

Translation from Finnish**Legally binding only in Finnish and Swedish****Ministry of Transport and Communications Finland****Pilotage Act****(561/2023)**

By decision of Parliament, the following is enacted:

Chapter 1**General provisions****Section 1****Objectives of the Act**

The objective of this Act is to enhance maritime safety and fairway navigation competence and to prevent the detrimental environmental impacts arising from vessel traffic.

Section 2**Scope**

This Act contains provisions on the obligation to use a pilot, the duties and responsibilities of pilots, the competence required of the holders of personal licences, the rights and responsibilities of the pilotage company and on assessing pilotage examinations.

This Act applies to Finnish waters and the leased area of the Saimaa Canal.

Unless otherwise specifically provided, the provisions of this Act on ships also apply to integrated tug/barge combinations.

Section 3

Definitions

For the purposes of this Act

- 1) *ship* means a watercraft intended for waterborne traffic;
- 2) *integrated tug/barge combination* means a composite unit of a ship without propulsion machinery of its own and an associated pushing ship with propulsion machinery when the design and integration system is such that the combination is capable of operating as a single ship;
- 3) *agent* means a person who is authorised or permitted to provide information in the name of the ship operator;
- 4) *assistance restriction IC* means the restriction under which icebreaker assistance for navigating in fairways is only provided to ships with specific minimum deadweight tonnage assigned to Ice Class IC referred to in the Act on the Ice Classes of Ships and Icebreaker Assistance (1121/2005);
- 5) *remote pilotage* means an activity in which a pilot carries out pilotage outside the piloted ship;
- 6) *non-rigid combination* means a set of at least two units in which one of the units has a ship powered by propulsion machinery and which is not an integrated tug/barge combination referred to in paragraph 2;
- 7) *IMDG Code* means the code specified in Chapter VII, Part A, Regulation 1 of the Annex to the SOLAS Convention, which contains provisions on the carriage of dangerous goods in packaged form;
- 8) *Baltic Sea area* means the Baltic Sea proper with the Gulf of Bothnia, the Gulf of Finland and the entrance to the Baltic Sea bounded by the parallel of the Skaw in the Skagerrak at 57° 44.8" N, together with internal waters declared by each state;
- 9) *deep-sea pilotage in the Baltic Sea* means the activity in which a person with a deep-sea pilot's licence for the Baltic Sea acts as an advisor on shipping in the Baltic Sea outside the national pilotage areas of Finland and other Baltic Sea states;
- 10) *shipowner* means a ship's owner or a person that has leased a ship who, either on his or her own or together with other persons, exercises effective control over matters pertaining to the safety of the ship;
- 11) *ship simulator* means simulator equipment specified in Regulation A-I/12 of the STCW Convention that has been approved by an international classification society;
- 12) *pilotage* means operations related to the navigation of ships in which the pilot acts as an advisor to the master of the ship and as an expert on the local waters and navigation; however, pilotage does not mean deep-sea pilotage in the Baltic Sea;
- 13) *pilotage area* means a water area specified in the operations manual of the pilotage company;

- 14) *pilotage service* means an activity in which ships are provided with pilotage in the compulsory pilotage area of Finland and in the leased area of the Saimaa Canal as well as the order and transport services provided as part of this activity;
- 15) *pilotage company* means the limited liability company established by the Act on transforming the State Pilotage Enterprise into a limited liability company (1008/2010);
- 16) *pilot* means a person whom the Finnish Transport and Communications Agency has, by granting the person in question a pilot's licence, authorised to work as a pilot in Finnish waters and in the leased area of the Saimaa Canal;
- 17) *compulsory pilotage area* means the area where ships shall comply with the Finnish provisions on compulsory pilotage;
- 18) *pilotage limit* means the point in the VTS fairway beyond which the bridge of the ship subject to compulsory pilotage shall be manned by the pilot carrying out the pilotage or the persons exempted from compulsory pilotage under this Act;
- 19) *pilot boarding position* means the location marked on the chart in the vicinity of which the pilot boards or disembarks a ship or the location between the pilot boarding position and the pilotage limit where the pilot boards or disembarks a ship;
- 20) *MARPOL Convention* means the International Convention for the Prevention of Pollution from Ships adopted in 1973 and the Protocol to it adopted in 1978 (Finnish Treaty Series 51/1983), as amended;
- 21) *master's certificate* means the master's certificate specified in Regulation II/2 of the STCW Convention;
- 22) *seagoing service* means appropriate service performed by a member of a ship's crew in which a period of 30 days on board a ship corresponds to one month;
- 23) *bulk cargo harmful to marine environment* means the oils and other hydrocarbons with similar properties specified in Annex I to the MARPOL Convention when carried in bulk; liquid substances specified in categories X, Y or Z of Annex II to the MARPOL Convention when carried in bulk; substances harmful to marine environment specified in Annex V to the MARPOL Convention when carried in bulk (HME substances); dangerous solid bulk specified in Chapter VII, Part 1, Regulation 7 of the Annex to the SOLAS Convention and mixtures of the above-mentioned substances;
- 24) *PEC* means the personnel licence granted by the Finnish Transport and Communications Agency stating the fairway-specific and area-specific exemptions from compulsory pilotage granted to the holder;
- 25) *escort tug training* means training that includes escort towing practice on board a ship or in a ship simulator;

- 26) *escort towing* means an activity in which a tug suited for the purpose provides a merchant ship with steering assistance in fairways outside port areas and in which the tug is connected to the assisted ship;
- 27) *Saimaa Canal* means the canal zone between the lower port of Brusnitchnoe lock in the leased area of the Saimaa Canal and the upper port of Mälkiä lock in the Finnish part of the canal;
- 28) *Saimaa waterways* means the lake area consisting of several lakes comprising the fairways in the Saimaa area, excluding the Saimaa Canal, where pilotage is compulsory;
- 29) *leased area of the Saimaa Canal* means the area referred to in the agreement between the Republic of Finland and the Russian Federation on the lease of the part of the Saimaa Canal and of the associated area that belongs to Russia to Finland and on vessel traffic between the Republic of Finland and the Russian Federation through the Saimaa Canal (Finnish Treaty Series 8/2012);
- 30) *port operator* means the legal person responsible for organising the system of different operations at a port or that collects the port fees or similar general fees for the use of the port;
- 31) *SOLAS Convention* means the International Convention for the Safety of Life at Sea, 1974 (Finnish Treaty Series 11/1981), as amended;
- 32) *STCW Convention* means the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978 (Finnish Treaty Series 22/1984), as amended;
- 33) *temporary pilotage limit* means the point in a VTS fairway that the Finnish Transport and Communications Agency has approved as a temporary pilotage limit beyond which the bridge of the ship subject to compulsory pilotage shall be manned by the pilot carrying out the pilotage or the persons exempted from compulsory pilotage under this Act;
- 34) *temporary pilot boarding position* means a location other than a pilot boarding position where a pilot boards a ship and that has been approved as a temporary pilot boarding position by the Finnish Transport and Communications Agency;
- 35) *government ship* means a warship, a border guard, police and customs ship and a ship used mainly for government purposes in other than commercial service;
- 36) *VTS* means a system and an activity designed to supervise and manage vessel traffic, which has the capability to interact with traffic and to respond to changing traffic situations;
- 37) *VTS area* means an area which has been formally declared a VTS area by a decision to establish a VTS area and in which vessel traffic service is operated; a VTS area can be divided into sub-areas or sectors;
- 38) *VTS centre* means the centre where the VTS provider maintains vessel traffic service;
- 39) *VTS provider* means the vessel traffic service provider;

- 40) *VTS fairway* means a public channel used for merchant shipping located in a VTS area the use of which is supervised and managed by a VTS centre; and
- 41) *oil* means mineral oil in any form including crude oil, fuel oil, oil sludge, oil waste and refined products and other similar hydrocarbons.

Chapter 2

Compulsory pilotage

Section 4

Compulsory pilotage

Notwithstanding what is provided in the international obligations binding on Finland, compulsory pilotage applies to ships in the manner provided in or under this Act.

Compulsory pilotage applies to ships and integrated tug/barge combinations with a length overall of more than 50 metres and non-rigid combinations in which the maximum combined length of the ships exceeds 50 metres when they operate in the compulsory pilotage area, subject to the provisions concerning the limits of the compulsory pilotage in specific VTS fairways. However, ships carrying cargo referred to in Chapter VII, Part D, of the Annex to the SOLAS Convention, which contains irradiated nuclear fuel, plutonium or certain types of radioactive waste and that is carried in accordance with the IMDG Code are subject to compulsory pilotage in the Finnish compulsory pilotage area.

In VTS fairways, compulsory pilotage applies to ships the size or cargo of which, in relation to the fairway they use at any time, constitutes a significant risk to maritime safety, the environment, human health or human lives. When the risk concerning the ship and the fairway are assessed, consideration shall be given to the length, width and draught of the ship in relation to the characteristics of the fairway and the harmful or hazardous nature of the cargo carried by the ship.

If the ship enters the Finnish compulsory pilotage area by using a VTS fairway or with the intention of directly joining a VTS fairway at the start of the VTS fairway, compulsory pilotage shall only start at the pilotage limit of the fairway in question. When the ship leaves the Finnish compulsory pilotage

area using the VTS fairway or its imaginary extension, compulsory pilotage ends at the pilotage limit of the VTS fairway that the ship uses to reach open sea.

However, compulsory pilotage does not apply to

- 1) Finnish government ships;
- 2) ferries specified in section 6 of the Highways Act (503/2005) when the ferries operate as an extension of a road;
- 3) Russian ships when they only operate in the Russian part of the Saimaa Canal; or
- 4) timber floating in the Saimaa waterways.

The Finnish Transport and Communications Agency may, for justified reasons pertaining to safety or environmental protection, decide that a specific master or a specific ship shall use a pilot.

