**ORDINANCE № 6 OF 17 JUNE 2021 ON THE COMPETENCE OF SEAFARERS IN THE REPUBLIC OF BULGARIA**

*In force since 29.06.2021*

*Issued by the Minister of Transport, Information Technology and Communications*

*Prom. SG № 54 of June 29, 2021, amend. SG № 6 of 21 January 2022*

**Chapter one.
GENERAL PROVISIONS**

Art. 1. (1) This Ordinance lays down the minimum requirements and national standards:

1. for the competence of seafarers related to the types of competency and the positions that may be occupied with such competency, for the purpose of being qualified, for the maintenance of the qualification, special and additional training, conditions and procedures for the certification and registration of seafarers in order to promote the safety of life and health at work, the protection of the sea and river environment and property at sea and river;

2. to the educational institutions and the centers for professional qualification, performing training and education in sea and river specialties, in order to achieve the standards for training and competence of the seafarers, regarding the programs, the existence and application of a system for quality management of the educational process, the facilities, the qualification of the teachers, instructors and assessors and the training practice;

3. to shipowners.

(2) The Ordinance lays down the order for:

1. safe manning of the ship;

2. performance of watchkeeping of the ship by competent seafarers;

3. recognition of the right of the European Union Member States’ nationals to hold their position on a ship flying the Bulgarian flag received in these countries;

4. recognition of the right of third-country nationals to hold the position on a ship flying the Bulgarian flag when they hold one of the following documents:

(a) a certificate of competency and/or a certificate of proficiency for working on tankers issued by a Member State of the European Union;

(b) a certificate of competency and/or a certificate of proficiency for working on tankers issued by a third country recognized by the European Union;

(c) a certificate of competency and/or a certificate of proficiency for working on tankers issued by another party under the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978, as amended (STCW Convention), other than the abovementioned countries;

(d) (in force since 17.01.2022) a European Union certificate of qualification for inland navigation issued by a Member State of the European Union or included in the list referred to in Art. 118(2) of recognized documents issued by a third country.

(3) Compliance control under this Ordinance is carried out by the Executive Agency "Maritime Administration" (EAMA).

(4) In its activity of implementing the Ordinance, the EAMA maintains and applies a quality management system.

(5) (in force since 17.01.2022), the Ordinance lays down the European Union requirements for acquiring and maintenance of competence in inland navigation of deck crew members, liquefied natural gas experts and passenger navigation experts on Europe's inland waterways:

1. vessels of 20 meters in length or more;

2. ships of which the product of length (L), breadth (B) and draft (T) is a volume of 100 m3 or more;

3. tugs and pusher craft designed to tow or push the vessels referred to in items 1 and 2 either on floating equipment or to move ;

4. passenger ships or floating equipment;

5. ships intended for the transport of dangerous goods to which the requirements of Ordinance № 16 of 20.06.2006 on the handling and transport of dangerous and/or polluting goods by sea and of dangerous goods by inland waterways apply (SG issue 53 of 2006).

(6) The ordinance determines the requirements for acquiring and maintaining the competence of a small ship operator in accordance with the requirements of Resolution 40 of the Inland Transport Committee of the United Nations Economic Commission for Europe (UN).

(7) The Ordinance does not apply to the crews of border-police ships, of naval and auxiliary vessels, and of other state-owned or operated ships used exclusively for non-commercial purposes, for the purpose of performing state functions.

(8) (in force since 17.01.2022) The Ordinance does not apply to persons involved in the operation of ferries operating on inland waterways not moving independently and to persons sailing for the purpose of sport and entertainment, with the exception of small ship operators under paragraph 6.

Art. 2. (1) Seafarers shall be persons who have the necessary training and hold a certificate of competency, certificate of proficiency or other equivalent document acquired in accordance with this Ordinance and occupy positions on a ship or ashore.

(2) Competence of seafarers is their ability to perform their duties abord the ship in accordance with regulatory requirements and with the necessary knowledge, understanding and proficiency, and for the positions for which this is required - also the availability of competency corresponding to their functions and at the level of responsibility.

(3) Duly certified seafarers for maritime navigation or navigation on the inland waterways of Europe shall be persons holding a certificate of competency, certificate of proficiency or other equivalent document acquired or recognized under the terms and conditions of this Ordinance.

Art. 3. (1) All seafarers shall be trained and certificated as specified in this Ordinance and:

1. for maritime navigation, in accordance with the requirements of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers 1978, as amended, hereinafter referred to as the "STCW Convention", and of Directive 2008/106 / EC of the European Parliament and of the Council of 19 November 2008 on the minimum level of training of seafarers (OJ L 323 of 2008), as amended by Directive 2012/35 / EU of the European Parliament and of the Council of 21 November 2012 (OJ L 343, 2012), as amended by Directive 2019/1159 / EU of the European Parliament and of the Council of 20 June 2019 (OJ L 188, 2019), hereinafter "Directive 2008/106/EC ";

2. (In force since 17.01.2022) for navigation on the inland waterways of Europe - in accordance with the recommendations for training of shipowners and providing them with certificates of competence for international navigation of the Inland Transport Committee of the Economic Commission for Europe of the United Nations (UN), the Danube Commission and Directive 2017/2397 / EU of the European Parliament and of the Council of 12 December 2017 on the recognition of professional qualifications in inland navigation and repealing Directives 91/672 / EEC and Council Directive 96/50 / EC (OB L 345, 2017).

(2) The national standards for seafarers' competency shall be determined by the executive director of EAMA and shall be published on [the website](https://www.marad.bg/) of EAMA.

**Chapter two.
REQUIREMENTS FOR ACQUISITION OF COMEPETENCY, ONBOARD SERVICE AND MEDICAL FITNESS**

**Section I.
 Requirements for** **acquisition of competency**

Art. 4. (1) Persons may apply for acquisition of competency:

1. completed 18 years of age or age as determined by the requirement to acquire the relevant competency;

2. with medical fitness for work on board a ship;

3. with completed approved education or approved course;

4. possessing seagoing service, when such is required.

(2) Seafarers who will work on seagoing ships or vessels for pleasure and sports used for commercial purposes at sea shall undergo additional training depending on the position they occupy in accordance with Annex 1. Additional training may be included in the maritime education program or in a separate course. The additional training shall be certified by a certificate issued by EAMA.

(3) Seafarers working on a specific type of seagoing ship, such as passenger ships, ro-ro passenger ships, oil tankers, chemical tankers, gas carriers, ships of more than 150 000 tons deadweight and other ships of unusual maneuvering characteristics shall, in addition to the preparation provided for in para. 2, undergo special training depending on their position and the type of ship as provided for in annex 1.

(4) (in force since 17.01.2022) Seafarers working on inland waterway vessels shall, depending on their position and type of ship, undergo special and additional training in accordance with Chapter 5.

Art. 5. The positions on board ships navigating on the internal waters of the Republic of Bulgaria shall be occupied by persons qualified for maritime navigation or for inland navigation.

Art. 6. Seafarers acquire a competency in the presence of:

1. diploma for completed approved education;

2. certificate of previous competency, when such is required;

3. a document certifying the existence of seagoing service;

4. certificate for successfully completed preparatory course, approved by EAMA, when such is required;

5. medical certificate for medical fitness according to Chapter Two, Section III;

6. passed onboard training, in-service training and/or in-service training documented in a training record book depending on the acquired competency;

7. approved protocol for successfully passed examination, when such is required.

Art. 7. The examinations for competency acquiring, revocation of restriction or for competence confirmation shall be conducted in accordance with the procedure specified in Chapter Six, Section III.

**Section II.
Service on board ship**

Art. 8. (1) Seagoing service shall be the actual time of service on a commercial ship during its operation, related to the performance of the functions assigned to that position.

(2) Time shall also be considered as seagoing service when:

1. conducting onboard training, in-service training and sea practice as an apprentice on a ship in operation under the guidance of an instructor, the master, an officer appointed by him, the chief engineer or another qualified person - only for acquiring initial competence or for abolition of a restriction to occupy a certain position;

2. wintering for up to 3 months only for competency confirmation;

3. repair and docking - within 3 months;

4. fulfillment of obligations such as: pilot, master/tug mechanic, employee of the specialized administration of EAMA or a recognized classification society, inspector in accident investigation in shipping of the National Board for Investigation of Accidents in Air, Water and Railway Transport, instructor at approved navigation or engine-room simulator, approved simulator - GMDSS, operator of a ship traffic management system or superintendent of a shipping company - only for confirmation of the competency, which is reflected in the register under Art. 95, item 4;

5. fulfillment of obligations on the special types of ships within the meaning of art. 5, para. 1 of the Merchant Shipping Code, in the presence of a document for the proper manning of the ship, issued in accordance with Regulation 14 of Chapter V of the International Convention for the Safety of Life at Sea, 1974 (SOLAS), as amended by the Protocol of 1988, prepared in London on November 1, 1974 (ratified by decree - SG, №
 61 of 1983) (SG, № 12 of 2005) - only for competence confirmation under art. 32, 1-7, art. 34, 1-6 or art. 37.

(3) The evaluation of seagoing service under paragraph 2 for the performance of functions assigned to the relevant capacity (position) shall be carried out and certified in the form set out in Annex 2.

(4) Seagoing service shall be calculated on the basis of the data entered upon enrollment on board ship as recorded in the maritime passport and/or the ship master’s recording in the service record book (Annex 3) or other documents certifying the period of employment and the position occupied.

(5) (In force since 17.01.2022) The seagoing service for work on inland waterways shall be reported according to the data for the seagoing service and number of transits in sections of inland waterways with specific risks, entered upon enrollment on board ship, through the ship master's entry in the service book for work on inland waterways, certifying the period of work and the position occupied.

(6) (in force since 17.01.2022) The Seagoing service acquired on the inland waterways of each of the Member States shall be calculated in accordance with para. 5. For inland waterways not wholly within the territory of the European Union, the Seagoing service acquired on the parts outside the territory of the European Union shall also be taken into account.

Art. 9. (1) Seagoing service is calculated in days, months and years according to:

1. the type and tonnage of the ship;

2. the area of navigation;

3. the propulsion power of the ship's propulsion system (SPS);

4. the position occupied on ship.

(2) One month of seagoing service shall be equal to a calendar month or 30 days where it is composed of aggregation of periods of less than one calendar month.

(3) The seagoing service shall be certified by a seaman's discharge book or by a seagoing service certificate (Annex № 4), issued by the respective territorial directorate "Maritime Administration" (DMA) in EAMA upon requesting the service.

(4) Seaman's discharge book is to be issued to Bulgarian seafarers, as well as to students in sea specialties in Bulgarian educational institutions, who will perform Seagoing service. Seaman's book is to be issued after the Basic Safety Training.

Art. 10. (In force since 17.01.2022) (1) Service on ships referred to in para. 5 of Art. 1, shall be recorded in one logbook in accordance with the model in Annex V to Commission Implementing Regulation (EU) 2020/182 of 14 January 2020 on models for professional competences in inland navigation (OJ L 38, 11.2.2020) or a logbook recognized in accordance with Art. 117.

(2) Service record book for work on inland waterways shall be issued to seafarers qualified for inland navigation in accordance with Chapter 5.

(3) The service record book referred to in para. 2 shall be issued on a model basis depending on the competence acquired in inland navigation and shall be stamped with an EAMA stamp with an image of the State coat of arm:

1. for a master, pursuant to Annex IV to Commission Implementing Regulation (EU) 2020/182 of 14 January 2020 on models for professional qualifications in inland navigation (OJ L 38, 11.2.2020);

2. for a crew member other than a master, in accordance with Annex II to Commission Implementing Regulation (EU) 2020/182 of 14 January 2020 on models for professional competences in inland navigation.

(4) At the request of a crew member, after checking the authenticity and validity of all necessary documents, the respective Directorate "River Supervision" (DRS) at EAMA, upon requesting the service, validates in the service record book under para. 2 or in the service record book, recognized according to Chapter Nine, the data for the navigation time and the realized voyages during a period up to 15 months before the date of the request.

(5) A seafarer may hold one valid service record book. Upon introduction of electronic service record books, electronic logbooks and procedures for guaranteeing the authenticity of the documents for navigation on the inland waterways, the data under para. 4 for navigation time and the realized voyages can be validated without additional checks.

Art. 11. (1) The time of onboard training, in-service training and sea practice as apprentice shall be considered for acquisition of initial competence. The seagoing service as an apprentice must be carried out not earlier than 5 years before the acquisition of the competence.

(2) For the acquisition of a competence at an operational level of responsibility in maritime navigation and after approval by the director of the relevant DMA, up to 3 months of training seagoing service may be carried out on ships from local navigation as follows:

1. cutters of the school - up to 15 days;

2. ferries, self-propelled barges - up to 15 days;

3. sailing training and bunker ships - up to 3 months;

4. tugs and cutters - up to 1 month;

5. research ships and floating cranes - up to 1 month;

6. hydrofoil ships, catamarans, passenger ships - up to 3 months.

(3) The implementation of the tasks from the program for practical training onboard the ship during the onboard training, in-service training and sea practice as apprentice are performed after passing the respective theoretical training and are reflected in a training record book.

(4) The format of the training record book and training programs shall be approved by the Executive Director of the EAMA or his authorized representative.

(5) The training record book shall be registered in the relevant DMA upon application of the service before the start of the in-service training or sea practice.

(6) The performance of any practical training tasks reflected in the training record book is confirmed by the person under whose authority the in-service training or sea practice as an apprentice has taken place.

(7) In-service training and sea practice as an apprentice are considered to have been successfully completed when the training record book has been assessed positively by a committee of the DMA concerned after their completion. The assessment shall be positive when practice training is carried out under the approved program, with the required duration and the applicant demonstrates knowledge and skills that are in line with the standards.

**Section III.
Medical fitness**

Art. 12. (1) Each crew member of a merchant ship or a commercially operated craft intended for sports, tourism and pleasure flying the Bulgarian flag, or a candidate for a certificate of competency or a certificate of proficiency must meet the standards of medical fitness for the relevant position.

(2) The medical fitness of seafarers shall be established and certified under the conditions and in accordance with the procedure laid down in Ordinance No Н-11 of 30.04.2014 onthe requirements for the medical fitness of seafarers in the Republic of Bulgaria (SG No. 41 of 2014).

(3) The issuance, registration and control of medical certificates issued by medical institutions shall be carried out in accordance with the system of procedures put in place in the facility concerned.

(4) Certification and issuance of a medical certificate for medical fitness may also be carried out by a medical institution or a medical practitioner approved by the administration of one of the Member States of the European Union and by a third country with which the Republic of Bulgaria has an agreement under Regulation I/10 of the STCW Convention, when the seafarer is abroad and the period of validity of his certificate under paragraph 2 or the period entered in the service record book has expired.

(5) Medical certificates shall be registered in the DMA/DRS, by entering in the service record book the name of the medical institution which has issued the certificate, the number under which the certificate is registered in it, the date of issue, the period of validity and the restrictions, if any. The data shall also be recorded in the electronic register of seafarers.

(6) The limitations in para. 5 shall be entered on the person’s certificate or in the confirmation of Regulation I/10 of the STCW78 Convention, as amended.

(7) Upon expiry of the medical certificate of medical fitness, the person is required to re-certification and present his new medical certificate in the DMA/DRS.

Art. 13. (In force since 17.01.2022) (1) An applicant for a European Union certificate of qualification for inland navigation shall present a medical certificate issued within three months before the date of application in the relevant DRS.

(2) The Executive Agency "Maritime Administration" , employers and ship masters may require any deck crew member on a vessel on inland waterways to prove his medical fitness whenever objective data is available, that a deck crew member no longer complies with the requirements for the issue of a European Union certificate of qualification as regards medical fitness.

Art. 14. (1) The Executive Director of the EAMA or an authorized person shall recognize medical certificates issued by another State pursuant to para. 4 of Art.12 in order to allow seafarers to serve on board ships flying Bulgarian flag.

(2) The recognition under para. 1 shall be effected within one month of the receipt of the confirmation of the authenticity of the certificate by the issuing authority. The refusal to recognize a valid certificate shall be reasoned and shall be subject to appeal under the Administrative Procedure Code. Information on the appeal procedure shall be published on [the EAMA website](https://www.marad.bg/) .

**Chapter 3.
MANNING OF SHIPS. SHIP POSITIONS**

Art. 15. (1) Every ship flying Bulgarian flag shall be manned with sufficient number of duly certified seafarers necessary to ensure safety, security and protection of the marine environment from pollution.

(2) (in force since 17.01.2022) The minimum number of duly certified seafarers for the crews of a merchant ship and craft for sports, tourism and pleasure used for commercial purposes is not less than those specified in Annex 5 and Annex 6, their duties shall be determined according to the area of navigation, the tonnage, the power and type of the ship's power plant.

(3) The Executive Director of EAMA or a person authorized by him may authorize the combination of positions or change of the number of certified seafarers for watches or shifts on board ships of a limited length of voyage, automated propulsion, central control panel, simplified control or special construction.

Art. 16. (1) In the case of a long-distance voyage, the crew of ships of 500 gross tons (GT) and above, passenger ships, including high-speed vessels, as well as floating facilities covered by the International ship and Port facility Security Code (ISPS code), must include a ship security officer, who has completed the necessary special training.

(2) The shipowner may assign a crew member at management or operational level, to perform the functions of a ship security officer along with his functions .

Art. 17. (1) The shipowner or operator shall determine an appropriate working language, commonly understood by crew members, on board ship, which shall be entered in the logbook.

(2) The sea-going passenger ships crew members must be fluent in English for the purpose of communicating with passengers to a degree that ensures the safety of the ship and persons on board in the event of an emergency.

Art. 18. Duly certified seafarers in the crew of a seagoing ship shall occupy positions classified under the following levels of responsibility:

1. management level - a level of responsibility at which the functions assigned to the positions of master, chief mate, chief engineer and second engineer are performed, and control is exercised for the proper performance of all functions falling within the scope of the respective operational or executive responsibilities;

2. operational level - level of responsibility at which the functions determined for the positions of officer in charge of a navigational or an engineering watch or as designated duty engineer for periodically unattended engine room, electro technical officer or radio operator are performed, and in accordance with written procedures under the guidance of a person which occupies a management-level position, direct control is exercised for the proper performance of all functions falling within the scope of the support level responsibility;

3. support level - level of responsibility in which assigned tasks or functions are performed under the direction of a person holding a position at management or operational level.

Art. 19. (1) Activities performed by qualified seafarers related to the operation of the ship, safety and medical fitness at sea and river work, the protection of the marine and river environment and the property when on sea and river shall be subdivided into functions as follows:

1. navigation;

2. cargo handling and stowage;

3. control on the operation of the ship and care for persons on board;

4. marine engineering;

5. electrical, electronic and control engineering;

6. maintenance and repair;

7. radio communications.

(2) Activities related to the implementation of security measures shall be carried out in accordance with the ship's security plan and shall be implemented in conjunction with the other activities under all functions.

(3) Duly certified seafarers, shall perform their specific functions at the relevant levels of responsibility while serving in certain capacity on board ship.

Art. 20. A duly certified seafarer may occupy any position on the ship for which, pursuant to this Ordinance, an equivalent or lower competence than the one he possesses provided that the seafarer fulfils the rest of the requirements for that position.

Art. 21. (1) As an exception, the Executive Director of EAMA or a person authorized thereof, may allow a duly certified seafarer to serve onboard a certain seagoing ship flying Bulgarian flag in a capacity one degree higher than the capacity in which that seafarer may serve.

 (2) In the cases referred to in para. 1, the person shall be granted a written dispensation for a period not exceeding 6 months, as for the position of ship cook the term is up to 1 month.

 (3) A dispensation under para.1 shall be issued only once provided that:

1. this shall not endanger human life, property at sea or the environment;
2. the person to whom dispensation is issued has a minimum on board service equal to the seagoing service required for a capacity one degree higher, than the current capacity of the seafarer.
3. the dispensation has been requested by the shipowner.

 (4) The exception under para. 1 for holding the position of radio-officer and radio operator for the Global Maritime Distress and Safety System (GMDSS) shall be applied only under the conditions of Art. 48 of the Radio Rules of the International Telecommunication Union.

(5) The exemption under paragraph 1 shall not be granted to a master or chief engineer, except in exceptional circumstances until the ship has arrived at the first port of call.

(6) Dispensations issued shall be entered in the register of seafarers.

(7) A list of dispensations issued during the previous year shall be shall be submitted by EAMA to the Secretary-General of the International Maritime Organization and to the European Commission for information.

