issued indicating also the details of the LRIT equipment and the relevant test certificate.
	2. Executive Agency Maritime Administration issues the relevant certificate after submission of the survey report when the examination is carried out by a recognized organisation.
	3. Certificates and annexes thereto shall be supplemented in accordance with Maritime Safety Committee Resolutions MSC.216(82), MSC.221(82) and MSC.222(82).
	4. The Executive Agency Maritime Administration authorizes recognized ship survey and certification organizations to add the LRIT equipment in the form attached to the relevant certificate is a signature and a stamp. This form is valid only until the issuance of an original one by the Executive Agency “Maritime Administration”.
7. **Terms of Authorization of Application Service Providers (ASP)**
	1. Authorization of Application Service Providers providing or providing use of LRIT information.
		1. . The Maritime Administration Executive Agency authorises an organisation to carry out the activity of the Applied Service Provider, which ensures the use of LRIT information when the following conditions are met:
			1. provide a court registration document to the organisation applying for authorisation to carry out the activity of the Applied Services Provider,
			2. there is a contract with the Communication Service Provider,
			3. it has been approved and has concluded a contract with a centr for data and provision of services for remote identification and tracking of mobile objects,
			4. there is a quality management system in place, functioning and certified,
			5. there is a system in place to ensure the security of information,
			6. have the necessary competent engineering staff,
			7. he has the necessary equipment,
			8. provides the activity 24 hours a day, 7 days a week.
		2. Provided that the Republic of Bulgaria uses a collective center for the provision of data from the LRIT system, the Executive Agency Maritime Administration may authorize an Applied Services Provider selected according to a collectively accepted procedure and requirements no lower than the above.
	2. Authorization of an organization to carry out the activity Applied Services Provider who performs an equipment compatibility test.
		1. The Executive Agency Maritime Administration authorizes an Applied Services Provider to carry out an equipment compatibility test when the following conditions are met:
			1. provide a court registration document to the organization applying for authorization to carry out the activity of the Applied Services Provider,
			2. there is a contract with the Communication Service Provider,
			3. there is a quality management system in place, functioning and certified,
			4. there is a system in place to ensure the security of information,
			5. have the necessary competent engineering staff,
			6. he has the necessary equipment,
			7. to have and maintain a test results log,
			8. the certificate of conformity has been prepared and approved by the Executive Agency Maritime Administration and its annex — a report on the results of the test.
		2. All above requirements shall be certified by certified copies of the original documents.
		3. The Executive Agency Maritime Administration conducts a review and issues a letter of authorisation.
		4. Following the issue of the certificate, the Executive Agency Maritime Administration announces to the IMO and EMS A the details of the ASP authorized for tests.
		5. The Executive Agency Maritime Administration accepts as valid the authorization of application service providers by another Contracting Government under the SOLAS Convention, provided that the above procedures and conditions are complied with.
		6. The Executive Agency Maritime Administration, after authorizing an application service provider, announces on its website the list of data on authorized application service providers carrying out a compatibility *test (Annex 2).*
8. **Carrying out a test on the issue of a certificate of conformity**
	1. Equipment that will broadcast LRIT information shall comply with the IMO Technical Specifications and Revised Standards. *(Annex No 3).*
	2. All vessels are subject to an initial test of conformity and compatibility of equipment that will emit LRIT information.
	3. The equipment conformity test shall be carried out by the EAMA-authorised LRIT service provider, following the procedures reflected in MSC 1.Circ.1296. *(Annex No 4)*
	4. To verify the success of the test and the compliance of the equipment with the technical requirements, the LRIT service provider shall issue a certificate of conformity (Conformance test report*) in an established form.*

The test results of Annex *6 shall be attached to the certificate of conformity.*