The Finnish Transport and Communications Agency shall issue further regulations on the limits of the compulsory pilotage area referred to in subsection 2, fairway-specific limits of the compulsory pilotage referred to in subsection 3 and on the fairway-specific pilotage limits referred to in subsection 4.

Section 5

Exemptions from compulsory pilotage

Notwithstanding the provisions in section 4 above, ships are exempted from compulsory pilotage in Finnish fairways when

- 1) the ship's bridge is manned by at least one person with an obligation to supervise actions concerning the steering and handling of the ship, and this person holds a PEC which includes an exemption for the ship and the fairway in question; and
 - a) the combined total of the bulk cargo harmful to marine environment carried by the ship and the fuel oils or other hydrocarbons on the ship do not exceed 3,000 tonnes;
 - b) the ship is carrying in bulk or as fuel intended for use on the ship, a maximum of 1,000 cubic metres of liquefied gases or substances referred to in Chapter 19 of the Code of the International Maritime Organization for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk, and comparable liquefied gases; or
 - c) the ship is carrying a maximum of 400 passengers;

- 2) the ship is a ship that in normal conditions is escorted from or to port by a tug and the ship's bridge is manned by at least two persons holding PECs and these persons hold a PEC which includes an exemption for the ship and the fairway in question and these persons have an obligation to supervise actions concerning the steering and handling of the ship and at least one of the persons is in addition to a PEC holder, a qualified escort tug operator;
- 3) a ship other than that specified in paragraphs 1 and 2 if the ship's bridge is manned by at least two persons holding PECs, which include an exemption for the ship and fairway in question and these two persons have an obligation to supervise actions concerning the steering and handling of the ship; and
- 4) the ship is other than that specified in paragraphs 1 and 2 if the following conditions are met:
 - a) the ship regularly operates in the fairway in question at least on a weekly basis;
 - b) the master of the ship holds a PEC which includes an exemption for the ship and the fairway in question;
 - c) the ship's bridge is manned by at least two deck officers supervising the actions concerning the steering and handling of the ship and at least one of them holds a PEC which includes an exemption for the ship and the fairway in question and one of the deck officers has steered the ship on at least 10 voyages in the fairway in question in both directions; and
 - d) the combined total of the cargo harmful to marine environment carried by the ship in bulk and the fuel oils or other hydrocarbons on the ship does not exceed 3,000 tonnes, or the cargo carried by the ship in bulk or the substances on the ship intended for use as fuel, referred to Chapter 19 of the Code of the International Maritime Organization for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk, and comparable liquefied gases do not exceed 1,000 cubic metres.

However, the bridge of a ship that is chartered to provide icebreaking services specified in section 10 a of the Act on the Ice Classes of Ships and Icebreaker Assistance shall be manned by a person who holds a PEC which includes an exemption from compulsory pilotage in the VTS area in question and who has completed the training specified in section 61, subsection 2, paragraphs 1—3, or by a person who holds a PEC which includes an exemption from compulsory pilotage in any VTS area and who has completed the training specified in section 61, and by at least one additional deck officer.

However, ships carrying cargo referred to in Chapter VII, Part D of the Annex to the SOLAS Convention that contains irradiated nuclear fuel, plutonium or certain types of radioactive waste and that is carried in accordance with the IMDG Code cannot be exempted from compulsory pilotage.

An additional requirement for granting the exemption is that the fairway is dimensioned so that the ship can be safely navigated in the fairway.

Before the ship enters Finnish waters, the master of the ship or the master's agent shall, using the electronic maritime information management system or by other means, notify the appropriate VTS centre that the ship does not use a pilot for reasons specified in subsection 1. The numbers of the PECs held by the persons taking part in the actions concerning the steering and handling of the ship on the bridge or the persons supervising the actions shall be appended to the notification.

Section 6

Derogation from compulsory pilotage in port areas

Notwithstanding the provisions on pilotage regulated in this Act, the activities concerning the steering of ships in port areas, in which a person acts as an advisor to the master of the ship and an expert on local waters and navigation, may also be carried out by persons approved for the task by the port operator.

The provisions on the liability for compensation of the pilotage company and its maximum amount provided in this Act below apply to the port operator when the person approved for the task by the port operator is a person other than a member of the crew of the ship moved in the port area.

Section 7

Other derogations from compulsory pilotage

The Finnish Transport and Communications Agency may on application or of its own initiative grant ships or their masters derogations from compulsory pilotage provided that this does not harm ship safety or the environment and compliance with the provisions on compulsory pilotage would be manifestly impractical or unreasonably difficult.

The Finnish Transport and Communications Agency may grant derogations from compulsory pilotage referred to in subsection 1

- 1) due to exceptional weather or ice conditions;
- 2) for carrying out actions to prevent oil or chemical spills;
- 3) for carrying out search and rescue operations or border security duties;

- 4) for carrying out icebreaker services referred to in section 10 a of the Act on the Ice Classes of Ships and Icebreaker Assistance;
- 5) for holding exercises between the authorities or exercises carried out as part of international cooperation;
- 6) for arranging competitions;
- 7) for carrying out work at hydro construction sites in fairway areas or internal territorial waters;
- 8) for laying pipelines, cables or other similar infrastructure in fairway areas or internal territorial waters;
- 9) for carrying out research work in a specific water area;
- 10) for traffic carried out to safeguard transport services referred to in section 5 of the Act on the Promotion of Overall Development in the Archipelago (494/1981);
- 11) for traffic carried out in a specific area located in domestic traffic areas I and II;
- 12) for ships the main purpose of which is to serve in maritime training specified in the Act on Vocational Education and Training (531/2017) or the Universities of Applied Sciences Act (932/2014); or
- 13) for other activities similar to activities referred to in paragraphs 1–12.

When making the decision on granting the derogation for activities referred to in subsection 2, paragraphs 5–12, the Finnish Transport and Communications Agency shall consult the pilotage company, the Finnish Transport Infrastructure Agency, the VTS provider and any other relevant authorities and stakeholders. As part of the derogation, the Finnish Transport and Communications agency may impose requirements concerning the pilotage competence specified in chapter 7 on the ship's personnel.

The derogation granted under subsection 1 above shall remain in effect for a maximum of 6 months from the date on which it is granted. The derogation referred to in subsection 2, paragraphs 10–12 above may also be granted for an indefinite period.

The Finnish Defence Forces or the Finnish Border Guard may exempt from compulsory pilotage a foreign government ship that is taking part in training, exercises or other defence cooperation hosted by the Finnish Defence Forces or the Finnish Border Guard or is otherwise operating in a compulsory pilotage area as a ship hosted by the Finnish Defence Forces or the Finnish Border Guard. Such foreign government ships shall use class A automatic identification system intended for professional use unless they are exempted from this obligation by the Finnish Defence Forces or the Finnish

Border Guard. The Finnish Defence Forces and the Finnish Border Guard shall immediately notify the Finnish Transport and Communications Agency and the VTS provider of the exemption.

Chapter 3

Pilotage company and pilotage services

Section 8

Right to provide and perform pilotage

Pilotage services may only be provided by the pilotage company and pilotage may only be performed by pilots employed by the pilotage company.

Section 9

Obligation to provide pilotage services

The pilotage company shall provide pilotage services referred to in this Act in areas where pilots shall be used under section 4.

The Finnish Transport and Communications Agency may grant the pilotage company derogations from the obligation to provide pilotage services if the obligation to provide the services should be considered manifestly impractical or unreasonably difficult.

The pilotage company shall ensure that the pilots employed by it possess valid pilot's licences that they require for the duties.

The pilotage company shall ensure that a sufficient number of persons assessing the examinations is available to assess the examinations referred to in chapter 8 so that the examinations can be assessed without difficulty.

Section 10

Pilotage fees

A shipowner using a pilot is obliged to pay pilotage fees. For providing the pilotage services specified in this Act, the pilotage company charges the piloted ship a pilotage fee based on fixed unit price. The pilotage fee is determined on the basis of the net tonnage of the piloted ship and the actual distance over which the service is provided.

In the Saimaa Canal and the Saimaa waterways, a pilotage fee based on a reduced unit price is charged. The reduced unit price may not exceed two thirds of the regular unit price.

The board of directors of the pilotage company decides on the unit price, reduced unit price and on the prices of any other services. The fees charged by the pilotage company shall be reasonable with due consideration to the costs arising from the pilotage and a reasonable return on the pilotage activities.

The pilotage company shall keep the unit prices, the reduced unit prices and the prices charged for other services as well as the criteria for determining them available for public review. Any discounts and the grounds for them shall also be kept available for public review. The pilotage company shall hold consultations with the parties using pilotage services on the level of the pilotage fees and, if necessary, on the quality of the services offered. The pilotage company shall present to the users of pilotage services for the consultations referred to above the proposals for changes in the pilotage fees and the reasons for the proposed changes no later than three months before the entry into force of the changes. The new prices of the pilotage company may take effect no earlier than six months from the entry into force of the previous change in prices.

Section 11

Compensation for reduced unit price

The pilotage company is compensated in part or in full for the loss of income arising from the reduced unit price within the framework of an appropriation in the Budget allocated for this purpose in accordance with a decision of the Ministry of Transport and Communications.

For the pilotage assignments carried out on the basis of a reduced unit price, the compensation for losses of income is calculated on the basis of the difference between the regular unit price and the reduced unit price.

If there is a significant decline in the number of pilotage assignments in the Saimaa Canal and Saimaa waterways for reasons not arising from the pilotage company, the Ministry of Transport and Communications may by its decision also provide compensation for other direct costs incurred by the pilotage company for arranging and maintaining pilotage services specified in the service obligation within the framework of the appropriation allocated for the purpose in the Budget and in accordance with a Ministry of Transport and Communications decision.