Art. 22. (1) All seafarers holding a ship position for which competence is required shall hold a certificate of competency and/or a certificate of proficiency issued or recognized in accordance with this Ordinance, with the necessary endorsements, as well as documents for completed additional and/or special training, where they are required for the relevant position.

(2) The documents under para. 1 of seafarers serving on board seagoing ships, the seaman's discharge book and the medical certificate with a validity period of at least equal to the expected duration of the forthcoming voyage must be on paper or in digital format at any time on board ship when it is in operation.

(3) The documents referred to in para. 1 of the seafarers occupying positions on board ships on inland waterways and the service record book shall be held at any time on board the ship when it is in operation.

(4) Certificates of qualification of deck crew members of a ship navigating on the inland waterways of Europe, with the exception of the master of the ship, shall be issued in the form of a single document combining the European Union certificate of qualification and service record book in accordance with the model in Annex II to Commission Implementing Regulation (EU) 2020/182 of 14 January 2020 on models for professional qualifications in the field of inland navigation.

Art. 23. (1) For the operation of seagoing ships flying the Bulgarian flag, certificate of competency, certificate of proficiency and other equivalent documents for additional and special training issued in paper form or in digital form by the administration of a Member State of the European Union shall be recognized on an equal basis with the Bulgarian certificates, irrespective of the seafarers’ nationality.

(2) Certificates of competency, certificates of proficiency and other equivalent documents for additional and special training issued by the administration of another Party to the STCW Convention shall be recognized in accordance with the procedure laid down in Chapter nine.

(3) For issuing an endorsement of the certificate competency under para. 1 and 2, when the person will occupy a position of a management level on board ship, he should certify knowledge in the field of maritime legislation applicable in the Republic of Bulgaria.

(4) In case the Bulgarian language is defined to be the working language on-board a ship, those members of the crew who are not Bulgarian nationals shall have proficiency in the Bulgarian language sufficient to ensure efficient communication in case of emergencies.

(5) The Executive Director of the EAMA may authorize, for a period of up to 3 months, the work on a seagoing ship flying Bulgarian flag of a seafarer holding a valid certificate of competency issued or confirmed by another Member State of the European Union for which endorsement of authenticity has been requested by the authority, that issued the same with a view to its recognition by the EAMA. The seafarer should present a document on the application submitted for the endorsement of the certificate.

Art. 24. Certificates of competency, certificates of proficiency and other equivalent documents for seagoing ships issued by an administration of a non-Party to the STCW Convention shall not be recognized.

Art. 25. (1) The certificate of qualification for work on board ships on inland waterway issued in a Member State of the European Union shall be recognized as valid on an equal basis with the Bulgarian certificates, taking into account the limitations entered therein.

(2) The certificate of qualification for work on board ships on inland waterway issued by the administration of a non-Member State of the European Union shall be recognized as valid under Chapter nine, taking into account the limitations for the categories of ships entered therein.

Art. 26. The directors of the relevant DMA shall issue a confirmation of the certificates referred to in Art. 23 in accordance with Chapter nine.

Art. 27. The maritime navigation positions for the management and operation of seagoing ships for which a certificate of competency and/or certificate of proficiency is required shall be:

1. master of a ship;

2. chief mate;

3. officer in charge of a navigational watch;

4. bosun, deck;

5. helmsman.

Art. 28. The positions in the maritime navigation for the operation and maintenance of ship propulsion systems for which a certificate of competency and/or certificate of proficiency is required shall be:

1. ship’s chief engineer officer;

2. ship’s second engineer officer;

3. officer in charge of an engineering watch;

4. machine bosun;

5. ship's motorman;

6. ship’s electro-technical officer;

7. electrician;

8. pumpman.

Art. 29. The marine shipping positions for the maintenance and operation of marine technical equipment for the Global Maritime Distress and Safety System (GMDSS) are:

1. GMDSS radio electronic officer;

2. GMDSS radio operator.

Art. 30. The positions with specific requirements are:

1. pilot;

2. tug master;

3. deviator;

4. master of floating technical device;

5. security officer;

6. skipper;

7. master of a fishing vessel;

8.fishing vessel engineer;

9. ship's cook.

Art. 31. (In force since 17.01.2022) (1) The work positions for service on board ships carrying goods and passengers on Europe's inland waterways are:

1. boatmaster;

2. helmsman;

3. able boatman;

4. boatman;

5. apprentice;

6. deckhand;

7. engineer.

(2) The position of management and operation of a small ship on Europe's inland waterways is an operator of a small ship.

**Chapter 4.
COMPETENCES AND RIGHTS TO OCCUPY POSITIONS IN MARITIME SHIPPING**

**Section I.
Competences and rights to occupy positions in maritime shipping**

Art. 32. The maritime shipping competences for the management and operation of seagoing ships are:

1. Master on ships of 3000 GT or more;

2. Master on ships of between 500 GT to 3000 GT;

3. Master on ships of up to 500 GT in near coastal voyages;

4. Chief mate on ships of 3000 GT or more;

5. Chief mate on ships of between 500 GT to 3000 GT;

6. Officer in charge of a navigational watch on a ships of 500 GT or more;

7. Officer in charge of a navigational watch on a ship of up to 500 in near coastal voyages;

8. Able seafarer deck;

9. Rating forming part of a navigational watch.

Art. 33. Seafarers shall acquire the competence referred to in Art. 32 after they have covered the following requirements:

1. for a Master on ships of 3000 GT or more:

(a) higher education in Navigation - Bachelor's degree and a successfully completed course, approved by the EAMA, under a program covering the requirements of the International Maritime Organization (IMO) model course 7.01 or master's degree;

(b) a certificate of competency for a Master on ships of between 500 GT to 3000 GT or a Chief mate on ships of 3000 GT or more or for an Officer in charge of a navigational watch on a ships of 500 GT or more;

(c) a 36 months-long seagoing service as an Officer in charge of a navigational watch on a ship of more than 3000 GT, as this period may be shortened to 24 months, if at least 12 months are spent in serving as Chief mate on ships of 3000 GT or more or 12 months as Master on ships of between 500 GT to 3000 GT;

(d) successfully completed preparation course for a management level under a program approved by the EAMA, if he has not attended a management level course for the acquisition of the previous competence ;

(e) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

2. for a Master on ships of between 500 GT to 3000 GT:

(a) higher education, specialty "Navigation" - educational competence degree bachelor or secondary education, with acquired third degree of professional competence in the specialty "Maritime Navigation" in accordance with the requirements of Chapter A-II / 4 and A-II / 5 of the STCW Code;

(b) a certificate of competency as Chief mate on ships of 3000 GT or more or as Chief mate on ships of between 500 GT to 3000 GT or as Officer in charge of a navigational watch on a ships of 500 GT or more;

(c) a 36 months-long seagoing service as an Officer in charge of a navigational watch on a ships of 500 GT or more, as this period may be shortened to 24 months, if at least 12 months are spent in serving as Chief mate on ships bigger than 500 GT on a long-distance navigation;

(d) a successfully completed course approved by the EAMA under a program covering the IMO requirements, model course 7.01 if he does not hold a master's educational qualification degree;

(d) successfully completed preparation course for a management level under a program approved by the EAMA, if he has not attended such for the acquisition of the previous competence ;

(f) a successfully passed examination before the commission referred to in para. 1 of Art. 74 where the person does not hold a certificate of competence as Chief mate on ships of 3000 GT or more;

3. for a Master on ships of up to 500 GT in near coastal voyages:

(a) secondary education with acquired third degree of professional competence in the specialty "Navigation - Maritime" in accordance with the requirements of Chapters A-II / 4 and A-II / 5 of the STCW Code;

(b) a certificate of competency for Officer in charge of a navigational watch on a ships of 500 GT or more or for Officer in charge of a navigational watch on a ship of up to 500 in near coastal voyages;

(c) seagoing service 12 months in coastal navigation as an officer in charge of a navigational watch;

(d) an age of not less than 20 years;

(e) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

4. for Chief mate on ships of 3000 GT or more:

(a) higher education, specialty "Navigation" - educational qualification degree bachelor or secondary education, and third degree of professional competence in the specialty "Maritime Navigation" in accordance with the requirements of Chapter A-II / 4 and A-II / 5 of the STCW Code;

(b) certificate of competence Officer in charge of a navigational watch on a ships of 500 GT or more;

(c) a seagoing service of:

(aa) 12 months in long-distance navigation at a position of Officer in charge of a navigational watch on a ships of 500 GT or more when the person has a higher education, or

(bb) 24 months in long-distance navigation at a position of Officer in charge of a navigational watch on a ships of 500 GT or more, where the person has a secondary education and has acquired a third degree of qualification in Maritime navigation;

(d) a successfully completed course approved by the EAMA under a program covering the IMO requirements, model course 7.01 if he does not hold a master's educational qualification degree;

(e) a successfully completed preparation course at management level under a program approved by the EAMA;

(f) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

5. for Chief mate on ships of between 500 GT to 3000 GT:

(a) secondary education with acquired third degree of professional competence in the specialty "Navigation - Maritime" in accordance with the requirements of Chapters A-II / 4 and A-II / 5 of the STCW Code;

b) certificate of competency Officer in charge of a navigational watch on a ships of 500 GT or more;

(c) 12 months in long-distance navigation seagoing service as an Officer in charge of a navigational watch on a ships of 500 GT or more;

(d) a successfully completed course approved by the EAMA under a program covering the IMO requirements, model course 7.01 if he does not hold a master's educational qualification degree in Maritime navigation;

(e) a successfully completed preparation course at management level under a program approved by the EAMA;

(f) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

6. for Officer in charge of a navigational watch on a ships of 500 GT or more:

(a) higher education in Navigation, bachelor's degree or secondary education and acquired third degree of professional competence in Maritime navigation;

(b) appropriate certificate of proficiency "Ratings forming part of a navigational watch", when the person has secondary education with acquired third degree of professional competence in the "Maritime Navigation" in accordance with the requirements of Chapters A-II/4 and A-II/5 of the STCW Code;

(c) a seagoing service of:

(aa) 12 months of seagoing vocational training, of which not less than 6 months as a trainee officer in charge of a navigational watch on a ship exceeding 500 GT on long-distance navigation where the person has higher education, or

(bb) 30 months in long-distance navigation as a helmsman on ships exceeding 500 GT and 6 months as trainee officer in charge of a navigational watch on a ship exceeding 500 GT, where the person has a secondary education and has acquired a third degree of qualification in Maritime navigation;

(d) a successfully completed course approved by the EAMA under a program complementing the education program to the IMO model course 7.03 for secondary education persons who have acquired third degree of professional competences in "Maritime navigation";

(e) a training record book validated by the relevant DMA;

(f) successful completion of an EAMA test for "Ship radio operator with GMDSS general category ";

(g) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

7. for Officer in charge of a navigational watch on a ship of up to 500 in near coastal voyages:

(a) secondary education with acquired third degree of professional competence in the specialty "Navigation - Maritime" in accordance with the requirements of Chapters A-II / 4 and A-II / 5 of the STCW Code or secondary education and a completed preparatory course approved by EAMA;

(b) a proper certificate of proficiency "Ratings forming part of a navigational watch";

(c) a seagoing service of:

(aa) 12 months as helmsman of ships exceeding 40 GT and 3 months of training seagoing service, when the person has a secondary education with acquired third degree of professional competence in "Maritime Navigation", or

(bb) 36 months of seagoing service as a deck crew member, of which 12 months as a helmsman on ships exceeding 40 GT and 3 months of training sailing experience when the person has a secondary education and has completed a preparatory course approved by EAMA;

(d) a successfully completion of an EAMA test for "Ship radio operator GMDSS ROC";

(e) a training record book validated by the relevant DMA;

(f) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

8. for an Able Seafarer Deck:

(a) secondary education with acquired third degree of professional competence in the specialty "Navigation - Maritime" in accordance with the requirements of Chapters A-II / 4 and A-II / 5 of the STCW Code or secondary education and a completed preparatory course approved by EAMA;

(b) a proper certificate of professional competence "Ratings forming part of a navigational watch ";

(c) seagoing service not less than 12 months in the capacity of a helmsman or a Member of a deck crew on ships exceeding 500 GT completed after the acquisition of the professional competence referred to in (b);

(d) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

9. for Ratings forming part of a navigational watch:

(a) secondary education with acquired third degree of professional competence in the specialty "Navigation - Maritime" in accordance with the requirements of Chapters A-II / 4 and A-II / 5 of the STCW Code or secondary education and a completed preparatory course approved by EAMA;

(b) a seagoing service of:

(aa) 2 months of training navigation practice in a training course, documented in a training record book, certified by the respective DMA, when the person has a secondary education with acquired third degree of professional competence in "Maritime Navigation ", or

(bb) 6 months at a position in a deck crew on ships exceeding 500 GT;

(c) a successfully passed examination before the commission under Art. 74, para. 1, when the person has secondary education and has completed a preparatory course approved by EAMA.

Art. 34. The competences in maritime navigation for operation and maintenance of main ship propulsion systems (SPS) are:

1. Chief engineer on a ship with a SPS of 3000 kW or more;

2. Chief engineer on a ship with SPS of between 750 kW to 3000 kW;

3. Second engineer on a ship with a SPS of 3000 kW or more;

4. Second engineer on a ship with SPS of between 750 kW to 3000 kW;

5. Officer in charge of an engineering watch on a ship with a SPS of 750 kW or more;

6. Ship’s electro-technical officer;

7. Able Seafarer Engine;

8. Rating forming part of a watch in engine room;

9. Electro – technical rating.

Art. 35. Seafarers shall acquire the competence referred to in Art. 34 after they have covered the following requirements:

1. for Chief engineer on a ship with a SPS of 3000 kW or more:

(a) higher education in "Ship Machinery and Mechanisms" - bachelor's degree and successfully completed course, approved by EAMA, in a program covering the requirements of IMO model course 7.02, or master's degree, and

(b) certificate of competency Chief engineer on a ship with SPS of between 750 kW to 3000 kW or Second engineer on a ship with a SPS of 3000 kW or more or Officer in charge of an engineering watch on a ship with a SPS of 750 kW or more;

(c) seagoing service of 36 months as a watchkeeping engineer on a ship with a SPS of over 3000 kW as this period may be shortened to 24 months if at least 12 months of them are spent as a Second engineer on a ship with a SPS of 3000 kW or more or 12 months as Chief engineer on a ship with SPS of between 750 kW to 3000 kW;

(d) successfully completed preparation course for a management level under a program approved by the EIA, if he has not attended a management level course for the acquisition of the previous competence ;

(e) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

2. for Chief engineer on a ship with SPS of between 750 kW to 3000 kW:

(a) higher education in "Ship Machinery and Mechanisms", bachelor's degree, or secondary education and acquired third degree of professional competence in "Ship Machinery and Mechanisms" in accordance with the requirements of Chapters A-III / 4 and A-III / 5 of the STCW Code;

(b) certificate of competence of a Second engineer on a ship with SPS of between 750 kW to 3000 kW or a Second engineer on a ship with a SPS of 3000 kW or more;

(c) seagoing service of 12 months as a second engineer on a ship with a propulsion power SPS exceeding 750 kW;

(d) successfully completed course, approved by EAMA, under a program covering the requirements of IMO model course 7.02;

(e) successfully completed preparation course for a management level under a program approved by the EAMA, if he has not attended such for the acquisition of the previous competence ;

(f) successfully passed an examination before the commission under art. 74, para. 1, when he doesn't possess a competency Second engineer on a ship with a SPS of 3000 kW or more;

3. for Second engineer on a ship with a SPS of 3000 kW or more:

(a) higher education in "Ship Machinery and Mechanisms", bachelor's degree, or secondary education and third degree of professional competence in "Ship Machinery and Mechanisms" in accordance with the requirements of Chapters A-III / 4 and A-III / 5 of the STCW Code;

b) a certificate of competency in Officer in charge of an engineering watch on a ship with a SPS of 750 kW or more;

(c) a seagoing service of:

(aa) 12 months as an Officer in charge of an engineering watch on a ship with a SPS of 750 kW or more when the person has higher education, or

(bb) 24 months when the person has a secondary education;

(d) a successfully completed course approved by the EAMA under a program covering the IMO requirements, model course 7.02 if he does not hold a master's educational qualification degree;

(e) a successfully completed preparation course at management level under a program approved by the EAMA;

(f) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

4. for Second engineer on a ship with SPS of between 750 kW to 3000 kW:

(a) secondary education with acquired third degree of professional competence in the specialty "Ship machines and mechanisms" in accordance with the requirements of Chapters A-III / 4 and A-III / 5 of the STCW Code;

b) a certificate of competency in Officer in charge of an engineering watch on a ship with a SPS of 750 kW or more;

(c) seagoing service of 12 months as an Officer in charge of an engineering watch on a ship with a SPS of 750 kW or more;

(d) a successfully completed course approved by the EAMA under a program covering the IMO requirements, model course 7.02 if he does not hold a master's educational qualification degree;

(e) a successfully completed preparation course at management level under a program approved by the EAMA;

(f) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

5. for an Officer in charge of an engineering watch on a ship with a SPS of 750 kW or more:

(a) higher education in "Ship Machinery and Mechanisms", bachelor's degree, or secondary education and acquired third degree of professional competence in "Ship Machinery and Mechanisms" in accordance with the requirements of Chapters A-III / 4 and A-III / 5 of the STCW Code;

(b) certificate of proficiency "Rating forming part of a watch in engine room ", where the person has a secondary education with a third degree of professional competence in "Ship Machinery and Mechanisms";

(c) combined workshop skills training and an approved seagoing service of:

(aa) 12 months, of which at least 6 months of seagoing service as a trainee officer in charge of an engineering watch on a ship with an SPS exceeding 750 kW, where the person has a higher education, or

(bb) 36 months, of which at least 30 months of seagoing service as a motorman on ships with a propulsion power of SPS exceeding 750 kW and 6 months as a trainee officer in charge of an engineering watch on a ship with propulsion power of KSU over 750 kW, when the person has secondary education with acquired third degree of professional competence in "Ship machines and mechanisms";

(d) a successfully completed course approved by the EAMA under and complementing the education program to the IMO model course 7.04 for secondary education persons who have acquired third degree of professional competences in "Ship machines and mechanisms";

(e) a training record book validated by the relevant DMA;

(f) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

6. for ship’s electro-technical officer:

(a) education:

(aa) higher education, master's or bachelor's degree in "Electrical equipment of the ship" or other specialty in the field of electrical engineering and electronics;

(bb) secondary education with a third degree of professional competence as required by Chapter a-III/7 of the STCW Code in "Electrical equipment of the ship" or another high-voltage specialty;

(b) combined workshop skills training and an approved seagoing service of:

(aa) 12 months, of which at least 6 months of seagoing service as a trainee electro-technical officer on a ship with an SPS exceeding 750 kW, where the person has a higher education, or

(bb) 36 months of seagoing service, of which not less than 30 months in the engine room and 6 months as an electro-technical officer trainee when the person has a secondary education;

(c) a training record book validated by the relevant DMA;

(d) successfully completed course, approved by EAMA, under a program, supplementing the program for acquired education to the requirements of IMO, model course 7.08, when the person has an education, different from higher education in "Electrical equipment of the ship";

(e) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

7. for an Able Seafarer Engine:

(a) secondary education with acquired third degree of professional competence in "Ship machines and mechanisms" or secondary education and completed preparatory course, approved by EAMA;

(b) certificate of proficiency “Rating forming part of a watch in engine room";

(c) seagoing service of not less than 6 months in the capacity of ship's motorman or member of engine department on a ship with an SPS exceeding 750 kW, completed after acquiring the professional competence referred to in point (b);

(d) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

8. for Rating forming part of a watch in engine room:

(a) secondary education with acquired third degree of professional competence in "Ship machines and mechanisms" or secondary education and completed preparatory course, approved by EAMA;

(b) a seagoing service of:

(aa) 2 months of seagoing training practice in the training course on a ship with an SPS exceeding 300 kW, documented in a training record book certified by the relevant DMA, or

(bb) 6 months on a ship with an SPS exceeding 300 kW occupying a position in engine department;

(c) a successfully passed examination before the commission under art. 74, para. 1, when the person has secondary education and a completed preparatory course, approved by EAMA;

9. for Electro-technical rating:

(a) secondary education with acquired third degree of professional competence in "Electrical equipment of the ship" or another high-voltage specialty;

(b) a seagoing service of:

(aa) 3 months of seagoing training service in the training course, when the person has a secondary education in "Electrical equipment of the ship", documented in a diary for practical training certified by the respective DMA, or

(bb) 6 months as a trainee electrician on ships with an SPS exceeding 750 kW, documented in a logbook for practical training certified by the respective DMA, or

(cc) 12 months of performance of functions for maintenance of ship's electronic equipment of ships with SPS exceeding 750 kW for the other specialties, and

(c) a successfully passed examination before the commission under Art. 74, para. 1, when the person has secondary education in a specialty other than "Electrical equipment of the ship".