* 1. The shipowner shall send a copy of the certificate of conformity to the Executive Agency Maritime Administration and to the recognized organization carrying out the inspection and certification of the ship. The original of the certificate of conformity shall be kept on the ship.
1. **LRIT Data Center**
	1. The Executive Agency Maritime Administration shall conclude a contract with the LRIT System Data Centre when the following conditions are met:
		1. Complies with the requirements of the Revised Technical Standards and Functional Requirements for Remote Ship Identification and Tracking (LRIT) adopted by IMO Resolution MSC.263 (84);
		2. There is a quality management system in place, functioning and audited;
		3. Audited by the International LRIT Coordinator (IMSO);
		4. Has an approved system maintenance and quality management plan;
		5. There are duplicates provided:
			1. connections to at least two ISPs;
			2. LRIT data processing and storage system with additional built and secured, geographically located elsewhere archiving system to recover information in the event of a disaster/emergency;
			3. uninterruptible power supply;
			4. provided air conditioning and access control system;
			5. established network security system;
		6. There are interfaces with the Applied Services Provider for the use of LRIT information, authorised by the Executive Agency Maritime Administration, the International Index Server and the IMO Center for the Data Distribution Plan;
		7. There is a system for paying the value of messages;
	2. The Executive Agency Maritime Administration may conclude a contract with the Centre for the use of data from the LRIT system established by a government of a State Party to the Convention or an international organisation when the Centre is established and fulfils the above conditions.
	3. The Executive Agency Maritime Administration may conclude a contract with the European Maritime Safety Agency, which shall establish a European data centre from the LRIT system, on behalf of the European Commission and the Governments of the countries of the European Union, when the Centre is established and fulfils the above conditions.
2. **Maritime Rescue Coordination Centre Varna.**
	1. The Maritime Rescue Coordination Centre may require the receipt of LRIT information on ships sailing in the Bulgarian Maritime Responsible Search and Rescue Area (BMORTS) for search and rescue purposes for distressed persons.
	2. The information is received from the LRIT Data Centre with which the Executive Agency Maritime Administration has concluded a contract or agreement.
	3. The Maritime Rescue Coordination Centre shall exchange LRIT information with the Data Centre with a view to ensuring expeditious processing of requests in accordance with an internal procedure.
	4. The Executive Agency Maritime Administration sends to the IMO the information authorising the MRCC to receive LRIT information for search and rescue purposes.
	5. When requesting LRIT information, the MRCC shall indicate to the LRIT Data Centre the criterion to use when submitting the data.
	6. The criteria are:
		1. The geographical area for which LRIT information is required and
		2. Number of LRIT data transmissions
	7. The form in which an enquiry is sent shall correspond to that specified in IMO MSC.l/Circ.1297.
	8. The information received from the Rescue Coordination Centre shall be treated as confidential. The MRCC shall ensure the security and non-distribution of this information.
	9. The MRCC shall keep the relevant records of cases where LRIT information is requested for scoring and rescue information and shall make it available upon request of the Coordinator and LRIT in order to be able to audit the LRIT system and resolve disputes.
3. **Access, dissemination and use of information received from the LRIT system**
	1. The Executive Agency Maritime Administration is the national competent authority (National Coordinator) for the LRIT system.
	2. The National Coordinator:
		1. responsible for the maintenance of the database for ships emitting LRIT information;
		2. exchange information with the LRIT Data Centre and the Applied Services Provider;
		3. exchange information with the European Maritime Safety Agency (EMSA);
		4. exchange information with the International Maritime Organisation (IMO) Data Distribution Centre;
		5. determine the access levels of LRIT information users;
		6. determine the access rights of users in relation to LRIT information and provide the same username and password for access.
	3. Users of LRIT information are:
		1. The Maritime Rescue and Coordination Centre — Varna;
		2. Ship traffic management centres;
		3. Operational centres but security of navigation in ports;
		4. The shipowners;
	4. Consumers, depending on their rights, receive relevant information.
	5. Additional information which consumers have requested to obtain, with the exception of that requested by the MRCC, shall be paid by the respective user to the Executive Agency, Maritime Administration.’
4. **Enforcement**
	1. The Directors of the Maritime Administration Directorates shall bring to the attention of all Bulgarian shipowners this order.
	2. Shipowners to prepare and send copies of this Order to the masters of their vessels for information.
	3. The order to be sent to the Recognized Organizations with which the Executive Agency Maritime Administration has concluded contracts.
	4. The Directors of the Maritime Administration Directorates shall organise the familiarisation and implementation of this Order by the officers of the Unit ‘Survey, registration and certification of ships and shipowners’.
	5. The Director of the Search and Rescue Directorate to familiarise the MRCC staff and prepare an implementation procedure.
	6. The order to be published on the website of the Executive Agency Maritime Administration, together with its annexes.
5. **Entry into force**

This Order shall enter into force on 1 December 2008.

1. **Control**

I hereby appoint the Deputy Executive Director of the Executive Agency Maritime Administration Mr. Petar Kirov.

**NIKOLAY APOSTOLOV,**

*Executive Director*

*Executive Agency “Maritime Administration”*