In the grant decision, the Ministry of Transport and Communications approves the maximum amount of the government grant and costs eligible for grants. The costs eligible for grants are calculated on the basis of the reported costs without value-added tax.

The pilotage company shall itemise the expenses and income arising from the provision of the service specified in the service obligation and commercial services in its accounts.

Section 12

Advance notification of need for pilotage

The master of the ship or the master's agent shall submit an advance notification to the pilot dispatch centre and the appropriate VTS centre that contains the details of the draught of the ship at the start of the pilotage assignment, any technical deficiencies affecting the pilotage assignment and other known deficiencies affecting the safety of the pilot or the pilotage assignment.

The advance notification shall also contain the details of the time when the pilotage is needed and the technical features of the ship.

If the advance notification is only submitted when the ship is arriving at the pilot boarding position or in violation of the provisions and regulations issued in or under this Act, the pilotage company is not obliged to provide pilotage services in accordance with the regular service level target.

The Finnish Transport and Communications Agency may issue further regulations on the content and timing of the advance notification.

Section 13

Operations manual

The pilotage company shall prepare and maintain an operations manual that describes

- 1) the provision of the pilotage services;
- 2) the service level target and the procedures associated with it;
- 3) the procedures for ensuring compliance with the rights and obligations of the pilots specified in this Act;
- 4) exchange of information and cooperation with the VTS provider in matters concerning pilotage assignments; and
- 5) actions to be taken in case of accidents and exceptional situations.

The operations manual shall be submitted to the Finnish Transport and Communications Agency for approval before it is adopted and after each update. The Finnish Transport and Communications Agency shall approve the operations manual if the matters referred to in subsection 1 are described in detail. If the operations manual does not meet the requirements specified in this section, the Finnish Transport and Communications Agency may, before approving the operations manual, request that the pilotage company makes the necessary revisions to the operations manual.

Section 14

Right of the pilotage company to refuse to provide pilotage services

The pilotage company has the right to refuse to provide pilotage services or abort pilotage on a specific ship or in a specific fairway or area if starting the pilotage would endanger the safety of the pilot, the piloted ship, the persons on board the ship, other vessel traffic or the environment.

The pilotage company also has the right to refuse to provide a specific ship with pilotage services if the obligations of the ship or the ship's agent with regard to the pilotage fees have been substantially neglected.

The pilotage company shall immediately give the reasons for the refusal or aborted pilotage to the master of the ship and notify the VTS provider and the Finnish Transport and Communications Agency of the refusal to provide the pilotage services or aborted pilotage.

Section 15

Obligation to conduct security clearance on the personnel

The pilotage company shall verify the integrity and reliability of a person that it employs by means of a security clearance referred to in the Security Clearance Act (726/2014) if a security clearance can be conducted on the person in question under section 19, subsection 1, paragraph 1 or 4 of the act in question. The foreign interests of the person may be investigated as part of the security clearance if the clearance is conducted for a task referred to in section 19, subsection 1, paragraph 1 of the Security Clearance Act.

The security clearance shall be conducted before the person in question is granted access to information referred to in section 19, subsection 1, paragraph 1 or 4 of the Security Clearance Act or before the person in question takes part in the activities referred to in the provision concerned.

Section 16

Preparedness

The pilotage company shall prepare for the emergency conditions referred to in the Emergency Powers Act (1552/2011) by taking part in preparedness planning and by preparing for emergency conditions and incidents under normal conditions.

The pilotage company shall also be prepared to ensure that the operations can continue with minimum disruptions in emergency conditions and during incidents under normal conditions.

In addition to what is provided in the Emergency Powers Act on the powers of the Government, Ministry of Transport and Communications and the Finnish Transport and Communications Agency, further provisions may be issued by Government decree on the organisation of the preparedness planning required for preparations for emergency conditions and incidents under normal conditions and on drafting preparedness plans and detailed content of the plans.

The Finnish Transport and Communications Agency may also issue further technical regulations concerning the detailed content and drafting of the preparedness plans.

Chapter 4

Duties and responsibilities concerning pilotage operations

Section 17

Duties and responsibilities of the master of the ship

The master of the ship is also responsible for steering the ship when acting in accordance with the instructions concerning the steering of the ship issued by the pilot.

Before and during the pilotage assignment, the master of the ship shall provide the pilot with all the information that is relevant to the pilotage assignment.

Section 18

Duties and responsibilities of the pilot

The pilot is responsible for pilotage. The pilot shall present the master of the piloted ship a pilotage plan based on up-to-date charts and all other information and instructions necessary for the safe passage of the ship. The pilot shall supervise any measures related to the steering and handling of the ship that are of significance for the safety of ship traffic and environmental protection.

The pilot shall notify the VTS provider of all his or her observations that are of significance to maritime safety, safety of the ship concerned and the persons on board, environmental protection or maritime and customs control. The pilot shall also notify the Finnish Transport and Communications Agency of any damage to or caused by the piloted ship and when requested provide additional information on these incidents to the accident investigators or the authorities supervising other aspects of maritime safety.

Section 19

Liability of the pilotage company and the persons employed by it

The pilotage company is obliged to provide compensation for the damage caused during a pilotage assignment if the damage is caused intentionally or through gross negligence with the knowledge that such damage is likely to arise.

Otherwise, the Maritime Act (674/1994) and the Tort Liability Act (412/1974) apply to the liability for damages of the pilotage company.

When a person employed by the pilotage company performs the duties of the pilotage company under this Act, the person in question is governed by the provisions on criminal liability for acts in office. Provisions on liability for damages are contained in the Tort Liability Act.

Section 20

Maximum liability for damages

The pilotage company's liability for damage caused during a pilotage assignment shall not exceed EUR 100,000 per occurrence of damage.

When the amount provided for in subsection 1 is insufficient to indemnify those entitled to damages, the amount shall be allocated among them in relation to the amount of their respective claims.

Section 21

Start and end of pilotage

Pilotage starts and ends with the notification of the pilot to the master of the ship. Pilotage to a port shall start no later than at the pilotage limit and it shall end when the ship drops anchor or is moored. When a ship leaves a port, pilotage shall start when the ship leaves berth or anchorage and it shall end when the ship crosses the pilotage limit at the earliest.

By agreement with the master of the piloted ship, the pilot may also board or disembark the ship at a location outside the pilot boarding position or the temporary pilot boarding position of the fairway subject to the pilotage if this is necessary due to weather or ice conditions.

The pilot shall give the VTS centre the location where the pilot boards or disembarks the ship and notify the centre of the start and end of the pilotage.

The Finnish Transport and Communications Agency shall issue further fairway-specific regulations on the pilot boarding positions referred to in subsection 2.

Section 22

Engaging two pilots

If the piloted ship is carrying more than 400 passengers or the combined total of the cargo harmful to marine environment carried by the ship and the fuel oils or other hydrocarbons on the ship exceeds 3,000 tonnes, the pilotage company shall prepare an assessment of the need for engaging two pilots. In that case, the pilotage company shall assign two pilots to the pilotage if there are weighty reasons for doing so. The pilot also has the right to be accompanied by a second pilot on a pilotage assignment if this is necessary for reasons arising from weather or ice conditions or from the navigation or handling of the ship.

A pilot trainee may also be taken on board.

If two pilots are used on a pilotage assignment, the master of the ship shall be informed before the start of the pilotage which of the pilots is responsible for the pilotage.

Section 23

Refusing to pilot a ship

The pilot shall refuse to pilot a ship or abort pilotage if at the start of or during the pilotage and based on his or her professional competence, the pilot notices that starting or continuing the voyage would probably endanger the safety of the piloted ship, the persons on board, other vessel traffic or the environment, and using a tug is not possible or would not significantly enhance safety. In that case, the pilot shall immediately give the reasons for the refusal or aborted pilotage to the master of the ship and notify the VTS provider of the refusal to pilot the ship or aborted pilotage.

Notwithstanding the provisions in subsection 1 on the obligation of the pilot to refuse to pilot a ship or to abort pilotage, the pilot shall assist the ship in reaching a safe port in emergency situations.

Chapter 5

Remote pilotage

Section 24

Provision of remote pilotage services subject to a permit

A permit granted by the Finnish Transport and Communications Agency is required to perform remote pilotage.

The permit for remote pilotage is granted by the Finnish Transport and Communications Agency. The permit is granted on the pilotage company's application for a maximum of five years at a time.

A permit for remote pilotage may only be granted if remote pilotage, on its own or in combination with other activities, does not

- 1) endanger vessel traffic;
- 2) harm the environment; or
- 3) impede other vessel traffic.

Section 25

Remote pilotage permit

The application for a remote pilotage permit shall describe the methods, technology and operating models to be used in remote pilotage, the methods used for ensuring environmental safety and the safety of vessel traffic, risk management methods, the fairways or fairway sections in which remote pilotage is to be used and the number of personnel to be used in remote pilotage, and designate the persons responsible for the remote pilotage.

The application shall contain the necessary information on remote pilotage operations and their impacts as well as on other aspects relevant to assessing the permit application. The Finnish Transport and Communications Agency may request information on the matter.

The Finnish Transport and Communications Agency grants the remote pilotage permit if the operations are in accordance with the provisions laid down in or under this Act.

The Finnish Transport and Communications Agency may issue further technical regulations on applying for a permit, contents of the application, and information on risk assessment and management required for the application as well as other information.

Section 26

Conditions concerning remote pilotage

The remote pilotage permit shall determine the fairways or fairway sections where remote pilotage is permitted as well as the ships participating in the remote pilotage. The start and end points of the remote pilotage shall also be determined in the permit.

The permit may specify

- 1) requirements facilitating the achievement of the objectives of the Act laid down in section 1;
- 2) conditions concerning the procedures, information and technologies used in the remote pilotage;
- 3) conditions aimed at ensuring the safety of the remote pilotage;
- 4) conditions concerning the obligation to report to the authorities and other parties;
- 5) conditions concerning the supervision and inspections of the remote pilotage;
- 6) geographical restrictions; and
- 7) restrictions concerning weather and ice conditions.