Art. 36. The persons possessing competence under Art. 32 and 34, may occupy a position on a ship corresponding to their competence or lower, in accordance with the restrictions specified in the certificate of competence, if any.

Art. 37. The competence s in maritime navigation for maintenance and work with ship technical means for GMDSS are:

1. First class ship’s radio electronic for GMDSS;

2. Second class ship’s radio electronic for GMDSS;

3. Ship’s GMDSS general radio operator;

4. Ship’s GMDSS restricted radio operator.

Art. 38. Seafarers shall acquire the competence referred to in Art. 37 after they have covered the following requirements:

1. for First class ship’s radio electronic for GMDSS:

(a) certificate of competency Second class ship’s radio electronic for GMDSS;

(b) seagoing service of 12 months as a radio electronic for GMDSS on a ship equipped with technical means for GMDSS, sailing in A2 and A3 areas;

(c) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

2. for Second class ship’s radio electronic for GMDSS:

(a) higher education in "Maritime Communications", "Radar", "Communication Equipment", "Radio and Television Equipment", "Communication Equipment and Technologies", "Ship Radio Electronics" or "Electronics", bachelor's degree;

(b) a completed preparatory course according to a program approved by EAMA, when the education does not meet the requirements of IMO model course 1.31;

(c) training seagoing experience of 3 months on a ship equipped with technical means for GMDSS;

(d) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

3. for Ship’s GMDSS general radio operator:

(a) secondary education;

(b) a successfully completed preparation course under a program approved by the EAMA;

(c) practical training in the preparation course;

(d) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

4. for Ship’s GMDSS restricted radio operator.

(a) secondary education;

(b) a successfully completed preparation course under a program approved by the EAMA;

(c) practical training in the preparation course;

(d) a successfully passed examination before the commission referred to in para. 1 of Art. 74.

Art. 39. Persons qualified under Article 37 may take up the position of a ship as follows:

1. First class ship’s radio electronic for GMDSS:

(a) Ship’s radio electronic for GMDSS on seagoing vessels operating in all areas, including the maintenance of navigational and communication facilities abord the ship or onshore;

(b) a GMDSS radio operator on seagoing ships operating in all areas;

2. Second class ship’s radio electronic for GMDSS:

(a) Ship’s radio electronic for GMDSS on seagoing vessels operating in all areas, including the maintenance of navigational and communication facilities abord the ship or onshore;

(b) a GMDSS radio operator on seagoing ships operating in all areas;

3. a Ship’s GMDSS general radio operator may take up the position of GMDSS operator onshore or on seagoing vessels operating in all areas;

4. a Ship’s GMDSS restricted radio operator category may take up the position of radio operator for GMDSS on ships operating in zone A1.

**Section II.
Competences and rights to occupy positions in maritime navigation with specific requirements**

Art. 40. The competences for occupying positions with specific requirements in maritime navigation are:

1. pilot;

2. deviator;

3. tug master;

4. master of a fishing boat in coastal navigation up to 200 GT;

5. skipper of seagoing vessel up to 40 GT;

6. ship's cook.

7. skipper of pleasure craft up to 300 GT.

Art. 41. Seafarers shall acquire the competence referred to in Art. 40 after they have covered the following requirements:

1. for a pilot:

(a) certificate of competency Master on ships of 3000 GT or more;

(b) 80 maneuvers performed in the respective pilot area under the guidance of an instructor pilot, included in the instructor pilot list, approved by the director of the respective DMA;

(c) a pilot logbook, approved by EAMA, certified by the instructor pilot and the master of the maneuvered ship;

(d) a successfully passed examination, approved by EAMA, before the commission referred to in para. 1 of Art. 74;

(e) seagoing service at management level of not less than 12 months.

2. as a deviator:

(a) higher education in Navigation, bachelor level;

(b) to perform 5 deviation procedures under the guidance of a qualified deviator, documented in a diary for practical training;

(c) a successfully passed examination, approved by EAMA, before the commission referred to in para. 1 of Art. 74;

3. for a tug master:

(a) a competence entitling him to be the master of a ship in accordance with the area of navigation and the gross tonnage of the tug;

(b) maneuvering logbook for 60 maneuvers performed in port towing with a tug, under the guidance of a qualified tugboat master; the logbook shall be certified by the master of the tug and the pilot of the maneuvered ship; up to 30 of the required maneuvers may be performed on an approved simulator according to a program, approved by EAMA;

(c) a successfully passed examination, approved by EAMA, before the commission referred to in para. 1 of Art. 74;

4. for master of fishing boat in coastal navigation of up to 200 GT:

(a) a seagoing service of 24 months on a position for which competence is required under art. 32, of which at least 6 months are spent on the relevant ship type;

(b) to hold a valid certificate for a Ship’s GMDSS restricted radio operator, and

(c) a successfully passed test before EAMA in the cases when the person is not qualified under art. 32, pp. 1 - 7;

5. for skipper of seagoing vessel up to 40 GT:

(a) basic education and a completed preparatory course approved by the EAMA or a "small ship operator" license;

(b) learning practice in the preparatory course;

(c) a successfully passed examination under an approved program before the commission under Art. 74, para. 1 or a successfully passed examination under International Regulations for Preventing Collisions at Sea, when the person holds a certificate of competence for a " small ship operator ";

(d) completed 18 years of age;

6. for a ship’s cook:

(a) secondary education with a second degree of professional competence in "Nutrition Technology" or another specialty corresponding to the thematic plan and hours specified in the relevant national standard, or secondary education and a successfully passed preparatory course approved by EAMA;

(b) completed 18 years of age;

(c) practice in the specialty within the education or the preparatory course;

(d) a successfully passed examination within the course, when the persons have completed a preparatory course;

7. for skipper of pleasure craft up to 300 GT:

(a) secondary education;

(b) a successfully completed preparatory course approved by the EAMA;

(c) one month of seagoing training practice during the preparatory course or three months of seagoing service on of a ship for sports and pleasure as a crew member, evidenced by a crew list certified by the border authorities;

(d) a certificate of competence for ship radio operator for GMDSS general category;

(e) a successfully passed examination before the commission referred to in para. 1 of Art. 74.

Art. 42. Persons qualified under Article 40 may take up the position of a ship as follows:

1. a pilot may perform the duties of a pilot in a Bulgarian port for which he/she has acquired the relevant competence ;

2. a tug master may act as tug master in the relevant area of navigation, subject to the basic competence limitations;

3. the skipper of seagoing vessel up to 40 GT may occupy the position of master of a fishing boat, master of a vessel used for business activities, or master of a ship for sports, tourism and pleasure of up to 40 GT with not more than 12 people on board, including the crew;

4. the skipper of seagoing vessel up to 40 GT may occupy the position of master of a ship up to 40 GT, performing seasonal transport of people with up to 35 people on board, under the following conditions:

(a) completed 20 years of age;

(b) a passed course "Training in passenger ship crowd management (Reg. V/2, para 4, A-V/2, para 1)”;

(c) a successfully completed preparatory course "Training of skipper of seagoing vessel up to 40 GT, performing seasonal transport of people with up to 35 people on board" under a program approved by EAMA;

(d) 12 months of seagoing service as a master of a seasonal ship carrying up to 12 persons on board, evidenced by a seasonal transport certificate in which the person is recorded as a master of the ship and by logbook entries;

(e) a successfully passed examination before the commission referred to in para. 1 of Art. 74.

**Section III.
Competences and rights to occupy positions in local navigation on seagoing vessels**

Art. 43. The competences in local navigation on seagoing vessels are:

1. master of a vessel up to 500 GT in local navigation;

2. chief engineer on a ship with SPS from 750 to 3000 kW in local navigation;

3. ship radio operator in local navigation;

4. master of a fishing boat in local navigation;

5. engineer on a fishing boat in local navigation.

Art. 44. Seafarers shall acquire the competence referred to in Art. 43 after they have covered the following requirements:

1. for a master of a vessel up to 500 GT in local navigation:

(a) secondary education with acquired third degree of professional competence in the specialty "Navigation - Maritime" in accordance with the requirements of Chapters A-II / 4 and A-II / 5 of the STCW Code or secondary education and a completed preparatory course approved by EAMA;

(b) a proper certificate of proficiency "Rating forming part of a navigational watch";

(c) 12 months of seagoing service in the capacity of ships' helmsman;

(d) a successfully passed examination before EAMA for "Ship radio operator in local navigation";

(e) an age of not less than 20 years;

(f) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

2. for chief engineer on a ship with SPS from 750 to 3000 kW in local navigation:

(a) higher education in "Ship Machinery and Mechanisms", bachelor's degree, or secondary education and acquired third degree of professional competence in "Ship Machinery and Mechanisms" in accordance with the requirements of Chapters A-III / 4 and A-III / 5 of the STCW Code;

b) a certificate of competency in Officer in charge of an engineering watch on a ship with a SPS of 750 kW or more;

(c) seagoing service of 12 months as an Officer in charge of an engineering watch on a ship with a SPS of 750 kW or more;

(d) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

3. for ship radio operator in local navigation:

(a) primary education;

(b) a completed preparatory course and practical training within the course, according to a program approved by EAMA;

(c) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

4. for master of a fishing boat in local navigation:

(a) secondary education with acquired third degree of professional competence in "Maritime Navigation" or secondary education and completed preparatory course, approved by EAMA;

(b) a seagoing service of:

(aa) six months as trainee master of a fishing vessel, where the person has a secondary education with the third degree of professional competence in “Maritime Navigation”, or

(bb) 12 months in the deck department of a fishing vessel of which 6 months of sailing practice as trainee master, recorded in a training record book where the person has a secondary education and a completed training course, approved by the EAMA;

(c) a training record book validated by the relevant DMA;

(d) a valid certificate for ship radio operator in local navigation;

(e) a successfully passed examination before the commission referred to in para. 1 of Art. 74;

5. for engineer on a fishing boat in local navigation.

(a) secondary education with acquired third degree of professional competence in "Ship machines and mechanisms" or secondary education and completed preparatory course, approved by EAMA;

(b) a seagoing service of:

(aa) six months as a trainee engineer on a fishing vessel, when the person has a secondary education with a third degree of professional competence in the specialty "Ship machinery and mechanisms", or

(bb) 12 months in the engine department of a fishing vessel of which 6 months of sailing practice as trainee engineer, recorded in a training record book where the person has a secondary education and a completed training course, approved by the EAMA;

(c) a training record book validated by the relevant DMA;

(d) a successfully passed examination before the commission referred to in para. 1 of Art. 74.

Art. 45. (1) Persons qualified under Art. 32(4) and (5) may serve as master on a ship of up to 3000 GT in local navigation when they have served as chief mate on a ship exceeding 500 GT for not less than 6 months.

(2) Persons qualified in Art. 32(6) may serve as master on a ship of up to 500 GT in local navigation when they have seagoing service as an officer in charge of a navigational watch on a ship exceeding 500 GT for not less than 12 months.

(3) Persons qualified in Art. 32(7) may serve as master on a ship of up to 300 GT in local navigation when they have served for 12 months as an officer in charge of a navigational watch on a ship of up to 500 GT in coastal navigation.

(4) Persons qualified in Art. 32(8) and (9) may occupy a post as:

1. master of a ship up to 200 GT, in local navigation, carrying up to 35 persons, in 12 months of seagoing service as a Member of the crew on a ship carrying up to 35 persons, a certificate of local navigation as a radio operator and passed an examination before the EAMA;

2. master of a ship up to 200 GT, in local navigation, carrying up to 100 persons, in 24 months of seagoing service as a Member of the crew on a ship carrying up to 100 persons, a certificate of local navigation as a radio operator and passed an examination before the EAMA;

3. master of a fishing boat up to 200 GT in local navigation with 24 months of seagoing service, of which at least 6 months spent on a fishing boat up to 200 GT, a certificate for ship radio operator in local navigation and a successfully passed exam before IAMA.

(5) The persons qualified under art. 32, may serve as "Master of a floating technical vehicle" after passing a preparatory course approved by EAMA and successfully passing an examination before the commission under Art. 74, para. 1. For the persons, who are qualified under art. 32, 8- 9, secondary education with acquired third degree of professional competence in "Navigation" is also required.

(6) In the certificate of competency "Master of a floating technical vehicle" shall be entered a restriction for the type of the floating technical means according to the passed practical training, gross tonnage and area of navigation of the technical means.

Art. 46. Persons qualified under Article 34(3) to (5), (7) to (9) may also occupy positions on ship as follows:

1. a Second engineer on ships with SPS of 3000 kW or more and a Second engineer on ships with SPS of between 750 and 3000 kW may hold the position of chief engineer on ships with SPS up to 3000 kW in local navigation;

2. an Officer in charge of an engineering watch on a ship with SPS of 750 kW or more may hold the position of chief engineer on a ship with SPS of up to 750 kW in local navigation after 6 months of seagoing service as an officer in charge of an engineering watch on a ship exceeding 750 kW;

3. an Able Seafarer Engine and a Rating forming part of a watch in engine room may hold the following position:

(a) chief engineer officer on a ship with SPS of up to 750 kW in local navigation after 12 months of seagoing service as an engine bosun or 24 months as a motorman on a ship of more than 750 kW;

(b) tanker pumpman after 12 months of seagoing service as a motorman on the same type of tanker;

4. a ship electrician may hold the position of an ETO on a ship with SPS of up to 750 kW in local navigation after 18 months of seagoing service as an electrician on ships with SPS of more than 300 kW.

Art. 47. The maintenance of the rights of the persons under Art. 45 and 46 shall be performed by maintaining the basic competence or by proving continued professional competence in local navigation according to art. 107.

**Chapter 5.
COMPETENCES AND RIGHTS TO OCCUPY POSITIONS ON INLAND WATERWAYS IN EUROPE**

Art. 48. (In force since 17.01.2022) The competences for management and operation of the ships in the navigation on the inland waterways of Europe, under art. 1, para. 5, are:

1. boatmaster;

2. helmsman;

3. able boatman;

4. boatman;

5. apprentice;

6. deckhand;

7. inland navigation engineer.

Art. 49. (In force since 17.01.2022) (1) seafarers shall be entitled to acquire competences referred to in Art. 48 subject to the following requirements:

1. for a boatmaster: the minimum requirements for certifying the competence of boatmaster of a vessel according to item 3.1 of Annex № 7;

2. for a helmsman: the minimum requirements for certifying the competences of the helmsman, pursuant to item 2.3 of Annex № 7;

3. for an able boatman: the minimum requirements for certifying the competence of an able boatman according to item 2.2 of Annex № 7;

4. for a boatman: the minimum requirements for certifying the competence of a boatman according to point 2.1 of Annex № 7;

5. for an apprentice: the minimum requirements for certifying the competence of an able boatman according to item 1.2 of Annex № 7;

6. for a deckhand: the minimum requirements for certifying the competence of a senior seaman according to item 1.1 of Annex № 7;

7. for inland navigation engineer:

(a) higher education in "Ship Machinery and Mechanisms", bachelor's degree, or secondary education with acquired third degree of professional competence in "Ship Machinery and Mechanisms" and two months of sailing experience on a self-propelled vessel sailing on inland waterways, or

(b) higher education in "Internal combustion engines", a bachelor's degree, two months of sailing experience on a self-propelled ship sailing on inland waterways, and a successfully passed examination before the commission under Art. 74, para. 1, or

(c) secondary education, two years of seagoing service as a seaman on a ship sailing on inland waterways, and a successfully passed examination before the commission under Art. 74, para. 1.

(2) The essential requirements and standards for competence for the competences under art. 48, items 1 - 6 are defined in Annexes № 8 and 9.

Art. 50. (In force since 17.01.2022) Seafarers qualified under Art. 48 may hold positions on inland waterway vessels as follows:

1. boatmaster: the position of boatmaster on a vessel sailing on inland waterways;

2. helmsman: the position of the helmsman of a vessel sailing on inland waterways;

3. able boatman: the position of able boatman on a vessel sailing on inland waterways;

4. boatman: the position of boatman on a vessel sailing on inland waterways;

5. apprentice: the position of apprentice on a vessel sailing on inland waterways;

6. deckhand: the position of deckhand on a vessel sailing on inland waterways;

7. inland navigation engineer. the position of engineer on a vessel with an unlimited power of SPS, sailing on inland waterways.

Art. 51. (In force since 17.01.2022) The competences for specific inland waterway operations in Europe are:

1. passenger navigation expert;

2. expert in the use of liquefied natural gas.

Art. 52. (In force since 17.01.2022) Seafarers shall be entitled to acquire competences referred to in Art. 51 subject to the following requirements:

1. for a passenger navigation expert: the minimum requirements referred to in item 4.1 of Annex № 7;

2. for an expert on the use of liquefied natural gas in the minimum requirements referred to in point 4.2 of Annex № 7.

Art. 53. (In force since 17.01.2022) The competence to operate a small ship under Art. 1, para. 6 is a "Small ship operator".

Art. 54. (In force since 17.01.2022) Seafarers shall be entitled to acquire competences under Art. 53 after:

(a) they have completed a preparatory course approved by the EAMA or hold a license for “Skipper of seagoing vessel up to 40 GT”;

(b) they have conducted learning practices in the preparatory course;

(c) they have successfully passed an examination under an approved program before the commission under Art. 74, para. 1.

**Chapter 6.
TRAINING OF SEAFARERS**

**Section I.
 Vocational education, training and qualification of seafarers**

Art. 55. (1) The vocational education, training and qualification of seafarers for maritime shipping shall be subject to the standards, norms and recommendations specified in the STCW Convention and Directive 2008/106/EC.

(2) The vocational education, training and qualification of seafarers for inland navigation shall be subject to European Union law, the recommendations of the United Nations Economic Commission for Europe on the forms and methodological provision of seafarers' education and training.

(3) Vocational education includes:

1. higher education in maritime, river and technical specialities;

2. secondary vocational education in maritime, river and technical specialities.

(4) The training and qualification of seafarers shall include:

1. training for acquiring competence in maritime and river shipping professions;

2. preparatory courses for the acquisition of competence;

3. special and additional training courses;

4. onboard training.

Art. 56. (1) Marine or river specialized education is obtained in educational institutions established and accredited in accordance with the legislation in force, where training is carried out according to curricula, programs and facilities approved by the EAMA by teachers, trainers or other qualified persons, which have successfully completed an EAMA- approved course under a program of model course 6.09 of IMO.

(2) Assessment of the knowledge and skills of the trainees in a maritime specialty is performed by teachers who have successfully completed a course approved by EAMA under the IMO model course 3.12.

(3) Teachers and instructors who conduct training for work at sea using a simulator, as well as assessors of the competence of the trainees must meet the following requirements:

1. to have passed IMO model course 6.10 for training and assessment techniques using simulators;

2. to have practical experience for work with the specific simulator, as its acquisition should be certified in writing.

(4) The educational institutions under para. 1 shall conduct training in accordance with the state requirements and shall apply a system for quality management of the educational process.

(5) The educational institutions under para. 1 shall elect an external, independent from them, recognized organization, which shall audit the quality management system applied by them and its compliance with the BDS EN ISO 9001: 2015 standard.

(6) The educational institutions shall annually review their curricula for compliance with the international and national requirements and shall document the result of the examination in a protocol.

(7) The educational institutions shall submit to EAMA the reports performed by the authorized external body, independent from the educational institution, and also periodic inspections, audits of the quality management system and assessments for conformity of the performed activity, for reaching the necessary standards. corrective actions, as well as the protocol of the review under para. 6.

Art. 57. The Executive Agency "Maritime Administration" shall submit to the Secretary-General of the International Maritime Organization and to the European Commission a summary report on the performed under Art. 56, para. 7 independent evaluations of the activities of the agency and of the educational institutions within the 5-year evaluation period under the STCW Convention.

Art. 58. (In force since 17.01.2022) (1) The control under Art. 1, para. 3 with regard to the activities related to training, assessment of competence and issuance and updating of the certificates of qualification of the European Union for navigation on inland waterways, service books and logbooks, shall be carried out through a system of quality standards.

(2) The objectives of the training and the related standards for competence for navigation on inland waterways shall indicate the levels of knowledge and skills, which are subject to assessment.

(3) The areas of application of the quality standards for navigation on inland waterways shall cover:

1. the issuance, renewal, suspension and revocation of European Union certificates of qualification, service record books and logbooks;

2. all training courses and programs;

3. examinations and assessments carried out pursuant to art. 80, and

4. the competences and experience required of teachers and examiners.