The activities that are in compliance with the permit shall be contained in the operations manual of the pilotage company.

The Finnish Transport and Communications Agency may issue further regulations on the conditions specified in the remote pilotage permit.

Section 27

Amending the remote pilotage permit

The Finnish Transport and Communications Agency may, of its own initiative and for justified reasons, amend the remote pilotage permit or its terms and conditions after consulting the pilotage company. The Finnish Transport and Communications Agency may also amend the remote pilotage permit or its terms and conditions on application by the pilotage company. The permit holder shall also apply for an amendment to the permit if essential changes are to be made in its operations.

Section 28

Essential information concerning remote pilotage

Notwithstanding confidentiality provisions and business secrecy, the Finnish Transport and Communications Agency, the Finnish Transport Infrastructure Agency, the Finnish Meteorological Institute

and the VTS provider may on request disclose to the pilotage company and other operators participating in remote pilotage information on remote pilotage that is essential for the management of their statutory duties. The information shall be up-to-date and shall be disclosed through an interface or in other electronic format. However, information referred to in section 24, subsection 1, paragraph 10 of the Act on the Openness of Government Activities (621/1999) may not be disclosed.

The pilotage company carrying out remote pilotage operations and other actors taking part in the remote pilotage shall, free of charge and notwithstanding business secrecy, provide the Finnish Transport and Communications Agency with the remote pilotage information that is essential for the Finnish Transport and Communications Agency to perform the activities laid out in this Act.

The disclosed information may only be used for the purpose for which it was disclosed. The information shall be deleted as soon as it is no longer needed for the purpose for which it was disclosed. The information may not be disclosed further.

Section 29

Miscellaneous provisions on remote pilotage

The master of the ship has the right to refuse remote pilotage. Refusal of remote pilotage may not affect the ship's ability to obtain a pilot.

Chapter 6

Pilot's licence

Section 30

Right to perform pilotage

Pilots have the right to perform pilotage in the fairways in which they have the right to perform pilotage under the pilot's licence granted by the Finnish Transport and Communications Agency.

Section 31

Granting the pilot's licence

Pilot's licence is granted on application. The pilot's licence can only be granted if the applicant

- 1) holds a valid master's certificate;
- 2) holds a valid seafarer's medical certificate stating that he or she may serve in the deck department;
- 3) holds a certificate stating that he or she has completed the study period included in the pilotage company's training system;
- 4) holds a certificate of the pilot examination specified in section 35;
- 5) has good oral and written command of Finnish or Swedish and fair oral command of a second language; and
- 6) has the command of English that at least corresponds to skill level four of the national certificate of language proficiency referred to in the Act on National Certificates of Language Proficiency (964/2004).

The Finnish Transport and Communications Agency may issue further regulations on the procedures concerning the application for a pilot's licence and the certificates required for the application.

Section 32

Training system of the pilotage company

The pilotage company shall prepare and maintain a pilotage company's training system which specifies the contents of the study period of the new pilot and the training for keeping the pilotage competence up to date.

The Finnish Transport and Communications Agency approves the pilotage company's training system before it is introduced and after each update. The approval is valid for three years and it can be renewed on application.

The Finnish Transport and Communications Agency may issue further regulations on the content of the pilotage company's training system and on the system approval procedure.

Section 33

Pilot study period

The study period shall contain at least the following modules:

- 1) familiarisation with pilotage and pilot's duties and responsibilities as well as the regulatory framework;
- 2) familiarisation with the fairways in the pilotage area;
- 3) familiarisation with the steering of different types of ships operating in the pilotage area;
- 4) steering of ships in different conditions and during malfunctions;
- 5) steering of ships in ice conditions;
- 6) training in the use of navigation equipment;
- 7) training in operations involving tugs;
- 8) escort tug training if the pilot works in an area where ships are escorted by tugs to and from ports in normal conditions;
- 9) communications skills; and
- 10) self-rescue course of the pilotage company.

The pilotage company shall grant the certificate required under section 31, subsection 1, paragraph 3 to a person who has completed the study period referred to in subsection 1 above. The certificate shall specifically state that the person in question has completed each of the modules referred to in the subsection concerned. The grade 'failed' shall be based on a decision stating the reasons for the 'failed' grade.

If the applicant has not completed the module 'steering of ships in ice conditions' referred to in subsection 1, paragraph 5, the certificate and the pilot's licence applied on the basis of the certificate shall be granted as restricted in this respect. The restricted licence is valid for a maximum of two years from the date on which it is granted.

Section 34

Keeping pilotage competence up to date

The part 'keeping pilotage competence up to date' shall at least include the following modules:

- 1) online-based theory test on the regulatory framework meeting the requirements laid down in this Act;
- 2) at least 50 annual pilotage assignments or a suitable number of ship simulator training sessions in the fairways specified in the pilot's licence;
- 3) a pilotage assignment in a fairway specified in the pilot's licence and assessed by a person assessing pilot examinations;

- 4) steering of ships in ice conditions;
- 5) training for assessing PEC familiarisation voyages and the responsibilities involved; and
- 6) self-rescue course of the pilotage company.

Section 35

Pilot examination

The pilot examination consists of a written part and a practical part.

The theory test of the written part shall be passed before the start of the pilot study period specified in section 33. The applicant can only take the fairway knowledge test of the written part after he or she has completed the pilot study period. The applicant shall take the practical pilotage tests and the ship simulator test of the practical part after he or she has completed the pilot study period and the written part.

Section 36

Written part of the pilot examination

The written part of the pilot examination consists of a theory test and a fairway knowledge test.

The theory test shall consist of questions that concern the regulation and official instructions applied to pilotage as well as the general aspects of the pilot's tasks and steering of ships. The theory test shall be taken on the online test platform prepared by the Finnish Transport and Communications Agency before the start of the pilot study period.

The purpose of the fairway knowledge test is to assess the applicants' fairway knowledge, their ability to perceive the available fairway space in conditions typical of the area and their ability to prepare a pilotage plan. The fairway knowledge test shall be taken for each of the fairways in the pilotage area where the applicant is applying for pilotage rights. The fairway knowledge test is assessed by a person assessing pilot examinations approved by the Finnish Transport and Communications Agency.

The Finnish Transport and Communications Agency may issue further regulations on the structure, content and assessment procedures of the theory test as well as on the arrangements for the fairway

knowledge test, content and assessment of the test as well as on the criteria for passing and failing the test.

Section 37

Practical part of the pilot examination

The practical part of the pilot examination consist of practical pilotage tests on board a ship and a ship simulator test. In the practical part of the pilot examination, the applicants shall demonstrate their ability to manage the following matters concerning the ship and the fairway:

- 1) manoeuvrability of a ship at slow speeds;
 - 2) handling of a ship in a fairway in different weather conditions;
 - 3) manoeuvrability of a ship in deceleration and acceleration;
 - 4) hydrodynamic impact of the narrow and shallow sections of the fairway on the ship;
 - 5) fairway flow conditions and water levels and their hydrodynamic impact on the ship;
 - 6) impact of different weather conditions;
 - 7) impact of different visibility conditions;
 - 8) other traffic typically using the fairway, ports and areas close to the ports, and taking this traffic into account and communicating with it;
 - 9) communicating with VTS before, during and at the end of the pilotage;
 - 10) difficult traffic situations and malfunctioning of the systems used in the safe steering of the ship;
- and
- 11) use of the pilotage plan.

The applicant shall pass the practical pilotage tests on board a ship before taking the ship simulator test. The practical pilotage tests on board a ship shall be taken on at least two different types of ship in specific pilotage areas in fairways suited for the purpose.

The purpose of the ship simulator test is to measure the applicant's ability to steer different types of ship in exceptional conditions and during malfunctions. The ship simulator test shall include steering of at least three different ships in specific pilotage areas in fairways suited for the purpose. The ship simulator test shall include fairways of the pilotage area in which the applicant has not taken any practical pilotage tests on board ships specified in subsection 2. The ship simulator test shall also measure the matters specified in subsection 1 that have not been measured in the practical pilotage tests on board ships.

The practical part of the pilot examination is assessed as a single package on the basis of the assessment criteria prepared by the Finnish Transport and Communications Agency. The practical pilotage tests and the ship simulator test are assessed by a person assessing pilotage examinations and approved for the task by the Finnish Transport and Communications Agency. The expert supervising the use of the simulator shall also be present at the ship simulator test. The person assessing the examination shall consult the pilot responsible for pilotage on board the ship or the expert supervising the use of the simulator before the decision on passing or failing the test is made.

If failed, the practical part of the pilot examination can only be retaken once. If the resit fails, the applicant's test results are invalidated and the applicant is treated as a new applicant.

The Finnish Transport and Communications Agency may issue further regulations on the assessment procedures of the practical part of the pilot examination, contents of the practical pilotage tests and ship simulator tests as well on fairways located in specific pilotage areas and suited for the purpose.

Section 38

Validity and renewal of the pilot's licence

The pilot's licence is granted on application for a maximum of five years at a time.

The pilot's licence can only be renewed if the pilot holds a valid seafarer's medical certificate stating that he or she may serve in the deck department. The pilot shall also possess a certificate of keeping his or her competence up to date in accordance with the pilotage company's training system or a certificate stating that the he or she has completed a pilot examination during the preceding 12 months.

Chapter 7

Personnel licences exempting their holders from compulsory pilotage

Section 39

Pilot Exemption Certificate (PEC)

Exemptions from compulsory pilotage for specific fairways or VTS areas can be entered on the PEC granted by the Finnish Transport and Communications Agency. The ships to which the exemptions entered on the certificate apply are also entered on the certificate. The PEC is granted to a person applying for his or her first exemption from compulsory pilotage and it remains in effect if valid exemptions have been entered on the certificate.

If substantial modifications are carried out on the ship entered on the certificate, the PEC holder shall update the pilotage plan for all exemptions entered on the certificate and take a practical pilotage test on board the ship in question.

The PEC may be restricted or unrestricted. A restricted PEC does not exempt the ship from compulsory pilotage in fairways where assistance restriction I C or stricter assistance restriction applies.

An unrestricted PEC with fairway-specific or area-specific exemptions may only be granted if, in addition to meeting the requirements below, the applicant has also made the familiarisation voyage specified in this Act in a fairway in Finland where at least the assistance restriction IC applies and completed the ice condition parts of the ship simulator test. Such a familiarisation voyage in ice conditions can be considered as the experience required for receiving the exemption if the voyage is made in a fairway for which the applicant is seeking exemption. The applicant shall also demonstrate that he or she already possesses experience in navigation in ice conditions. An applicant who does not possess experience in navigation in ice conditions shall make at least three familiarisation voyages in ice conditions differing from each other.

A PEC granted as a restricted certificate is converted into an unrestricted certificate on application if the certificate holder meets the requirements specified in subsection 4.

Section 40

Fairway-specific exemption from compulsory pilotage

An applicant who does not possess a valid PEC can only be granted fairway-specific exemption if the applicant

1) holds a valid deck officer's certificate permitting him or her to steer the ship referred to in the application;

- 2) holds a valid seafarer's medical certificate stating that he or she may serve in the deck department;
- 3) holds a certificate stating that he or she has made the familiarisation voyages specified in section 43 and required for fairway-specific exemption;
- 4) holds a certificate of sufficient experience in ship navigation and steering in the fairway specified in the application;
- 5) holds a certificate of a completed PEC examination specified in section 44; and
- 6) has sufficient command of English and the required command of Finnish and Swedish.

The applicants possessing the following experience are deemed to have the sufficient experience referred to in subsection 1, paragraph 4 above:

- 1) at least 6 months of seagoing service in steering tasks of the ship in question and at least 10 voyages in both directions in the fairway specified in the application on board a ship subject to compulsory pilotage or a ship exempted from compulsory pilotage;
- 2) at least 30 months of seagoing service as master of a ship with a length of at least 50 metres and at least 10 voyages in both directions in the fairway specified in the application on board a ship subject to compulsory pilotage or a ship exempted from compulsory pilotage; or
- 3) at least 15 voyages in both directions in steering tasks of a ship in the fairway specified in the application on board a ship subject to compulsory pilotage or a ship exempted from compulsory pilotage.

Of the voyages referred to in subsection 2 above, at least two shall be made in daylight and at least two in nautical twilight or in darker conditions. The conditions of the verified voyages shall differ from each other and correspond to typical navigation conditions in the area during different seasons. No more than one third of the voyages may be carried out with a ship simulator.

The applicant shall notify the Finnish Transport and Communications Agency of his or her intention of obtaining the fairway-specific exemption for the PEC before making the PEC training voyage or start taking the required practical pilotage tests.

The fairway-specific exemption from compulsory pilotage is valid for five years.

The Finnish Transport and Communications Agency may issue further regulations on the procedures concerning the application for a PEC and the first fairway-specific exemption and on the language

proficiency requirements specified in subsection 1, paragraph 6. The Finnish Transport and Communications Agency may also approve the application forms.

Section 41

Area-specific exemption from compulsory pilotage

The exemption from all VTS fairways in a specific VTS area may also be entered on the PEC if the applicant

- 1) holds a valid deck officer's certificate permitting him or her to steer the ship referred to in the application;
- 2) holds a valid seafarer's medical certificate stating that he or she may serve in the deck department;
- 3) holds a certificate stating that he or she has completed the theory test specified in section 45;
- 4) has made the PEC familiarisation voyage in at least one suitable VTS fairway in the area and a familiarisation discussion on all VTS fairways in the area;
- 5) holds a certificate of extensive experience in the steering of ships subject to compulsory pilotage or ships exempted from compulsory pilotage in the fairways of the VTS area specified in the application and at least 6 months of seagoing service in steering tasks of the ship to be entered on the certificate; however, when the application for the first area-specific exemption is submitted for a ship with a length overall of more than 120 metres or a maximum width of more than 20 metres, it is required that at least half of the extensive experience has been obtained on a ship exceeding this limit;
- 6) has taken the practical pilotage test specified in section 46 in one fairway of the area, taken the ship simulator test specified in section 46 on the VTS fairways of the area and taken the fairway knowledge test on all VTS fairways in the area specified in the application; and
- 7) has the command of English, Finnish and Swedish that provides a basis for the communications required for ensuring safe navigation.

The area-specific exemption is valid for five years.

To ensure that the applicant's experience and competence pertaining to the area are so extensive as not to endanger maritime safety, the Finnish Transport and Communications Agency may issue further regulations on the fairways included in the PEC familiarisation voyage and the familiarisation discussion required under subsection 1, paragraph 4, the extensive VTS area-specific experience

required under paragraph 5 or accumulation of this experience by means of ship simulator training, the fairways suited for practical pilotage tests in each VTS area and the language proficiency required under paragraph 7.

Section 42

Adding fairways other than VTS fairways to area-specific exemption

The Finnish Transport and Communications Agency may also add to the valid area-specific exemption fairways other than VTS fairways on separate application if

- 1) the route regularly operated by the ship would be significantly shortened if the fairway in question is used, the ship must regularly transport goods or passengers to and from the port on the fairway or the applicant has other justified reasons to add the fairway to the area-specific exemption; and
- 2) the applicant has accumulated experience in navigating and steering ships entered on the certificate in the fairway specified in the application or the applicant has taken the ship simulator test in the fairway specified in the application.

Fairways other than VTS fairways can only be added to the area-specific exemption if the fairway is dimensioned so that the ship entered on the certificate can be safely navigated in the fairway.

The Finnish Transport and Communications Agency may issue regulations on the experience referred to in subsection 1, paragraph 2.

Section 43

PEC familiarisation voyage

The PEC familiarisation voyage shall take place before the accumulation of the experience referred to in section 40, subsection 1, paragraph 4 or the assignments required for accumulating the experience referred to in section 41, subsection 1, paragraph 5. The Finnish Transport and Communications Agency may on separate application approve a maximum of two fifths of the required assignments as completed before the PEC familiarisation voyage if there are particularly justified reasons for this.

The person applying for exemption from compulsory pilotage or his or her agent shall notify the pilotage company at least 24 hours in advance of a pilotage assignment carried out by the pilotage

company that is also used as the familiarisation voyage required for granting exemption from compulsory pilotage. If no advance notification of the familiarisation voyage has been submitted, the pilotage assignment cannot be approved as a familiarisation voyage.

Guidance on the PEC familiarisation voyage can be provided by a pilot of the pilotage company who has completed the training specified in the pilotage company's training system for assessing PEC familiarisation voyages and for the responsibilities associated with it or who has served as a pilot for at least five years. The pilot providing guidance on the familiarisation voyage shall provide guidance to the best of his or her abilities to a person on the PEC familiarisation voyage who serves in ship steering duties on such a voyage. In that case, the pilot shall carry out a normal pilotage assignment while providing the guidance and the master of the ship remains responsible for steering the ship.

Before the start of the pilotage assignment, the pilot and the person on the PEC familiarisation voyage shall orally review the objectives for the assignment in question. After the completion of the pilotage assignment, the pilot shall provide the person carrying out the PEC familiarisation voyage with written feedback within a reasonable time and acknowledge the assignment as completed in writing.

If a navigation person serving as a member of the ship's crew has on his or her valid PEC an exemption for the fairway in question and the person in question has, in the period covered by this exemption, made at least 10 voyages on the fairway or the VTS area in question as part of seagoing service of at least 6 months, the person in question may, instead of the pilot referred to in subsections 3 and 4, act as the person guiding the person on the PEC familiarisation voyage.

The Finnish Transport and Communications Agency may issue regulations on the objectives of the PEC familiarisation voyage, i.e. the knowledge, skills and relevant matters that are essential for pilotage competence in the fairway in question, and on the manner in which the person on the PEC familiarisation voyage is provided with feedback.

Section 44

PEC examination

PEC examination consists of a written part and a practical part.

The applicant shall pass the theory test of the written part of the PEC examination before taking the other tests required for receiving exemption from compulsory pilotage. The applicant may take the fairway knowledge test of the written part after he or she has completed the theory test, the PEC familiarisation voyage and the voyages required for exemption from compulsory pilotage. The applicant can only take the practical pilotage test and the ship simulator test complementing it after he or she has completed the required assignments and the written part of the PEC examination.

Section 45

Written part of the PEC examination

The written part of the PEC examination consists of a theory test and a fairway knowledge test.

The theory test shall consist of questions that concern the regulation and official instructions pertaining to pilotage, duties of the PEC holder as well as general aspects of steering a ship.

The purpose of the fairway knowledge test shall be to assess the applicant's fairway knowledge, his or her ability to perceive the available fairway space in conditions typical of the area and his or her ability to prepare a pilotage plan. The fairway knowledge test shall cover the fairways specified by the applicant in his or her application for exemption from compulsory pilotage.

The fairway knowledge test is assessed by a person assessing PEC examinations and approved for the task by the Finnish Transport and Communications Agency.

The Finnish Transport and Communications Agency may issue further regulations on the structure, content and assessment procedures of the theory test as well as on the arrangements of the fairway knowledge test, content and assessment of the test as well as on the criteria for passing and failing the test.