(4) Assessment of the activities related to the acquisition and verification of the competence for navigation on inland waterways, as well as to the administration of the certificates of qualification of the European Union, service record books and logbooks shall be carried out by 17 January 2037 and at least every ten years thereafter by an independent body with practical experience in the certification of seafarers for work on Europe's inland waterways, assigned by EAMA.

(5) The independent bodyr shall prepare a report on the results of the evaluation under para. 4, which shall be sent to EAMA within 7 days from its preparation. When, according to the report, shortcomings have been established in carrying out the activities under para. 4, EAMA shall take measures for their elimination.

Art. 59. (1) Secondary maritime or river education is acquired in vocational schools, regulated by the Preschool and School Education Act and the Vocational Education and Training Act (VETA).

(2) The training shall be conducted in accordance with the state educational standards and the requirements of this ordinance and shall ensure the comprehension of the general education minimum for secondary education and the acquisition of a degree of professional competence in the respective profession from the list of professions for vocational education and training.

(3) A degree of professional competence shall also be acquired in licensed centers for vocational training by the order of the Vocational Education and Training Act after approval of the curricula, programs and material base by the National Agency for Vocational Education and Training (NAVET) and EAMA. The training is conducted in accordance with state educational standards and national competence standards.

Art. 60. (1) The higher education in maritime and river shipping shall be acquired in accordance with the Higher Education Act, the state requirements for acquiring higher education in educational and qualification degrees and the requirements of this ordinance for the training of persons in regulated professions.

(2) The training shall ensure the comprehension of minimum volume of teaching material for acquiring higher education in the field of general and special engineering according to the Classifier of areas of higher education and professions.

Art. 61. (1) The courses for acquiring competence in a profession shall be organized and conducted by educational institutions and centers for vocational training and qualification, accredited or licensed under the Higher Education Act, the Vocational Education and Training Act or the Preschool and School Education Act.

(2) The courses for special and additional training, as well as the courses under para. 1 shall be approved by the executive director of EAMA and shall be conducted according to national standards for competence announced by EAMA and approved programs, facilities and qualification of the lecturers in the special subjects.

(3) For the approval of the courses for acquiring competence in a profession an application shall be submitted to EAMA, containing the following information:

1. name of the educational institution or center;

2. ISO EN 9001/2015 certificate , regulating the activity concerned;

3. a document for accreditation or licensing of the educational institution or the center;

4. the program of the educational institution or the center, meeting at least the requirements of the national standards for competence or programs for conducting the course and containing:

(a) the name of the course, the corresponding rule of the document which regulates it;

(b) course objectives;

(c) preliminary requirements for students;

(d) the minimum and maximum number of trainees;

(e) table with detailed hours on topics, lectures and practical classes;

(f) type, location and assessment criteria;

(g) qualification of teachers and instructors as well as simulator assessors;

(h) a detailed inventory of the facilities available for the course;

(i) course safety measures;

(k) reference literature used for the development of the program;

(l) the name, surname and signatures of the program manager and the head of the center.

(4) an application for approval of the special and additional training courses shall be submitted to EAMA, containing the following information:

1. name of the person organizing the courses;

2. ISO EN 9001/2015 certificate, regulating the activity concerned;

3. a pre-approved program, meeting at least the requirements of national standards of competence or course programs, containing:

(a) the name of the course, the corresponding rule of the document which regulates it;

(b) course objectives;

(c) preliminaryrequirements for students;

(d) the minimum and maximum number of trainees;

(e) table with detailed hours on topics, lectures and practical classes;

(f) type, location and evaluation criteria;

(g) qualification of teachers and instructors as well as simulator assessors;

(h) a detailed inventory of the facilities available for the course;

(i) course safety measures;

(k) reference literature used for the development of the program;

(l) the name, surname and signatures of the program manager and the head of the center.

(5) (in force since 17.01.2022) The Executive Director of IAMA shall approve European inland navigation training programs, leading to diplomas or certificates demonstrating compliance with the standards of competence set out in Annex № 9, where the programs meet the following conditions:

1. the objectives of the training, the training content, the methods, the means of presentation, the procedures, including, where applicable, the use of simulators, and the course materials are properly documented and enable the candidates to achieve the standards of competence;

2. the training under the programs for assessment of the respective competencies shall be conducted by qualified persons, having in-depth knowledge of the training program;

3. the examination for verification of the compliance with the standards for competence shall be conducted by qualified examiners, against whom no conflict of interests arises.

(6) (in force since 17.01.2022) The Executive Director of EAMA shall recognize all diplomas or certificates issued following training in Europe inland waterway navigation training programs, approved by other Member States of the European Union, in accordance with the requirements of the acts of the European Union.

(7) (in force since 17.01.2022) The Executive Director of EAMA shall temporarily terminate by order the validity of an approved training program for navigation on European inland waterways when the program does not meet the conditions under para. 5, and determines a term for elimination of the discrepancy found.

(8) (in force since 17.01.2022) When within the term under para. 7 the discrepancy found is not eliminated, the executive director of EAMA cancels by order the validity of the approved training program for navigation on European inland waterways.

(9) (in force since 17.01.2022) A person authorized by the Executive Director of EAMA shall notify the European Commission of the list of approved training programs for navigation on inland waterways in Europe, as well as for training programs for navigation on inland waterways in Europe whose approval has been revoked or suspended.

(10) (in force since 17.01.2022) The list under para. 9 shall indicate the name of the training program, the titles of the diplomas or certificates issued, the authority issuing the diploma or certificates, the year of entry into force of the approval, as well as the relevant competence and any special permits to which the diploma or certificate entitles.

Art. 62. (1) The courses for acquiring competences are organized and conducted by the educational institutions and centers under Art. 61, para. 1.

(2) The courses for acquiring competences under art. 40, items 5, 7 and art. 53 shall also be organized and conducted by a Bulgarian natural or legal person - traders, as well as a person from a Member State of the European Union, registered as a trader under its national legislation, including cooperatives, associations and foundations.

(3) The courses under para. 1 and 2 shall be approved by EAMA and shall be conducted in accordance with national standards for competence and programs announced by EAMA. A list of approved centers and courses shall be made available on the official website of the EAMA.

(4) For carrying out an inspection for assessment of the conformity with the normative requirements and issuing an order for authorization of conducting the courses under para. 1 and 2, an application shall be submitted to EAMA, containing the following information:

1. name of the person conducting the course;

2. document for accreditation or licensing of the educational institution or the center, UIC of the natural or legal persons;

3. title of the course.

(5) Documents containing the following information shall be attached to the application under para. 4 :

1. course objectives;

2. preliminary requirements for students;

3. minimum and maximum number of students;

4. programs submitted for approval in advance, containing at least the requirements of the announced national standards for competence and programs;

5. table with detailed hours on topics, lectures and practical classes;

6. type, location and evaluation criteria;

7. qualification of the teachers, as well as of the instructors and assessors;

8. detailed inventory of the facilities available for the course.

Art. 63. (1) The Executive Director of EAMA or a person authorized by him within 7 days from the date of submission of the application with the full set of documents under Art. 61, para. 3 and 4 and Art. 62, para. 4 and 5 shall appoint by an order a commission, which shall carry out an inspection for establishing the stated circumstances and their compliance with the requirements of this ordinance.

(2) When training using a simulator is requested, at least one of the members of the commission under para. 1 must have passed an IMO model course for training and assessment techniques using simulators.

(3) The commission shall draw up a protocol for the performed inspection, in which it shall enter its opinion.

Art. 64. (1) The Executive Director of EAMA issues an order for approval of the courses for up to 3 years or a motivated refusal and notifies the relevant institution no later than 30 days from receipt of the documentation.

(2) The refusal under para. 1 shall be subject to appeal under the Administrative Procedure Code.

(3) The person under art. 62, para. 1 and 2 shall notify in writing EAMA for the occurrence of a change of the circumstances under art. 61, para. 3, item 4, letters "g" and "h", para. 4, item 3, letters "g" and "h" and art. 62, para. 5, items 7 and 8. Within 14 days EAMA carries out an inspection and decides on the changes made.

(4) In case of non-observance of the provisions of para. 3 the order under para. 1 is repealed.

Art. 65. (1) The order referred to in Art. 64 shall also be revoked in the following cases:

1. the order has been issued on the basis of a false document or a document with false content on the basis of an effective sentence or court decision;

2. no longer meets the requirements of Art. 61, para. 2;

3. upon application by the person.

(2) The rights acquired by the order under art. 64, shall be confiscated for a period of 6 months when it is established that a person under Art. 61 or 62 has committed systematic violations with regard to the keeping of records regarding the attendance of the trainees, as well as when other systematic violations of the requirements of the approved program and the rules established in this ordinance are found.

Art. 66. (1) The presence and assessments of the participants in the courses for special and additional training, for acquiring competence in professions for maritime and river navigation and the preparatory courses for acquiring competence are reflected in an attendance diary - part of the quality management system of the training institution, which contains at least the information in Annex № 10.

(2) The presence of the participants in the courses shall be documented for each school hour separately through an entry in the diary under para. 1 to the tenth minute for each hour.

(3) A participant in a course, absent more than 10% of the total duration of the course, shall not be admitted by the educational institutions to an examination for completion of the course.

Art. 67. (1) The Executive Agency "Maritime Administration" creates and maintains an electronic database for the preparatory courses for seafarers for navigation at sea and on inland waterways.

(2) The database under para. 1 shall provide a connection between EAMA and the educational institutions conducting courses for preparation for navigation at sea or on inland waterways.

(3) EAMA shall provide personalized access to the database under para. 1 to each educational institution.

(4) Before the beginning of each course the educational institution enters information about the course - type of the course, status, list of the participants and individual data of each participant ( personal identification number, names, address, approved/disapproved for the course).

(5) The Executive Agency "Maritime Administration" shall exercise control and approve the conduct of the course, monitoring the information registered under para. 4 information and in particular: attendance in classes, conducting internal exams by the school, inclusion of additional participants in the course compared to previously announced ones, removal of participants in the course.

(6)After the completion of the course the educational institution shall issue an electronic protocol, which shall be sent for approval to the executive director of EAMA or to a person authorized by him.

Art. 68. Practical training to perform towing maneuvers shall be carried out under a program approved by the EAMA and shall be carried out by qualified tug masters having a minimum experience of 5 years.

Art. 69. (1) The Executive Agency "Maritime Administration" shall annually carry out planning and exceptional conformity assessment checks and shall carry out an independent assessment of the educational institutions and centers providing maritime education, training and competences with regard to the fulfillment of the criteria referred to in Art.-s 61, 62, 71 and 72. Assessment of the conformity of the courses conducted by the persons under Art. 62, para. 2 with regard to the applicable national standards for competence and programs, EAMA shall perform in one scheduled inspection for the term of conducting the courses or an extraordinary inspection.

(2) The results of the inspections under para. 1 shall be reflected in a protocol, a copy of which shall be provided to the training institution within seven days from the performance of the inspection.

(3) Upon establishing discrepancies with the requirements of this ordinance, the same shall be entered in the protocol and EAMA shall determine measures and a term for their elimination and shall carry out repeated inspection.

(4) In case of non-elimination of the discrepancies within the term under para. 3 EAMA does not issue certificates of competence, certificates of proficiency or other equivalent documents to the trainees, notifying the training institution in writing of the refusal. Executive Agency "Maritime Administration" notes in the list under Art. 62, para. 3 termination of the course in question.

(5) On the basis of the findings in the protocol under para. 2 an independent assessment under para 1 shall be prepared. 1.

**Section II.
Training facilities of the institutions and centers providing education and training for seafarers**

Art. 70. (1) Training facilities shall be provided according to programs in order to achieve knowledge, understanding and proficiency in the subjects, professions and disciplines in which educational institutions and centers conduct training.

(2) The training facilities must meet the requirements for safety and medical at work in accordance with the requirements of the Medical and Safety at Work Act and the acts issued on its implementation.

(3) The maritime and river educational institutions and centers for vocational training and qualification in order to ensure quality of the educational process must have their own or rented training facilities in the respective disciplines, in which are included:

1. auxiliary methodical materials, educational, technical and specialized literature;

2. visual methodological materials;

3. audio-visual means;

4. samples and models of the studied machinery and equipment;

5. control and measuring equipment;

6. licensed software products providing thematic training;

7. certified and approved simulators, demonstrating or working out, partially or completely, certain regimes, situations, procedures, actions or functional features;
 8. training grounds for conducting practical classes.

(4) The required training material base under para. 3 shall be in compliance with the norms in the respective model course of the International Maritime Organization, the national standards for competence and the curricula approved by EAMA.

Art. 71. For conducting approved training for acquiring a competence, as well as for additional and special training, the maritime and river educational establishments and centers shall be equipped with training halls, workshops, offices, training grounds and laboratories, which meet the following requirements:

1. the training place for each student shall comply with the applicable standards;

2. to be equipped with the necessary educational facilities: black/white board, screen, design apparatus, teaching boards, computers, multimedia, etc .;

3. to be observed the established norms for use of computer equipment, when the classroom is of a computer class;

4. the additional requirements for safety and medical fitness at work, technical and fire safety are observed, when the classroom is of a technical class;

5. the conditions for the normal functioning of the simulators, specified by the manufacturer, are observed when the training hall is equipped with simulators.

Art. 71a. (1) Online training shall be carried out in accordance with the following requirements:

1. training is performed according to instructions of the educational institution/center;

2. the instructions in point 1 are included in the quality system of the respective educational institution/center;

3. during training the camera of each participant is switched on;

4. for the purposes of control of the online training, the educational institution/center shall provide access to the conducted training to EAMA.

(2) Before the beginning of the online training the participant in the training shall provide on his/her own account:

1. internet connection, which allows receiving a two-way video conferencе connection;

2. working devices: personal computer, laptop, tablet or other suitable electronic device with working video camera (built-in or peripheral), headphones and microphone.

(3) In case of a technical problem with the internet connection, the respective participant shall contact the educational institution/center for receiving additional instructions for compensation of the missed classes/material.

Art. 72. (1) For training shall be used only simulators, intended for preparation and for assessment of the competence, which have been approved by EAMA.

(2) The Executive Director of EAMA or a person authorized by him shall approve the simulators for maritime navigation when they meet the following operational norms:

1. reproduce to a sufficient extent the relevant ship equipment in accordance with the requirements of a classification approved by the EAMA Executive Director, including the reproduction of operational and emergency situations, corresponding to the objectives of the preparation;

2. provide a connection between the trainee/assessor, the equipment and the instructor/assessor in a manner allowing control, recording and subsequent analysis and evaluation of the actions of the trainee/assessor;

3. the assessment of the trainee shall may be generated by the simulator without the intervention of the instructor or the assessor;

4. the simulator and its software are approved or recognized as corresponding to the requirements by recognized classification organizations from the European Union or by administration of European Union member states;

5. the simulator has passed a periodic inspection, as determined by the manufacturer, by a person authorized by him.

(3) (in force since 17.01.2022) The Executive Director of EAMA or a person authorized by him shall approve the simulators for training, assessment and acquisition of competence for navigation on inland waterways on the basis of a submitted application when they meet the standards for the simulators, determined in accordance with Annex № 11.

(4) (in force since 17.01.2022) Upon approval of a simulator under para. 3, EAMA determines which specific competence assessment is allowed to be performed through the simulator.

(5) (in force since 17.01.2022) The Executive Director of EAMA or a person authorized by him shall recognize the simulators used for training, assessment and acquisition of inland navigation competence, approved by the competent authorities in other Member States of the European Union, in accordance with para. 3 - 4, without additional technical requirements or assessment.

(6) (in force since 17.01.2022) The Executive Director of EAMA or a person authorized by him shall revoke the approval or suspend the approval for simulators used for training, assessment and acquisition of inland navigation competence if they do not meet the standards set out in Annex № 11.

(7) (in force since 17.01.2022) A person authorized by the Executive Director of EAMA shall send to the European Commission a list of the approved simulators used for training, assessment and acquisition of competence for navigation on inland waterways.

(8) The objectives and tasks of training using a simulator shall be determined within the framework of the training program and shall be as closely related as possible to the practice, ensuring non-discriminatory access to the simulator.

Art. 73. (1) The procedures for preparation and assessment of the competence of the trainees when practicing, with the use of an approved simulator, according to the ability for safe and effective performance of the task shall ensure:

1. prior information to students on:

(a) the objectives and tasks of the training;

(b) the skills expected to be acquired;

(c) the skills to be assessed and the assessment criteria;

2. instruction on how to operate the simulator provided to the student in a clear and explicit form.

(2) The intensity and duration of simulator training sessions shall take into account the manufacturer’s recommendations.

**Section III.
Procedures for conducting examinations**

Art. 74. (1) Examinations for the acquisition of competence, the acquisition of rights, the revocation of a restriction or the competence validation shall be conducted by commissions designated by the Executive Director of the EAMA or by a person authorized by him.

(2) The commissions under para. 1 shall be composed of EAMA officers. At least one member of the commission must have a maritime competence equal to or greater than that for which the test is conducted if the examination is not conducted by computer test, and at least one of them have successfully completed an IMO model course 3.12 and meets the requirements of sections A-I/6 and A-I/8 of the STCW Code.

(3) Examination programs and assessment criteria for applicants for individual competences are published on the EAMA website.

(4) The respective DMA/DRS, which conducts the exam, announces not less than 2 dates within the next 30 days, which are announced on the information board of the directorate and on the website of EAMA.

(5) For taking an examination the candidate shall submit an application in which to indicate one of the dates, announced under para. 4 , at least 5 working days before the desired exam date.

(6) The respective DMA/DRS, which conducts the examination, announces 2 days before the dates of the examinations the names of the candidates admitted to the examination, as well as the schedule for conducting the examinations on the information board and on the EAMA [website](https://www.marad.bg/).

Art. 75. (In force since 17.01.2022) (1) The examinations for acquiring European Union certificate for qualification in navigation on inland waterways shall be conducted by an examination commission under the order of art. 74 or as part of an approved training program under Art. 61, para. 5.

(2) When the examinations under para. 1 are written or conducted by computer tests, they may be replaced by qualified supervisors, provided that there is no conflict of interest between the examiners and the supervisors.

Art. 76. (In force since 17.01.2022) (1) The practical examinations for acquisition of European Union certificate of competence in navigation on inland waterways shall be conducted in accordance with the standards in Annex № 12 and shall be necessary for issuance of:

1. European Union certificate of qualification for boatmaster of a vessel under art. 100, para. 1, item 2, letter "a";

2. special permit for sailing with the aid of radar under art. 101, para. 1, item 3;

3. European Union certificate of qualification for liquefied natural gas expert under art. 100, para. 1, item 2, letter "b", "aa";

4. European Union certificate of qualification for passenger navigation expert under art. 100, para. 1, item 2, letter "b", "bb".

(2) The practical examinations for the acquisition of navigation competence on the inland European waterways shall be conducted on a ship, for which, for the respective position, the competence for which the candidate appears is required, by persons appointed by the chairman of the examination commission. The exam is held in a period of up to 12 months before the competence acquisition. The test shall be conducted within a period of up to 12 months prior to the acquisition of the capacity.

(3) The practical examinations under para. 1, items 1 and 2 may also be performed on a simulator according to a program approved by EAMA.

Art. 77. (In force since 17.01.2022) (1) When EAMA identifies on the territory of the Republic of Bulgaria a section or sections of the inland waterways with specific risks within the meaning of Art. 103, information on the additional competence required of the master of a ship sailing in that section or sections of inland waterways, as well as the means necessary to prove that the requirements for these additional competencies are met.

(2) The means necessary to demonstrate that the requirements of para. 1 are met are:

1. limited number of passes to be carried out on the area concerned;

2. simulator examination;

3. a test with a choice of several possible answers;

4. oral examination;

5. a combination of the means referred to in items 1 to 4.

(3) The funds referred to in para. 2 shall be determined on the basis of objective, transparent, non-discriminatory and proportionate criteria.

(4) The Executive Agency "Maritime Administration" may assess the competence of the applicants with regard to the specific risks in sections of inland waterways located in another Member State of the European Union, on the basis of the requirements specified in para. 2-3, provided that the Member State in which the inland waterway section is located has given its consent.

(5)Another Member State of the European Union may carry out an assessment of the competence of the applicants with regard to the specific risks in sections of inland waterways located in the Republic of Bulgaria, on the basis of the requirements specified in para. 2 - 3, provided that the Republic of Bulgaria has given its consent through EAMA and provided the necessary funds for the assessment.

(6) The Executive Agency "Maritime Administration" shall substantiate any refusal to give consent under para. 5.

Art. 78. (1) The exams are held in equipped halls of EAMA orally or at computer stations connected to the information system of EAMA for conducting exams, containing exam questions and tasks, specialized computer programs and simulators.

(2) Working premises, ships, aids and aids, necessary for conducting the practical examinations, may also be provided by shipowners, branch organizations and educational institutions upon written request by the director of the respective DMA/DRS.

Art. 79. (1) The halls for conducting the examinations under Art. 78, para. 1 must meet the requirements for safety and medical fitness at work in accordance with the requirements of the Medical and Safety at Work Act and the acts issued for its implementation.

(2) The halls under para. 1 must be equipped with a video and audio control system that meets the following requirements:

1. to provide recordings of the images, sound, date and time with the possibility for subsequent review and listening to the recordings from the respective examination;

2. the location of the cameras shall be such as to provide a recording of the actions of all participants in the examination;

3. to provide continuous recording during the theoretical examinations, and in case of interruption of the recording to automatically turn on a light and sound signal;

4. to provide real-time monitoring of the exam and to provide free access to the monitor.

Art. 80. (1) For taking the exam, the candidates pay in advance a fee according to Tariff № 5 for fees, which are collected in the system of the Ministry of Transport, Information Technologies and Communications (Tariff № 5), adopted by CMD № 81 of 2000, SG, № 41 of 2000).

(2) If the applicant fails to appear, ceases to attend the session or is removed, the fee paid shall not be refunded.

Art. 81. (1) To the application under art. 74, para. 5 the applicant shall enclose documents certifying the fulfillment of the required conditions for acquiring the competence for which the person is applying, as well as a document for a paid fee under Tariff № 5.

(2) When the required information under para. 1 is officially known/ available in EAMA, the same is officially certified. The information under para. 1 shall be certified ex officio also in the cases when it has already been created, collected, amended or deleted by another administrative body within the framework of its statutory powers, but it is not officially known/available in EAMA.

(3) An inspection of the regularity of the documents submitted by the candidates shall be carried out in the respective DMA/DRS.

(4) On the grounds of the inspection under para. 3 a list of the candidates admitted to the examination shall be compiled.

(5) When during the inspection under para. 3 it is established that the candidate does not meet the requirements for admission to the exam, the director of the respective DMA/DRS issues a reasoned refusal, which can be appealed under the Administrative Procedure Code before the Executive Director of EAMA within 14 days of its announcement.

(6) If the appeal against a refusal is accepted, the candidate shall be admitted to an examination for the declared competence on the first following date announced for conducting the examination.

(7) In the cases of a refusal that has entered into force, the paid state fee shall not be refunded.

Art. 82. (1) The examinations shall be conducted by functions and shall be oral, written and/or practical depending on the competence.

(2) The examinations by computer tests shall be conducted in the information system of EAMA through tests, cases, tasks and/or assignments, covering questions of each competence from the approved examination program for the respective competence.

Art. 83. (1) The test questions shall be prepared by EAMA.

(2) The Executive Agency "Maritime Administration" may approve and include in its information system for conducting examinations test questions, prepared by the maritime and river educational institutions and centers, branch organizations and seafarers.

(3) The test questions shall be published on the website of EAMA.

(4) The computer tests shall be generated automatically for each candidate from the test questions published under para. 3.

(5) The result of the computer test examination shall be generated automatically by the information system of EAMA for conducting examinations.

Art. 84. (1) Before the beginning of the examination members of the respective examination commission:

1. check whether the video and audio control system is switched on;

2. check the identity of the candidates;

3. give instructions for the manner of conducting the examination and announce the rights and obligations of the candidates;

4. conduct documented safety briefing, when such is necessary;

5. in case of an attempt for fraud on the part of the candidate, appearing for an examination, the same shall be removed from the examination and his examination session shall be annulled.

(2) Persons without an identity document and persons who appear after the beginning of the examination shall not be admitted to an examination.

(3) The persons, who do not observe the rules for conducting the examination, shall not be admitted to an examination within the next 12 months.

Art. 85. In order to pass the examination, the candidate must prove that he/she is proficient in the matter to the extent that excludes the possibility of action or inaction to cause accident or damage to people, ships or cargo or to cause environmental pollution in the performance of official duties concerning the qualification for which he/she applies, the revocation of a restriction or for competence confirmation.

Art. 86. (1) The examination for the acquisition of competence shall consist of a computer test for each function.

(2) A candidate who has given not less than 85% correct answers or has collected the determined number of points shall be considered to have successfully passed the test. An applicant who has fulfilled the criteria for the assessment of an English language examination of the programs referred to in para. 3 of Art. 74 shall be considered as having passed the examination under the English language module.

(3) The persons who have successfully passed the test under para 1 shall be admitted to an oral examination in the function when such is required. 2.

(4) The practical examination for pilots and masters of tugs shall be conducted in real conditions by performing actual maneuvers.

Art. 87. (1) When the examination in a given function includes several examinations - oral, written and/or practical, the overall mark is "passed" when in all examinations the candidate has received the "passed" mark.

(2) The overall mark of the commission for a given examination is "passed" when 2/3 of its members give a "passed" mark.

Art. 88. The candidate has passed the examinations for competence acquisition, for revocation of restriction or for competence confirmation only when he has successfully passed the examinations in each function for the given competence.

Art. 89. (1) A candidate who has not successfully passed the examinations in any of the functions or the English language module for the respective competence, shall have the right to reappear not earlier than 1 month after the date of conducting the examination.

(2) A candidate, who in a period of one year has not successfully passed the examinations in all functions, shall appear again at examinations in all functions for the competence in question.

Art. 90. (1) Each examination commission shall prepare a protocol for the conducted examinations for the respective date in 2 identical copies.

(2) The protocols and all other written documents of the candidates shall be collected in a separate case and shall be stored for two years at the respective DNA/DRS, where the examination has been conducted.

Art. 91. (1) The protocols from the examinations for competence acquisition and rights shall be approved by the executive director of EAMA or by a person authorized by him and shall be stored for a period of 50 years, one copy in the archives of EAMA and at the respective DMA/DRS, where the exam has been conducted.

(2) The Executive Director of EAMA upon establishing violations, related to the competence acquisition, shall delete from the protocol under para. 1 the person for whom the violations have been established.

(3) The protocols from the examinations for confirmation or cancellation of other restrictions, for re-issuance of certificates of competency or issuance of foreign certificate endorsements shall be approved by the director of the respective DMA/DRS and shall be kept for 5 years in the archive of this DMA and in the archive of EAMA.

Art. 92. (1) An applicant who has failed an examination may lodge an objection to the EAMA Executive Director within 14 days of the date of the examination.

(2) The Executive Director of EAMA by order designates a permanent commission (or commissions) as a subsidiary body, performing an inspection of the received objections.

(3) The commission (or the commissions) under para. 2 shall be formed by employees of EAMA. At least one of the members of the Commission must have maritime competence equal to or higher than that for which the examination is conducted, and at least one must have successfully completed IMO Model Course 3.12 and meet the requirements of Sections A-I / 6 and A-I / 8 of the STCW Code. The same employee may not be a member of the commission under Art. 74, para. 1, conducted the examination, and of the commission under para. 2, performing an inspection on the objections of the candidates who participated in the same examination.

(4) The commission under para. 2 shall carry out an inspection of the objection within 14 days from its receipt and shall prepare a motivated statement to the executive director.

(5) On the basis of the statement under par. 4, the executive director of EAMA shall decide, declaring the candidate to have successfully passed the examination or rejecting the objection.

Art. 93. (1) To seafarers, included in the approved protocol under art. 91, para. 1, a certificate of competence shall be issued or the restrictions shall be revoked after the presentation of a medical certificate of medical fitness.

(2) Certificate for European Union qualification for boatmaster of a vessel under art. 100, para. 1, item 2, letter "a" or of a special permit for sailing with the aid of radar under art. 101, para. 1, item 3 shall be issued after the presentation of a certificate under art. 94 for a passed practical exam on a simulator, when the practical exam is conducted on a simulator.

Art. 94. (1) A certificate for passed practical examination on a simulator shall be issued to a seafarer by the executive director of EAMA or a person authorized by him after:

1. applying an application for issuance of a certificate for passed practical examination;

2. the successful passing of a practical examination under art. 76, para. 3.

(2) The certificate under para. 1 shall be issued based on a model in accordance with Annex III to Commission Implementing Regulation (EU) 2020/182 of 14 January 2020 on models for professional competences in the field of inland navigation.

**Chapter 7
REGISTRATION OF SEAFARERS AND CERTIFICATES**

Art. 95. EAMA keeps registers of seafarers, qualified seafarers and their certificates as follows:

1. registers of the seafarers qualified as Skipper of seagoing vessel up to 40 GT and Skipper of pleasure craft up to 300 GT - in the Directorate "Maritime Administration - Varna", Directorate "Maritime Administration - Burgas" and in the Directorate International and National Regulations of Shipping (INRS), depending on the place of the examination for acquiring competence;

2. registers of the seafarers qualified as small ship operator - in the Directorate "River Supervision - Ruse" and the Directorate "River Supervision - Lom", depending on the place of conducting the examination for competence acquisition;

3. register of the seafarers qualified otherwise than the way under items 1 and 2 - in INRS;

4. registers of the certificates of the seafarers - in the respective DMA/DRS;

5. registers of the issued endorsements attesting the recognition of certificates of competence, issued by the administrations of other states - in the respective DMA/ DRS;

6. (In force since 17.01.2022) registers for European Union qualification for navigation on inland waterways, service record books and logbooks and for documents recognized in accordance with Art. 117, which have been issued, renewed, expired, suspended or withdrawn, which have been declared lost, stolen or destroyed, or have expired.

Art. 96. (1) Registers shall be kept in paper and electronic form and shall be entered under a separate number with the following particulars for each seafarer:

1. full name;

2. sex;

3. date of birth;

4. place of birth;

5. permanent address;

6. nationality;

7. a uniform civil number or personal number of a foreigner; for foreign nationals who are not permanently established in the country, a personal number in the foreigner's identity document;

8. number, date of issue and institution or center which has issued document attesting educational degree, competence or specialty;

9. another competence and reason for its acquisition.

(2) The entries in the data registers under para. 1 shall be performed by an official of EAMA.

(3) The registers of the qualified seafarers shall be kept on a permanent basis.

Art. 97. (1) The Register referred to in Art. 95(4) shall include the data referred to in para. 1 of Art. 96, a photo of the person and details of:

1. the certificate term of validity;

2. the restrictions for exercising the acquired rights;

3. the issued permits under art. 21, para. 2;

4. the issued certificates for the passed special and additional training;

5. the issued medical certificates for medical fitness, necessary for issuing a certificate of competence;

6. the ship on which the person works: name, IMO number or ENI number, gross tonnage for seagoing vessels, type of vessel, propulsion power of the SPS and area of ​​navigation of the vessel;

7. a position for which competence is required or which enables the acquisition of competence for which the person is assigned to the ship, level of responsibility and functions, date of entry and date of departure of the ship, total length of service on the ship recognized as seagoing service;

8. the seaman's passport number and the period of validity;

9. the number of the seaman's book or the service record book number.

(2) The data under para. 1, items 6 and 7 shall be entered upon presentation of a note (Annex № 13) issued by the master of the ship, shipowner or intermediary that the person is assigned to the respective ship and the respective position, crew list, seaman's/ service record book, individual contract for employment or other document certifying the circumstances, and in case of dismissal on presentation of a note (Annex № 13) issued by the master of the ship, seaman's/ service book, crew list or other document certifying the circumstances.

(3) The documents under para. 2, with the exception of the seaman's/ service record book, shall be stored for a period of 2 years from the date of their presentation in the respective DMA/DRS.

(4) The seafarers shall submit in the respective DMA/DRS seaman's book for entering the data for a conducted sailing experience not less than once in 2 years, and the service record book - not less than once a year.

(5) The data under para. 1 shall be stored in the respective DMA/DRS until the person reaches the age of 90, after which they shall be archived.

Art. 98. (In force since 17.01.2022) (1) The registers for the European Union certificates of qualification under art. 95, item 6 shall include the data from the European Union qualification certificates and the issuing body.

(2) The registers for the service record books under art. 95, item 6 shall include the name of the holder, identification number of the holder, identification number of the service record book, the date of issue and the issuing body.

(3) The registers for the ship's logbooks under art. 95, item 6 shall include the name of the ship, the European identification number or the European identification number of the ship (ENI number), the identification number of the logbook, the date of issue and the issuing body.

Art. 99. The Executive Agency "Maritime Administration" shall immediately enter in the database maintained by the European Commission according to Delegated Regulation (EU) 2020/473 of 20 January 2020 supplementing Directive 2017/2397 of the European Parliament and of the Council as regards standards for the databases of competence certificates, seamen 's service record books and logbooks of the European Union (OJ, №
 100 of 2020), the data regarding the qualification certificates, the service record books and the ship's logbooks, referred to in Art. 98.

(2) The personal data in the registers under art. 98 or in the database under para. 1 shall be stored for a period not longer than necessary for the purposes for which the data have been collected or for which they are additionally processed in accordance with this Ordinance. When the information is no longer needed for these purposes, personal data shall be destroyed.

(3) The Executive Agency "Maritime Administration" shall carry out any processing of personal data in accordance with Regulation (EU) 2016/679.

(4) Personal data shall be processed only for the purposes of:

1. the implementation, application and evaluation of this Ordinance;

2. the exchange of information between the bodies, which have access to the database, indicated in para. 1, and the European Commission;

3. the preparation of statistics.

(5) The Executive Agency "Maritime Administration" shall inform in advance the persons, whose personal data, and in particular medical data, shall be processed in the registers under art. 98 and the database under para. 1, providing access to their personal data upon request by the persons.

**Chapter 8.
THE ISSUANCE, EXTENSION AND RE-ISSUANCEOF CERTIFICATES OF COMPETENCY, CERTIFICATES OF PROFICIENCY, OTHER EQUIVALENT DOCUMENTS AND ENDORSEMENTS**

Art. 100. (1) The Executive Agency "Maritime Administration" shall issue certificates to seafarers as follows:

1. certificates of competency for work at sea:

(a) for long-voyages and coastal navigation (Annex № 14);

(b) for the master of a fishing boat in coastal navigation (Annex № 15);

(c) for a tug master (Annex № 16);

(d) for local navigation (Annex № 17);

2. (In force since 17.01.2022) Certificates of qualification for work on inland waterways:

(a) a European Union master's qualification certificate in accordance with Annex I to Commission Implementing Regulation (EU) 2020/182 of 14 January 2020 based on models of professional qualifications in inland navigation;

(b) a European Union qualification certificate for specific operations in accordance with Annex I to Commission Implementing Regulation (EU) 2020/182 of 14 January 2020 based on models for professional qualifications in inland navigation:

(aa) a European Union qualification certificate of liquefied natural gas expert;

(bb) a European Union qualification certificate of a passenger navigation expert;

(c) a European Union qualification certificate for a member of the deck department in accordance with the model single document combining a European Union qualification certificate and service record book in Annex II to Commission Implementing Regulation (EU) 2020/182 of 14 January 2020 based on models for professional qualifications in the field of inland navigation;

(d) a certificate for an inland navigation engineer officer according to a model approved by order of EAMA’s Executive Director.

3. pilot certificate of competency (Annex № 18);

4. certificate of competency for Skipper of seagoing vessel up to 40 GT (Annex № 19);

5. certificate of competency for Skipper of a pleasure craft up to 300 GT (Annex № 20);

6. certificate of competency for small ship operator (Annex № 21);

7. endorsement attesting the recognition of a foreign certificate of competency for work at sea (Appendix № 22);

8. certificates of professional competence for the passed special and additional training for work on inland waterways of Europe;

9. certificates of professional competence for the passed special and additional preparation for sea;

10. certificates of proficiency of the persons at support level;

(2) Initial issuance of the certificates under para. 1, item 1, item 2, letter "d" and item 3 shall be performed upon fulfillment of the following conditions:

1. acquired competence;

2. medical fitness;

3. the existence of valid certificates of proficiency, where required under Annex № 1.

(3) In the documents under art. 100, para. 1, item 1 and their endorsements shall be entered the restrictions (if any) with regard to the type and/or tonnage of the ship, the navigation area, the type and/or the power of the SPS, for work with means of automatic radar plotting aid (ARPA), electronic navigation charts (ECDIS) and/or automatic identification system (AIS), medical restrictions, etc.

(4) A sticker with a map of the area for which it is valid shall be affixed to the coastal navigation certificate.

(5) (in force since 17.01.2022) Initial issuance of the certificates under para. 1, item 2, letters "a" - "c" shall be performed provided that:

1. the person provides documentary evidence:

(a) for his identity: full name and uniform civil number or personal number of a foreigner; for foreign nationals who are not permanently established in the country, a personal number in the foreigner's identity document;

(b) that it meets the relevant minimum requirements for age, competence, administrative compliance and navigation time for the competence it applies for (Annex № 7);

(c) that it meets the standards of medical fitness in accordance with art. 12.

2. EAMA has checked the authenticity and validity of the documents submitted by the person and checked that the person has no issued valid European Union certificates of qualifications.

(6) The certificates referred to in para. 1, para. 8 to 10 shall contain:

1. the certificate of proficiency for the passed special and additional training:

(a) inscription "Republic of Bulgaria Executive Agency "Maritime Administration ";

(b) number and title of the certificate of proficiency;

(c) the three names, personal identification number, the date of birth and a photo of the seafarer holding the certificate;

(d) full title of the completed course; for the certificates under item 9 with writing of the rule (or rules) from the STCW Convention or from the STCW Code;

(e) restrictions (if any) - medical, as regards the type of ship, the area of navigation, etc.;

(f) the date of issue and the date until which the certificate is valid;

(g) name, surname and signature of the duly authorized employee of the issuing administration and seal of the administration;

(h) data for correspondence with the issuing administration - seat and address, e-mail address and official website address;

(i) for the certificates under item 8 - a signature of the certificate holder;

2. the certificate of proficiency of the persons at support level:

(a) inscription "Republic of Bulgaria Executive Agency" Maritime Administration ";

(b) number and title of the certificate of proficiency;

(c) the three names, sex, citizenship, personal identification number, date and place of birth and a photo of the seafarer holding the license;

(d) the full title of the competence with reference to the rule in the STCW Convention and the STCW Code;

(e) functions and level of responsibility for the performance of which the holder is qualified;

(f) the restrictions imposed by the administration in the performance of the functions if any;

(g) the position or positions which the person may hold and restrictions if imposed by the administration;

(h) register number;

(i) the date of issue and the date until which the certificate is valid;

(k) signature, name and surname of the duly authorized official of the issuing administration and stamp of the administration;

(l) the signature of the license holder;

(m) data for correspondence with the issuing administration - seat and address, e-mail address and official website address.

(7) The form, the sizes, the graphic layout and the polygraphic execution of the documents under para. 1, items 8 - 10 shall be determined by an order of the executive director of EAMA.

(8) The certificates under para. 1, items 4 - 6 and 8 - 10 shall be issued under the following conditions:

1. the person is included in the list of students presented in advance in the respective DMA/DRA;

2. the person has successfully completed the course and is included in an approved protocol of the conducted examination.

(9) In the cases when the term of validity of the certificate has expired and for the issuance of a new one the presence of a certain seagoing service is required, EAMA shall issue a new certificate after an official inspection of the required seagoing service.

Art. 101. (In force since 17.01.2022) (1) A boatmaster of a ship navigating on inland waterways shall hold a special permit when:

1. sails on waterways that have been classified as inland waterways with a maritime character according to art. 102;

2. sails on waterways that have been identified as stretches of inland waterways with specific risks according to art. 103;

3. sails with the aid of radar;

4. sails craft using liquefied natural gas as fuel;

5. sails large convoys.

(2) Special permit under para. 1, items 1 and 3 - 5 shall be granted provided that:

1. the person provides documentary evidence:

(a) for his identity: full name and uniform civil number or personal number of a foreigner; for foreign nationals who are not permanently established in the country, a personal number in the foreigner's identity document;

(b) certifying that meets the relevant minimum requirements for age, competence, administrative compliance and seagoing service for the competence it applies for (Annex № 7);

(c) certifying that he holds a European Union certificate of qualification for boatmaster of a ship or a certificate recognized under art. 117, or that he meets the minimum requirements for obtaining a European Union certificate of qualification for boatmaster;

2. the EAMA has checked the authenticity and validity of the documents submitted by the person.

(3) For granting a special permit under para. 1, item 2 the person is required to fulfill the conditions under para. 2 and to present evidence that it meets the established requirements for competence for the specific risks in connection with the specific section of the inland waterway.