Section 46

Practical part of the PEC examination

The practical part of the PEC examination consist of a practical pilotage test and a ship simulator test. In the practical part, the applicant shall demonstrate his or her ability to manage the following matters concerning the ship and the fairway:

- 1) manoeuvrability of a ship at slow speeds;
- 2) handling of a ship in a fairway in different weather conditions;
- 3) manoeuvrability of a ship during deceleration and acceleration;
- 4) hydrodynamic impact of narrow and shallow sections of the fairway on the ship;
- 5) fairway flow conditions and water levels and their hydrodynamic impact on the ship;
- 6) impact of different weather conditions;
- 7) impact of different visibility conditions;
- 8) other traffic typically using the fairway, ports and areas close to the ports, and taking this traffic into account and communicating with it;
- 9) communications with VTS before entering the compulsory pilotage area or before leaving the port, when operating in the compulsory pilotage area, after leaving the compulsory pilotage area or after entering the port;
- 10) difficult traffic situations and malfunctioning of the systems used in the safe steering of the ship;
- 11) internal and external communications of the ship;
- 12) use of the pilotage plan; and
- 13) steering of the ship in ice conditions if the applicant is applying for an unrestricted PEC.

The applicant shall pass the practical pilotage test on board a ship before taking the ship simulator test.

The practical pilotage test shall measure the applicant's ability to steer and navigate the ship in the fairway specified in the application in a safe manner. In the practical pilotage test, the applicant shall navigate the ship entered on the certificate through the fairway specified in the application in one direction.

The ship simulator test shall measure the applicant's ability to steer and navigate the ship entered on the certificate in the fairway or fairways specified in the application in exceptional conditions and situations. The ship simulator test shall also measure the matters specified in subsection 1 that have not been measured in the practical pilotage test.

The practical pilotage tests and the ship simulator test are assessed by a person assessing PEC examinations and approved for the task by the Finnish Transport and Communications Agency. The expert supervising the use of the simulator shall also be present at the ship simulator test. The person assessing the examination shall consult the pilot responsible for pilotage on board the ship,

the PEC holder responsible for steering the ship or the expert supervising the use of the simulator before the decision on passing or failing the test.

The practical part of the failed PEC examination can be retaken once. If the resit fails, the applicant's test results are invalidated and the applicant is treated as a new applicant.

When the applicant is applying for exemptions from compulsory pilotage in at least two fairways or areas, the practical part of the examination concerning them can be combined.

The Finnish Transport and Communications Agency may issue further regulations on the procedure used to assess the practical part of the PEC examination, content of the practical pilotage test and the ship simulator test when the first exemption, the exemptions following the first exemption or when combined exemptions are applied for.

Section 47

Adding fairway-specific or area-specific exemptions to a valid PEC

The Finnish Transport and Communications Agency shall on application add to a valid PEC an exemption from compulsory pilotage in a specific fairway if the applicant has for the fairway in question

- 1) a certificate of the PEC familiarisation voyage;
- 2) the certificate specified in section 40, subsection 1, paragraph 4;
- 3) passed the fairway knowledge test specified in section 45; and
- 4) completed the practical part specified in section 46.

The Finnish Transport and Communications Agency shall on application add to a valid PEC an area-specific exemption if the applicant meets the requirements specified in section 41, subsection 1, paragraphs 4–6.

Section 48

Adding a new ship to a valid PEC

The Finnish Transport and Communications Agency shall on application add to a valid PEC a new ship if the PEC holder passes the practical pilotage test referred to in section 46 in one fairway entered on the PEC and prepares an updated pilotage plan in which account is taken of the features

of the ship concerned for all fairways entered on the certificate to the exemption of which the ship is added. However, a new ship with a length overall of more than 120 metres or a maximum width of more than 20 metres can only be added to an area-specific exemption if the requirement specified in section 41, subsection 1, paragraph 5 is also met.

If the new ship uses a safety management system that differs from the system used on the ship already entered on the certificate, adding the new ship to the PEC also requires that the certificate holder possesses steering experience consisting of at least two separate voyages in the fairways entered on the certificate and seagoing service totalling 20 days on the ship using the safety management system in question.

Notwithstanding the provisions in subsections 1 and 2, the Finnish Transport and Communications Agency may directly on application add to the PEC a ship using the same safety management system that has been built using the same technical drawings and identical design principles as the second ship already entered on the PEC or the entry of which has been applied for. It is also required that the modifications carried out during the life-cycles of the ships are essentially identical.

Section 49

Renewal of fairway-specific exemption

The fairway-specific exemptions entered on the PEC may be renewed on application. The fairway-specific exemptions entered on an expired PEC may be renewed in the same manner as the fairway-specific exemptions on a valid certificate if no more than 12 months have passed from the expiry. The exemptions can only be renewed if the applicant

- 1) holds a valid deck officer's certificate permitting him or her to steer a ship exempted from compulsory pilotage;
- 2) holds a valid seafarer's medical certificate stating that he or she may serve in the deck department;
- 3) possesses experience in steering of a ship on the basis of a PEC and this experience consists of at least two voyages in both directions each year or at least 15 voyages in both directions during the validity of the certificate in the fairway entered on the certificate; and
- 4) has passed the practical pilotage test if the number of the voyages made by the applicant each year and referred to in paragraph 3 is fewer than five or if the number of the voyages made by the applicant during the validity of the certificate is fewer than 50.

Renewal of the fairway-specific exemption entered on the unrestricted PEC also requires that during the validity of the fairway-specific exemption, the applicant has made at least five or, during the preceding 12 months, at least two voyages in ice conditions in any of the fairways entered on the certificate and in this particular fairway, at least an assistance restriction IC is in effect.

If the number of the voyages referred to in subsection 1, paragraph 3 made during the validity of the certificate is no more than five, this is comparable to a situation in which the applicant is applying for the first exemption for the fairway in question. If the number of the voyages is more than five but fewer than the number specified in subsection 1, paragraph 3, the missing voyages can be replaced with the ship simulator test specified in section 46.

If more than 12 months but no more than five years have passed from the expiry of the certificate to be renewed, the applicant shall complete the PEC examination specified in section 44. If more than five years have passed from the expiry, the applicant shall make the PEC familiarisation voyage specified in section 43 and complete the PEC examination specified in section 44.

All ships entered on the PEC on which the PEC holder has, during the validity of the fairway-specific exemption to be renewed, made at least two separate voyages in the fairways entered on the certificate as a crew member responsible for steering tasks or accumulated at least 20 days of seagoing service shall be entered on the certificate to be renewed.

Section 50

Renewal of area-specific exemption

The area-specific exemption entered on the PEC can be renewed on application. The expired area-specific exemption can be renewed in the same manner as a valid exemption if no more than 12 months has passed from the expiry. The exemption can only be renewed if the applicant

- 1) holds a deck officer's certificate permitting him or her to steer a ship exempted from compulsory pilotage;
- 2) holds a valid seafarer's medical certificate stating that he or she may serve in the deck department;
- 3) holds a certificate of extensive experience of the fairways in the area specified in the application during the validity of the certificate to be renewed; and

4) has passed the practical pilotage test if the requirement for extensive experience specified in paragraph 3 is not met.

Renewal of the area-specific exemption entered on an unrestricted PEC also requires that during the validity of the exemption, the applicant has made at least five or, during the preceding 12 months, at least two voyages in ice conditions in any of the fairways entered on the certificate and on this particular fairway at least an assistance restriction of IC is in effect.

If more than 12 months but no more than five years have passed from the expiry of the certificate to be renewed, the applicant shall pass the tests specified in section 41, subsection 1, paragraph 6. If more than five years have passed from the expiry, the applicant shall carry out the familiarisation voyage and familiarisation discussion referred to in section 41, subsection 1, paragraph 4, and pass the tests specified in section 41, subsection 1, paragraph 6.

All ships entered on the PEC on which the PEC holder has, during the validity of the area-specific exemption to be renewed, made at least two separate voyages in the fairways entered on the certificate as a crew member responsible for steering tasks or accumulated at least 20 days of seagoing service shall be entered on the certificate to be renewed.

The Finnish Transport and Communications Agency may issue regulations on the extensive experience required under subsection 1, paragraph 3.

Chapter 8

Person assessing examinations

Section 51

Person assessing pilot examinations or PEC examinations

Pilot examinations or PEC examinations may be assessed by a person approved by the Finnish Transport and Communications Agency and separately trained for the task. The person approved for assessing pilot examinations or PEC examinations shall meet the following requirements:

1) the person in question has worked as a pilot or held a PEC for at least five years;

- 2) the person in question has made two training voyages in which he or she was accompanied by two different persons assessing the examinations and the two persons have recommended that the person should be graded 'pass' for them;
- 3) the person in question holds a valid pilot's licence or a valid PEC;
- 4) the person in question holds certificates of the theory test, instructor training, communications training and simulator training required of the person assessing pilot examinations or PEC examinations and approved for the task by the Finnish Transport and Communications Agency;
- 5) the person in question has taken part in the familiarisation discussion arranged by the Finnish Transport and Communications Agency; and
- 6) the person in question has good oral and written command of Finnish or Swedish and fair oral command of a second language as well as English skills that correspond to at least skill level four of the national certificate of language proficiency referred to in the Act on National Certificates of Language Proficiency.

The certificate of the person assessing the examinations may be granted to cover the fairways and ships for which the applicant possesses the experience required for the task. The applicant possesses the required experience if

- 1) he or she holds a valid pilot's licence for the fairway specified in the application;
- 2) he or she has a valid PEC for the fairway and ship specified in the application;
- 3) he or she has made the familiarisation voyage specified in section 43, passed the fairway knowledge test specified in section 45 and completed the simulator training intended for persons assessing the examinations; or
- 4) he or she has passed the practical pilotage test on the ship in question or made the familiarisation voyage intended for the person assessing the examinations with a person assessing the examinations.

The certificate of the person assessing pilot examinations or PEC examinations is valid for five years from the date on which it is granted.

The Finnish Transport and Communications Agency may issue regulations on the content and assessment of the training and tests referred to in subsection 1, paragraph 4 and on the assessment procedure as well as on the simulator training of the person assessing the examination referred to in subsection 2, familiarisation voyage intended for the person assessing the examination and the

procedures concerning the granting of, applying for and supplementing of the certificate of the person assessing the examination.

Section 52

Renewal of the certificate of the person assessing the examinations

The certificate of the person assessing pilot examinations or PEC examinations can be renewed on application for a maximum of 12 months from its expiry. The certificate can only be renewed if

- 1) the certificate holder has passed the online-based theory test required for the pilot examination no more than 12 months before the renewal of the certificate;
- 2) the certificate holder has prepared up-to-date pilotage plans for the fairways in which the holder is authorised to assess the examinations;
- 3) during the validity of the certificate, the certificate holder has carried out at least five examination assignments, 10 training voyages with a pilot performing pilotage or a PEC holder and 10 assignments as a pilot or a PEC holder or completed 10 simulator training sessions;
- 4) during the validity of the certificate, the certificate holder has assessed five practical pilotage tests or simulator tests; and
- 5) with regard to health and fitness, the certificate holder is suited for carrying out the task.

If more than 12 months have passed from the expiry of the certificate, the applicant shall, in addition to what is laid down in subsection 1, also carry out the training voyages referred to in section 51, subsection 1, paragraph 2, and complete the simulator training referred to in paragraph 4.

The Finnish Transport and Communications Agency may issue further regulations on the procedures concerning the renewal of the certificate of the person assessing the examinations.

Section 53

Duties and responsibilities of the person assessing the examinations

When assessing pilot examinations or PEC examinations, the person assessing the examinations is responsible for ensuring that the person completing the examination meets the requirements laid down in this Act.

The person assessing the examinations shall verify with his or her own signature that the certificate granted for completing an examination module proves that the applicant possesses the required knowledge and competence to such an extent that maritime safety is not endangered. The person assessing the examinations is responsible for ensuring that the information that he or she has entered on the documents of the pilot examinations or PEC examinations is accurate.

The public official of the Finnish Transport and Communications Agency responsible for pilotage matters has the right to be present at the examination session where the person assessing the examinations assesses the applicant's competence so that the public official in question can assess this person's ability to perform his or her task. The public official of the Finnish Transport and Communications Agency responsible for pilotage matters shall inspect the examination session where the person in question assessing the examinations assesses the applicant's competence at least once during the validity of each certificate. The inspection can also be conducted when there are weighty reasons for carrying it out.

The person assessing the examination shall issue a decision on passing or failing the examination.

When the person assessing the examinations performs his or her duties specified in this Act, the person in question is governed by the provisions on criminal liability for acts in office. Provisions on liability for damages are contained in the Tort Liability Act.

Section 54

Pricing the assessment of the examinations

The person assessing the examinations may charge a fee based on a fixed unit price for assessing the examinations specified in this Act.

If the trends concerning the pricing for assessing the examination indicate that the fees charged for the examinations are not reasonable, the Finnish Transport and Communications Agency may determine a maximum price for them. A reasonable price is a price that is reasonable considering the cost incurred by an efficient actor for providing the service. The maximum price shall be cost-based so that it includes a reasonable return. The maximum price can be set for a maximum of one year at a time.

Chapter 9

Deep-sea pilotage in the Baltic Sea

Section 55

Providing deep-sea pilotage in the Baltic Sea and the required licence

Deep-sea pilotage in the Baltic Sea can be provided by the pilotage company or any other legal person if the person acting on behalf of the pilotage company or the legal person holds a deep-sea pilot's licence for the Baltic Sea, or a natural person holding a deep-sea pilot's licence for the Baltic Sea. In Finland, deep-sea pilot's licences for the Baltic Sea are granted by the Finnish Transport and Communications Agency.

Section 56

Requirements for granting a deep-sea pilot's licence for the Baltic Sea

A deep-sea pilot's licence for the Baltic Sea can be granted to a person who

- 1) holds a valid master's certificate;
- 2) holds a valid seafarer's medical certificate stating that he or she may serve in the deck department;
- 3) has worked at least 30 months as a deck officer in seagoing service on a ship with a gross tonnage of at least 3,000 of which at least 12 months in the Baltic Sea or has worked at least five years as a pilot in the Baltic Sea;
- 4) provides a free-form report of extensive ice navigation experience in the Baltic Sea;
- 5) provides a certificate stating that he or she has completed a deep-sea pilot examination for the Baltic Sea no later than 12 months before submitting the application; and
- 6) has sufficient command of English.

The experience required in subsection 1, paragraph 3 above can be demonstrated with a record of seagoing service or any other reliable free-form document submitted to the Finnish Transport and Communications Agency.

The application for the licence shall be submitted to the Finnish Transport and Communications Agency and it is valid for five years from the date on which it is granted.

The Finnish Transport and Communications Agency may issue further regulations on the procedures concerning the application for a deep-sea pilot's licence for the Baltic Sea.

Section 57

Deep-sea pilot examination for the Baltic Sea

The deep-sea pilot examination for the Baltic Sea referred to in section 56, subsection 1, paragraph 5 above is arranged by the Finnish Transport and Communications Agency. At least the following matters shall be assessed in the examination:

- 1) the most important routes and traffic separation schemes in the Baltic Sea, VTS services, ship reporting systems and other operational limitations concerning the routes;
- 2) the most important matters concerning maritime warnings, icebreaker assistance and tug assistance;
- 3) environmental protection and maritime search and rescue operations in the Baltic Sea;
- 4) matters concerning the handling of a ship;
- 5) national pilotage areas and pilot boarding positions in the Baltic Sea and ordering a pilot in the Baltic Sea;
- 6) command of English;
- 7) internal and external communications of the ship; and
- 8) international regulations to prevent collisions at sea.

The Finnish Transport and Communications Agency may issue regulations on the content, arrangement and assessment of the deep-sea pilot examination for the Baltic Sea.

Section 58

Renewing deep-sea pilot's licence for the Baltic Sea

The deep-sea pilot's licence for the Baltic Sea can be renewed on application if the applicant

- 1) holds a valid master's certificate;
- 2) holds a valid seafarer's medical certificate stating that he or she may serve in the deck department; and
- 3) has worked at least 12 months as a deck officer in seagoing service on a ship with a gross tonnage of at least 3,000 in the Baltic Sea during the validity of the licence, has worked a total of at least

three years as a pilot in the Baltic Sea during the validity of the licence or has performed at least two deep-sea pilotage assignments in the Baltic Sea each year during the validity of the licence.

The applicant shall also submit to the Finnish Transport and Communications Agency a compilation of the deep-sea pilotage assignments in the Baltic Sea that he or she has performed during the validity of the licence to be renewed.

The Finnish Transport and Communications Agency may issue further regulations on the procedures concerning the renewal of a deep-sea pilot's licence for the Baltic Sea.

Chapter 10

Miscellaneous provisions

Section 59

Establishing a temporary pilot boarding position or a temporary pilotage limit

If the circumstances so require, the Finnish Transport and Communications Agency may establish a temporary pilot boarding position or a temporary pilotage limit of its own initiative or on the application of the pilotage company. The Finnish Transport and Communications Agency shall notify the VTS provider and the Finnish Transport Infrastructure Agency of this decision.

The VTS provider shall place a temporary virtual safety sign at the temporary pilot boarding position.

Section 60

Recognising the qualifications granted by competent authorities of other states

The Finnish Transport and Communications Agency recognises the qualifications granted outside Finland in accordance with the international obligations binding on Finland. The qualifications granted outside Finland can be recognised if the applicant possesses the qualifications referred to in the Directive 2005/36/EC of the European Parliament and of the Council on the recognition of professional qualifications and meets the requirements laid down in and under this Act.

Section 61

Operating practices and training systems of the operators providing icebreaking services

The operators providing icebreaking services referred to in section 10 a of the Act on the Ice Classes of Ships and Icebreaker Assistance shall prepare and keep up to date unified operating practices concerning safe fairway navigation for ships used in icebreaking operations and a training system in which the content of the training concerning pilotage competence and assistance of ships in ice conditions is defined to deck officers, and the training concerning the updating of these skills.

The training system referred to in subsection 1 above shall at least include the following modules:

- 1) training and familiarisation for operations with the ships provided with assistance;
 - 2) training for fairway navigation in icebreaking operations;
 - 3) familiarisation with the operator's watchkeeping arrangements during icebreaking assignments;
 - 4) preparation of pilotage plans for the fairways used in icebreaking operations;
 - 5) simulator training sessions on the difficult sections of the fairways used in icebreaking operations;
- and
- 6) training for fairway navigation and steering with ships belonging to the operator.

The operator shall in the training system

- 1) describe the maintenance of the competence taught in the modules referred to in subsection 2;
- 2) prepare a plan for how a person completes the studies contained in the training system; and
- 3) describe the procedures for changing the training system.

The modules of the training system referred to in subsection 2, paragraphs 1–3 above are approved by the Finnish Transport Infrastructure Agency and the modules referred to in paragraphs 4–6 by the Finnish Transport and Communications Agency. The modules of the training system referred to in subsection 3 above are approved by the Finnish Transport and Communications Agency.

The Finnish Transport Infrastructure Agency and the Finnish Transport and Communications Agency shall approve the training system if the matters referred to in subsections 2 and 3 are described in detail. Before approval, the agencies may require that that the operator supplements the training system to the extent that they determine that the matters referred to in subsections 2 and 3 are not

described in sufficient detail. The approval of the training system is valid for three years and it can be renewed on application.