(4) The special permit under para. 1, items 1 - 3 and 5 shall be provided upon request by the director of the respective DRS or a person authorized by him by noting in the certificate under art. 100, para.2, letter “b”, letter "aa".

(5) The special permit under para. 1, item 4 shall be issued in the form of the European Union certificate of competence for an expert on the use of liquefied natural gas under art. 100, para. 1, p. 2, letter "b", letter "aa".

Art. 102. (In force since 17.01.2022) (1) The Executive Agency "Maritime Administration" defines a section of the inland waterways on the territory of the Republic of Bulgaria as an inland waterway of a maritime character, when one of the following criteria is met:

1. the Convention on the International Regulations for Preventing Collisions at Sea, signed in London on 20 October 1972, shall apply to the section (promulgated, SG, № 17 of 2003; Add. № 96 of 2018).

2. the buoys and the signs in the section are in accordance with the maritime system;

3. terrestrial navigation on that inland maritime route is necessary, or

4. maritime equipment is required for navigation for this inland maritime route, the work with which requires special knowledge.

(2) The Executive Agency "Maritime Administration" shall notify the European Commission for the determination of each specific section of the inland waterways on the territory of the Republic of Bulgaria as an inland waterway of a maritime character. The notification to the European Commission shall be accompanied by a justification based on the criteria in para. 1.

Art. 103. (In force since 17.01.2022) (1) The Executive Director of EAMA may designate sections of inland waterways passing through the territory of the Republic of Bulgaria as sections with specific risks when these risks are due to one or more of the following reasons:

1. there are frequently changing stream patterns and speed;

2. there are specific hydromorphological characteristics of a section of the inland waterways;

3. there is a specific local regulation of the traffic, substantiated by the specific hydromorphological characteristics of the section of the inland waterways under item 2;

4. there is a high frequency of accidents in a certain section of the inland waterway, which is due to the lack of competence, which is not covered by the standards set out in Annex № 9.

(2) In order to ensure safety EAMA may consult with the respective European River Commission in the process of determining the sections, indicated in para. 1.

(3) The Executive Agency "Maritime Administration" shall notify the European Commission of the measures, which it envisages to adopt in accordance with para. 1 and with art. 77, as well as for the reasons for taking the measure, at least six months before the envisaged date for adoption of these measures.

(4) When the sections of the inland waterways, indicated in para. 1, are located along the border between the Republic of Bulgaria and another Member State of the European Union, EAMA shall consult with the relevant competent authority in that country and shall send a joint notification to the European Commission.

Art. 104. (1) The certificates of competency, with the exception of certificates of competency under para. 1 of Art. 100 (2) (a), (b) and (d), items 4 to 6 shall be signed by the Executive Director of the EAMA or his authorized representative.

(2) The endorsements of the certificates of competency referred to in Art. 23, the certificates of proficiency and other equivalent documents shall be signed by the Director of the INRS, the Director of the relevant DMA/DRS, or by a person authorized by him, depending on the place of the course.

(3) The certificates of competency, certificate of proficiency and endorsements referred to in Art. 100, para.1, items 1and 2 letter (c), items 3, 7 to 10 shall be stamped with a EAMA stamp with an image of the State coat of arm.

Art. 105. (1) The certificates of competency under Art. 100, para. 1, item 1, item 2, letter "d", items 3 and 7 - 8 shall have a term of validity of up to 5 years, but not more than the term of validity of any certificate necessary for their issuance. The term of validity of a certificate of newly acquired competence under Art. 100, para. 1, item 1, item 2, letter "d" and item 3 shall be up to 5 years from the date of approval of the examination protocol.

(2) The certificates of competency referred to in para. 1 of Art. 100, items (4) to (6) shall be valid for up to 10 years.

(3) The endorsements of the certificates of competency shall have a term of validity of up to 5 years, but not more than the term of validity of any certificate, necessary for their issuance.

(4) The certificates under art. 100, para. 1, item 9 shall have a term of validity, specified in Annex № 1, and the certificates under Art. 100, para. 1, item 10 are of an unlimited duration.

(5) (in force since 17.01.2022)The term of validity of the European Union certificate under art. 100, item 2, letter "c" of qualification of a member of the deck department of a ship sailing on inland waterways, shall be until the date of the next medical examination according to art. 16, para. 2, items 2 - 4 of Ordinance № Н-11 of 30.04.2014 on the requirements for medical fitness of seafarers in the Republic of Bulgaria.

(6) (in force since 17.01.2022) The term of validity of the European Union certificate under art. 100, item 2, letter "a" of qualification in boatmaster of vessels is 13 years, provided that the person has passed a medical examination according to art. 16, para. 2 of Ordinance № Н-11 of 30.04.2014 on the requirements for medical fitness of seafarers in the Republic of Bulgaria.

(7) (in force since 17.01.2022) The term of validity of the European Union certificate under art. 100, item 2, letter "b" of qualification in specific operations is 5 years.

(8) (in force since 17.01.2022) The term of validity of a special permit, granted according to art. 101, shall expire with the expiration of the term of validity of the certificate of qualification of the European Union under para. 6.

Art. 106. (1) Seafarers shall renew their certificates at:

1. the withdrawal of a restriction or other change in the circumstances in which the certificates have been issued;

2. expiry of the certificate;

3. change in the status of a valid certificates held when it is reported lost, destroyed or cancelled.

(2) a new certificate shall be issued once the person provides evidence of:

1. Medical fitness - with a valid medical certificate issued by a medical institution referred to in para. 3 or 5 of art. 12;

2. continued professional competence for the competences under Art. 32, items 1 -7, art. 34, items 1-6 and art. 37, items 1-4;

3. a completed refresher course for special or additional training, when this is required in accordance with Annex № 1;

4. (In force since 17.01.2022) fulfillment of the minimum requirements specified in Annex № 7 for the competences under para. 1, para. 2, letter b of Art. 100.

(3) A new certificate may also be issued before its expiry without change in circumstances.

(4) In order to issue or re-issue a certificate of competency after 1.01.2017, seafarers whose curricula does not include the relevant training shall complete courses approved by the EAMA as follows:

1. for deck department seafarers at management and operational level - "Navigation using radar and ARPA", "Bridge resource management and teamwork", "Operational use of ECDIS and AIS), "Marine environmental awareness”, “Training for seafarers with designated security duties";

2. for persons from deck department of support level - "Security awareness training" and " Marine environmental awareness";

3. for seafarers from engine department at management and operational level - "Engine resource management and teamwork”, "Training on monitoring of the main and machinery operations", “Training for seafarers with designated security duties", "Marine environmental awareness”, and for electro-technical officers "Training in the safe operation and maintenance of power systems in excess of 1000 volts" also;

4. for seafarers from the engine department at support level - "Security awareness training" and " Marine environmental awareness".

Art. 107. (1) A continued professional competence shall be proved by fulfilling one of the following requirements:

1. approved seagoing service in performing the functions specified in the certificate of competency, with a total duration of at least 12 months for the last 5 years;

2. approved seagoing service in the performance of functions specified in the certificate of competency, with a total duration of at least 3 months, realized during the last 6 months prior to the submission of the application for issuance of a new certificate;

3. approved sea service on a position at management or operational level of responsibility, with lower officer rank than the possessed competence, with duration not less than 3 months, realized immediately prior to the submission of the application for issuance of a new certificate;

4. approved seagoing service as a trainee on a position, corresponding to the competence possessed by him, with a duration of not less than 3 months, realized immediately prior to the submission of the application for issuance of a new certificate;

5. certificate for successfully completed confirmation training course, approved by EAMA;

6. a successfully passed exam before EAMA according to an approved program.

(2) Continued professional competence with regard to the certificates proficiency for work on tankers for persons at management and operational level shall be proved by fulfillment of one of the following requirements:

1. presence of approved seagoing service in the performance of the functions of the respective tanker type, specified in the certificate of proficiency or in its endorsement held, with a total duration of at least 3 months for the last 5 years;

2. certificate for successfully completed course, approved by EAMA.

(3) Continued professional competence with regard to the certificates of proficiency for work on ships operating in polar waters for persons at management level shall be proved by fulfilling one of the following requirements:

1. approved seagoing service in the performance of the functions on the ship concerned, as indicated in the certificate of proficiency or in its endorsement held, of a total duration of at least 2 months during the last 5 years, or

2. performance of functions considered equivalent to the seagoing service required by item 1 or

3. passing an approved test, or

4. certificate for successfully completed course, approved by EAMA.

Art. 108. The certificates referred to in Art. 100, para.1, items 4 to 6 shall be issued after verification of the applicants’ medical fitness.

Art. 109. (1) Extension of the term of validity of the certificate under Art. 100, para. 1, item 1, letter "a" shall be performed before the expiration of the term of validity of the certificate of competency by the directors of the respective DMA/DRS upon requesting the service in the presence of the conditions under Art. 106, para. 2.

(2) Upon expiration of the term of validity of the certificates of competency new certificates shall be issued under art. 106.

Art. 110. (1) When a pilot has not held the position for a period of more than 1 year, for each of these years he performs 15 maneuvers under the guidance of an instructor pilot included in the list of instructor pilots approved by the director of the respective DMA for admission to take up a position.

(2) When a pilot has not held the position for a period of more than 5 years, he performs 80 maneuvers under the guidance of an instructor pilot, included in the list of instructor pilots approved by the director of the respective DMA/DRS for admission to the position occupied.

Art. 111. (1) When the tug master has not held the post for a period of 3 or more years, he must perform 30 maneuvers to be allowed to take the position.

(2) For re-issuance of a certificate for deviator the seafarer shall submit documents for the performance of three procedures when deviation.

**Chapter nine.
RECOGNITION OF CERTIFICATES OF COMPETENCY, CERTIFICATES OF PROFICIENCY AND OTHER EQUIVALENT DOCUMENTS ISSUED BY THE ADMINISTRATION OF ANOTHER STATE. VERIFICATION OF THE AUTHENTICITY OF BULGARIAN CERTIFICATES OF COMPETENCY**

**Section I.
 Recognition of certificates of work at sea**

Art. 112. (1) To a seafarer holding a certificate of competency, a certificate of additional and/or special training issued by the administration of a country included in the list published in the Official Journal of the European Union, EAMA on behalf of the Republic of Bulgaria as host Member State shall issue an endorsement of recognition of the certificate, when the person will work on a ship flying the Bulgarian flag, after:

1. the person submits an application to which the certificate of competency and confirmation of the same, valid certificate of medical fitness, identity document and paid fee are attached;

2. the administration, which has issued the certificate and its endorsement, shall certify their authenticity.

(2) To the seafarer under para. 1, when meets the requirements, an endorsement of recognition shall be issued of the certificate under art. 104, para. 2 (under Regulation I / 10 of the STCW) for holding a capacity which is entered in his certificate of competency.

(3) The endorsement under para. 2, certifying the recognition of a certificate of competency or a certificate of proficiency under Rules V / 1-1 and V / 1-2 of the STCW Convention, shall be issued in a form approved by the Executive Director of EAMA, subject to the requirements of Section A- I / 2, para. 3 of the STCW Code and Regulation I / 2, para. 7 of the STCW Convention.

(4) The endorsement under para. 2 shall be effected within one month of the receipt of the confirmation of the authenticity of the certificate by the issuing authority. The refusal to confirm a valid certificate shall be reasoned and shall be subject to appeal under the Administrative Procedure Code. Information on the appeal procedure shall be published on the EAMA website .

(5) The period of validity of the certificate issued by EAMA may not be longer than the period of validity of the certificate of competency or the endorsement of the certificate.

(6) Where the recognition of a country included in the list of countries recognized under Directive 2008/106 / EC is withdrawn, the endorsements of recognition of certificates of such a country issued by EAMA before the withdrawal shall remain valid until the expiry of the period specified therein. Such confirmations may not be reissued and their validity may not be extended.

Art. 113. (1) To a seafarer holding a certificate of competency, a certificate of additional and/or special training issued by the administration of a country not included in the list published in the Official Journal of the European Union, EAMA may issue an endorsement attesting the recognition of the certificate when the person will work on a ship flying the Bulgarian flag.

(2) The application for recognition of a certificate, issued by an administration of a state, which is not included in the list under para. 1, shall be submitted by the shipowner of a ship flying the Bulgarian flag.

(3) When it is established that a Bulgarian shipowner has a substantial interest, certificates of competency, issued by the administration under para. 1, to be recognized by EAMA, EAMA shall send a substantiated request to the European Commission for assessment of this administration with a view to recognition of the certificates of competency issued by it. In support of its request, EAMA shall provide the European Commission with a preliminary analysis of the information set out in Annex II to Directive 2008/106 / EC on the minimum level of training of seafarers and additional information on the grounds for recognizing the third country.

(4) The EAMA shall not send to the European Commission proposals for the recognition of certificates issued by administrations of countries which are not parties to the STCW Convention.

(5) For the purposes of the recognition under para. 1 and after receiving the application under para. 2 EAMA makes a reasoned proposal to the European Commission with a request to evaluate the system of training and certification of seafarers of the respective country.

(6) After submission of the proposal under parа. 5 ЕAMA may issue endorsements of recognition of seafarers' certificates from the applicant country until the adoption of the European Commission's implementing act on the recognition of that third country. The validity of the issued confirmations may not exceed 3 months.

(7) In case of unilateral recognition of a third country EAMA shall notify the European Commission of the number of the issued confirmations under para. 6 until the adoption of the implementing act on the recognition of that third country.

(8) Following the entry into force of an European Commission's implementing act on the recognition of a third country, a bilateral agreement shall be prepared with the relevant administration of the State-Party to the STCW Convention.

(9) For signing the agreement under para. 7 EAMA informs the European Commission and the IMO.

Art. 114. (1)The Republic of Bulgaria may terminate an agreement under Art. 113, para. 7, when a violation of the conditions in the agreement is established.

(2) In the cases under para. 1, the endorsements of recognition of certificates of such state, issued by EAMA before the termination of the concluded agreement, shall remain valid until the expiration of the term of validity indicated in them. Such endorsements may not be reissued and their validity may not be extended.

(3) For the circumstances under para. 1 and 2 EAMA informs the European Commission, the IMO and the country with which the agreement has been concluded..

Art. 115. (1) The Republic of Bulgaria may enter into agreement with another Member State of the European Union or with another party to the STCW Convention on the mutual application of the provisions of the STCW Convention on near-coastal voyages. The agreement shall specify the details of the coastal areas concerned.

(2) The Republic of Bulgaria may terminate a concluded agreement under para. 1, when a violation of the terms of the agreement is established, including if the principles regulating near-coastal voyages, specified in section A-I / 3 of the STCW Code, are not observed.

Art. 116. (1) To a seafarer holding a certificate of competency issued by the administration of a Member State of the European Union or by a party to the STCW Convention for its defined limits of near-coastal voyages, EAMA shall issue an endorsement of recognition of the certificate when the person will work on board ship in near-coastal voyages, provided that between the Republic of Bulgaria and the respective state - issuer of the certificate, there is an agreement under Art. 115, para. 1 and provided that:

1. the person submits an application to which the certificate of competency and endorsement attesting the issue of the same, valid certificate of medical fitness, identity document and paid fee are attached;

2. the administration, which has issued the certificate and its endorsement, shall certify their authenticity.

(2) The term of validity of the issued endorsement under para. 1 may not be longer than the term of validity of the certificate of competency or the endorsement to the certificate.

(3) In the cases under art. 115, para. 2, the endorsements attesting the recognition of certificates issued by EAMA before the termination of the agreement shall remain valid until the expiration of the term of validity indicated in them. Such endorsements may not be reissued and their validity may not be extended.

**Section II.
Recognition of certificates for work on inland waterways**

Art. 117. (In force since 17.01.2022) (1) The European Union certificates of qualification, service record books or logbooks, issued in accordance with the requirements of this Ordinance, or by a competent authority of a Member State of the European Union within the meaning of Art. 26 of Directive 2017/2397 are valid for all inland waterways in Europe.

(2) A certificate of qualification, service record book, or logbook issued in accordance with the provisions on navigation personnel on the Rhine, setting out the requirements identical to those of this Regulation, shall be valid for all inland waterways in Europe.
 (3) A certificates of qualification, service record books and logbooks issued by a third country for work on inland waterways shall be valid on all European inland waterways only if the third country recognizes the European Union documents, issued in accordance with the rules in this Ordinance and the documents issued by it are included in the list referred to in article 118(2).

(4) A certificate of qualification, service record book or logbook for work on inland waterways, issued in accordance with the national rules of a third country, which set requirements identical to those of this Ordinance, shall be valid for all inland waterways in Europe, when they are included in the list under Art. 118, item 2.

(5) The certificates for passed practice exams under art. 94, para. 1, issued by the competent authorities in other Member States of the European Union, shall be recognized by the Executive Director of EAMA or a person authorized by him without further requirements or assessments.

(6) Paragraph 4 shall apply, inter alia, to certificates of competency, service books and logbooks recognized in accordance with § 20a.

Art. 118. (In force since 17.01.2022) the Executive Director of EAMA or a person authorized by him shall recognize by order certificates for work on inland waterways issued by third countries when the following requirements are met:

1. the seafarer has submitted an application to which a certificate for work on inland waterway issued by a third country is attached for recognition;

2. the certificate under item 1 is included in the list of documents issued by third countries, which are recognized as valid for all inland waterways of the European Union, maintained by the European Commission.

Art. 119. (In force since 17.01.2022) (1) The Executive Director of EAMA shall notify the European Commission if he considers that a third country does not comply with the requirements for the recognition of the documents under Ar. 117, giving substantiated reasons for his claim.

(2) Suspension of certificates of qualifications, service record books and logbooks issued for work on all European inland waterways shall be carried out on the basis of an implementing act of the European Commission where the applicable requirements for their recognition are not fulfilled.

**Section III.
Verification of the authenticity of Bulgarian certificates**

Art. 120. (1) The Executive Agency "Maritime Administration" verifies the authenticity of a Bulgarian certificate and the authenticity of the data entered in it at the request of the administration of an STCW State Party, shipowner, or a manning agent.

(2) The inspection under para. 1 shall be carried out by checking the data provided by the requestor with those entered in the seafarers' electronic register, and in case of doubt - with those contained in the examination protocols and in the documentation stored in the educational institutions.

(3) The result of the inspection under para. 1 shall be provided by electronic means.

(4) When the applicant is not an administration and has requested a written certification of the authenticity of a Bulgarian certificate of competency and the authenticity of the data entered in it, the fee shall be collected as provided in Tariff № 5 on the fees to be collected in the system of the Ministry of transport, information technology and communications.

Art. 121. When the inspection under Art. 120, para. 2 has established that the provided certificate contains false data, with changes of the data in it, additional records or deletion or the photocopy of the certificate is manipulated in such a way, EAMA requires the originals and sends them to the prosecutor's office to seek criminal liability.

**Section IV.
Suspension and revocation of European Union certificates of qualification or specific authorizations for boatmasters of vessels navigating on inland waterways. Administrative cooperation, prevention of fraud and other illegal practices**

Art. 122. (1) When there is a suspicion that a European Union certificate of qualification or a special permit for boatmaster of a ship navigating on inland waterways has ceased to meet the requirements for its issuance, the Executive Agency "Maritime Administration" shall carry out an inspection of the case.

(2) The Executive Agency "Maritime Administration" shall revoke a certificate or a special permit issued by the Agency, when the inspection establishes that the document no longer meets the requirements for its issuance.

(3) The Executive Agency "Maritime Administration" shall terminate for a certain period the validity of the European Union certificate of qualification, when it considers that the temporary termination is necessary for reasons related to safety or public order.
 (4) The Executive Agency "Maritime Administration" shall enter immediately in the database under Art. 99, para. 1, maintained by the European Commission, suspensions and revoked certificates.

Art. 123. When during the inspection under Art. 122 EAMA has established that the European Union certificate of qualification, service record book, logbook, medical certificate, or register under art. 95, item 6 contain false data, EAMA requires the originals of the documents and sends them to the prosecutor's office to seek criminal liability. .

Art. 124. The Executive Agency "Maritime Administration" shall exchange information with the competent authorities of the other Member States of the European Union in connection with the certification of the persons involved in the operation of ships, including information on the suspension and revocation of certificates, in compliance with the principles of personal data protection under Regulation (EU) 2016/679.

**Chapter 10.
WATCHKEEPING**

Art. 125. (1) The master of every ship is responsible to ensure prior to each leaving of the port that there are sufficient number of seafarers for the first and every next watch, who have the required competency, rested and in good physical condition to perform their duties on watchkeeping safely in compliance with the provisions of Article 88(b) of the Merchant Shipping Code.