Section 62

Derogations

During the emergency conditions referred to in the Emergency Powers Act or during incidents under normal conditions, the Finnish Transport and Communications Agency may derogate from the prerequisites concerning the renewal or granting of the pilot's licence or the PEC when pilot's licences or PECs are granted or renewed. The pilot's licence or the PEC may be granted or renewed on the basis of exceptional procedures if the normal procedure has, on account of an exceptional situation with wide-ranging impact, become significantly more difficult and the exceptional procedure is essential for ensuring the continuity of maritime traffic and it does not endanger human lives, property or the environment. The pilot's licence or the PEC granted or renewed on the basis of exceptional procedures is valid for a maximum of six months at a time from the day of granting.

Section 63

Recording and processing data pertaining to personnel licences

To grant and supervise pilot's licences, PECs, deep-sea pilot's licences for the Baltic Sea and certificates of the persons assessing the examinations, the Finnish Transport and Communications Agency enters the details of the certificates and licences in the transport register referred to in the Act on Transport Services (320/2017). Chapters 26–28 of the Act on Transport Services apply to the processing of the information.

Section 64

Oversight

With the exception of sections 10 and 11, compliance with this Act is supervised by the Finnish Transport and Communications Agency. The Police, the Finnish Customs and the Finnish Border Guard also supervise compliance with this Act, each in their own areas of responsibility. The following provisions of the Agreement on vessel traffic through the Saimaa Canal between the Republic of Finland and the Russian Federation apply to the leased area of the Saimaa Canal: provisions of

Article 6(2), which concern the general terms of vessel traffic, and provisions of Article 15(1), which concern the legislation applied in the leased area.

The VTS provider shall immediately notify the Finnish Transport and Communications Agency of the derogations that it has observed concerning compliance with compulsory pilotage, pilot's licence, PEC and the provision of pilotage services.

The Finnish Transport and Communications Agency shall, through an interface or by other electronic means, provide the VTS provider with up-to-date details of pilot's licences and PECs as well as other derogations from compulsory pilotage. The Finnish Transport and Communications Agency may also notify the VTS provider of the derogations by means other than through an interface or electronically.

The pilotage company shall by electronic means supply the VTS provider with up-to-date details of pilotage orders and pilotage assignments in progress. The company shall notify the VTS provider of derogations or malfunctions in the pilotage operations.

Section 65

The supervisory authority's general right to obtain information

Notwithstanding non-disclosure provisions, the Finnish Transport and Communications Agency has the right to obtain the information essential for the performance of its duties laid down in this Act from the pilotage company and certificate and licence holders and other actors and persons whose rights and obligations the provisions of this Act concern.

The information shall be disclosed without delay, in the format requested by the authority, and free of charge.

Section 66

Revoking and amending a certificate or a licence and limiting the scope of a certificate or a licence

The certificate or licence holder may submit a notification stating that the activities referred to in the certificate or licence have terminated. The Finnish Transport and Communications Agency revokes the certificate or licence after receiving the termination notification.

The Finnish Transport and Communications Agency may amend the certificate or licence or limit its scope or revoke the certificate or licence if

- 1) the certificate or licence holder no longer meets the prerequisites for granting the certificate or licence and has not corrected the errors or deficiencies in its operations by the set deadline;
- 2) the certificate or licence holder has repeatedly or severely violated the provisions laid down in or under this Act or other provisions applying to vessel traffic and the issuing of a reprimand or warning cannot be considered sufficient; or
- 3) for reasons other than the reason referred to in paragraph 1 or 2, there are reasonable grounds for suspecting that the certificate or licence holder is unable to manage the activities referred to in the personnel licence in a safe manner.

The Finnish Transport and Communications Agency may only revoke the certificate or licence if less severe sanctions cannot be deemed sufficient, considering the matter as a whole. Revocation of the certificate or licence may be ordered to remain in effect for the period proportioned to the severity of the offence or until further notice.

The certificate or licence holder shall without delay return the revoked certificate or licence to the Finnish Transport and Communications Agency.

In cases referred to in subsection 2, the Finnish Transport and Communications Agency may immediately take possession of the certificate or licence for the duration of the investigation of the matter. The certificate or licence shall be returned without delay if the certificate or licence is not revoked.

Section 67

Reprimand and warning

The Finnish Transport and Communications Agency may issue the certificate or licence holder with a reprimand if the certificate or licence holder in a manner other than that referred to in section 66, subsection 2, paragraph 2 fails to comply with the provisions or regulations that concern the activities referred to in the certificate or licence or the management of an activity referred to in the certificate or licence. The Finnish Transport and Communications Agency may issue a warning if the reprimand cannot be deemed sufficient, considering the matter as a whole.

The reprimand shall be issued orally or in writing. The warning shall be issued in writing and entered in the transport register.

Section 68

Penalty fee

A penalty fee can be imposed on a party that intentionally or through negligence

- 1) fails to comply with the compulsory pilotage referred to in section 4 and in regulations issued under it unless otherwise provided in sections 4–7;
- 2) provides pilotage services in violation of what is provided in section 8;
- 3) fails to comply with the obligation to submit the advance notification referred to in section 12, subsection 1 or provides erroneous or insufficient information in the advance notification;
- 4) fails to comply with the obligation to provide information specified in section 17, subsection 2;
- 5) performs pilotage without the right to do so laid down in section 30; or
- 6) provides deep-sea pilotage services in the Baltic Sea in violation of what is provided in section 55.

Section 69

Amount of the penalty fee

The penalty fee imposed on a legal person may not exceed EUR 100,000.

The penalty fee imposed on a natural person may not be more than four per cent of the person's income in his or her tax assessment carried out in the year before the end of the violation but not more than EUR 5,000.

The following shall be taken into account when the amount of the penalty fee is determined:

- 1) type, extent, severity, duration and frequency of the offence;
- 2) gains from the offence if this information is available;
- 3) action taken by the entrepreneur to mitigate or rectify the damage; and
- 4) financial position of the perpetrator.

Section 70

Imposing or waiving a penalty fee

The penalty fee is imposed by the Finnish Transport and Communications Agency. The penalty fee is imposed on the basis of a proposal. The penalty fee is ordered to be paid to the state.

Imposition of the penalty fee may not be proposed and it shall be waived if the offence is not of serious or repeated nature and the perpetrator has taken sufficient measures to rectify the offence immediately after noticing it or if imposing the penalty fee shall be considered manifestly unreasonable. Likewise, imposition of the penalty fee may not be proposed and the fee shall be waived if more than five years have passed since the offence.

Imposition of the penalty fee may not be proposed and it shall be waived if the suspect is also suspected of the same offence in a criminal investigation, consideration of charges or in a criminal case pending in a court or if the suspect has already received a legally valid judgement in the same case. The person on whom a penalty fee has been imposed may not be sentenced for the same offence in a court.

The penalty fee becomes statute-barred five years after a legally valid decision has been issued. The penalty fee expires when the natural person obliged to pay the fee dies. Provisions on enforcing the penalty fee are contained in the Act on the Enforcement of a Fine (672/2002).

Section 71

Appeals

A request for an administrative review of the decisions of the Finnish Transport and Communications Agency may be submitted; however, no request for an administrative review may be submitted of the agency's decisions that concern the revocation or limitation of the scope of a pilot's licence, PEC, deep-sea pilot's licence for the Baltic Sea, certificate of the person assessing the examinations and revocation of a remote pilotage permit. Provisions on requesting an administrative review are laid down in the Administrative Procedure Act (434/2003).

Provision on the appeal to an administrative court are laid down in the Administrative Judicial Procedure Act (808/2019).

Section 72

Court

When the competent court in the matters considered under sections 14, 17–20 and 23 of this Act is determined, provisions in chapter 21 of the Maritime Act are applied.

Chapter 11

Entry into force

Section 73

Entry into force

This Act enters into force on 1 September 2023.

This Act repeals the Pilotage Act (940/2003) and the Decree on Deep-Sea Pilotage in the Baltic Sea (1105/1981).

Section 74

Transitional provisions

The pilot's licences, pilotage exemption certificates and exemptions granted under the repealed act remain in force until the end of the period referred to in the granting decision.

The experience required of the person providing guidance on the PEC familiarisation voyage under section 43, subsection 3 above can also be considered partially or fully met with the comparable experience gained with a pilotage exemption certificate or exemption before the entry into force of this Act.

After the entry into force of this Act but before 1 June 2028, the pilot's licences specified in the repealed act can on application be converted into pilot's licences specified in this Act. The application for converting the licences shall be submitted to the Finnish Transport and Communications Agency. The conversion can be carried out to the extent that the experience possessed by the person on the area corresponds to the competence required for the pilot's licence granted under this Act.

The pilotage exemption certificate referred to in section 14 of the repealed act that meets the renewal requirements specified in the repealed act may be renewed using the procedure for renewing

the fairway-specific exemptions entered on the PEC and laid down in section 49 of this Act. In that case, the pilotage exemption certificate specified in the repealed act is converted into a corresponding fairway-specific exemption entered on the PEC.

The exemption referred to in section 16 of the repealed act that meets the renewal requirements specified in the repealed act may be renewed using the procedure for renewing the area-specific exemptions entered on the PEC and laid down in section 50 of this Act. In that case, the exemptions specified in the repealed act are converted into area-specific exemptions entered on the PEC to the extent that the prerequisites for renewing the exemptions for specific VTS areas or the exemptions concerning fairways other than VTS fairways entered on the PEC are met.

Traffic specified in section 5, subsection 2, paragraph 2 of the repealed act may continue until 1 June 2028 as laid down in the repealed act.

Before the entry into force of this Act but no later than 31 December 2023, the Finnish Transport and Communications Agency may decide that the proportion of the assignments carried out before the PEC familiarisation voyage can be higher than what is laid down in section 43, subsection 1.

The prerequisite specified in section 51, subsection 1, paragraph 2 of this Act is not applied during the period that starts from the entry into force of this Act and ends on 31 December 2023.