(2) According to the watch schedule, 4 hours before watch and during performance of their duties seafarers must not have used narcotics or the alcohol content must not exceed 0.05% level of alcohol in the breath or 0.25 mg/l alcohol in the blood.

(3) A schedule for the watches shall be prepared in the working language of the ship and in English when seagoing and shall be placed in a visible place on the bridge, the engine room and anaccesible place on the ship.

Art. 126. (1) The master of the ship is responsible for proper planning and safe navigation during the voyage from the port of departure to the port of destination.

(2) The master of the ship shall carry out the planning in the following stages:

1. evaluation of the necessary voyage data by information sources;

2. route planning;

3. implementation of the plan and distribution of responsibilities.

(3) The ship's master shall plan theroute from berth to berth, taking into account all possible sources of information. If he does not have information for the last port of call of the voyage, he shall plan the route for that part for which he has information and shall update it when receiving additional information for the next ports of call and areas of navigation.

Art. 127. (1) The master of the ship is responsible for the organization and proper watchkeeping arrangements during the voyage and while at anchor, and the chief engineer is responsible for watchkeeping in the engine room.

(2) The officers in charge of a navigational watch and watch at anchor shall be responsible for organizing the execution of the orders of the master, while their execution is an obligation of the whole crew.

Art. 128. (1) Prior to the every route of the voyage, the master of the ship shall give instructions to the officers in charge of a navigational watch.

(2) The officers in charge of a navigational watch shall observe in their actions the requirements of the passage plan and to the master's orders for ensuring the safety of the ship during the voyage.

(3) The master and the officers in charge of a navigational watch shall be responsible for the safe navigation of the ship.

Art. 129. (1) The chief engineer shall give instructions to the officers in charge of an engineering watch before every route.

(2) The chief engineer and the officers in charge of an engineering watch are responsible for ensuring the readiness of the main engine for an immediate change of the ship movement upon a command from the bridge.

Art. 130. The master of the vessel is responsible for providing the vessel with a complete set of equipment and up-to-date navigational charts for the areas of the intended voyage.

Art. 131. The orders and instructions of the master of a seagoing ship shall be recorded in a logbook (Master Standing Orders Book) and shall include instructions for the safety of the ship, crew and marine environment protection during navigational watch and watch at anchor watch, in particular as regards to:

1. the regular determination of the position of the ship and the guiding of the plotting aid;

2. the conduct of visual and radio technical surveillance of the navigation area and compliance with the requirements of the International Regulations for Preventing Collisions at Sea (COLREG 72) of the IMO, the IALA Navigation System and the IMO Maritime and Air Search and Rescue Manual (IAMSAR) and the International Civil Aviation Organization (ICAO);

3. the efficient operation of the aids to navigation, the communications, the monitoring and the reporting of the errors of the compass, gyrocompass and of the radio and navigational aids;

4. navigation in different hydrometeorological and navigational conditions, such as restricted visibility, stormy weather, navigation in shallow waters, narrow channels and coastal waters, navigation by use of a pilot on board, etc .;

5. the organization and execution of watchkeeping while at anchor and during stay in port.

Art. 132. (1) The ship master’s orders regarding watchkeeping at night shall be recorded in a logbook (Night Orders Book) and shall include instructions for the activities of the officers in charge of a navigational watch including when the master is absent from the bridge.

(2) The officers in charge of a navigational watch shall certify with their signature in the Book under para. 1 that they have understood all the orders of the master.

Art. 133. The shipowner shall develop and implement internal watchkeeping procedures in accordance with Chapter VIII of the STCW Convention, as amended, which shall be made available to crew members.

**Chapter 11.
RESPONSIBILITIES OF SHIPOWNERS**

Art. 134. (1) Before employing seafarers on their ships, shipowners shall:

1. require the person to submit:

(a) the documents required for holding the position for which the person is applying, certifying its competence and/or professional competence in accordance with Annex № 1;

b) seaman's (respectively service) book;

c) a document certifying the medical fitness of the person;

2. request verification of the authenticity of the documents under item 1, letter "a" and of the authenticity of the circumstances entered in them.

(2) The shipowners shall provide to the seafarers working on their ships valid documents under para. 1 during the entire period of employment on board the ship.

(3) Shipowners shall provide introduction training on shore for all new crew members to get acquainted with the company's rules, all procedures and equipment related to ensuring personal safety, navigational safety, protection of the environment from pollution, safety of the ship, as well as with their obligations, in accordance with the requirements of Section A-I / 14 of the STCW Code.

(4) The shipowners shall be obliged to keep an up-to-date list of the crew of each of their ships, presenting a copy of the same in the respective DMA/DRS, where the ship is registered, not later than 3 working days after the change.

(5) Through the ship's safety management system or through internal rules, shipowners shall provide each newly appointed crew member with sufficient time to undergo on-board instructional briefing and to become acquainted with their specific responsibilities in relation to achieving safety and security of the ship, the protection of the environment from pollution, personal safety, as well as the rules for working with the equipment he will use in the performance of his duties. The conduct of the briefing shall be certified in writing.

(6) Shipowners shall be obliged to keep a file of each seafarer who is employed and works on their ships, at least for the time of the employment contract.

(7) The file under para. 6 shall contain at least the following information:

1. personal data identifying the person, photo, address and telephone number;

2. copies of all certificates of competency, certificates of proficiency under Annex № 1 and other documents entitling the person to hold the respective position, as well as the issued permits for holding a higher position, if any;

3. a document showing what initial instructional briefings have been conducted to the person regarding the safety and security of work on the ship, acquaintance with its duties on the ship and the instruments and devices with which it will work;

4. a copy of a document attesting the medical fitness of the person for work on a ship in a certain area for the position at which the person has been appointed;

5. the contract (s) between the shipowner and the seafarer;

6. data on the duration and the positions on which the person has been appointed.

(8) When the working language on board ship is not Bulgarian, the shipowner shall provide the documentation according to the International Safety Management Code in the declared working language.

Art. 135. The shipowner shall take all necessary steps to fill immediately with a duly certified person the position entered in the document for proper manning of the ship, which during the voyage has become vacant by a person holding the necessary certificate of competency.

Art. 136. The shipowner shall establish an organization for providing and conducting in-service training on board his ships according to their number, size and areas of navigation in accordance with the requirements for conducting the practice and coordinated with EAMA.

Art. 137. The shipowner shall not allow a person from the crew to occupy a certain position on ships flying the Bulgarian flag in a certain area, for which in the medical certificate of the person, in the certificate of competency and/or in the endorsement under Art. 23 (according to Regulation I / 10 of the STCW) there are registered restrictions for holding this position or for the respective navigation area.

**Additional provisions**

§ 1. Persons who meet the requirements for education and medical fitness, who have served or are serving on military or border police ships, may acquire competences under this ordinance as follows:

1. for "Skipper of seagoing vessel up to 40 GT" competence - on the basis of a certificate from the headquarters of the Navy or the General Directorate "Border Police" for passed officers training program allowing independent navigational watch or ship commandment and successfully passed examination for it, seagoing service of not less than 3 years of actual ship service, a successfully passed examination before the commission under Art. 74, para. 1 for the persons who have graduated in a different specialty from "Navigation";

2. for "Skipper of pleasure craft to 300 GT" competence - after submitting an application to EAMA on the basis of a diploma for completed education in the specialty "Navigation", a certificate from the Navy or the General Directorate of Border Police for passed officers training program allowing independent ship commandment and successfully passed exam for it, seagoing service of not less than 1 year at the position "commander of a ship" over 40 GT;

3. for "Officer in charge of a navigational watch on a ship of 500 GT or more" competence - on the basis of a certificate for successfully completed, approved by EAMA retraining course, a certificate for passed training seagoing practice of 6 months in the training course or seagoing service not less than 6 months as a "master of a ship" of more than 500 tons, 6 months of training seagoing service, certified by a training record book, as a trainee officer in charge of a navigational watch on a long-voyage merchant ship of 500 GT or more and successfully passed exam before the Commission under art. 74, para. 1;

4. for the competence "Master of a vessel up to 500 GT in local navigation" - on the basis of a certificate from the headquarters of the Navy or the General Directorate "Border Police" for passed officers training program allowing independent ship commandment and a successfully passed examination for it, seagoing service of not less than 3 years as "commander of a ship " of over 500 tons and a successfully passed examination before the commission under Art. 74, para. 1;

5. for an "Officer in charge of an engineering watch on a ship with an SPS of 750 kW or more" competence - on the basis of a certificate for passed training seagoing practice of 6 months in the course of training or seagoing service not less than 6 months on the position "engineer on a ship with an SPS exceeding 750 kW", 6-month training seagoing service, certified by a training record book, as a trainee engineer on a merchant ship with propulsion power of SPS 750 kW or more and a successfully passed examination before the commission under Art. 74, para. 1;

6. for the competence "Chief engineer on a ship with SPS from 750 to 3000 kW in local navigation" - on the basis of a certificate from the Naval headquarters or the General Directorate "Border Police" for passed officers training program allowing independent navigational watch and a successfully passed examination for it, seagoing service not less than 3 years at the position of "engineer on a ship with SPS exceeding 750 kW" and a successfully passed examination before the commission under art. 74, para. 1;

7. for the competence "Rating forming part of a navigational watch”, “Electro-technical rating”, “Rating forming part of a watch in the engine room” - on the basis of a document for seagoing service not less than requirements for the respective competence, issued by the Navy or General Directorate "Border Police", document for completed school or a preparatory course and a successfully passed examination before the commission under Art. 74, para. 1.

§ 2. Persons who have completed the semesters of the third year of higher education - bachelor's program in "Navigation", "Ship machinery and mechanisms" or "Electrical equipment of the ship", in the presence of 3 months of training seagoing practice, documented in a record book for practical training and who have medical fitness, may acquire competence respectively "Rating forming part of a navigational watch”, “Rating forming part of a watch in the engine room” or “Electro-technical rating” after successfully passing an examination before the commission under Art. 74, para. 1.

§ 3. (1) The persons, who have acquired legal competency under art. 32, items 1 - 7 and meet the requirements for medical fitness, shall be considered to meet the requirements under Art. 41, item 5 and may request the issuance of a certificate of competency "Skipper of seagoing vessel up to 40 GT".

(2) The persons, graduated from higher education and acquired educational-qualification degree "bachelor" or "master" in "Navigation" or graduated from secondary education with acquired third degree of professional competence in "Maritime Navigation ", possessing seagoing service of 2 months on a seagoing ship in deck department and meeting the requirements for medical fitness, may acquire the competence " Skipper of seagoing vessel up to 40 GT " after successfully passing an examination before the commission under Art. 74, para. 1 of the International Regulations for Preventing Collisions at Sea.

§ 4. (1) The persons, who have acquired competence under art. 32, items 1 - 5 and meeting the requirements for medical fitness, shall be considered to meet the requirements under Art. 41, item 7 and may request the issuance of a certificate of competence "Skipper of pleasure craft up to 300 GT".

(2) The persons, who have graduated higher education and have acquired educational-qualification degree "bachelor" or "master" in "Navigation", meeting the requirements for medical fitness and having 6 months of seagoing service as a member of the crew of a ship over 40 GT, may acquire the competence " Skipper of pleasure craft up to 300 GT" after successfully passing an examination before the commission under Art. 74, para. 1.

(3) The persons, graduated from secondary education with acquired third degree of professional competence in "Maritime Navigation", meeting the requirements for medical fitness, possessing competency "Able Seafarer Deck" or 12 months of seagoing service as a member of the crew of a ship over 40 GT, may acquire competence " Skipper of pleasure craft up to 300 GT" after successfully passing an examination before the commission under Art. 74, para. 1.

§ 5. (1) The persons, possessing a certificate of competency under art. 32, items 1 - 3, who have seagoing service of 12 months during the last 5 years at the position "tug master" and meet the requirements for medical fitness, may request re-issuance of their certificate of competency under Art. 32, items 1 - 3 with entry of restriction "master of a tug".

(2) The persons, possessing a certificate of competency under art. 34, items 1 - 4, who have a seagoing service of 12 months during the last 5 years at the position "chief/second engineer of a tug with SPS exceeding 3000 kW/from 750 to 3000 kW" and meet the requirements for medical fitness, may apply re-issuance of their certificates of competence under Art. 34, items 1 - 4 with an entry of restriction "chief/second engineer of a tug with SPS over 3000 kW/from 750 to 3000 kW".

(3) For re-issuance of a certificate for special and additional training the persons under para. 1 and 2 shall undergo an appropriate refresher course in accordance with Annex № 1.

(4) The persons under para.1 and 2 may request re-issuance of a certificate of competence under Art. 37 in the presence of appropriate technical means for GMDSS on board the tug.

(5) A person who has 12 months of seagoing service in the last 5 years of a tugboat may undergo a refresher course for further training in accordance with Annex № 1 for the re-issuance of the relevant certificate of professional competence.

§ 6. The Executive Agency "Maritime Administration" is a national competent authority for the exchange of information with the other EU Member States and third countries on the acquisition of certificates by seafarers.

§ 7. The Executive Agency "Maritime Administration" shall notify the European Commission, the other EU Member States and third countries with which it has an agreement in accordance with Regulation I / 10, para. 1.2, of the STCW Convention on the contact data of the relevant national competent authority for exchange of information on the acquisition of certificates by seafarers.

§ 8. (1) Every year EAMA submits to the European Commission the information collected by 31 December of the previous year for all certificates of competence or endorsements certifying their issuance, for all endorsements of certificates of competence issued by other countries, as well as for all certificates for professional competence issued to persons at the executive level, which includes:

1. with regard to certificate of competence and endorsements certifying their issuance:

(a) the name and personal identification number of the seafarer;

(b) seafarer’s date of birth, nationality and gender;

(c) the number of the certificate of competency, the issue of which is to be endorsed;

(d) the endorsement number certifying the issue;

(e) position or posts;

(f) the date of issue or the most recent date of extension of validity of the document;

(g) expiry date of the document;

(h) the status of the certificate;

(i) restrictions;

2. with regard to endorsements of the certificates of competency issued by other states:

(a) the name and unique identification number of the seafarer, if any;

(b) seafarer’s date of birth, nationality and gender;

(c) the country which has issued the original certificate of competency;

(d) original certificate of competency number;

(e) the endorsement number certifying the recognition of the certificate;

(f) position or posts;

(g) the date of issue or the most recent date of extension of validity of the document;

(h) expiry date of the document;

(i) the status of the confirmation;

(k) restrictions;

3. with regard to certificates of proficiency:

(a) the name and personal identification number of the seafarer;

(b) seafarer’s date of birth, nationality and gender;

(c) number of the certificate of proficiency;

(d) position or posts;

(e) the date of issue or the most recent date of extension of validity of the document;

(f) expiry date of the document;

(g) status of the certificate of proficiency.

(2) The information under para. 1 shall be provided in electronic format for statistical purposes and for the purposes of Art. 20 (8) and 21 (2) of Directive 2008/106 / EC on the minimum level of training of seafarers.

(3) The right of ownership over the unprocessed data under para. 1 belongs to the Republic of Bulgaria. The information processed for statistical purposes, provided to the European Commission, is publicly available in accordance with the provisions on transparency and protection of information set out in Art. 4 of Regulation (EC) № 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency (OJ 2002 L 208, 2002), as amended by Regulation (EC) ( Regulation (EC) No 1644/2003 of the European Parliament and of the Council of 22 July 2003 (OJ L 245 of 2003), Regulation (EC) № 724/2004 of the European Parliament and of the Council of 31 March 2004 (OJ L 129 of 2004), Regulation (EC) № 2038/2006 of the European Parliament and of the Council of 18 December 2006 (OJ L 386 of 2006) and Regulation (EC) № 100/2013 of the European Parliament and of the Council of 15 January 2013 (OJ L 39, 2013).

(4) In order to protect the personal data of seafarers, before the information being provided to the European Commission, the data under item 1, letters "a", "c" and "d", under item 2, letters "a" , "d" and "e" and item 3, letters "a" and "c" shall be converted into anonymous by means of a software provided or approved by the Commission.

(5) The collection, transmission, storage, analysis and dissemination of the information under para.1 shall be carried out in accordance with the technical requirements and measures for guaranteeing its protection adopted by the European Commission.

§ 9. (1) The Executive Agency "Maritime Administration" is a national competent authority within the meaning of Directive (EU) 2017/2397 of the European Parliament and of the Council of 12 December 2017 on the recognition of professional competences in inland navigation and repealing Directives 91/672 / EEC. and 96/50 / EC of the Council, which:

1. organizes and supervises the examinations pursuant to article 80;

2. approves training programs pursuant to art. 61;

3. approves the simulators pursuant to art. 72;

4. issues, renews, suspends or revokes the certificates and special authorizations referred to in art. 100, para. 1, para. 2 and para. 6, as well as the service record books and logbooks;

5. validates the seagoing service in service record books;

6. designates attending physicians who may issue medical certificates in accordance with article 12;

7. keeps and maintains the records referred to in art. 95 item 6;

8. where fraud and other unlawful practices are detected, takes action to inform the competent authorities of the action to combat them in accordance with article 123.

(2) For the competent authority in the territory of the Republic of Bulgaria designated in accordance with para. 1, the Executive Director of EAMA or a person authorized by him shall notify the European Commission.

(3) By 17 January 2028, EAMA shall provide the European Commission with the information necessary for the purposes of monitoring the implementation and evaluation of the Directive under para. 1, in accordance with the guidelines provided by the European Commission after consulting the Member States on the collection of information, form and content.

§ 10. For the purposes of this Ordinance:

1. "local navigation" means:

(a) for the sea - navigation in the internal sea waters, the territorial sea and the adjacent zone of the Republic of Bulgaria;

(b) for inland waterways - navigation in the section of the Danube between 374,100 and 845,650 km;

2. "coastal navigation" means a voyage in the sea areas of the Republic of Bulgaria or near the coast as defined by the coastal State with which the Republic of Bulgaria has signed an agreement;

3. "long-distance navigation" means navigation by sea which is not local or coastal;

4. "Zone A1" means a sea area covered by at least one coastal Very-high frequency (VHF) radio station capable of continuous digital selective dialing (DSC) on alarm; "Zone A2" means a sea area covered by at least one onshore medium frequency (MF) radio station capable of continuous digital selective dialing (DSC) on alarm; "Zone A3" means a marine area covered by at least one of the geostationary satellites for maritime communications (between the geographical parallels 70 ° N and 70 ° S); "Zone A4" means the sea areas outside Zones A1, A2 and A3;

5. "Inland waterways of Europe" are The Danube, rivers, lakes and canals of Europe used for shipping;

6. "maritime navigation certificate" means:

(a) "certificate of competency" means a document issued to the master, officers and radio operator of the GMDSS in accordance with Chapters II, III, IV and VII of the STCW Code, entitling its legal holder to take up a position and perform functions at the appropriate level of responsibility;

(b) "certificate of proficiency" means a document, other than a certificate of competency, issued to a seafarer and certifying that the relevant requirements of the STCW Convention and Directive 2008/106 / EC with regard to training, competencies and seagoing service are met;

(c) "other equivalent document" means any other written document other than a certificate of competency and a certificate of proficiency, whatever its name, used to establish that the relevant requirements of the STCW Convention and Directive 2008 / 106 / EC are met;

7. "small ship" means any ship navigating on inland waterways with a hull length of less than 20 meters; regardless of length, the following vessels are not considered to be small:

(a) ships constructed or equipped to tow, push or navigate abord ships other than small ships;

(b) ferries;

(c) ships authorized to carry more than 12 passengers;

(d) ships in which the product of length (L), width (B) and draft (T) is a volume of 100 m3 or more;

8. "ro-ro passenger ship" means a ship intended for the transport of passengers and cargo, containing cargo spaces with a horizontal way of loading and discharge or spaces of a special category as defined in the International Convention for the Safety of Life at Sea, 1974, with its additions;

9. "in-service training" means training which is part of approved training and is conducted on a training or merchant ship on which tasks may be performed from the training record book during navigation under the guidance of a qualified person, the master, an officer assigned by him or chief engineer under an approved program;

10. "combined onboard training " is training which is part of approved training and is conducted in training workshops and laboratories, as well as on a training or merchant ship, under the guidance of a qualified person;

11. "apprentice in maritime navigation" is a person, sailing as a backup in the respective position, under the guidance of the master, an officer appointed by him or the chief engineer;

12. "qualified person" is a person who performs duties on a ship, as an instructor, assessor or supervisor of educational practice in an educational institution, which has maritime education and competence at least equal to or higher than the trainees' ones, has received the necessary theoretical and practical experience through a successfully completed, EAMA-approved course under the IMO Model Course 6.09 / 3.12 program;

13. "passenger" means any person on board a ship over 1 year of age, with the exception of crew members and all other persons working or performing duties related to the ship's operations;

14. "internal waters of the Republic of Bulgaria" are the water spaces in the interior of the country, without navigational contact with the sea or with the Danube River;

15. "propulsion power of the ship's propulsion system" is the total maximum continuous power of the entire main propulsion system of the ship, expressed in kilowatts (kW) and indicated in the registration document of the ship, as well as in the other ship's documents;

16. "other high-voltage specialty" are the specialties in the field of electrical engineering, other than "Electrical equipment of the ship", in which topics and hours are not covered, as defined in IMO model course 7.08;

17. "class of automation A2/A1" means:

a) "A2" - without a watch in the engine room, but with a watch in the central control post;

b) "A1" - without watch in the engine room and in the central control post;

18. "approved program" means a program approved by the Executive Director of EAMA and drawn up in accordance with the STCW Convention, the documents and model courses recommended by it, and IMO resolutions;

19. "evaluation criteria" means criteria that are developed at a level not lower than the mandatory criteria of the STCW Convention, Part A;

20. "independent evaluation" means an evaluation by a qualified person who is independent of the training center, educational institution or activities being evaluated in order to verify that the administrative and operational procedures at all levels are managed, organized, observed and monitored internally, to demonstrate their suitability for meeting the declared standards in accordance with the STCW Convention;

21. "officer" is the name of the positions of management and operational level, with the exception of the master and the chief engineer;

22. "ship security officer" means a person on board a ship designated by the shipowner and responsible to the master for the security of the ship, including the implementation and maintenance of the ship security plan, and interacting with the shipowner's security officer and the security officer at the port visited;

23. "tug" means a specialized commercial vessel designed to tow, maneuvering ships or to ensure their safety;

24. "watchkeeping" means a period of time during which seafarers perform the activities corresponding to their position, as defined in the normative acts or the rules of the shipping company;

25. "STCW Code" means the Seafarer’s Training, Certification and Watchkeeping Code, as adopted by Resolution 2 of the Conference of the Parties to the 1995 STCW Convention, as amended;

26. "recognition" is the acceptance by EAMA by the order of Chapter Nine of a certificate of competency, a certificate of proficiency or another equivalent document, issued by another state;

27. "host EU Member State" means any EU Member State in which a seafarer requires recognition of a certificate of competency, a certificate of proficiency or another equivalent document;

28. "vessels for pleasure and sports" is a vessel owned by a natural person, company or sports club and used for sports, tourism and entertainment by the owner, friends of the owner, his family or employees of the company, their relatives and friends, or the members of the sports club and their families, where no fee is paid for the use of the vessel, with the exception of funds used to cover the costs of the vessel related to the voyage, excursion or sporting event;

29. "special training" means training related to the requirements of Chapter V and Chapter VI of the STCW Convention;

30. "additional training" means training related to effective amendments to the competencies in accordance with the requirements of the STCW Convention;

31. "systemic violations within the meaning of Art. 65, para. 2" are three or more violations with regard to the keeping of records regarding the attendance of the trainees, as well as the other requirements of the approved program and the rules established in this Ordinance;

32. "master" means the person in command of a vessel;

33. “radio operator” means a person holding a certificate issued or recognized by EAMA on the basis of the radio regulations;

34. "GMDSS radio operator" means a person qualified as required by Chapter IV of the STCW Convention and Article 38;

35. "support level" means a member of the ship's crew other than a master or officer;

36. "radio service" means the watchkeeping and the maintenance and repair of a radio installation carried out in accordance with the Radio Regulations and the International Convention for the Safety of Life at Sea, 1974, as amended;

37. "oil tanker" means a ship constructed and operated for the carriage of oil and oil products in bulk;

38. "chemical tanker" means a ship constructed or adapted and operated for the carriage in bulk of liquid products described in Chapter 17 of the International Bulk Chemicals Code;
 39. "liquefied gas tanker" means a ship constructed or adapted and operated for the carriage in bulk of liquefied gases or other products described in Chapter 19 of the International Gas Carrier Code;

40. "passenger ship" means a ship as defined in the International Convention for the Safety of Life at Sea, 1974, as amended;

41. "electro-technical officer" means an officer qualified in accordance with the conditions laid down in Regulation III/6 of the STCW Convention, as amended;

42. "deck bosun" means an executive-level person qualified in accordance with the conditions laid down in Regulation II / 5 of the STCW Convention, as amended;
 43. "engine bosun" means an executive-level person qualified in accordance with the conditions laid down in Regulation III / 5 of the STCW Convention, as amended;

44. "electrician" means support level person qualified in accordance with the conditions laid down in Regulation III / 7 of the STCW Convention, as amended;

45. "chief mate" means an officer who is the senior officer following the master of the ship, who assumes responsibility for the command of the ship in the event of the master's incapacity;

46. "ship's engineer officer" means an officer qualified in accordance with the conditions laid down in Regulations III/1, III/2 or III/3 of the STCW Convention, as amended;

47. "chief engineer officer" means the chief engineer officer of the ship responsible for the propulsion, operation and maintenance of the ship's mechanical and electrical equipment;

48. "second engineer officer" means a ship's engineer officer, next in seniority after the ship's chief engineer officer, who assumes responsibility for the propulsion, operation and maintenance of the ship's mechanical and electrical equipment in the event of the chief engineer officer's incapacity;

49. "ISPS code" means the International Ship and Port Facility Security Code, as amended, adopted on 12.12.2002 by Resolution 2 of the Conference of the Parties to the International Convention for the Safety of Life at Sea, 1974;

50. "security duties" means all tasks and duties performed abord a ship as defined in Chapter XI-2 of the International Convention for the Safety of Life at Sea, 1974, and the ISPS code;

51. "immediately prior to" within the meaning of Art. 107 is a period of time not exceeding 7 working days, reported between the date of completion of the seagoing service and the date of submission of an application by the person;

52. "European Union certificate of qualification" means a certificate issued by a competent authority certifying that a person meets the requirements of this Regulation for navigation on inland waterways in Europe;

53. "members of the deck department of a vessel navigating on inland waterways " means persons who are engaged in the general operation of a vessel navigating on the inland waterways of the European Union and who perform various tasks, such as navigational tasks, control of the operation of the ship, handling and stowage of cargo, passengers' transport, ship mechanics activities, maintenance and repair, communication, medical, safety and environmental protection, with the exception of persons solely responsible for the operation of engines, cranes or electrical installations, electronic equipment;

54. "passenger navigation expert" means a person serving on board ship sailing on inland waterways which is qualified to take measures in emergency situations on board passenger ships;

55. "liquefied natural gas expert" means a person qualified to participate in a refueling procedure for a vessel sailing on inland waterways using liquefied natural gas as fuel or to be the master of such a ship;

56. "specific risk" means a safety risk due to specific navigational conditions which require the master of a ship navigating on inland waterways to have competencies in excess of what is expected within the general standards of competence at management level;

57. "pusher" means a vessel constructed specifically for propulsion by pushing formations of vessels;

58. "large convoy" means a pushed formation of which the product of the total length and the overall width of the formation of vessels is 7000 square meters or more;

59. "inland navigation management level" means the level of responsibility associated with the performance of the responsibilities of the master of a vessel and with ensuring the proper performance of all tasks related to the operation of a vessel by the other members of the deck department;

60. "operational level for inland navigation" means the level of responsibility associated with the work of a seaman, a senior seaman or a navigator and maintaining control over the performance of all tasks within a particular area of responsibility of the person, in accordance with appropriate procedures and under the guidance of a person at management level;

61. "inland waterway service record book" means a personal register containing details of the seagoing service of a crew member of a ship navigating on inland waterways, in particular, the seagoing service and voyages made;

62. "ship's logbook of an inland waterway vessel" means an official record of the voyages made by a ship and its crew;

63. "valid service record book" or "valid ship's logbook" means a service record book or logbook open for data recording;

64. "navigation time (service) on inland waterways" means the time, measured in days, served by members of the deck department during a voyage on an inland waterway vessel, including loading and discharge activities requiring active navigational operations, and certified by EAMA;

65. "IGF Code" means the International Code of Safety for Ships using Gases or other Low-flashpoint Fuels, as defined in Regulation II-1 / 2.29 of SOLAS 74;

66. "Polar Code" means the International Code for Ships Operating in Polar Waters as defined in SOLAS Regulation XIV / 1.1;

67. "polar waters" means Arctic waters and/or the Antarctic region as defined in SOLAS Regulations XIV / 1.2 to XIV / 1.4.

68. "Model Course 7.01" means a model course of the International Maritime Organization that fully covers the competencies listed in Table A-II / 2 of the STCW Code;

69. "Model Course 7.03" means a model course of the International Maritime Organization that fully covers the competencies listed in Table A-II / 1 of the STCW Code;

70. "Model Course 7.02" means a model course of the International Maritime Organization that fully covers the competencies listed in Table A-III / 2 of the STCW Code;

71. "Model Course 7.04" means a model course of the International Maritime Organization that fully covers the competencies listed in Table A-III / 1 of the STCW Code;

72. "Model course 7.08" means a model course of the International Maritime Organization, fully covering the competencies listed in Table A-III / 6 of the STCW Code;

73. "Model Course 1.31" is a model course of the International Maritime Organization, fully covering the competencies for Ship Radio Electronics for the second class IASB.

§ 11. This Ordinance establishes requirements for:

1. Directive 2008/106/EC of the European Parliament and of the Council of 19 November 2008 on the minimum level of training of seafarers as amended by Directive 2012/35/EU of the European Parliament and of the Council of 21 November 2012, as amended by Directive (EU) 2019/1159 of the European Parliament and of the Council of 20 June 2019 amending Directive 2008/106/EC on the minimum level of training of seafarers and repealing Directive 2005/45/EC on the mutual recognition of certificates of seafarers issued by Member States;

2. Directive (EU) 2017/2397 of the European Parliament and of the Council of 12 December 2017 on the recognition of professional qualifications in inland navigation and repealing Council Directives 91/672 / EEC and 96/50 / EC;

3. Commission Delegated Directive (EU) 2020/12 of 2 August 2019 supplementing Directive (EU) 2017/2397 of the European Parliament and of the Council with regard to standards of competence and relevant knowledge and skills, practical examinations, the approval of simulators and medical fitness.

4. Directive (EU) 2021/1233 of the European Parliament and of the Council of 14 July 2021 amending Directive (EU) 2017/2397 as regards the transitional measures for the recognition of third-country certificates.

**Transitional and final provisions**

§ 12. The Ordinance is issued pursuant to Art. 87, para. 1 of the Merchant Shipping Code.

§ 13. The competences and rights of the persons acquired before the entry into force of this Ordinance shall be equated in accordance with the requirements of the table - Annex № 23. The equating of the competences and the rights of the seafarers under art. 4, para. 2 and 3 shall be performed in compliance with the requirements for special and additional training according to Annex № 1.

§ 14. Certificates of competence issued before the entry into force of this ordinance shall be recognized until the expiration of their validity, with the exception of those under § 21, para. 1 and § 22, para. 1.

§ 15. Certificates of competency issued without a period of validity are invalid and are to be reissued upon presentation of a certificate for medical fitness.

§ 16. Persons whose educational program includes training that meets the national standards' requirements for the issuance of certificates of proficiency in special and additional training or other equivalent document, upon presentation of evidence by the training institution are issued the relevant certificate.

§ 17. (1) The persons, who have acquired the competence "Rating forming part of a navigational watch" before January 01, 2012, may acquire competence by the order of art. 33, item 8 in the presence of seagoing service of 12 months at a position in deck department, completed within 60 months before January 01, 2012, after successfully passing an examination before the commission under art. 74, para.1.

(2) The persons, who have acquired the competence "Rating forming part of a watch in engine room" before January 01, 2012, may acquire competence by the order of art. 35, item 7 in the presence of seagoing service of 12 months at a position in engine department, completed within 60 months before January 01, 2012, after successfully passing an examination before the commission under Art. 74, para.1.

§ 18. (1) The persons who have occupied not less than 12 months within 60 months before January 01, 2012, positions at operational level, related to the operation and maintenance of the ship's electrical equipment abord ships with SPS exceeding 750 kW, and meet the standard of competence defined in section A-III / 6 of the STCW Code, may acquire the competence of "Ship’s electro-technical officer" after successfully passing an examination before the Commission under Art. 74, para. 1.

(2) The persons who have occupied not less than 12 months within 60 months before January 01, 2012, positions at executive level, related to the operation and maintenance of the ship's electrical equipment abord ships with SPS exceeding 750 kW, and meet the standard of competence defined in section A-III / 7 of the STCW Code, may acquire the competence of "Electro-technical rating" after successfully passing an examination before the Commission under Art. 74, para. 1.

§ 19. Persons who have acquired the competence "inland navigation electro-technical officer" or "seaman motorman" before January 17, 2022, may acquire the competence "inland navigation engineer" after passing an examination before the Commission under Art. 74, para. 1.

§ 20. (1) The service for work on inland waterways shall be reported until January 16, 2022 according to the data entered upon taking up a post on a ship by an entry in the seaman's passport and/or entry by the master of the ship in the service book for work on river (Annex № 4 of Ordinance № 6 of 2012 on the competence of seafarers in the Republic of Bulgaria), certifying the work and position held period.

(2) The service book and ship logbooks concerning inland waterways, issued before 18 January 2022, shall remain valid until 18 January 2032.

§ 20a. (1) Certificates of qualification, service books and logbooks issued by a third country before 18 January 2024 shall be recognized until 17 January 2032, provided that they are issued on the basis of international agreements to which the Republic of Bulgaria is a party. applicable before 16 January 2018

(2) The recognition under para. 1 shall be carried out on the basis of a submitted application, by order of the executive director of EAMA or a person authorized by him.

(3) The recognition under para. 1 shall be limited to the inland waterways on the territory of the Republic of Bulgaria.

§ 21. (1) The certificates for boatmasters of ships issued in accordance with Annex № 18 of Ordinance № 6 of 2012 on the competence of seafarers in the Republic of Bulgaria before 18 January 2022 shall remain valid for the inland waterways of the European Union until January 18, 2032.

(2) Until January 18, 2032, the boatmaster of a ship navigating on inland waterways, who holds a certificate under para. 1, issued by EAMA, may declare issuance of a European Union certificate of qualification or recognition of a certificate by the order of art. 117, para. 2 - 4, provided that he submits written evidence in accordance with Art. 100, para. 5, letters "a" and "c".

(3) When issuing European Union certificates of qualification under para. 2, EAMA shall retain, as far as possible, the rights previously granted, including with regard to the special permits referred to in Art. 101.

§ 22. (1) Crew members of a ship navigating on inland waterways, other than the master of the ship, holding a certificate of competence issued in accordance with Annex № 18 of Ordinance № 6 of 2012 on the competence of seafarers in the Republic of Bulgaria before 18 January 2022, or holding a certificate of competence recognized by a Member State of the European Union in accordance with Directive 2005/36 / EC, may use this certificate until 18 January 2032. During this period, crew members are entitled to refer to Directive 2005/36 / EC in cases where their certificates are recognized by the authorities of other Member States of the European Union.

(2) Until January 18 2032 the persons under para. 1 may apply for the issuance of a European Union certificate of qualification or recognition of a certificate by the order of art. 117, para. 2 - 4 before EAMA, provided that they submit written evidence in accordance with Art. 100, para. 5, letters "a" and "c".

(3) When a person under para. 1 declares issuance of a European Union certificate of qualification or recognition of a certificate by the order of art. 117, para. 2 - 4, EAMA issues or recognizes a European Union certificate of qualification, provided that the requirements for competence are similar or lower than the requirements for the certificate to be replaced.

(4) A certificate for which the requirements are higher than the requirements for the certificate subject to replacement shall be issued only when the following conditions are met:

1. for a boatman European Union certificate of qualification: 540 days of navigating service, including at least 180 days in inland navigation;

2. for a European Union certificate of qualification for an able boatman: 900 days of navigating service, including at least 540 days in inland navigation;

3. for a helmsman’s European Union certificate of qualification: 1080 days of navigating service, including at least 720 days in inland navigation.

(5) The sailing experience under para. 4 shall be proved by means of the service record books, the ship's logbooks or other pieces of evidence.

(6) The minimum duration of the seagoing service specified in para. 4, may be reduced by not more than 360 days of navigating service when the applicant holds a diploma recognized by the competent authority, which confirms the applicant's specialized training in the field of inland navigation, including navigational practice. The reduction of the minimum duration may not be greater than the duration of the specialized training.

§ 23. The Ordinance shall enter into force on the day of its promulgation in the State Gazette, with the exception of Art. 1, para. 2, letter "d", para. 5 and 8, Art. 3, item 2, art. 4, para. 4, Art. 8, para. 5 - 6, art. 10, Art. 13, Art. 15, para. 2, Art. 31, Art. 48 - 54, art. 58, Art. 61, para. 5 - 10, art. 72, para. 3 - 7, art. 75 - 77, art. 95, item 6, art. 98 - 99, art. 100, para. 1, item 2 and para. 5, Art. 101 - 103, art. 105, para. 5 - 8, art. 106, para. 2, item 4, art. 117 - 119, appendix № 6 to art. 15, para. 2, Annex № 7 to Art. 49, para. 1, Annex № 8 to Art. 49, para. 2, Annex № 9 to Art. 49, para. 2, Annex № 11 to Art. 72, para. 3 and Annex № 12 to Art. 79, para. 4, which shall enter into force on 17 January 2022.

§ 24. This Ordinance repeals Ordinance № 6 of 2012 on the competence of seafarers in the Republic of Bulgaria (SG, № 31 of 2012), with the exception of Art. 4, para. 4, Art. 8, para. 4, Art. 10, Art. 13, para. 2, Art. 29, Art. 45 - 46, art. 83, para. 1, item 2 and para. 2, Art. 84, para. 1, art. 95 - 103, appendix № 2 - 2a to art. 4, para. 4, Annex № 4 to Art. 8, para. 4, Annex № 6 to Art. 110, para. 1, Annex № 6a to Art. 10, para. 2, Annex № 10 to Art. 13, para. 2 and Annex № 18 to Art. 83, para. 1, item 2, which shall apply until January 16, 2022.

§ 25. The Annexes to the Ordinance shall be promulgated as a supplement to the State Gazette.

Final provisions

TO THE ORDINANCE FOR AMENDMENT AND SUPPLEMENT TO ORDINANCE № 6 OF 17.06.2021 ON THE COMPETENCE OF SEAFARERS IN THE REPUBLIC OF BULGARIA

(Promulgated - SG, 6 of 2022, in force since January 17, 2022)

§ 22. The ordinance enters into force on January 17, 2022.

Annex № 1 to Art. 4, para. 2 and 3

(Separated as a separate act)

Annex № 2 to Art. 8, para. 4

(Separated as a separate act)

Annex № 3 to Art. 8, para. 4

(Separated as a separate act)

Annex № 4 to Art. 9, para. 3

(Separated as a separate act)

Annex № 5 to Art. 15, para. 2

(Separated as a separate act)

Annex № 6 to Art. 15, para. 2

(Separated as a separate act)

Annex № 7 to Art. 49, para. 1

(Separated as a separate act)

Annex № 8 to Art. 49, para. 2

(Separated as a separate act)

Annex № 9 to Art. 49, para. 2

(Separated as a separate act)

Annex № 10 to Art. 66, para. 1

(Separated as a separate act)

Annex № 11 to Art. 72, para. 3

(Separated as a separate act)

Annex № 12 to Art. 76, para. 1

(Separated as a separate act)

Annex № 13 to Art. 19, para. 2

(Separated as a separate act)

Annex № 14 to Art. 100, para. 1, item 1, b. "а"

(Separated as a separate act)

Annex № 15 to Art. 100, para. 1, item 1, b. “b”

(Separated as a separate act)

Annex № 16 to Art. 100, para. 1, item 1, b. “c”

(Separated as a separate act)

Annex № 17 to Art. 100, para. 1, item 1, b. “d”

(Separated as a separate act)

Annex № 18 to Art. 100, para. 1, item 3

(Separated as a separate act)

Annex № 19 to Art. 100, para. 1, item 4

(Separated as a separate act)

Annex № 20 to Art. 100, para. 1, item 5

(Separated as a separate act)

Annex № 21 to Art. 100, para. 1, item 6

(Separated as a separate act)

Annex № 22 to Art. 100, para. 1, item 7

(Separated as a separate act)

Annex № 23 to § 13 of the TFP

(Separated as a separate act)